

NEW MEXICO CULTURAL PROPERTIES REVIEW COMMITTEE

Special Committee Meeting

December 16, 2021

1:00PM

Zoom Video Conference, Santa Fe, NM

Chairman Ronald Toya called the meeting to order at 2:00 p.m. Chairman Toya characterized the CPRC as a statutory body established in 1969 under the Cultural Properties Act charged with identifying and advising on the protection of the State's cultural properties. CPRC meetings are run by parliamentary procedure. With the added dimension of meeting virtually and not in person Chairman Toya asked for everyone's patience. In addition, discussion on an agenda item may be suspended and no Committee action will be taken in the event there is an interruption in the audio/video and will only resume if the issue is fixed.

Ms. Ensey called roll and a quorum was established with the following members present:

COMMITTEE MEMBERS PRESENT:

- Mr. Ronald Toya (Chair)
- Dr. Kelly Jenks (Vice Chair)
- Dr. Matthew Bandy
- Mr. Robert Martinez
- Dr. Hannah Mattson
- Mr. Francisco Uvina

COMMITTEE MEMBERS ABSENT: Dr. Audra Bellmore (Secretary)

OTHERS PRESENT: Donna Bevacqua -Young, Assistant Attorney General
Kelly Hockersmith, SEARCH

STAFF PRESENT: Dr. Jeff Pappas, State Historic Preservation Officer/Director
Michelle Ensey, Deputy State Historic Preservation Officer
Andrew Zink, Archaeological Review
Karla McWilliams, Historian/Zoom Host

1. APPROVAL OF AGENDA

Chair: If my math is correct, then we have six members present. Has everyone had a chance to review the agenda? If so, I will hear a motion to approve the meeting agenda for today.

Member Dr. Mattson: I make a motion to approve the agenda.

Chair: Do I have a Second?

Member Mr. Rob Martinez: I second the motion to approve the agenda.

Chair: Any discussions? Hearing none, will Michelle please take a roll call vote to approve the agenda?

Mr. Ronald Toya	Yes
Mr. Robert Martinez	Yes
Dr. Matthew Bandy	Yes
Dr. Kelly Jenks	Yes
Dr. Hannah Mattson	Yes
Mr. Francisco Uvina	Yes

Chair: The motion passes unanimously. Dr. Pappas, do you have any guests you would like to introduce?

Dr. Pappas introduced the staff present and Chairman Toya also acknowledged the presence of Ms. Donna Bevacqua-Young from the Attorney General's Office.

Chair: The next item on the agenda is Committee Matters. Who will be presenting this?

2. Committee Matters

a. Memorandum of Understanding between the NM State Historic Preservation Officer, the Middle Rio Grande Conservancy District, and the Cultural Properties Review Committee for the Treatment of Cultural Properties.

Dr. Pappas asked Ms. Ensey to summarize the Memorandum of Understanding. Ms. Ensey summarized the Memorandum, its purpose, and slight changes recommended by Ms. Bevacqua-Young.

Chairman Toya stated he was happy and satisfied with the agreement. He asked for other comments. Member Dr. Bandy had a question regarding termination of the agreement. Dr. Pappas stated that we would try to resolve the issues we had before termination of the agreement. The termination clause is standard in any agreement. If the document did dissolve, we would revert back to standard consultation under state law. Dr. Bandy wondered if it would be easy for MRGCD to bow out of the agreement. Dr. Pappas stated that if MRGCD decided to dissolve the agreement we would enter into consultation with the federal agency (the Bureau of Reclamation) and the MRGCD. Dr. Bandy also asked about the federal agency's analysis of adverse effects. Dr. Pappas stated that very little survey had been conducted and this was one reason why we entered into the MOU. Dr. Bandy stated that if we were satisfied then he was satisfied. Dr. Pappas said he was very happy with the agreement. Member Mr. Uvina, asked about an expiration date on the agreement. Ms. Ensey stated that the agreement term is five years and could be extended if everyone is happy with the agreement. After 10 years, agreements usually need to be updated. Chairman Toya said that most agencies work in good faith but if they wanted to, they could get out of any agreement. Dr. Pappas stated that this is an important resource and could be a national historic landmark. Chairman Toya stated he was comfortable with the agreement. He asked if there was any further discussion and asked for a motion to approve or disapprove.

Member Dr. Mattson: I make a motion to approve the Memorandum of Understanding

Chair: Thank you Dr. Mattson. Do I have a Second?

Member Mr. Uvina: I second the motion

Chair: Thank you Mr. Uvina. Further discussion? Hearing none, will Ms. Ensey please take a roll call vote?

Mr. Ronald Toya Yes
Mr. Robert Martinez Yes
Dr. Matthew Bandy Yes
Dr. Kelly Jenks Yes
Dr. Hannah Mattson Yes
Mr. Francisco Uvina Yes

The motion carried unanimously. Chairman Toya stated that he thinks this agreement will work very well. Chairman Toya stated that next on the agenda is permit matters and asked who will present? Kelly, Michelle? Dr. Pappas stated that Dr. Mattson should present.

3. PERMIT MATTERS

a. Applicants for a 2022 to 2024 General Archaeological Investigation Permit:

i. SEARCH, Inc.

Dr. Mattson stated that this was an item that was accidentally dropped off the agenda but during the archaeological subcommittee for the regular meeting. She said that they reviewed the application and didn't believe there were any issues with the permit application. Dr. Bandy and Dr. Jenks confirmed that was correct. Member Dr. Mattson moved to approve the 2022-2024 General Archaeological Investigation permit application for Search Inc.

Chair: Can I have second?

Member Dr. Jenks: I second.

Chair: Thank you Kelly. Any discussion?

Dr. Pappas mentioned that someone as present from SEARCH. Kelley Hockersmith thanked everyone for having the meeting and the review.

Chair: We have a motion and a second, Michelle please call the roll.

Mr. Ronald Toya Yes
Mr. Robert Martinez Yes
Dr. Matthew Bandy Yes
Dr. Kelly Jenks Yes
Dr. Hannah Mattson Yes
Mr. Francisco Uvina Yes

4. DATE OF NEXT COMMITTEE MEETING

- February 11th, 2022

Chair: Motion carries unanimously. Chairman Toya stated that is all of the business on the agenda and asked if there was any further discussion of any other item at this time. Not hearing any, Chairman Toya stated that the next meeting February 11th and wished everyone a Merry Christmas and happy holidays. Chairman Toya also wished the former members Doug Boggess, Christopher Purvis, Reginald Richey and Rick Hendricks happy holidays. Chairman Toya asked for a motion to adjourn.

5. ADJOURNMENT

Member Dr. Jenks: Motion to adjourn.

Chair: Thank you Kelley. Can I have second?

Member Mr. Martinez: I second.

Chair: Thank you Rob. Any discussion? Hearing none, Michelle call the roll.

Mr. Ronald Toya	Yes
Mr. Robert Martinez	Yes
Dr. Matthew Bandy	Yes
Dr. Kelly Jenks	Yes
Dr. Hannah Mattson	Yes
Mr. Francisco Uvina	Yes

The motion to adjourn passed unanimously. The meeting adjourned at 2:23 p.m.