

**COMMONWEALTH OF MASSACHUSETTS
BOARD OF UNDERWATER ARCHAEOLOGICAL RESOURCES
FINAL MINUTES OF PUBLIC MEETING – May 26, 2022**

MEMBERS PRESENT (ROLL CALL):

Jack Chapin (Designee of the Director of Environmental Law Enforcement)
Michael Driscoll (Designee, Director of DCR Division of Waterways)
Vincent Malkoski (Dive Community Representative [Organization])
Mark McClanan (Dive Community Representative [At-Large])
Graham McKay (Marine Archaeologist)
***Dan Sampson** (Designee of Lisa Berry Engler, Director of Coastal Zone Management)
(*joined meeting while in progress)
John Warner (State Archivist)

David Robinson, Director (Staff for the Board)

MEMBERS ABSENT:

Brona Simon (State Archaeologist)
VACANT (Designee of Brona Simon, Executive Director of the Massachusetts Historical Commission)

PROCEEDINGS:

This virtual public meeting of the Massachusetts Board of Underwater Archaeological Resources (or the Board or BUAR) was convened by its Director, David Robinson (Dave R), with the assistance of co-host, MassBays Executive Director, Pam DiBona, at 12:31 PM on May 26, 2022, with a quorum of six (6) current members of the Board in attendance. A seventh member of the Board (Dan Sampson) joined the meeting at 1:41 pm, in time to participate in the Board's consideration of and voting on all New Business agenda items brought before the Board.

The purpose of this regularly-scheduled public meeting was to conduct the BUAR's business that required the involvement of the full Board.

Items on the agenda included:

- approval of the March 31, 2022 Board meeting's minutes
- the Director's report
- Board Member reports
- a summary of the Board's Public Engagement Activities
- Old Business, and
- New Business.

Dave R explained that BUAR staff and BUAR's Massachusetts Coastal Zone Management (CZM) administrative host, which had worked remotely between March 2020 and January 2022 due to the COVID-19 pandemic, had transitioned to a hybrid "Future of Work" schedule adopted by the Executive Office of Energy & Environmental Affairs (EEA), allowing us to work in-person in our 251 Causeway Street offices, in the field, or at off-site in-person meetings one day per week. All BUAR business and communications continue to be conducted primarily via email, supplemented by virtual meetings, limited in-person meetings and phone calls, and hard-copy mailings and weekly transmittals of BUAR mail from MA Coastal Zone Management's (CZM's) offices to BUAR's off-site telework location. Holding BUAR's meetings virtually through publicly-available, internet-based, remote access "Zoom" technology as an alternative means of meeting was authorized initially by Governor Baker's Executive Order of March 12, 2020 (MGL c. 30A, s. 20), and then extended on June 16, 2021 with the Governor's signing into law of "An Act Relative to Extending Certain COVID-19 Measures Adopted During the State of Emergency" (MGL c. 20, s. 20). The Board voted at its January 27, 2022 meeting to continue holding its public meetings via remote access for the remainder of this year. The Board will consider and vote on the future format of its public meetings in 2023 (and beyond) at its December 1, 2022 meeting. Board votes during this meeting were taken through a roll call, as is required by MGL c. 30A, ss. 18-25. Virtual meeting ground-rules and security precautions

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were reviewed by Dave R, and Board members, permittees, and members of the public were welcomed to the meeting.

1. MINUTES

A. Minutes of the March 31, 2022 Meeting of the Board

Dave R asked if the Board had any comments or corrections to the draft minutes of the Board's March 31, 2022 public meeting. There were no comments or corrections to the minutes.

Vincent Malkoski moved to accept the minutes of the Board's March 31, 2022 public meeting as written. Michael Driscoll seconded. Unanimous in favor by a roll-call vote. So voted.

*****Change in the Order of Business**

Due to the full agenda for the meeting, Dave R as Chair changed the order of business to move directly to the agenda's Old Business and New Business action items. These agenda items were then followed by the Director's Report, Board Member Reports, and a summary of the Board's Public Engagement Activities since its March 31, 2022 meeting.

5. OLD BUSINESS

A. Bassing Cove Maritime Association

Bassing Cove Maritime Association's (BCMA) Excavation Permit (91-001) for their Scituate site was up for renewal. The Board granted the BCMA a second and final permit extension at its previous meeting (March 31, 2022). The BCMA submitted a complete renewal application, renewal fee payment, and annual report in accordance with the Board's regulations. BCMA's Tom Mulloy, Debra Jackson, and Hank Lynch were in attendance to represent the BCMA's permit.

