NM Supreme Court Upholds the Mount Taylor Cultural Property Listing

This past February, the New Mexico State Supreme Court unanimously upheld the status of Mount Taylor as a traditional cultural property (TCP). Thanks to the verdict, the unified efforts of 5 different tribes, and the labor of the Cultural Properties Review Committee, a 420,000-acre area on the mountain in Cibola County will remain accessible to tribes, hikers, hunters, and private landowners alike.

So what is a TCP? TCPs, defined by the 1990 National Park Services, are places essential to maintaining a community’s cultural identity—through contemporary cultural practices that take place in that spot, or through the historical associations with a particular place.

In June of 2008, local tribes, concerned that the parts of the mountain they hold sacred were threatened by plans for uranium mining and development, nominated the mountain for TCP status. The Cultural Properties Review Commit-
INSIDE THIS ISSUE

1  NM Supreme Court Rules Mount Taylor Cultural Property
2  Forty-second Annual Heritage Preservation Awards
3  Upcoming Events
4  Staff Updates
7  New Listings: National and State Registers
9  Heritage Preservation Month Poster

upcoming events:

**Nov 12th-14th**, come discuss with us how to build a better community at the first annual meeting of **Building Creative Communities**

topics will include:

- farming in Northern New Mexico
- farmers’ markets
- local farming traditions
- conservation easements
- preserving the past (mid-century modern)

Sponsored by
- New Mexico Arts Division
- New Mexico Main Street
- State Historic Preservation Division
- New Mexico Office of Tourism

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AT & SF freight office in downtown Albuquerque

100 block of Pine Street in downtown Deming

Florence and John R. Pond House
Architectural historian Barbara Zook has fallen in love with the Silco Theater in Silver City’s historic district. This architectural gem dates back to 1923. It was the town theater for more than four decades until it became the Union Furniture Store in the mid 1960s. Purchased in 2013 by the city, the building is undergoing intensive rehabilitation to its interior as part of a public-private partnership between Silver City Main Street, PNM, the state, and a host of interested citizens. According to Barbara, Silver City Main Street has contracted with architectural professionals who will rehabilitate the old theater in a historically-sensitive manner. Silver City will soon reclaim not only a movie theater, but a piece of community history.

CLG and Grants Program Manager Karla McWilliams reports that 20 small grants as well as grants to six Certified Local Governments (or CLGs) have been approved this fiscal year. A standout is the Amador Hotel in Las Cruces. Originally built as a one-story house for the family of local resident, Martin Amador in 1866, the hotel also served for a time as a boarding place for freight team drivers. Karla is submitting a draft nomination to place the hotel on the National Register, where afterwards the Amador Museum Foundation will hopefully develop it into a museum of Las Cruces history. Karla is also drafting nominations to place Santa Fe’s historic Sena Plaza, Lordsburg’s Downtown commercial district, and the Belen City Hall on the National Register.

Steven Moffson, architectural historian, processes the nominations to both the State and National Registers for Historic Places sent to HPD. He currently is preparing a National Register nomination alongside HPD intern and UNM graduate student Rick Juliani. The Hondo school was home and studio of the internationally renowned Mexican-American artist and long-time New Mexico resident, Luis A. Jimenez, Jr. Jimenez gained international recognition as a draftsman and sculptor for his contributions to the Pop and post-Pop art movements during the 1960s and 70s, and later as the artist of the working class. His fiberglass sculpture reinvented the concept of public art in the United States. The house and studio today now belong to Jimenez’ widow, Susan, and stand much the way they did from 1986 to 2006, when they housed some of his best-known works: Sodbuster, Southwest Pieta, Border Crossing, Fiesta, and his final work, Mustang, which currently stands outside the Denver International Airport.

Archaeologist Bob Estes is currently working on the proposed construction of a water pipeline in northwestern New Mexico that will cross tribal, state, private, and federal lands. Funded through the Bureau of Reclamation, the project entails two separate sections of a below-ground pipeline, 50-60 inches wide in some areas. The main portion is planned to run from the Kirkland/Fruitland area to Gallup and communities to the east such as Church Rock. Another pipeline is slated to run from Cutter Reservoir near Navajo Dam and Largo Canyon along State Highway 550 to Jicarilla and the Eastern Navajo agency communities. Bob’s role is to reduce the impact of the project on the area’s many archaeological sites; he is working to achieve it with the Navajo Nation’s Historic Preservation Office. According to Bob, the NMSHPO is one of a number of signatories, including the New Mexico State Land Office, the Navajo Nation, the Bureau of Land Management, and the Bureau of Reclamation, in the project slated for completion in 2024.

