

**COMMONWEALTH OF MASSACHUSETTS
BOARD OF UNDERWATER ARCHAEOLOGICAL RESOURCES
MINUTES OF PUBLIC MEETING – 4 December 2014**

MEMBERS PRESENT: Terry French (Designee of John Warner, State Archivist)
Lenny Loparto (Designee of Brona Simon, State Archaeologist)
Graham McKay (Marine Archaeologist)
Kevin Mooney, Deputy Director (Designee of Director of DCR Division of Waterways)
Jonathan Patton (Designee of Brona Simon, Executive Director of the Massachusetts Historical Commission)
Dan Sampson (Designee of Bruce Carlisle, Director of Coastal Zone Management)
Victor Mastone, Director (Staff for the Board)

MEMBERS ABSENT: Marcie Bilinski (Dive Community Representative)
Gary Murad (Dive Community Representative)
Roger Thurlow (Designee of Chris Baker, Director of Environmental Law Enforcement)

PROCEEDINGS:

The public meeting of the Massachusetts Board of Underwater Archaeological Resources was convened by the Director, Victor Mastone, at 1:30 PM on 4 December 2014 in the CZM Conference Room at 251 Causeway Street, Boston.

1. MINUTES

A. Minutes of 25 September 2014

Victor asked the Board if there were any comments or corrections to the minutes of the public meeting held on 25 September 2014. There were no comments or corrections.

Dan Sampson moved to accept the minutes of the public meeting held on 25 September 2014. Kevin Mooney seconded. Unanimous vote in favor. So voted.

2. DIRECTOR'S REPORT

A. Elections of Board Officers

Victor stated that the Board annually elects its two officers, Director and Deputy Director. Victor reminded the Board that it could nominate whoever it would like to serve as Director and Deputy Director. He suggested that the Board keep with past practice and consider nominating its staff to facilitate administration. Vic noted that prior to 2008 the position of Deputy Director had been held by Board staff as well. He did not believe backfilling the other staff position would happen in the foreseeable future. He noted that the Deputy Director position basically serves to allow the Director to step out of the meeting chair role and participate in debate. Further, he noted the Board had not held a meeting when he [Victor] could not be in attendance. For 2014, Victor Mastone served as Director and Board member Kevin Mooney as Deputy Director. Victor asked the Board members for nominations, and noted that Kevin Mooney was willing to serve another term as Deputy Director.

Kevin Mooney nominated Victor Mastone for the position of Director. Terry French seconded the nomination.

Dan Sampson nominated Kevin Mooney for the position of Deputy Director. Lenny Loparto seconded the nomination.

Kevin Mooney moved to elect Victor Mastone as Director and Kevin Mooney as Deputy Director of the Board for 2015. Dan Sampson seconded. Unanimous vote in favor. So voted.

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B. Schedule of Board Meetings for 2015

Victor proposed a continuation of the bi-monthly schedule of regular public meetings in 2015. In addition, he asked the Board to consider not scheduling meetings in June, July, and August, as it is difficult achieving a quorum in the summer months. He noted that this would not preclude the Board from holding additional public meetings if there were a need. Victor proposed scheduling meetings in 2015 for January 29, March 26, May 28, September 24, and December 3. He did not reserve meeting space for November due to Thanksgiving. He noted he would still reserve meeting space for the last Thursday of February, April, June, July, August, and October.

Lenny Loparto moved to adopt the dates of January 29, March 26, May 28, September 24, and December 3 as the Board's schedule of public meetings for 2015. Dan Sampson seconded. Unanimous vote in favor. So voted.

Change in the order of Business

Victor stated that as chair he would be changing the order of business at this point and move directly to Old Business. He would return to other business later in the meeting. Under Old Business, he said he would start with Underwater Discoveries Unlimited to accommodate a request by Mr. Snow.

3. OLD BUSINESS

A. Underwater Discoveries Unlimited, LLC

Victor reported that Underwater Discoveries Unlimited (UDU) had submitted its Excavation Permit renewal application and Annual Report in accordance with the Board's regulations. Mr. Snow was in attendance to present UDU's application and has some information to show to the Board. Vic reminded the Board this permit was UDU's southern area, where the *White Squall* is located.