The BCMA reported that they conducted only limited diving activity in 2021 (5 dives, 2 of which were cut short due to poor underwater visibility), and that nothing was recovered from the site. BCMA also reported that the public outreach they normally conduct for their project on *Forest Queen's* wreck site was limited by the COVID-19 pandemic to a single talk they gave to 300 elementary school students in Plymouth. Dave R asked the BCMA to explain/describe the "flakes" and "overhangs" at the site and the continued separation of the wreck's southern end from the "pedestal," mentioned in the BCMA's annual report. BCMA explained that the wreck site consists of an aggregated debris field that forms an area of large slab-like concretions they refer to as "flakes," which are composed of sediments, iron corrosion product, and miscellaneous artifacts that are embedded within the concretions. The comparatively more mobile gravel, sand, and clay bottom sediments surrounding this concreted shipwreck debris area have eroded preferentially over time, causing the concreted debris field to be "pedestaled" on the undisturbed and compacted sediments immediately below it. The sediment pedestal's outer edges are being undercut by erosion, causing slabs of concreted shipwreck debris to overhang the sediment pedestal. These overhanging concretions eventually break away and drop down to the adjacent eroded seabed where they break into smaller pieces over time. Erosion is especially pronounced at the southern end of the concreted shipwreck debris field, which is now separated from the main area of concreted shipwreck debris. The BCMA observed that this erosion seems to have accelerated over the 31 years that they have been conducting BUAR-permitted activities at the site. Dave R requested an on-site meeting with the BCMA at the Scituate Historical Society's Maritime & Irish Mossing Museum (Mossing Museum), where the BCMA-recovered *Forest Queen* artifacts were conserved and are exhibited and interpreted to visiting school groups and the public. The purpose of this meeting will be to discuss with the BCMA their long-range goals for the eventual completion of the project and the disposition process for the recovered artifacts. BCMA said they'd be happy to host a meeting with BUAR at the Mossing Museum to discuss the winding-down of their project and the requisite project completion steps. There was no further discussion.

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Graham McKay moved to renew the Bassing Cove Maritime Association's Excavation Permit (91-001) for their Scituate site, with all the standard and special conditions in effect, for the period of one year, retroactive to January 27, 2022 with its new expiration set as January 27, 2023. John Warner seconded. Unanimous in favor by a roll-call vote. So voted.

B. Neil Good

Neil Good's Reconnaissance Permit (19-002) for his Waquoit Bay (Falmouth and Mashpee) site was up for renewal. Mr. Good contacted the Board's staff to request an extension of his permit's expiration until the BUAR's next regularly-scheduled public meeting (September 29, 2022). It has been the Board's practice to grant up to two extensions in a permit year under these circumstances. This would be the permit's first extension. Mr. Good was not in attendance to represent this permit. There was no further discussion.

Michael Driscoll moved to grant an extension of the expiration date of Neil Good's Reconnaissance Permit (19-002) for his Waquoit Bay (Falmouth and Mashpee) site, with all the standard and special conditions in effect, until the Board's next scheduled meeting (September 29, 2022). Vincent Malkoski seconded. Unanimous in favor by a roll-call vote. So voted.

C. R. Christopher Goodwin & Associates, Inc.

R. Christopher Goodwin & Associates, Inc.'s (RCG&A) Special Use Permit (20-001) for the state waters portion of the Mayflower Wind Project's Falmouth Electric Cable Corridor (ECC) project area in the North Atlantic Ocean and Nantucket Sound was up for renewal. RCG&A submitted a complete renewal application and annual and revised annual reports, in accordance with the Board's regulations. RCG&A's Steve Schmidt, Ashley Himmelstein, and Tyler McLellan were in attendance to represent this permit.

RCG&A's annual report submitted to the Board as part of its permit renewal application provided a concise summary of the geophysical survey and geotechnical sampling (i.e., vibracoring) programs that were conducted in 2020 and 2021 under BUAR SUP 20-001 for Mayflower Wind in the state waters portion of their Falmouth-ECC project area. RCG&A inventoried seventeen (17) remote sensing targets representing potential shipwreck sites within the surveyed Mayflower Wind-Falmouth ECC permit area, three of which RCG&A identified as specific named vessels (one of which is now outside of the project area being considered by Mayflower Wind). RCG&A has recommended minimum avoidance distances around these inventoried targets based on their mapped extents. RCG&A inventoried eleven (11) paleolandforms within the surveyed Mayflower Wind-Falmouth ECC permit area, which RCG&A considers to be "potentially National Register-eligible." Only four (4) of these 11 areas extend into the project's anticipated vertical and horizontal areas of impacts to the seafloor. RCG&A has interpreted them to all be associated with the margins of a single channel feature. In addition to the annual report included in RCG&A's permit renewal application, the Board's staff has also received and is reviewing a copy of the project's preliminary draft Marine Archaeological Resources Assessment (MARA) report.

Dave R noted that the Board does not have regulatory authority or interest in aspects of the project that are outside of MA state waters or BUAR permit areas and, therefore, requested that RCG&A's future annual reports submitted to the Board as part of their permit renewal applications only report on elements of the project that are within their BUAR permit area. RCG&A's Steve Schmidt confirmed that future annual reports would only cover the work and results within the BUAR permit area. Dave R then asked RCG&A what the range of minimum avoidance distances RCG&A was recommending for the remote sensing targets and two shipwrecks they identified in the project's archaeological survey data and whether they conformed to the BUAR's "100 ft from the least significant feature" minimum avoidance distance requirement specified in its published *"Policy Guidance for Establishing Shipwreck and Underwater Resource Avoidance Protection Plans."* RCG&A's Steve Schmidt confirmed that they did and that RCG&A had recommended an even more conservative 50 m (164 ft) minimum avoidance distance around all extant features detected in the sidescan sonar and/or magnetic survey data. Dave R then asked if radiocarbon dating and palynological analysis and interpretation were completed for the four (4) "potentially National Register-eligible" geomorphological features that RCG&A interpreted as being related to the margins of a single channel feature and inventoried within anticipated vertical and horizontal areas of project impacts within the

