



AGENDA

ARCHAEOLOGICAL REVIEW
COMMITTEE
DECEMBER 02, 2021
3:30 PM
ATTEND VIRTUALLY

SPECIAL PROCEDURES FOR ARCHEOLOGICAL REVIEW COMMITTEE MEETING

Attendance: In response to the State's declaration of a Public Health Emergency, the Mayor's Proclamation of Emergency, and the ban on public gatherings in excess of those permitted in the current Public Health Order, and the need to incorporate technology and practices to re-institute in-person meetings consistent with the limitations established by the Order, the Archeological Review Committee meeting will be conducted virtually.

Internet: To join the Zoom meeting on the internet using a computer, laptop, smartphone, or tablet, use the following link: <https://us02web.zoom.us/j/86766023878?pwd=WDZlVGtRUIlzMXBOSS9TSFNlYQWt12QT09>

Passcode: 388148

Attendees should use the "Raise Hand" function to be recognized by the Chair to speak at the appropriate time.

Phone: To join the Zoom meeting using a phone, use the following phone numbers and Webinar ID: **US: 1 (346) 248-7799 - Webinar ID: 867 6602 3878 - Passcode: 388148**

Phone attendees should press *9 to use the "Raise Hand" function to be recognized by the Chair to speak at the appropriate time.

The agenda and packet for the meeting will be posted at <https://santafe.primegov.com/public/portal>.

- A. ROLL CALL**
- B. APPROVAL OF AGENDA**
- C. APPROVAL OF MINUTES:**
 - 1. January 14, 2021.
 - 2. February 4, 2021.



AGENDA

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3. March 18, 2021.
4. April 1, 2021.
5. May 6, 2021.
6. June 3, 2021.
7. July 8, 2021.
8. August 5, 2021.
9. September 2, 2021.
10. October 7, 2021.
11. November 4, 2021

D. MATTERS FROM THE FLOOR

E. OLD BUSINESS

F. NEW BUSINESS

1. 2021-004557-ARC. Ron Winters, agent for, Design Ingenuity, requests approval of a report for a 9.25-acre survey and inventory at 2200 Old Pecos Trail in the Suburban Archaeological Review District.
2. 2021-004558-ARC. Office of Archaeological Studies, agent for Drury Southwest, Inc., requests approval of a final report for data recovery at 828 Paseo de Peralta in the Historic Downtown Archaeological Review District.
3. 2021-004559-ARC. Office of Archaeological Studies, agent for High 5 Networks, request approval of a monitoring plan for the installation of 450 ft of Comcast conduit in the vicinity of 490 Old Santa Fe Trail in the Historic Downtown Archaeological Review District.

G. ADMINISTRATIVE MATTERS AND COMMUNICATIONS



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H. MATTERS FROM THE COMMITTEE

I. ADJOURN

Persons with disabilities in need of accommodations, contact the City Clerk's office at 955-6521, five (5) working days prior to meeting date.

SUMMARY INDEX
ARCHEOLOGICAL REVIEW COMMITTEE
November 4, 2021

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E. Old Business		
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G. Administrative Matters and Communications	None	10
H. Matters From the Committee	None	10
I. Adjourn	4:24 pm	10

**MINUTES OF THE CITY OF SANTA FE
ARCHEOLOGICAL REVIEW COMMITTEE
November 4, 2021
VIRTUAL HEARING**

CALL TO ORDER

A regular meeting of the City of Santa Fe Archeological Review Committee was called to order by David Eck, Chair, on the above date at approximately 3:45 p.m. at a virtual meeting held on Zoom.

A. ROLL CALL

Roll Call indicated the presence of a quorum as follows:

MEMBERS PRESENT:

David Eck, Chair
Derek Pierce
Cortney Wands
Dale Zinn

MEMBERS EXCUSED:

James Ivey

OTHERS PRESENT:

Carly Piccarello, Historic Preservation Division Director
Melissa Byers, Stenographer

NOTE: All items in the Committee packet for all agenda items are incorporated herewith by reference. The original Committee packet is on file in the Historic Preservation Office and available on the City of Santa Fe Website.

B. APPROVAL OF AGENDA

Ms. Piccarello asked that the minutes for October 7, 2021, be added to the agenda for approval. There were no objections from the members.