Harvey Kaplan, architectural historian, coordinates the State Income Tax Credit for Registered Cultural Properties program. Established in 1984, this financial incen-
tive program encourages property owners to restore, rehabilitate, and preserve cultural properties through tax credits. Owners of historic structures are eligible for credits after the completion of qualified and pre-approved measures to rehabilitate historic structures or stabilize or protect archaeological sites. To date, more than 800 projects around the state have received approval. In order to qualify, a property must be listed individually or as a contribution to a State Register of Cultural Properties historic district. The successful program has created an estimated 7:1 community investment ratio for every dollar provided through a credit (recently resulting in a five-year period in which $1.4 million in taxpayer-eligible credits resulted in $7.4 million worth of rehabilitation construction projects).

HPD archaeologist Michelle Ensey is reviewing a proposed uranium mine, the Roca Honda mine, which lies partially within the boundaries of the designated Mt. Taylor Traditional Cultural Property. Many mines in this area were abandoned in the 1980s when the local uranium industry declined. However, with uranium prices expected to rise, companies have renewed their interests in mining it. As lead reviewer, Michelle ensures the proper completion of an environmental impact study, as well as Section 106 compliance, before any proposed mining activity can occur. For the Navajo Nation, the Pueblos of Laguna, Acoma, and Zuni, as well as the Hopi in northern Arizona, Mt. Taylor holds a sacred place in their oral traditions, histories, and current cultural practices. Some of these tribes are concerned about the environmental impact mining could have on Mount Taylor. However, the existing laws of federal land management allow mining permits by the Forest Service, as long as the mining company has conducted an environmental impact study and complies with Section 106 regulations.

David Plaza, HPD archaeologist, is currently entering the Historic Cultural Properties Inventory (HCPI) forms into the online New Mexico Cultural Resource Information System (NMCRIS) database. When he is finished, the database will be a more complete inventory of all documented cultural sites throughout the state. David has completed all the forms for Union County. Currently he is working on properties in Colfax County. The next planned area of focus will be White Sands Missile Range. David will digitally archive the counties on the peripheries of the state first. This way, surveyors in the field working on properties, or individuals living in areas furthest away from the archives in Santa Fe, who need digital access most will have it. In addition, the project will create guidelines for those researchers unfamiliar with digitally recording HCPI forms for use on NMCRIS, ensuring the state’s database of cultural resources retains its maximum utility their users.

Archaeologist Andy Wakefield completes archaeological reviews for Section 106 compliance. Projects funded or operated by the federal government may affect the integrity, or even survival, of historic structures and properties. By making sure every project is compliant with Section 106, Andy mitigates potential damage from these projects. He is reviewing a host of proposed projects to determine the nature and extent of the impact on cultural resources of any activities occurring on federal lands, or by any groups, such as private contractors, receiving federal funds. Much of Andy’s work involves projects on U.S. Forest Service or the Bureau of Land Management lands.
Architectural historian Pilar Cannizarro is creating two Memoranda of Understanding (MOUs) that will guide the demolition of the Old Hospital building at Fort Bayard, near Silver City, and a pair of structures on the New Mexico School for the Deaf campus in Santa Fe. The Old Hospital building is on land that the state wants to sell for development. The cost to demolish the hospital has been estimated at $4.6 million. One stipulation for the demolition of this structure will be that the state document the structure through a HABS/HAER survey.

Pilar’s other project involves the removal of a pair of WPA-era buildings at the New Mexico School for the Deaf. As part of the school’s comprehensive master plan, significant changes were required to the central part of the campus, where more open space was needed to make this largely residential campus more accessible and easier to negotiate for students. It was decided that two historic buildings, the old infirmary and former laundry building, would have to be removed. As part of completing the HABS/HAER documentation, the school agrees that each original architectural feature that can be re-used will be reincorporated into newly-constructed buildings, and that the buildings’ histories will be displayed on campus through historical photographs and documents.