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surveyed Mayflower Wind-Falmouth ECC permit area, and, if so, what the results from this dating and analysis told RCG&A about these features and their archaeological sensitivity. Alternatively, if they were not subjected to dating and palynological analyses, why not? RCG&A's Ashley Himmelstein stated that there was not sufficient material for dating or pollen analysis in any of those particular cores and, therefore, no results to report. Dave R also noted that RCG&A's annual report alluded to avoidance being recommended for the inventoried geomorphological features located within the project's area of potential impacts, but did not provide any specifics re: recommended minimum avoidance distances for these features or how these distances might be determined, nor did it reference BUAR's published "*Policy Guidance for Establishing Shipwreck and Underwater Resource Avoidance Protection Plans*." Further, while the annual report included a recommendation for the implementation of an "Unanticipated Discovery Plan" and pre-construction archaeological resource identification training, it did not reference the BUAR's published "*Policy Guidance for the Discovery of Unanticipated Underwater Archaeological Resources*." Dave R stated that it should in both cases, and then asked if RCG&A planned to address these questions and issues in the project's Marine Archaeological Resources Assessment (MARA) report? RCG&A's Steve Schmidt confirmed that they would be addressed in the MARA report, and added that RCG&A used sub-bottom profiling data to define the boundaries of identified submerged paleolandscape features and then buffered these boundaries with the same 50 m (164 ft) avoidance distances as they recommended for remote sensing targets and shipwrecks that they identified during the project surveys. Graham McKay asked RCG&A how impacts to the sea floor during construction, and any mitigation that is required, will be monitored. RCG&A's Steve Schmidt stated that during construction, the ECC installation contractor will monitor and be guided by a DGPS-controlled onboard computer that will include the locations and avoidance areas for the RCG&A-identified remote sensing targets, shipwrecks, and submerged paleolandscape features. Mr. Schmidt also noted that for cable and pipeline installation projects, pre- and post-installation remote sensing and/or underwater video surveys are typically done, and that there are sometimes opportunities to mount underwater video cameras on cable installation equipment. Dave R noted that details of a monitoring and mitigation plan for the state waters portion of the project would have to be developed and negotiated in consultation with BUAR, and then agreed upon in a Memorandum-of-Agreement between the lead federal agency reviewing the project (i.e., BOEM), the MHC (MA SHPO), and the project proponent. There was no further discussion.

Vincent Malkoski moved to renew R. Christopher Goodwin & Associates, Inc.'s Special Use Permit (20-001) for the state waters portion of the Mayflower Wind Falmouth-ECC project area in the North Atlantic Ocean and Nantucket Sound, with all the standard and special conditions in effect, for the period of one year, with its new expiration set as May 27, 2023. Michael Driscoll seconded. Unanimous vote in favor. So voted.

D. James M. Karos

James M. Karos submitted to the Board for its consideration and approval a requested modification to the existing, Board-approved, work plan for his Reconnaissance Permit (06-001) in Chelsea Creek (Boston, Chelsea, and Revere). If approved by the Board, this requested modification would allow Mr. Karos to collect up to six (6) wood samples for the dendrochronological dating of one of the wrecks in his permit area. The Board's staff plans to assist Mr. Karos by recovering the samples for him. The recovered samples will then be sent by Mr. Karos to the Tree Ring Laboratory at Columbia University's Lamont-Doherty Earth Observatory in New York for dendrochronological dating by Dr. Ed Cook and his staff. Mr. Karos and his project associates will be paying all costs associated with this dating effort. Mr. Karos was in attendance to represent this permit.

Mr. Karos explained that the shipwreck of interest at the bend in the creek may be older than he originally thought and possibly associated with the Revolutionary War Battle of Chelsea Creek, based on a reported earlier discovery of a 1775 coin by one of Mr. Karos's associates in proximity to the vessel's remains. Mr. Karos has visited the site several times this year to examine and document the vessel's exposed hull timbers. Dendrochronological dating has the potential to assist in determining a precise age for the hulk and whether or not it dates from the Revolutionary War period. There was no further discussion.

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Graham McKay moved to approve Mr. Karos's requested modification to the work plan of his Reconnaissance Permit (06-001) for his Chelsea Creek Site in Boston, Chelsea, and Revere, to include the collection of up to six wood samples for dendrochronological dating from one of the wrecks located in his permit area, with all other standard and special conditions of the permit remaining in effect. Michael Driscoll seconded. Unanimous vote in favor. So voted.

