

APPLICATION FORM FOR
CERTIFICATE OF NO EFFECT
OR CERTIFICATE OF APPROVAL
RE: ARCHAEOLOGICAL
RESOURCES ORDINANCE

PRESERVATION DIVISION
CITY OF SCOTTSDALE

Quarter Section(s): 34-48

Book/Map/Parcel: 215-52-36A

Street Address: _____

15040 N. NORTHSIGHT BLVD.

THIS PAGE OF FORM TO BE COMPLETED BY APPLICANT

DATE APPLICATION SUBMITTED: 3/4/02

NAME OF CITY PROJECT COORDINATOR: BILL VERSCHUREN

APPLICANT NAME: KRISTJAN SIGURDSSON

ADDRESS: 1850 N. CENTRAL AVE # 335
PHX, AZ 85004

TELEPHONE #: 602-252-5202 FAX #: 602-252-5203

OWNER NAME: NORTHSIGHT VILLAGE II, LLC

ADDRESS: 15490 N. 83RD WAY
SCOTTSDALE AZ 85260

NOTES: AN ARCHAEOLOGICAL REPORT WAS PREPARED IN AUGUST OF 2000
THE ENTIRE SHOPPING CENTER WAS BUILT IN 2001, INCLUDING A
BUILD READY PAD FOR PAD 6 (THIS PROJECT)

TYPE OF DEVELOPMENT PROJECT APPLICATION

<input type="checkbox"/> Rezoning	<input type="checkbox"/> Use Permit	<input type="checkbox"/> General Plan
<input type="checkbox"/> Preliminary Plat	<input type="checkbox"/> Final Plat	<input type="checkbox"/> Master Plan
<input checked="" type="checkbox"/> Development Review Board	<input type="checkbox"/> Grading Permit	<input type="checkbox"/> Lot Split
<input type="checkbox"/> Building Permit	<input type="checkbox"/> Infrastructure Imp.	
<input type="checkbox"/> Native Plant		

ARCHAEOLOGICAL SURVEY & REPORT

Date of Report: AUGUST 2000 Date of Revised Report (if required): _____

Name of Report: ARCHAEOLOGICAL SURVEY OF 13 ACRES AT
NORTHSIGHT BLVD & BUTTERNUT DR., SCOTTSDALE, AZ

by: JOHN LINDLEY & Firm: SWCA
MICHAEL RIZO

APPLICANTS/ARCHAEOLOGISTS STOP HERE

NOTE:
COULD NOT OBTAIN COPY OF OLD REPORT. CITY DR FILE IS 41-dr-1997#9
OUT BEING MICROFILMED. 3-18-02

15-pa-2002
3-4-02

THIS PAGE OF FORM TO BE COMPLETED BY CITY

Reviewed by _____	Date _____
Complete Report _____	Date _____
(Historic Preservation Officer/City Archaeologist)	

CERTIFICATE OF NO EFFECT

Approved, in accordance with the following findings

_____ No archaeological resources are located on the property

_____ No significant archaeological resources are impacted

_____ Significant archaeological resources are protected

 Type of permanent protection provided _____

 Documentation of permanent protection provided and approved _____

Denied, Certificate of Approval Required

Signature _____ Date _____

(Historic Preservation Officer/City Archaeologist)

NOTES _____

CERTIFICATE OF APPROVAL

Dates

_____ Submittal of Revised Archaeological Survey and Report

_____ Approved Revised Archaeological Survey and Report

_____ Submittal of Mitigation Plan

_____ Approved Mitigation Plan by HPO/Archaeologist _____ OR

Historic Preservation Commission _____

_____ Satisfactory Implementation of Mitigation Plan

Denied _____

Approved _____

Signature _____ Date _____

(Historic Preservation Officer/City Archaeologist)

APPEALS		
<u>Certificate of No Effect</u>	<u>Certificate of Approval</u>	<u>Mitigation Plan</u>
Appeal Date _____	Appeal Date _____	Appeal Date _____
HPC Hearing _____	HPC Hearing _____	HPC Hearing _____
HPC Decision _____	HPC Decision _____	HPC Decision _____
CC Hearing _____	CC Hearing _____	CC Hearing _____
CC Decision _____	CC Decision _____	CC Decision _____

**ARCHAEOLOGY REQUIREMENTS FOR DEVELOPMENT PROJECTS
WITHIN MASTER PLANNED DEVELOPMENTS OR LARGER PROJECT AREAS
THAT HAVE A PREVIOUS ARCHAEOLOGICAL SURVEY**

PURPOSE Since some master planned and other projects in Scottsdale completed archaeology surveys as an ESL requirement prior to August 1991, the archaeology survey reports were not reviewed according to current ordinance standards and there is no signed Certificate of No Effect. Therefore this review process was developed to ensure ordinance compliance for new applications on land within larger developments.