MOTION: Member Zinn moved, seconded by Member Pierce to approve the agenda, as amended, to include the October 7, 2021, minutes.

VOTE: The motion passed by unanimous (3-0) roll call vote with Members Pierce, Wands and Zinn voting in favor and none voting against.

C. APPROVAL OF MINUTES:

1. January 14, 2021.
2. February 4, 2021.
3. March 18, 2021.
4. April 1, 2021.
5. May 6, 2021.
6. June 3, 2021.
7. July 8, 2021.
8. August 5, 2021.
9. September 2, 2021.
10. October 7, 2021

Chair Eck questioned the minutes. He said when he began chairing the Committee, he was told that the Chair didn't vote. The current minutes being presented show him abstaining from voting. He clarified that not voting is not an abstention. In some of the minutes it has been indicated that he has voted, and he did not. He asked that the City Attorney provide a written document stating under what circumstances the Chair votes. He also indicated that some of the minutes state that he seconded the motion, and he did not. He said the digital system is not an accurate service for the need presented.

Attorney Ruybalid referred to Article 11 of the *City of Santa Fe Rules and Procedures for City Committees*. He read the following into the record:

Section 1. Voting Privileges. Committee members shall have the privilege of voting on matters or questions for the committee.

Section 2. Manner of Voting. Voting should be conducted in the following manner:

- a. A majority of the members shall constitute a quorum.
- b. Each member, excluding the chairman, shall have one vote. The chairman may vote only in the case of a tie or when his or her vote will provide the necessary number of votes required by law for taking action on an issue before the committee.

Attorney Ruybalid stated that under these rules, which were adopted by a resolution of the Governing Body, the chair can only vote to break a tie, not to create a tie.

Chair Eck asked that all the minutes be amended to correct the Chair's vote.

MOTION: Member Zinn moved to approve the minutes through 2021 and requested that all minutes noting that the Chair voted be changed to reflect that the Chair did not vote.

Attorney Ruybalid said he wasn't sure why that had to be done because it wouldn't change the outcome, he felt that was immaterial.

Chair Eck said the minutes in several places when there were four members in attendance reflect that he voted. He wanted the record to be clear about what in fact happened.

Member Zinn said they are voting for the accuracy of the minutes and Chair Eck wanted to ensure that.

Attorney Ruybalid agreed that if the minutes say that the Chair voted and he didn't, then the minutes need to be corrected.

Chair Eck said he knows he only voted when there was a quorum of three in attendance and he also knows he did not second any motions.

Member Zinn asked if the Committee needs to be specific about which minutes need to be changed.

Attorney Ruybalid confirmed that should be done.

Chair Eck said he will carefully review and specify the changes for the next meeting

Member Zinn withdrew motion

MOTION: Member Pierce moved to postpone approval of the 2021 minutes until the next meeting. Member Zinn seconded the motion

VOTE: The motion passed by a (3-0) roll call vote with Members Pierce, Wands and Zinn voting in favor and none voting against.

D. MATTERS FROM THE FLOOR

None

E. OLD BUSINESS

1. **2021-004290-ARC**. Ron Winters, agent for Otero Partners, LLC. requests approval of an archaeological testing and survey report for a 1.19-acre development project at 220 Otero St. in the Historic Downtown Archeological Review District. (Carly Piccarello)

STAFF REPORT

A cultural resources survey and inventory (reconnaissance) study with 2% testing was conducted in August 2021 at 220 Otero Street in advance of development of the property for a hotel. The ARC heard the request for approval of the report associated with the archaeological investigation on October 7, 2021, and postponed decision, requesting that the application include and address the parcel history, sherd analysis, faunal analysis and artifact history.

The archaeologist has resubmitted the report with the corrected revisions. The revisions included greater detail and information about property ownership. Notable, he has recommended that the archaeological site encountered during the fieldwork is not eligible to the National Register of Historic Places and should not be considered significant to the City. He is recommending that archaeological clearance of the parcel be granted.

STAFF RECOMMENDATION

Staff defers to the committee to determine if the study complies with 14-3.13(C)(4), Archaeological Clearance Permits, Procedures for the Historic Downtown District.

Chair Eck asked if there was anything that needed to be added to the staff report.

Ms. Piccarello said there was nothing further to add.