E. Nipmuc Nation THPO

The Nipmuc Nation THPO's Reconnaissance Permit (01-001) for its Lake Quinsigamond (and Flint Pond) site in Shrewsbury and Worcester was up for renewal. However, on May 17, 2022, the Board received a letter from the Nipmuc Nation THPO's Project Director, Cheryl Stedtler, formally notifying the Board that the Nipmuc Nation THPO was surrendering its permit, effective immediately, due to an organizational restructuring and name change within the Nipmuc Tribe. This notification letter was accompanied by the Nipmuc Nation THPO's 2021-22 Annual Report, satisfying the permit's annual reporting requirement, and the Project Completion Report, satisfying the reporting element of the project completion process specified under BUAR Regulation 312 CMR 2.09. The Project Documentation element of the Project Completion Process was already met, through the Nipmuc Nation THPO Project Director's regular submittals of copies of all project documentation (i.e., field notes, logs, maps, plans, photographs, and drawings generated during the project's field and research activities) as part of its annual reporting to the Board each year. As no artifacts were recovered by the Nipmuc Nation THPO as part of their BUAR-permitted activities, Artifact Disposition was not a required element of this project's completion process. Consequently, the Board's staff determined that the Nipmuc Nation THPO had submitted all of the necessary Project Completion Documents required under BUAR Regulation 312 CMR 2.09 for the Board to consider and vote on whether to approve the project as complete. In addition to their letter surrendering the permit and the submittal of the associated project completion documents, the Nipmuc Nation THPO's Project Director also submitted a second letter formally requesting that the Board transfer copies of all files, documentation, and research from the Nipmuc Nation THPO's permit files to the Hassanamisco Nipmuc Council, so that "Project Mishoon" may be continued under a new BUAR permit.

Dave R noted that in the 21 years that the Nipmuc Nation THPO held Reconnaissance Permit 01-001 (the first Indigenous group or individual to ever hold a BUAR permit), with Ms. Stedtler as their Project Director, they have been an exemplary permittee in every way – from their regular communications with and engagement of the Board, to their annual reporting, which has been detailed and thorough, to their involvement and engagement of diverse audiences through their social media posts, public lectures, and school group and archaeological conference presentations, and focused outreach to MA's Indigenous communities through displays and information booths at the Hassanamisco Nipmuc and Chaubunagungamaug Nipmuck powwows. Nipmuc Nation THPO has also successfully involved of the Commonwealth's recreational and scientific diving communities and regional marine survey and archaeological consultant communities in the documentation of the mishoonash, the collection of wood samples, and the conduct of remote sensing surveys of the mishoonash locations and other sites in their permit area. These efforts are because of, and a credit to, Ms. Stedtler's steadfast dedication to the protection and preservation of the important Nipmuc cultural sites and artifacts in Lake Quinsigamond. On behalf of the Board, Dave R thanked the Nipmuc Nation THPO and its Project Director, Cheryl Stedtler, for their more than two decades of significant research contributions to the Commonwealth, and for increasing our understanding of the cultural heritage and underwater archaeological resources of the Nipmuc people and Lake Quinsigamond for the public's benefit. Ms. Stedtler was in attendance to represent this permit.

Ms. Stedtler thanked the Board and its previous and current Directors, Victor Mastone and Dave R (Project Mishoon's Project Archaeologist from 2001-2019), for their steadfast support and assistance on the project over the past two decades, and noted that she looked forward to continuing to work with the Board, and with Victor (now in the role of Project Archaeologist), on the next new chapter of Project Mishoon. There was no further discussion.

Jack Chapin moved to: 1) accept the Nipmuc Nation THPO's Project Completion Report and project documentation, as submitted, and consider all obligations and responsibilities required by BUAR Regulation 312 CMR 2.09 for their Reconnaissance Permit (01-001) as complete, and; 2) to approve the Nipmuc Nation

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THPO Project Director's requested transfer of copies of all files, documentation, and research from the Nipmuc Nation THPO's BUAR permit files to the Hassanamisco Nipmuc Council. Vincent Malkoski seconded. Unanimous vote in favor. So voted.

F. North Atlantic Dive Expeditions

After granting two permit expiration extensions to North Atlantic Dive Expeditions (NADE), the Board voted at its December 17, 2021 meeting to renew NADE's Reconnaissance Permit (17-004) for their Gloucester site for one year, retroactive to its original May 27, 2021 expiration date. The permit was up for renewal. NADE's Heather Knowles submitted a complete renewal application, renewal fee payment, and Annual Report, in accordance with the Board's regulations. Ms. Knowles was not in attendance to represent this permit; however, she had communicated with the Board's staff. While no fieldwork was undertaken on the site over the past two years due to COVID- and weather-related constraints, NADE's project team is planning several dives this summer, weather permitting, to continue underwater video- and still photo-documentation of the site. There was no further discussion.

Michael Driscoll moved to renew North Atlantic Dive Expeditions' Reconnaissance Permit (17-004) for their Gloucester Site with all standard and special conditions for the period of one year with its expiration as May 27, 2023. Vincent Malkoski seconded. Unanimous in favor by a roll-call vote. So voted.

G. Victor Ricardo

After granting a permit expiration extension to Victor Ricardo, the Board voted at its September 30, 2021 meeting to renew Reconnaissance Permit (94-001) for his Salisbury site for one year, retroactive to its original May 27, 2021 expiration date. The permit was up for renewal. Mr. Ricardo submitted a complete renewal application, renewal fee payment, and Annual Report, in accordance with the Board's regulations. Mr. Ricardo was in attendance to represent this permit, and was joined by his associate, Michael Margulis. Mr. Ricardo reported that between June and August of last summer (2021), he conducted several walkover surveys of the intertidal zone along the beach at the Seabrook-Salisbury state line without finding anything. He also reported that he has a new boat with capacity for carrying three divers with full gear, and that Mr. Margulis is joining his team as the project's Director of Diving and Field Operations, while Mr. Ricardo, who is now prevented from diving by medical issues, will be focusing on archival research, general operations and project management. There was no further discussion.