Mr. Snow stated the past summer was not good. He had to get different divers, a new boat, poor visibility, and large swells, but they managed to do a couple of dives. Mr. Snow distributed copies of field procedures. He also displayed a chart of permit area. He explained the vessels was in three sections and pointed on the chart to where the tin was located in the vessel and just outside. He showed copies of underwater photographs of rudder post, winch on the bow, and frames. He noted the hold was 17 feet deep and there is currently 6-8 feet of sand over keelson. However, the site has uncovered in the past. They plan to photo and video document their work. He was looking to start excavation and recovery in Spring of 2015.

Graham suggested that Mr. Snow's team consider testing the airlift off-site prior to undertaking excavation. Mr. Snow said that the divers were very experienced.

Kevin Mooney moved to renew the Excavation Permit (06-003) held by Underwater Discoveries Unlimited LLC for the White Squall site in Wellfleet with all standard conditions in effect and the further conditions that all excavation activities be conducted under the direct supervision of the project archaeologist and in accordance with the submitted work plan, and UDU coordinates all field activities with the staff of the Cape Cod National Seashore. Terry French seconded. Unanimous vote in favor. So voted.

B. Joseph Dietlin

Victor reported that Joseph Dietlin had submitted his Excavation Permit renewal application and Annual Report in accordance with the Board's regulations. He noted the permittee had again submitted a very thorough renewal package. Mr. Dietlin was in attendance to present application.

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Mr. Dietlin thanked the Board for the opportunity to renew his permit. Based on a prior magnetometer survey, they tested a large target off Pope's Head. It turned out to be a geologic anomaly. For next year, he would like to move his test pit to an area off Southern Gooseberry where they previously observed some artifacts. The historic survivor map appears to line-up with this location. This is the same area where the cannon track and other artifacts were found. The mag hit for this area was very strong. They had small hits from metal detectors, but hand-fanning in that area suggests the target is deeply buried. He noted that the other area previously for approved test pit excavation was covered by large boulders. Victor noted that Mr. Dietlin has an approved work plan. Mr. Dietlin would only need to provide the Board with the exact coordinates prior to any excavation. There was no further discussion.

Kevin Mooney moved to renew the Excavation Permit (00-003) held by Joseph K. Dietlin for his Salem site with all standard conditions in effect under the approved work plan, and the further condition that the permittee submit, for approval by Board staff, a detailed plan for the selection, transportation, and conservation of any objects intended to leave the Commonwealth of Massachusetts, prior to undertaking such action. Graham McKay seconded. Unanimous vote in favor. So voted.

C. Gary Esper

Mr. Esper noted he was unable to attend the September Board meeting and wanted to thank the Board for renewing his two permits. There were no questions from Board members.

D. Alexander Bezkorovainy

Victor stated that the Board extended the expiration date of Mr. Berzkorovainy's permit until today's meeting. This action was necessary because the permittee had submitted his renewal application after the prescribed deadline. He noted the application was complete and now in conformance with the Board's regulations. Mr. Bezkorovainy was not present at today's meeting. Victor noted he had updated the Board at the September meeting. There was no further discussion.

Graham McKay moved to renew, retroactive to 25 September 2014, the Excavation Permit (06-002) held by Alexander Bezkorovainy for his Salem Sound site with all standard conditions in effect, and the further condition that the permittee submit, for approval by Board staff, a detailed plan for the selection, transportation, and conservation of any objects intended to leave the Commonwealth of Massachusetts, prior to undertaking such action. Kevin Mooney seconded. Unanimous vote in favor. So voted.

E. William Bradbury

Victor reported that Mr. William Bradbury had submitted his Reconnaissance Permit renewal application and Annual Report in accordance with the Board's Regulations. Mr. Bradbury was not in attendance to present his renewal application to the Board.

Victor summarized Mr. Bradbury's application as the same as in previous years. He is requesting renewal to pursue partnerships, possible with the University of Massachusetts-Amherst. Victor said he not heard anything additional from Mr. Bradbury, the University, or Senator Tarr's office regarding this permit. There was no further discussion.

Kevin Mooney moved to renew the Reconnaissance Permit No. 87-002 held by Mr. William Bradbury for his Gloucester (Annisquam) site with all standard conditions in effect. Terry French seconded. Unanimous vote in favor. So voted.