SCOPE OF PROCEDURE The intent of this process is to review development project applications that are within larger approved project areas for their compliance with the city's archaeology ordinance requirements. The procedure applies to projects on land within larger projects that have previously submitted an archaeology survey to the City of Scottsdale to meet local requirements. The procedures apply to 1 Rezoning, use permits and development review board (DRB) applications, including plats, within master planned developments, and 2 Development applications for pads or parcels within a larger property (20 acres or larger property).

SUBMITTAL REQUIREMENTS Applicants for projects on land that is part of a larger project should submit map(s) and text with their application submittal as follows:

- 1 Proof that an archaeology report was previously submitted and/or approved (Submit a copy of the prior report or a copy of the approved Certificate of No Effect)
- 2 Map showing the current project location within the total land area covered by the prior archaeology report
- 3 Map clearly identifying within the current project area any significant or potentially significant surveyed sites and any recorded archaeological sites with their AZSite or other reference number
- 4 If there are significant, potentially significant or recorded sites within the project area, a narrative describing how the recorded site(s) will be impacted by the proposed development and describing any measures that will be taken to protect the site(s), such as placing the site in an Natural Area Open Space (NAOS) or conservation easement

CITY REVIEW OF SUBMITTAL The Preservation Division is responsible for managing the archaeology review process. The purpose of the review will be to determine the following:

- 1 Where the current project is located within the larger project land area and if there are any recorded sites on the development parcel
- 2 What measures are proposed to protect any sites on the development parcel and whether the proposed measures are adequate to satisfy ordinance requirements
- 3 If a significant recorded site will be impacted by the project, are a Mitigation Plan and a Certificate of Approval now required to comply with the ordinance? *Note: A Mitigation Plan or any additional work will not be required if the larger project area already has an approved Certificate of No Effect.*

The applicant can satisfy the archaeology requirements if the larger area has a Certificate of No Effect, if there are no recorded sites located on the project and if there are no impacts from the project on archaeological resources. If the protection measures proposed are inadequate and/or the project will have an impact on significant or potentially significant archaeological resources, the applicant will be asked for additional information and will generally be asked to prepare and implement a Mitigation Plan to meet the archaeology requirements that took effect in August 1991.

APPLICANT FACT SHEET

PROTECTION OF ARCHAEOLOGICAL RESOURCES ORDINANCE

(Ordinance 3243, adopted July 13, 1999, effective date August 12, 1999)

To help identify, preserve, and protect archaeological sites, an archaeological survey and report by a qualified archaeologist is required to be submitted for all public or private development project applications within the City of Scottsdale. A qualified archaeologist is an individual or firm meeting the Arizona State Museum's standards and professional qualifications for an archaeologist. The qualifications for archaeologists and a list of qualified archaeological consultants are available.

Applicable Development Projects Requiring an Archaeology Survey and Report:

A development project is anything leading to potential ground disturbance, including

- Rezoning, use permits, master plans, and general plan amendments
- Development Review Board cases, preliminary and final plats
- Lot splits and infrastructure improvements
- Building and grading permits, and native plant removal

Development Projects Exempt from Requiring an Archaeology Survey and Report (See attached ordinance text if needed)

- Pending Applications Applications for building permits, single family lot splits, development review board, and final plats that are submitted or approved prior to effective date of the Ordinance (August 12, 1999)
- Single Family Homes A private single family residence on a single family lot
- Less than 1 Acre Disturbed Non-residential development with 1 acre or less ground disturbance. *A report by a qualified archaeologist on a records check is still required to identify potential archaeological resources*
- Previously Developed Sites Projects on previously disturbed land where 50% or more of the land was already built. *A report by a qualified archaeologist on a records check is still required to identify potential archaeological resources*
- Approved Master Plan Master planned development with a previously completed Archeological Survey and Report within the last five (5) years (depending on what is being disturbed). *A mitigation plan may necessary*
- Development/Redevelopment Agreements Projects subject to a development or redevelopment agreement that already contain specific provisions on archaeological resources
- Mapped Exempt Area Projects within a land area that has been mapped by the Historic Preservation Commission to be exempt based upon prior surveys and research. As of 8/99 there are no areas mapped as exempt from surveys and reports

Note: Requirements on discoveries during construction are applicable to all developments (no exemptions)

Review of Archaeology Survey and Report

The archaeology survey and report is submitted along with the development project application. The City Historic Preservation Officer and/or City Archaeologist review the archaeological survey and report for completeness, significant sites identified within the project, and the impacts of the project on identified sites prior to the application acceptance date.