Vincent Malkoski moved to renew Mr. Ricardo's Reconnaissance Permit (94-001) for his Salisbury Site with all standard and special conditions in effect for the period of one year with its expiration as May 27, 2023. Michael Driscoll seconded. Unanimous in favor by a roll-call vote. So voted.

H. Robert Wells

After granting two permit expiration extensions to Robert Wells, the Board voted at its December 17, 2021 meeting to renew Reconnaissance Permit (18-001) for his Kings Cove site in Weymouth, for one year, retroactive to its original May 27, 2021 expiration date. This permit is up for renewal. Mr. Wells submitted a complete renewal application, renewal fee payment, and Annual Report, in accordance with the Board's regulations. Mr. Wells was in attendance to represent this permit.

Mr. Wells reported that he had corresponded with Chris Wright, Chief Hydrographer at the Falmouth, MA-based marine survey company, CR Environmental, Inc., to discuss remote sensing survey options for the permit area. Because of the area's shallow water depth and silty, organic-rich sediments, Mr. Wells reported that Mr. Wright had told him that he didn't think sub-bottom profiler would likely be an effective survey tool in the permit area, due to the acoustic ringing that would occur in the cove's shallow water and probable lack of acoustic penetration by the profiler in the cove's likely organic, gas-rich, sediments. Mr. Wells reported that Mr. Wright had instead recommended he look at (and provided him with) publicly-available 2011 USGS aerial LiDAR data for his permit area. This data, as well as the publicly available 2013 aerial photography from the Town of Weymouth Property Viewer, were examined by Mr. Wells. This examination led to Mr. Wells noticing three large anomalous subtidal features of interest on the

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seabed near the eastern side of the permit area that he hypothesized might be cultural in origin with Old World connections, as suggested by Mr. Wells's background research and the presence of a pot sherd from outside of his permit area in the adjacent intertidal mud-flat, which Mr. Wells reported was identified by a Bridgewater State University archaeologist as Old World majolica. Mr. Wells has not yet investigated the area with these large anomalous features. Mr. Wells reported that, in addition to other project-related activities, he plans to continue monitoring the site and conducting intertidal walkover surveys to document any additional cultural materials that surface adjacent to his permit area's dynamic environment.

Dave R acknowledged Mr. Wells's progress on the project in contacting a knowledgeable and qualified professional marine surveyor with whom the Board is familiar to assist him in examining his permit area, and in consulting with an archaeologist from Bridgewater State University to identify the majolica ceramic sherd that Mr. Wells found in the intertidal flat adjacent to his permit area. Dave R noted that the three subtidal features Mr. Wells identified as being of interest could be visually examined by archaeological divers to determine whether or not they possess any physical evidence, individually and collectively, of being either natural or cultural in origin. This visual examination could also include a visual survey of the seabed's surface for additional archaeological evidence (or a lack thereof) to support (or refute) Mr. Well's hypothesis that the three subtidal features are cultural in nature. Dave R asked if Mr. Wells was interested in having the Board staff's assistance in identifying scientific divers with archaeological experience who potentially could conduct this examination for the project. Mr. Wells indicated that he was interested and would appreciate any help. Mr. Wells then stated that he had problems with the disposition process of the State (MA) (although did not elaborate on what those specific problems were) and had concerns about pollution/contamination in his permit area and objects within it being deteriorated by this contamination. Mr. Wells stated that the contamination needs to be curbed, but noted that he doesn't have control over the federal government regarding dredging and pollution in his permit area. Mr. Wells stated that there is very little oversight for project impacts to the area, and cited the Weymouth Compressor Station project (located onshore adjacent to and outside of the western side of Mr. Wells's permit area) as an example. Dave R noted that while he appreciated Mr. Wells's concerns for the health of the environment, attempting to address those broad general concerns was outside the scope the Board's authority and the purpose of this meeting of the Board to review and consider his permit application for renewal. There was no further discussion.

John Warner moved to renew Mr. Well's Reconnaissance Permit (18-001) for his Kings Cove site in Weymouth with all standard and special conditions in effect for the period of one year with its expiration as May 27, 2023. Vincent Malkoski seconded. Unanimous in favor by a roll-call vote. So voted.

6. NEW BUSINESS

A. Thomas Smith – Isolated Find Exemption Request

On April 21, 2022, the Board's staff received an Isolated Find Exemption application from Thomas Smith of Orleans requesting the transfer of title from the Commonwealth to him for a large wooden-stocked, wrought-iron, ship's anchor. The anchor was recovered by Mr. Smith in August of 2021 after it had become entangled accidentally in one of his nets while Mr. Smith, a commercial fisherman, was "strike-netting" bluefish in approximately 15 ft of seawater, just seaward of Peaked Hill Bar, 0.7 mi off of Provincetown. The Board's staff became aware of the find after Mr. Smith posted pictures of it on a social media page. The Board's staff reached out to Mr. Smith via the social media platform's private messaging function to inform him of the Commonwealth's laws and regulations concerning its underwater archaeological resources and the necessity of completing an Isolated Find Exemption application in order to be in compliance with State law. The Board's staff also requested an opportunity to examine and document the anchor-find. Mr. Smith responded favorably to the Board staff's contact and request. On April 21, 2022, the Board's staff traveled to Mr. Smith's home in Orleans, where the anchor had been stored outside since its recovery, to examine, photo-document, and measure the anchor, and receive Mr. Smith's Isolated Find Exemption application.