APPLICANT'S PRESENTATION

Ron Winters, 109 Calle Paula, Santa Fe, NM 87505, was sworn. He said he tried to address the Chair's concerns, in terms of background. He noted that he tried to do a title search with the City to establish historical background on the property. More recent titles are available but not earlier ones.

Chair Eck said it's impossible to do research over at County records.

Member Wands did not have any comments.

Member Pierce said it's a much better report. He had one comment on the abstract, the second to last paragraph. It states that the site was found to be non-contributing and ineligible for national register. He said that Mr. Winters could not make

that determination, he could only recommend. Only the keeper can make that determination.

Member Zinn said that his only comment was that the report referred to Willard and Clark Architects and it's Kruger and Clark Architects.

MOTION: Member Zinn moved to approve. The motion was seconded by Member Pierce.

VOTE: The motion passed by a (3-0) roll call vote with Members Pierce, Wands and Zinn voting in favor and none voting against.

F. NEW BUSINESS

1. **2021-004439-ARC.** The Office of Archaeological Studies, agent for Pamela Koster, request approval of a treatment report for archaeological investigations conducted at 206 McKenzie Street in the Historic Downtown Archaeological Review District.

STAFF REPORT

A cultural resources investigation per 14-3.13(B)(4), Procedures for Historic Downtown, was conducted at 206 McKenzie Street (Winters 2013). Four coalition period burials were identified at that time and subsequent mitigation of the burials was conducted in 2020 by the Office of Archaeological Studies. The report presents the results of the excavations and analysis of the burials. The applicant requests approval of the final report and clearance of the project.

STAFF RECOMMENDATION

Staff recommends approval of the application as it complies with 14-3.13(B)(4) (d), Procedures for Historic Downtown, Treatment. Staff recommends that the location of reinterment be recorded as an easement on the property plat to prevent future disturbance.

Chair Eck asked if there was anything that needed to be added to the staff report.

Ms. Piccarello said there was nothing further to add.

APPLICANT'S PRESENTATION

Eric Blinman, 6 Frasco Road, Santa Fe, NM 87508, was sworn in. He said he didn't have anything to add.

Member Zinn said he's fascinated and interested. He did the initial stark structures report for this. They walked all over this place but never stuck shovels in the ground. But

that's what archaeology does, it turns up the hidden past. He thought he was reading a CSI report. For the record, he said it was fabulous.

Member Wands was thankful for the detailed analysis.

Member Pierce said he thought the excavation was well done. He was confused and concerned about the sequence of events leading up to the excavation. It sounds like these were inadvertent discoveries at three separate burials, at three different times, all in the same courtyard. After the first one, someone would have required monitoring of the entire courtyard and that didn't happen. While the impacts to these burials weren't great, they were greater than they would have been if there'd been a monitor present from the beginning instead of called in after the fact. He was curious how that progression went.

Dr. Blinman said it was unusual. They were called in by Michelle when the first burial was found, and everything was shut down. Because it was within the city, they needed to produce a plan which was passed by this committee. He agreed, after completing this adventure it probably would have been wise to have proposed or for the Committee to have suggested that a monitoring component be added to everything that was going on in the courtyard. What may have been a technical mitigating factor was that he and Ron, at Member Zinn's behest, did reconnaissance on the property which was only allowed to be done within the parking lot and yet the entire lot was technically cleared. So there's this ambiguity of what was being done and being responded to, an inadvertent discovery of the burial, followed by another inadvertent discovery followed by yet another inadvertent discovery of a burial. After their plan was approved by the city, then they were just responding by letting Michelle know they got another one. Just adding that individual to this serial set of discoveries.

Dr. Blinman continued by saying that they have probably learned from this, doing the monitoring aspect of it. He wasn't sure that this would ever happen again, in the sense that modern practice would have allowed such a partial clearance following reconnaissance.

Member Pierce said there are lessons to be learned, moving forward. When there's an inadvertent discovery in a fairly confined space that's very close to LA 1051 as this one is, it's almost a no-brainer that all future activity in that contained area ought to be monitored.