Archaeological Impact Assessment

- No Impacts If it is determined that survey and report are complete, and the project has no significant resources, or it is documented that the project will not impact significant archaeological resources, then the Preservation Division will sign and issue a Certificate of No Effect. With a Certificate of No Effect, the application may be accepted and the project may proceed.
- Mitigation Plan If it is determined that the project has archaeological impacts, the applicant must submit a mitigation plan. The Historic Preservation Officer and/or City Archaeologist may approve the mitigation plan. More complicated mitigation plans require approval by the Historic Preservation Commission before the application can be accepted. Upon approval of the mitigation plan, the application may be accepted and the project may proceed. Land disturbance can not proceed until the Certificate of Approval is signed. When the approved mitigation plan is satisfactorily completed, a Certificate of Approval can be signed.
- Economic Hardship The Historic Preservation Commission may issue a Certificate of Economic Hardship following a hearing that grants an exemption from the requirement to implement a mitigation plan for reasons of economic hardship. Upon issuance of a Certificate of Economic Hardship, the application may be accepted and the project may proceed.

Please contact the Preservation Division at 312-7013 or your Project Coordinator for more information on archaeology requirements. The attached list of questions includes the answers to commonly asked questions about the ordinance. For complete information regarding the Preservation of Archaeological Resources Ordinance, please refer to Ordinance 3243 or the Scottsdale Revised Code.

ARCHAEOLOGIST FACT SHEET

Scottsdale Requirements for Archaeologists, Surveys and Reports

Who can complete the required surveys, reports and plans? A "Qualified Archaeologist" meeting the criteria of the Arizona State Museum including having the appropriate permit for the work must complete the required surveys and report. Applicants for development projects are responsible for selecting and hiring the archaeologist.

What criteria do archaeologists use in their reports to determine which resources are significant? The Scottsdale ordinance contains criteria on what types of resources are significant in the City of Scottsdale. The archaeology report must include a summary of whether the resources on each identified site are significant according to local criteria, and whether any significant sites will be disturbed by the project. The Scottsdale ordinance criteria are listed below.

Section 46-133 C of the Scottsdale Revised Code adopted by Ordinance 3243 is as follows:

- C Archaeological resources are significant in the City of Scottsdale when one or more of the following criteria are present on the property or are contained in the archaeological resources collected from the property:
- 1 The property represents a period or periods of prehistory or history in Scottsdale more than fifty (50) years old. The property can be evaluated in comparison to similar known sites and compared to what is currently known of Scottsdale and the region's prehistory and history, and/or
 - 2 Important information is present on the property, or from artifacts collected from the property, and/or
 - 3 The property has research potential and research questions can be addressed through artifacts found on or collected from the property. The property has contributed important information regarding past human life and culture in Scottsdale and the desert, and/or
 - 4 The property contains a high frequency, density, diversity, or substantial number of archaeological resources, and/or
 - 5 The property's archaeological resources possess integrity that positively affects their significance and the potential for the resources to yield important information, and/or
 - 6 If artifacts have been excavated from the property, the information yielded from the artifacts and excavation has contributed to the knowledge of past cultures or archaeological techniques, and/or
 - 7 The property possesses resources, such as buildings or structures, which can be documented to be architecturally or historically significant in their own right, and/or
 - 8 The archaeological resources on or from the property have been acknowledged by the Historic Preservation Commission or the City Council as resources of particular importance in the history of human activities or settlement in the City of Scottsdale, and/or
 - 9 In cooperation with any Native American community, the Historic Preservation Commission or City Council has identified the types of resources on the property as important and significant to the prehistory or history of Native Americans.

What if the project is also required to submit an archaeology report for other jurisdictions or federal agencies to meet federal standards? Archaeology reports generally include a summary of whether the resources on the property are eligible or potentially eligible for the National Register and which eligibility criteria apply to the resources. This determination is necessary if any federal funding is involved in the project or if a 404 Permit is required due to project impacts on watercourses. Applicants and their archaeology consultants are strongly encouraged to prepare one report meeting both requirements.