Dave R reported that the wooden-stocked, wrought-iron anchor displayed characteristics typical of a commonly-found, circa late-1800s, "Fisherman's Anchor." The anchor's large ring, designed for a rope cable, had been retrofitted with a shackle, to which was attached a short length of chain cable. The anchor

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shank measured 2.66 m long (from its ring eye to its crown), and 4.0 m from fluke-to-fluke. The anchor's flukes were "spade-shaped" and 36 cm long (46 cm long including its 10 cm "pea")-x-20 cm wide. The anchor's wooden stock measured 3.57 m long-x-22 cm wide at its widest point near the shank where it is square in section, and then tapered to 10 cm at its more rounded ends. Although the anchor has been out of the water and exposed to the elements untreated for over nine months, the condition of the wood appeared stable and the iron did not appear to be actively weeping soluble chlorides or actively corroding to an extent beyond which one would expect for unpainted iron exposed to the elements near the coast. Mr. Smith informed the Board's staff that he planned to clean the anchor and paint a corrosion-inhibiting exterior paint on its iron surfaces and then either donate it to the Cape Cod Maritime Museum or display it outside his home where, in both cases, it would be visible and accessible to the public. Mr. Smith was not in attendance to represent this isolated find exemption request. There was no further discussion.

Vincent Malkoski moved that the Board grant Thomas Smith's request and waive its jurisdiction over Isolated Find 2022-IF-001, a wooden-stocked, iron ship's anchor, recovered in state waters 0.7 mi off Provincetown, and relinquish all rights, title and interest to the isolated find to Thomas Smith of Orleans. Michael Driscoll seconded. Unanimous in favor by a roll-call vote. So voted.

B. Public Archaeology Laboratory, Inc.

On March 28, 2022, the Public Archaeology Laboratory, Inc. (PAL) submitted a Special Use Permit Application to the Board to conduct construction-phase archaeological monitoring within the dewatered archaeologically sensitive in-water portion of the Manhan River Restoration-Lyman Pond Dam Removal Project impact area in Southamptn. This monitoring will be conducted during dam removal and riverbed materials excavations in the archaeologically sensitive in-river work areas upstream and just downstream of the dam, as detailed in the technical proposal and maps that accompanied PAL's Special Use Permit application. Activities planned under this permit include archaeological monitoring, documenting, and recording of the locations and nature of any identified artifacts or other potentially significant cultural deposits exposed during dam removal and riverbed materials excavations by the construction contractor. No artifact collection is planned as part of this archaeological monitoring fieldwork. On April 27, 2022, the Board's Director reviewed, approved, and issued provisional Special Use Permit 22-004 to PAL. This permit application was brought before the full Board for formal approval. PAL's Suzanne Cherau was in attendance to represent this permit. Ms. Cherau stated that work on the project had begun with the demolition of the dam started and PAL's Jennifer Bannister on-site monitoring. There was no further discussion.

Dan Sampson moved to approve for the period of one year, the Public Archaeology Laboratory, Inc.'s Special Use Permit (22-004) to conduct construction-phase archaeological monitoring within the dewatered archaeologically sensitive in-water portion of the Manhan River Restoration-Lyman Pond Dam Removal Project impact area in Southamptn, as detailed in the work plan and maps accompanying the application, with all the standard and special conditions in effect. John Warner seconded. Unanimous in favor by a roll-call vote. So voted.

C. Hassanamisco Nipmuc Council

On May 17, 2022, following the surrender of the Nipmuc Nation THPO's Reconnaissance Permit (01-001), the Board received a complete Reconnaissance Permit application for the Lake Quinsigamond (and Flint Pond) permit area previously held by Nipmuc Nation THPO in Shrewsbury and Worcester from new BUAR prospective permittee, the Hassanamisco Nipmuc Council, with the former Nipmuc Nation THPO Project Director, Cheryl Stedtler, serving in the same role for this permit application, and retired BUAR Director, Victor Mastone, serving as the Hassanamisco Nipmuc Council's Project Archaeologist.

The Board issues permits to persons who have located a shipwreck or other resource for purposes of investigation, exploration, recovery, reporting, and/or conservation of underwater archaeological resources, if the Board deems that such operations are in the public interest. No person shall remove, displace, damage or destroy a resource without the Board's permission, except for minimal artifact collection (entailing minimal site disruption) for purposes of establishing the existence of an underwater archaeological resource. Permittees shall report, catalogue and inventory all recovered artifacts to the

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Board. Permits shall not be issued in the absence of demonstrable proof of the existence of a resource, except in the case of Special Use Permits.” Demonstrable proof is defined in the Board’s regulations as “Clear and convincing evidence of the presence of an underwater archaeological resource.” Given that the Board approved the transfer of copies of all files, documentation, and research from the Nipmuc Nation THPO’s BUAR permit files to the Hassanamisco Nipmuc Council, and based on the information included in the Hassanamisco Nipmuc Council’s application, the Board’s staff determined that the requirement for the application to include demonstrable proof was met and that the application was complete. The Hassanamisco Nipmuc Council’s permit application was before the Board for its consideration for approval. Ms. Stedtler and Mr. Mastone were in attendance to represent this permit application.