Archaeologist Norman Nelson is the state coordinator for SiteWatch, a state-wide volunteer program coordinated by HPD that monitors the state’s archaeological sites. SiteWatchers (or site stewards) monitor impacts on designated cultural resources and report to the appropriate authorities. The SiteWatch program is open to anyone who has an interest in the preservation of archaeological sites, historic buildings, and other cultural resources, and who is willing to abide by the stewards’ Code of Conduct. The program, begun in 2002 with only four area chapters, now has grown into 15 chapters that monitor approximately 560 sites with the help of roughly 270 site stewards. Norm was recently contacted by a governmental agency in the Spanish region of Castilla-La Mancha looking to expand their site monitoring program “into something more organized and formalized.” The agency requested copies of New Mexico’s SiteWatch’s training program to use as blueprints. Governmental agencies from 17 countries, including Egypt, Peru, Jordan, and Singapore, have specifically sought out New Mexico’s SiteWatch program, soliciting the office in administering their own program of cultural resource protection.
**HERITAGE PRESERVATION AWARDS**

**Lifetime Achievement**

**Dr. Linda Cordell**, posthumously, for a lifetime career teaching undergraduate and graduate students, directing archaeological field schools, developing museum exhibitions and conducting collaborative research of 14th-century ancestral pueblo society, ceramics, and maize agriculture.

**Dr. Helen Crotty**, for recognition as a leader in the preservation of rock art and her lifetime dedication to the preservation of New Mexico’s cultural heritage.

**Achievement Individual**

**Karen Armstrong**, for her generous volunteer efforts and leadership for over a decade resulting in an enormous and lasting improvement in how archaeological collections are stored at the Maxwell Museum.

**Eric Liefeld** of *Mesilla Valley Preservation, Inc.*, for recognition as one of the leaders of historic preservation in Southern New Mexico and founder and president of Mesilla Valley Preservation, Inc., a community organization dedicated to preserving the architectural legacy of the Mesilla Valley.

**Dr. William Taylor and Rose Contreras-Taylor** For the successful rehabilitation of the Wells Fargo Express Building, a contributing building to the Las Vegas New Mexico Railroad Avenue Historic District, and working closely with Grim LLC to restore and upgrade the original finishes, windows and the electrical system.

**Steve McCloskey and Tom Roesch**, of *USDA Forest Service Engineers, Lincoln National Forest*, for demonstrating great passion for historic preservation and successfully

New to the National Register of Historic Places, in 2013-2014:

- **AT & SF Freight Office** Albuquerque, Bernalillo County
- **Deming Downtown Historic District** Deming, Luna County
- **El Camino Real, La Cieneguilla South** La Cienega, Santa Fe County
- **El Camino Real, El Rancho de las Golondrinas** Santa Fe, Santa Fe County
- **Florence and John R. Pond House** La Plata, San Juan County
- **Old Dowlin Mill** Ruidoso, Lincoln County
- **Resources of Central Albuquerque** Albuquerque, Bernalillo County
- **Silver City Historic District boundary increase** Silver City, Grants County

New to the State Register of Cultural Properties, in 2013-2014:

- **El Camino Real de Tierra Adentro Arroyo Alamillo**, North Section, Socorro County
- **Frank and Amelia Jones House** Dona Ana County
- **Clovis Railroad and Commercial Historic District** Clovis, Curry County
- **El Camino Real: La Cieneguilla South** La Cienega, Santa Fe County
- **El Camino Real: El Rancho de las Golondrinas** Santa Fe, Santa Fe County
- **John A. and Dorothy Brentari House** Gallup, McKinley County
- **Old Lordsburg High School** Lordsburg, Hidalgo County
- **Silver City Historic District: boundary increase and amendment** Silver City, Grant County
rehabilitating and preserving four fire lookout complexes threatened by neglect that are listed in the National Register of Historic Places.

**Heritage Organization**

*Artesia Library Foundation and Building Committee*  
For collaborating to successfully rescue a 15’ x 46’ mural by Southeastern New Mexico artist Peter Hurd threatened with demolition, and for their inspiring partnership which raised $7 million for designing and constructing the new Artesia Public Library where the 61-year-old mural was installed as a centerpiece.

*Candie Borduin and the Mesa Prieta Petroglyph Project*  
For exceptional leadership and training of 13 teams of volunteers to record 40,000 petroglyphs at Mesa Prieta and educating Hispanic and Native American youth in this uniquely rich cultural resource of Northern New Mexico.