**COMMONLY ASKED QUESTIONS ABOUT THE
PROTECTION OF ARCHAEOLOGICAL RESOURCES ORDINANCE**
Ordinance No 3243 on archaeology was adopted by City Council on July 13, 1999

Why does Scottsdale have archaeology requirements? The purpose of the ordinance is to identify, protect and recover when necessary significant archaeological resources on public and private projects in Scottsdale. Without any requirements many significant cultural resources from past human settlements would be lost forever.

Who in the City oversees the implementation of these archaeology requirements? The Preservation Division staff and outside experts working with this division are primarily responsible for overseeing archaeology standards. The Council appointed the Historic Preservation Commission to provide citizen oversight of the process and to conduct public meetings and hearings to review archaeology when required under the ordinance.

What types of development projects are exempt from the archaeological survey and report requirement? Scottsdale determined that it is more desirable to identify and protect the more significant archaeological resources than to identify sites and resources by conducting surveys on 100% of projects. A variety of development projects are exempt from field surveys according to Section 46-132 where projects will have little or no land disturbed and therefore minimal impact on archaeological resources is expected.

Who can complete the required surveys, reports and plans? An archaeological survey and report shall be prepared for development projects by a "Qualified Archaeologist" as defined in the ordinance, unless a development project. Applicants for development projects are responsible for hiring an archaeologist. A list of qualified archaeologists is available from the City or the Arizona State Museum.

When are surveys and reports required? The archaeology survey and report must be submitted and reviewed by staff early in the review process because no development or ground disturbance can occur until all the ordinance requirements on archaeology have been met. City Project Coordination staff will specify in a pre-application meeting if an archaeological survey and report is required and when it must be submitted.

What criteria do archaeologists use in their reports to determine which resources are significant? The Scottsdale ordinance contains criteria in Section 46-133 on what types of resources are significant in the City of Scottsdale (listed on a separate sheet). The archaeology report must include a summary of whether the resources on each identified site are significant according to local criteria, and whether any significant sites will be disturbed by the project. Archaeology reports also generally include a summary of whether the resources on the property are eligible or potentially eligible for the National Register and which eligibility criteria apply to the resources. This determination is necessary if any federal funding is involved in the project or if a 404 Permit is required due to project impacts on watercourses. Applicants and their archaeology consultants are strongly encouraged to prepare one report meeting both requirements.

Who reviews the reports? Scottsdale staff and/or archaeologists under contract to the City will review the archaeology reports. A quick determination will be made on whether the report is complete and meets the City ordinance requirements and administrative policies for reports. Applicants will be promptly notified if a report is incomplete or unsatisfactory. Staff will evaluate the report findings on significant sites prior to the application acceptance date.

What if the report finds no significant sites and/or no significant archaeological resources will be disturbed by the project? If the project has no significant resources and/or no significant resources will be impacted by the project, then a Certificate of No Effect will be issued by the City. The applicant will be required to submit documentation that identified significant sites within the project area will not be disturbed by the project. Documentation could include a conservation or NAOS easement or by some other legal restriction acceptable to the City.

What happens if the survey identifies a significant site that the project is expected to impact? The applicant will be encouraged to change their plan to not impact a significant site or impact less of the site. The applicant will be directed to submit a Mitigation Plan for review if the project will impact all or part of a significant site identified in the survey and report. Staff can approve the Mitigation Plan or send the plan to the Historic Preservation Commission, at their discretion, for a hearing and decision. The Commission will generally only be involved in reviewing Mitigation Plans if staff and the applicant cannot agree on the mitigation proposed. Upon approval of the Mitigation Plan the application may be accepted. If a Certificate of No Effect is not approved, a Certificate of Approval is required.

When is a Certificate of Approval granted? The applicant must satisfactorily complete the implementation of an approved Mitigation Plan to receive a Certificate of Approval. If an excavation of artifacts is part of the implementation, the site excavations must be completed prior to the Certificate of Approval. A report of the findings is due within one year of the Certificate of Approval. Construction activity can occur on the site after a Certificate of Approval is granted.

What is a Certificate of Economic Hardship and who can apply? A Certificate of Economic Hardship is a form granting an exemption from the requirement to implement a mitigation plan based upon economic hardship. An applicant who feels they can document that the time and cost of implementing the mitigation plan causes an economic hardship may apply for the exemption. The Historic Preservation Commission will hold a hearing and decide on the certificate application.