F. Kenneth J. Medeiros

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Victor reported the Kenneth Medeiros had submitted a Reconnaissance Permit application in accordance with the Board's regulations. The application is complete. This permit area is off Duxbury Beach adjacent to where he found historic buttons in 1992. Victor reminded the Board that Mr. Medeiros was granted an Isolated Find permit for the buttons in 2004. He subsequently located anomalies off shore of that area. Mr. Medeiros was not present. There was no further discussion.

Graham McKay moved to renew the Reconnaissance Permit (07-003) held by Kenneth J. Medeiros for his Duxbury site with all standard conditions in effect. Kevin Mooney seconded. Unanimous vote in favor. So voted.

G. Maxwell Kennedy

Victor reported that Maxwell Taylor Kennedy had submitted his Reconnaissance Permit renewal application and Annual Report in accordance with the Board's regulations. He reminded the Board it had had granted him an extension until today at the September meeting because he had submitted only his Annual Report. Victor noted the application was now complete and permittee had submitted a very thorough Annual Report. Mr. Kennedy was not in attendance.

Victor noted that in the renewal application Mr. Kennedy had mentioned the desire to undertake some test excavations to determine the extent and conditions of the *Bickford*. Victor said Mr. Kennedy who was aware this would require him to request modification of his permit to a excavation permit and to secure the services of a project archaeologist. John de Bry will likely serve in the capacity if the permit is modified. There was no further discussion.

Dan Sampson moved to renew, retroactive to 25 September 2014, the Reconnaissance Permit (13-003) held by Maxwell Taylor Kennedy for his Barnstable site with all standard conditions in effect. Kevin Mooney seconded. Unanimous vote in favor. So voted.

H. David S. Robinson and Associates, Inc.

Victor reported that David S. Robinson and Associates had submitted a Special Use Permit (12-007) renewal application and annual report for a marine intensive archaeological survey as part of the Former Gloucester MGP Phase II Site Assessment in Gloucester. Victor stated the survey was completed and both the Board and MHC have accepted the report conclusions and recommendations. The renewal request was for the purposes of a program of archaeological data recovery which is essentially documentation of the marine railway prior to its removal. Vic noted that the data recovery plan and schedule were currently under development. He said the standard conditions would include the need to submit the data recovery research design and methodology to the Board's staff and the State Historic Preservation Office (SHPO) for review. David Robinson would continue to serve as archaeologist for the project. There was no further discussion.

Kevin Mooney moved to renew Special Use Permit No. 12-007 issued to David S. Robinson and Associates for the Former Gloucester MGP Phase II Site Assessment for the area (as specified in the application) with all standard conditions in effect and the further condition that prior to commencing fieldwork the permittee submit its data recovery research design and methodology for approval by the Board's staff and review by the State Historic Preservation Office. Jonathon Patton seconded. Unanimous vote in favor. So voted.

I. Michael Jr. and Joseph Zdanowicz

Victor reported that the permit held by the Zdanowicz brothers was up for renewal at today's meeting. The Board had extended the expiration date of this permit at its September 26 meeting in order for the Zdanowicz brothers to submit a complete permit renewal application and annual report in conformance with the Board's regulations. Neither brother was present to represent their application.

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In Victor's letter to the permittee, dated 18 November 2014, he noted the Board typically will not grant more than two extensions and may be reluctant to grant a second extension if they did not respond. Victor said he had not heard from them and had no other information. He suggested the Board, in keeping with past practice, grant the 2nd extension until its next meeting on 29 January 2015.

Kevin Mooney suggested the Board allow this permit to lapse today. He noted the Board had not been granting 2nd extensions without hearing from the permittee. Victor replied that they had on several recent occasions, such as with Harry Noyes and Neil Good. He noted particularly with Neil Good, the Board had granted a second extension on several occasions. Kevin was concerned that the Board not fall back into the practice of granting multiple extensions. He also noted they could always re-apply for that area if they wanted that permit area. Victor said he just believed the Board should be consistent and grant a 2nd extension. Dan asked if there was any reason the permittee is not contacting the Board. Victor said he was not aware of any and had sent notices by mail and email.

Graham McKay moved to extend the expiration date to 29 January 2015 for the Reconnaissance Permit No. 11-006 held by Michael, Jr., and Joseph Zdanowicz for their Beverly/Manchester-by-the-Sea site with all existing standard and special conditions remaining in effect. Dan Sampson seconded. Five votes in favor (French, Loparto, McKay, Patton, Sampson). One vote opposed (Mooney). The motion passes. So voted.