Ms. Stedtler stated that she looked forward to what the next chapter of Project Mishoon, working under a new BUAR permit with a new Project Archaeologist and the Hassanamisco Nipmuc Council, will bring. Further, Ms. Stedtler stated that she’s looking forward to presenting the discussion of “What do we do next? Do we raise, conserve, and curate the mishoonash or do we continue to preserve them in place?” to the Tribe and making people aware of the recovery and conservation processes and the need for adequate facilities, long-term commitment of funding, and perpetual care that a recovered mishoon or mishoonash will require. Ms. Stedtler noted that projects like Project Mishoon and the Tribe’s recent project to create and paddle a new mishoon are great opportunities for inviting and teaching the Tribe’s young people about their culture and history. Mr. Mastone noted his long involvement in Project Mishoon and with working with Ms. Stedtler and stated that he was happy to continue helping with the project in his new capacity as Project Archaeologist. Dan Sampson acknowledged that the mishoonash are very special underwater archaeological resources, and then asked Ms. Stedtler if she had any concerns about vandalism of the mishoonash. Ms. Stedtler responded that while she was always concerned about the welfare and condition of the mishoonash, she felt having an established network of property owners living on the lake that she knows and has informed about Project Mishoon provides adequate informal security in the form of many “eyes-on-the-lake” who are watching for suspicious activity at the mishoonash sites. Ms. Stedtler did note that the “phone-tree” of contacts should be updated and probably more formalized. Dave R agreed that it would be good to update the contacts and formalize the communication process.

Jack Chapin moved to approve for the period of one year with its expiration as May 26, 2023, the Hassanamisco Nipmuc Council’s Reconnaissance Permit (22-005) for its Lake Quinsigamond (including Flint Pond) site, as described in the application submitted to the Board, with all the standard and special conditions in effect. Michael Driscoll seconded. Unanimous in favor by a roll-call vote. So voted.

*****Change in the Order of Business**

The Chair again changed the order of business and moved to the Director’s Report, Board Member Reports, and a summary of the Board’s Public Engagement Activities since its March 31, 2022 meeting.

2. DIRECTOR’S REPORT

A. BUAR Scientific Diver Training

Dave R reported that on April 19, 2022, BUAR staff completed the Diver’s Alert Network’s (or DAN’s) Diving First Aid for Professional Divers course, taught for Division of Marine Fisheries (DMF)/CZM/BUAR divers by Board Member and DMF Diving Safety Officer, Vincent Malkoski. The all-day course’s comprehensive training included emergency oxygen administration for scuba diving injuries, neurological assessment, first aid for hazardous marine life injuries, CPR for the Health Care Provider, and bloodborne pathogens awareness. Recertification is required every two years and is a pre-requisite for BUAR staff’s authorization to dive for work under the auspices of DMF’s scientific diving program.

B. Fieldwork

Dave R reported that on May 9, 2022, BUAR staff, accompanied by Dave R’s son and BUAR volunteer, Noah Robinson, participated in the first of a series of multiple days of fieldwork

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that are planned for this spring and summer on the grounds of the Essex Shipbuilding Museum and the H.A. Burnham Shipyard in Essex. BUAR is partnering informally with the Museum and shipyard to record hull-construction details of the historical 1911 “knockabout” fishing schooner *Sylvina W. Beal*. The documentation project is part of a larger rehabilitation effort being undertaken by the Essex Shipbuilding Museum and the Gloucester Maritime Heritage Center to not only preserve the vessel, but also to bring back to life the culture and craftsmanship associated with fishing schooner construction in New England. For more information on the documentation and rehabilitation project, visit the *Sylvina W. Beal* webpage on the Burnham Shipyard’s website (<https://burnhamboatbuilding.com/sylvina-w-beal/>).

C. Meetings

BUAR-National Park Service (NPS)/Cape Cod National Seashore (CACO) Workshop

Dave R reported that on April 23, 2022, BUAR staff was an invited presenter at the NPS-CACO’s “Science, Shipwrecks, and Shorelines: Understanding Beached Shipwrecks on your National Seashores - Cape Cod National Seashore - STAMP Workshop.” BUAR’s participation in the NPS-CACO workshop is part of an increased effort on BUAR and NPS’s parts to forge a closer working relationship between our state, regional, and national archaeology programs. BUAR staff is currently exploring the idea of potentially adopting the STAMP (Shipwreck Tagging Archaeological Management Program) statewide and integrating it with the NPS-CACO STAMP program for comprehensive coverage of the Massachusetts coast.

BUAR-THPOs Meeting – Mashantucket Pequot Tribal Nation Reservation

Dave R reported that on May 27, 2022, BUAR staff will be participated in an on-site meeting with Tribal Historic Preservation Office (THPO) staff from the Mashantucket Pequot Tribal Nation, the Mashpee Wampanoag Tribe, and the Wampanoag Tribe of Gay Head (Aquinnah) at the Mashantucket Pequot Tribal Nation Reservation, Mashantucket, CT. The purpose of the meeting is to continue BUAR’s work on relationship building with our region’s Indigenous communities and colleagues and to review and discuss on-going projects.