Q&A#

QUALIFIED ARCHAEOLOGISTS

Who Can Complete the Required Surveys, Reports and Plans? Unless a development project is exempt according to Section 46-132, an archaeological survey and report shall be prepared by a "Qualified Archaeologist" as defined in the ordinance. Applicants for development projects are responsible for hiring an archaeologist. The archaeologist must meet the Arizona State Museum's standards and professional qualifications, including having a permit for undertaking work in Arizona. A list of qualified archaeologists from the Museum is attached. The "Mitigation Plan", if required because a significant site is impacted, must also be prepared by a qualified archaeologist.

Background/Ordinance References

- ***Ordinance 3243 Definition***

Archaeologist, Qualified, shall mean an individual or firm meeting the Arizona State Museum's standards and professional qualifications.

- ***List of Qualifications from ASM***

Qualified Archaeologist shall mean an individual or firm meeting the Arizona State Museum's standards and professional qualifications including

- 1 a current blanket permit or specific project permit from the Arizona State Museum for archaeological surveys and, when applicable, archaeological excavations,
- 2 an individual and/or project director that has a graduate degree in archaeology or anthropology, or equivalent training or experience,
- 3 a demonstrated ability to plan and conduct research in Arizona based on contemporary archaeological method and theory,
- 4 a minimum of one year of full-time professional experiences at the supervisory level in the study of archaeological remains, and
- 5 a minimum of four months in excavation and supervised field experience in survey, and an additional four months experience in artifact identification and the analysis of archaeological data.

The Arizona State Museum list of qualified archaeologists is attached. The City and museum do not make recommendations to applicants on firms

quality

ARCHAEOLOGICAL CONSULTANTS 1999

IMPORTANT NOTICE

To do archaeological work on state, county, city or other municipal properties in Arizona, an archaeologist must first qualify, then obtain a General or Project Specific Arizona Antiquities Act Permit from the Arizona State Museum, University of Arizona. (Reference Chapter VIII B Rules implementing A.R.S 15-1631 and 41-841, ET SEQ the Arizona Antiquities Act)

The listing below represents the individuals, companies and organizations that - to date - have obtained Arizona Antiquity Act Permits for 1999. You can select an archaeologist from this list or solicit archaeological assistance from elsewhere. However, please remember the archaeologist you select must first qualify, obtain and have in possession an up-to-date Arizona Antiquities Act Permit to do any archaeological survey or excavation on state, county, city or other municipal properties in Arizona.

Allen Dart
Old Pueblo Archaeology Center
 PO Box 40577
 Tucson, AZ 85717-0577
 Ph 520 798 1201
 Fax 520 798-1966
 Email aldart@azstarnet.com
 1999-1bl

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 5036 Golder Ranch Road
 Tucson, AZ 85739
 Ph/Fax 520 825 3536
 1999-2bl

Donald E. Weaver, Jr.
Plateau Mountain Desert Research
 PO Box 3463
 Flagstaff, AZ 86003
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 Email: pmldr@primenet.com
 1999-3bl

Trish Castalia, Operations Mgr
Desert Archaeology
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 Tucson, AZ 85716
 520 881 2244
 1999-4bl

Dayle M. Cheever
RECON
 4241 Jutland St. #201
 San Diego, CA 92117-3653
 619 270 5066
 1999-6bl

Larry L Baker
San Juan Co. Museum Assn.
Division of Conservation Archaeology (DCA)
 Mail PO Box 125
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 Bloomfield, NM 87413
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 Fax 505 632.1707
 1999-7bl

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Gutierrez-Palmenberg, Inc.
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 Phoenix, AZ 85017
 602 234 0696
 1999-8bl

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 Fax 520 646.7155
 Email caseykay@juno.com
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Mary Lou Heuett
Cultural & Environmental Systems
 PO Box 2324
 Tucson, AZ 85702-2324
 520 622 2782
 1999-10bl

James B Rodgers
Scientific Archeological Services (SAS)
 2542 W Monterey Way
 Phoenix, AZ 85017-5104
 Ph/Fax: 602.257.8398
 1999-11bl

320-621-4734 H 3 11.
Cory Dale Bretermutz
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1999-12bl

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Email kinlamdeb@aol.com
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1999-28bl

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Western Cultural Resource Management
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1999-29bl

Katherine Roxlau
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 1999-30bl

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Logan Simpson Design Inc.
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 1999-32bl

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 1999-42bl

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 Fax 520.283 4804
 1999-55bl

Roc H. Indermill
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