Graham asked if anyone has expressed interest in that area. Victor said one party has asked about the general area and he explained to him how the Board treats existing permit areas. He sent him a map of permit areas and associated buffer zones. He has not heard back since then.

Change in the order of Business

Victor stated that as chair he would be changing the order of business at this point and move to Director's Report.

2. Director's Report (continued)

C. Cohasset Harbor Shipwreck

Victor reported that he had been contacted by a Cohasset resident, Mike Dick, regarding the remains of an abandoned small watercraft in Cohasset Harbor. He and Leland Crawford (Board intern) met with Mike and conducted a preliminary site visit in November. The site is located along the shoreline in very soft deep mud. While there, they were shown another site purported to be the remains of a gundalow. They plan future site visits with Graham McKay. They also discussed the possibility of developing a project for Cohasset students to document that site and another nearby site.

D. Foreshore Maritime Archaeology Institute

Victor reported that he has been working with Calvin Mires of East Carolina University (ECU) and Laurel Seaborn, recent ECU graduate, on developing a short training course on foreshore (shoreline) maritime archaeology. They met with the History Department at Salem State University who suggested offering a one week summer institute in July 2015.

5. BOARD MEMBER REPORTS

There were no Board member reports.

6. SUBCOMMITTEE REPORTS: OUTREACH

A. Archaeology Month October 2014

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Victor reported the Board participated in several Archaeology Month programs:

(1). DCR Nantasket Beach State Reservation

Victor reported that he gave a lecture entitled, "*Finding the First Minot's Ledge Lighthouse: 'I shall...die in the performance of my duty'*", at the Nantasket Beach Resort on Thursday, October 9th. It was part of a lecture series in collaboration with the Department of Conservation and Recreation, the Hull Lifesaving Museum and the Friends of the Hull Public Library. Victor noted the audience exceeded 120 people. The lecture will be broadcast on Hull Cable Access TV.

(2). Archaeology Month 2014/Archaeology Fair

Victor reported that he, Leland Crawford and Mark Agostini participated in the Museum of Science/Archaeological Institute of America Archaeology Fair on Friday and Saturday, October 17th and 18th. The first day was for school groups and the second day was for family groups. They did our usual hands-on shipwreck activity.

(3). Eugene Winter Chapter of the Massachusetts Archaeological Society

Victor reported that he gave a lecture to the Eugene Winter Chapter of the Massachusetts Archaeological Society on Tuesday, October 21, at the R.S. Peabody Museum of Archaeology at Phillips Academy in Andover. The presentation was entitled "*Underwater Archaeology: 17th Century Nipmuc Mishoonash in Lake Quinsigamond*".

B. Harvard-Kent School Boston Harbor Oral History Project

Victor reported he participated in an oral history project being undertaken by the fifth grade students at the Harvard-Kent School in Charlestown. It was comprised of interviews with students on October 10. It was part of a program being run by Community Boat Building at the school.

C. Bay State Council of Divers Meeting

Victor reported that he participated in the meeting of the Bay State Council of Divers (BSC) on October 15, 2014. This meeting will focus on review of BSC's Club Picnic/Treasure Hunt held in September at Plum Cove Beach in Gloucester and discussion of volunteer efforts to support BUAR site investigations at Minot's Ledge and monitoring of Exempt Sites.

D. Society for Historical Archaeology's Annual Conference

Victor reported that he would be attending the Annual Conference of the Society for Historical Archaeology in Seattle on January 6-11, 2014. Victor noted that he and Susan Langley of the Maryland Historical Trust have organized the Annual Government Maritime Managers' Forum representing state, federal, and foreign government programs. This year's forum is entitled *Government Maritime Managers' Forum XXIII: Off the edge of the map and here there be monsters, the Manager's Conundrum*. This seemed quite an appropriate theme given the challenge he faces on a nearly daily basis. He will be participating in the annual meeting of the SHA UNESCO Committee.

E. Peabody Institute West Branch Library

Victor reported he would be giving a public lecture at the Peabody Institute West Branch Library in Peabody on February 5 at 7 PM. The topic will be underwater archaeology in Massachusetts.

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4. NEW BUSINESS

There was no New Business.

Kevin Mooney moved to adjourn the meeting at 2:07 PM. Terry French seconded. Unanimous vote in favor. So voted.

Respectfully submitted,

Victor T. Mastone
Director