BUAR-NPS – STAMP Meeting

Dave R reported that on June 3, 2022, the BUAR staff will participate in a meeting with staff from the National Parks Service’s (NPS) Northeast Archeological Resources Program (NARP) and CACO via Zoom. The purpose of the meeting is for NPS NARP and CACO staff to discuss with BUAR staff the details of their recent implantation of the STAMP as a tool for inventorying and tracking intertidal ship remains within the CACO, BUAR’s possible adoption of STAMP, and how the two programs might be integrated for statewide coverage along Massachusetts’s coast.

BUAR-Munson Institute, Mystic Seaport

Dave R reported that on July 21, 2022, BUAR staff will be giving an invited guest lecture at the Munson Institute at Mystic Seaport. The Munson Institute is the leading, and often sole, center for the teaching of maritime history in the United States. Its faculty includes top maritime historians from across the country. The invited lecture will be part of an enhanced session the Institute is offering undergraduate and graduate students this summer as part of the multi-institutional (i.e., Munson Institute/Mystic Seaport, the Center for the Study of Slavery & Justice at Brown University, and Williams College), Andrew W. Mellon Foundation-funded, “Reimagining New England: Historical Injustice, Sovereignty and Freedom Project” that will expand the Institute’s cadre of scholars to include specialists from collaborating institutions and representatives from the region’s Native communities. Topics to be explored as part of the summer program include: the history and legacies of settler colonialism, racial slavery, servitude, dispossession, Indigenous resistance, African-American strategies for fashioning pursuits of freedom, and persistence and presence of Indigenous communities on the contemporary landscape. A distinctive feature of this

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summer's program will be the framing of these topics within the context of the Dawnland's (i.e., New England's) maritime setting, an environment that fostered interaction, mobility, and exploitation. The program will coincide with an exhibition at Mystic Seaport entitled: "Entwined: The Sea, Sovereignty and Freedom." BUAR staff will be speaking on the day that the program explores the topical area of underwater archaeology.

3. BOARD MEMBER REPORTS

Board member, John Warner, reported that his new book, *Riders in the Storm: The Triumphs and Tragedies of a Black Cavalry Regiment in the Civil War*, recounting the history of the 5th Massachusetts Cavalry Regiment, the only Black cavalry regiment raised in the North during the war, was just published by Stackpole Books. Dave R stated that he'd read a portion of the book that was available on an online bookseller's website and was immediately impressed by Dr. Warner's accessible writing style and the volume of and attention to detail in his exhaustive historical research and citation of sources. Dave R said he was looking forward to getting his ordered copy and hoping he could get it autographed by the author. Dr. Warner noted that he was honored to be acknowledged during the meeting, thanked the Director for his kind words, and said he'd be more than happy to sign his copy of *Riders in the Storm*.

4. PUBLIC ENGAGEMENT ACTIVITIES

A. "Shipwreck Scholars" Spring 2022 Program

Dave R reported that the "Shipwreck Scholars" interactive public educational program for children ages 5-12 and their families, developed by BUAR staff and the Trustees of Reservations' Educators and Activity Manager at the Castle Hill/Crane Estate property in Ipswich and delivered in the Fall/Winter of 2021-22, will be continuing this spring as the "Shipwreck Detectives" Program (although without BUAR-staff's on-site participation). Dave R also reported that the *Ada K. Damon* sea shanty BUAR staff developed for the Shipwreck Scholars Program was recently recorded to music by the traditional singers and musicians, "Kingfisher Duo."

B. Dedham Retired Men's Club In-Person Presentation

Dave R reported that on April 8, 2022, BUAR staff gave its third invited presentation in the past year on Massachusetts underwater archaeology topics to the membership of the Dedham Retired Men's Club. The in-person talk focused on submerged paleocultural landscapes archaeology and the BUAR-permitted project, "Project Mishoon" in Lake Quinsigamond.

C. Boston Harbor Now Presentation

Dave R reported that on April 13, 2022, BUAR staff gave the invited Zoom Webinar presentation, "Revolutionary Harbor: The Underwater Archaeology of Boston Harbor," as part of Boston Harbor Now's Revolutionary Harbor Lecture Series. The talk was very well attended with 347 registered viewers and 166 actual viewers from four different countries (Australia, Japan, Senegal, and US) and 12 different states represented.

Dave R reminded everyone that the Board would be on its annual "summer hiatus" from regularly-scheduled meetings until September. The next regularly-scheduled public meeting of the Board will be held via remote-access at 12:30 pm on Thursday, September 29, 2022. Permittees and interested members of the public are encouraged to monitor the BUAR webpage's Public Meetings Information section for updates, meeting agendas, remote-access meeting log-in instructions, and the Board-approved minutes from past meetings.

Dave R thanked everyone for their attendance and participation in the public meeting of the Board, and extended special thanks to Pam DiBona for co-hosting, and to the Board and its permittees for their

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continued effort, cooperation, and patience during these challenging times. He wished everyone continued good health and safety.

Vincent Malkoski moved to adjourn the meeting at 2:16 pm. Graham McKay seconded. Unanimous in favor by a roll-call vote. So voted.

Respectfully submitted,

David S. Robinson
Director