Dr. Binman said he's beginning to be of the opinion that they shouldn't necessarily cite proximity to 1051 as meaningful because there is the immediately adjacent parcel of the county administration complex where nothing was found. They're doing enough

monitoring now that they're beginning to build up a picture of a residential zone that is spatially independent of 1051 but is clearly in the neighborhood. He has not looked at Paul Duran's notes on the water line that went up Johnson Street. If he recalled correctly, there is a gap of no cultural material between the cooking school discoveries and then the discoveries that were immediately adjacent to the Terra Cotta Restaurant. It's as if there are these incredible hot zones and then immediately adjacent to it there's little, if anything, whether that's due to post occupational scouring of the landscape or whether that's just the way habitation debris fell out back then.

Member Wands said she monitored that intersection of Johnson Street along the county building, under the PNM project. There was nothing there. She said it's interesting, some of it is disturbance but it's in those utility line corridors. There's always that question of what's beyond those utility line corridors that hasn't quite been discovered yet.

Chair Eck said not so many feet down the street from where monitoring was taking place, there was a young man hit by a different utility. It's a matter of inches in many cases and he wasn't certain that arbitrary samples from these utility trenches are all that valid for making suppositions about where things are and aren't because three inches away you could see all kinds of stuff and it just didn't happen.

Member Pierce said it's not unusual, in his mind, to see these clusters of human remains. This is a case where there are three inadvertent discoveries all in the same project and that that's particularly troubling.

Chair Eck said it may be that all three of these have been hit before by other construction.

Dr. Blinman said all three of them were hit by prior construction.

Member Pierce said he hopes to do better next time.

Member Zinn said there's one discrepancy, he thought it was on the same page. On one line it says the child was in utero and then it clearly says the child was not in utero.

Dr. Blinman said he would have that corrected

MOTION: Member Zinn moved to approve Case 2021-004439-ARC, as submitted. The motion was seconded by Member Pierce.

VOTE: The motion passed by a (3-0) roll call vote with Members Pierce, Wands and Zinn voting in favor and none voting against.

2. **2021-004449-ARC**. The Office of Archaeological Studies, agent for the City of Santa Fe Water Division, requests approval of a monitoring plan for 830 ft. of water line installation on Bishops Lodge Road in the Suburban Archaeological Review District.

STAFF REPORT

A cultural resources investigation per 14-3.13(B)(4), Procedures for Historic Downtown, was conducted at 206 McKenzie Street (Winters 2013). Four coalition period burials were identified at that time and subsequent mitigation of the burials was conducted in 2020 by the Office of Archaeological Studies. The report presents the results of the excavations and analysis of the burials. The applicant requests approval of the final report and clearance of the project.

STAFF RECOMMENDATION

Staff recommends approval of the application as it complies with 14-3.13(B)(4)(d), Procedures for Historic Downtown, Treatment. Staff recommends that the location of reinterment be recorded as an easement on the property plat to prevent future disturbance.

Chair Eck asked if there was anything that needed to be added to the staff report.

Ms. Piccarello said there was nothing further to add.

APPLICANT'S PRESENTATION

Dr. Blinman, previously sworn, thanked Carly for her forbearance in this. He said this was a monitoring operation that the City Water Division had assumed had been prepared by Paul before he left, but it had not. Dr. Blinman said he leapt in to try to prevent undue delays.

Chair Eck thanked him for that.

Member Pierce said it was straightforward and he didn't have anything to add.

Member Zinn had no comments.

Member Wands had no comments.

MOTION: Member Zinn moved to approve Case 2021-004449-ARC, as submitted. The motion was seconded by Member Pierce.

VOTE: The motion passed by a (3-0) roll call vote with Members Pierce, Wands and Zinn voting in favor and none voting against.

G. ADMINISTRATIVE MATTERS AND COMMUNICATIONS

None

H. MATTERS FROM THE COMMITTEE

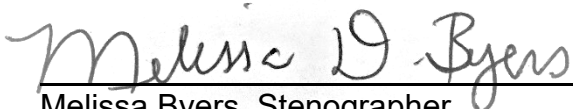
None

I. ADJOURN

MOTION: Member Zinn moved to adjourn the meeting at approximately 4:24 p.m. The motion was seconded by Member Pierce.

VOTE: The motion passed by a (3-0) roll call vote with Members Pierce, Wands and Zinn voting in favor and none voting against.

Submitted by:



Melissa Byers, Stenographer
For Byers Organizational Support Services

Approved by:

David Eck, Chair