*UNM Regents Historic Preservation Committee*  
For recognizing the importance of preserving the historic resources of the University of New Mexico campus by forming a committee whose mission is to survey existing buildings, write their historic context narrative and prepare a campus preservation plan.

**Architectural Heritage**

*Steven Crozier and Clovis Main Street for the Hotel Clovis Project*  
For an excellent rehabilitation into affordable housing, which demonstrates what a group of people, with passion and vision, can achieve working together preserve an important local landmark.

**Archaeological Heritage**

*Dr. John Guth and the Archaeological Society of New Mexico Rock Art Council*  
For innovations in designing a preservation tool for rock art recording and a standard for archival-ready rock art reports.

*Dr. Elizabeth Oster of Jemez Mountains Research Center*  
For furthering the preservation and study of New Mexico’s archaeological heritage with her dedicated professional approach bridging the interests of state and federal land managers, and multiple stakeholders in the New Mexico Spaceport America Project.

**Heritage Publication**

*Dorothy Hoard, Judith Machen, and Ellen McGeehee,* for coauthoring *Homesteading on the Pajarito Plateau, 1887-1942,* a publication celebrating the memory of those original homesteaders who gave up their land “for the good of the nation” as part of the M.P.

*Jack Young, New Mexico Department of Game and Fish,*  
For an exemplary and thoroughly professional job as staff archaeologist of the New Mexico Department of Game and Fish who led culturally sensitive studies from 2011 to 2014 to offset the adverse effects of required energy dam safety improvement at Lake Roberts Wildlife Area in Grant County.
tee responded by enacting an emergency listing of 660 square miles of Mount Taylor in the SRCP, making it the largest cultural resource in New Mexico to date.

As the 365 days of the emergency listing ticked away, Cibola County was the center of a firestorm of controversy and backlash. Angry citizens contested what they felt to be an unwelcome expansion of tribal jurisdiction; ranchers and farmers, some the owners of Spanish land grants that date back centuries, bristled at the possibility of an infringement on their privately-owned land; hikers worried whether the Mount Taylor Winter Quadrathlon and other beloved athletic activities held on the mountain would continue.

The already-heated situation came to a boil when Reyellen Resources, Inc., and Destiny Capital sued in 2009. Fifth District Judge William Shoobridge vacated the listing on behalf of the plaintiffs, ruling that the TCP was too large for the state to manage effectively, and that the committee had failed to provide affected landowners with sufficient notice. This ruling was immediately appealed.

The Court of Appeals cited the issue as one of substantial public interest and sent the case to the state Supreme Court. The high court heard the case in September 2012, at a hearing that lasted more than two hours.

In a 21-page opinion, the Court unanimously upheld Mt. Taylor’s TCP status, ruling that the CRPC’s actions in 2009 did not violate due process. The Court also found that the available agencies’ inspection program could provide adequate inspection and protection as stipulated by law.

The opinion, written by Justice Charles Daniels, also clarified contentions over private land interests. Daniels ruled that the land covered by the old Cebolleta Land Grant, established by the Spanish monarchy in 1800, did not constitute state land as defined in the state’s Cultural Properties Act. As such, the 19,000 acres of the Cebolla land grant were excluded from the boundaries of the Mount Taylor TCP.

The decision was strongly supported by tribal members and preservationists, and with lingering suspicion but hopeful expectations by many local residents. Access to Mount Taylor remains the same as it was before being listed in the State Register. The Mt. Taylor Winter Quadrathlon, a nearly 30-year-old tradition, still is held there each February. Camping, fishing, hiking, hunting, grazing and traditional Spanish land grant activities continue. And, the cultural practices associated with the mountain since the beginning of time, as Acoma Pueblo stated, are preserved and significant in the lives of Native Americans living in New Mexico and beyond its borders.

“In a 21-page opinion, the Court unanimously ruled that the CRPC’s actions in 2009 did not violate due process.”
Each year in recognition of Preservation Heritage Month, HPD designs and issues a free commemorative poster that is distributed throughout the state and entire country. This year’s image of a cave dwelling in the Gila Cliff Dwellings National Monument was taken by Robert Fletcher, archaeologist with the Archaeological Records Management Sections, and was designed by HPD’s Harvey Kaplan. The poster is available for free by contacting 505-827-6320 or nm.shpo@state.nm.us.