

**COMMONWEALTH OF MASSACHUSETTS
BOARD OF UNDERWATER ARCHAEOLOGICAL RESOURCES
FINAL MINUTES OF PUBLIC MEETING – May 29, 2025**

MEMBERS PRESENT:

Jack Chapin* (Designee of Christopher Mason, Acting Director of Environmental Law Enforcement)
Justin Malcolm* (Designee of Brona Simon, State Archaeologist)
Graham McKay* (Gubernatorial Appointee, Marine Archaeologist [at-large])
Jonathan Patton* (Designee of Gregory Robbins, Director of DCR Division of Waterways)
Daniel Sampson* (Designee of Alison Brizius, Director of Coastal Zone Management)
John Warner* (State Archivist)
(*present via remote access)

David Robinson, Director (Staff for the Board)
Patrice Bordonaro, CZM Staff Assistant/Meeting Co-Host

MEMBERS ABSENT:

Vincent Malkoski (Gubernatorial Appointee, Dive Community Representative [organization])
Designee of Brona Simon (Executive Director, Massachusetts Historical Commission)
VACANT (Gubernatorial Appointee, Dive Community Representative [at-large])

PROCEEDINGS:

This hybrid-format (i.e., in-person and remote-access) public meeting of the Massachusetts Board of Underwater Archaeological Resources (the Board or BUAR) was convened by its Director, David Robinson (Dave R), at 12:30 PM on May 29, 2025 in the 9th floor conference room #9128 at 100 Cambridge Street, Suite 900, in Boston, with a quorum of six (6) current members of the Board in attendance remotely, as confirmed by a roll-call.

The purpose of this 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 27, 2025 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 this meeting's hybrid format conforms with the Commonwealth's temporary provisions (now effective through June 30, 2027) pertaining to the Open Meeting Law that were signed by Governor Healey on March 28, 2025. These temporary provisions allow public bodies to continue holding their meetings remotely without a quorum of the public body physically present at a meeting location, and to provide "adequate, alternative" access to remote meetings. Board votes taken during this hybrid-format meeting were conducted through a roll-call, as required by MGL c. 30A, ss. 18-25.

Meeting ground-rules were reviewed and CZM Staff Assistant/Meeting Co-Host, Patrice Bordonaro, Board members, permittees, prospective permittees, and members of the public were all welcomed to the meeting by Dave R.

1. MINUTES

A. Minutes of the March 27, 2025 Meeting of the Board

Dave R asked if the Board had any comments or corrections to the draft minutes of the Board's March 27, 2025 public meeting. There were no comments or corrections to the minutes.

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Graham McKay moved to accept the minutes of the Board's March 27, 2025 public meeting. Jack Chapin 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 remainder of the Director's Report, Board Member Reports, and a summary of the Board's Public Engagement Activities since its March 27, 2025 meeting.

5. OLD BUSINESS

A. Archaeological and Historical Services, Inc., Special Use Permit (SUP 19-005), Marston Mills, Barnstable

Archaeological and Historical Services, Inc.'s (AHS's) Special Use Permit (19-005) for the Mill Pond Improvements project area at Marston Mills in Barnstable was up for renewal. AHS's Principal, Meg Harper, submitted a request to the Board's staff asking the Board to consider granting AHS an extension of their permit's expiration date until the Board's next regularly-scheduled public meeting. In circumstances such as this, it has been the Board's practice to grant up to two extensions of a permit's expiration date within a given permit year. This would be this permit's second extension. Ms. Harper was not in attendance to represent this permit, but during a recent conversation with Dave R, she stated that the project remained on hold and its date of resumption remained unknown. Dave R had advised Ms. Harper during the Board's March 27, 2025 meeting that AHS could request a second extension at this meeting, which would carry the permit's expiration date to the Board's September 25, 2025 meeting. If at that time, the project was still on hold, AHS could either apply for renewal, or submit an annual report and allow the permit to naturally expire. Ms. Harper had agreed with that approach. There was no further discussion.

Daniel Sampson moved to grant Archaeological and Historical Services, Inc. an extension of the expiration date of their Special Use Permit (19-005) for the Mill Pond Improvements project area at Marston Mills in Barnstable, with all the standard and special conditions in effect. The duration of this permit extension shall be until the next public meeting of the Board, currently scheduled for September 25, 2025. John Warner seconded. Unanimous in favor by a roll-call vote. So voted.

B. Joseph T. Baker, Reconnaissance Permit (REC 22-001), Gloucester

Joseph T. Baker's Reconnaissance Permit (22-001) for his Gloucester site was up for renewal. Mr. Baker submitted a complete renewal application, fee payment, and annual report in accordance with the Board's regulations. Mr. Baker was in attendance to represent this permit. Mr. Baker reported that, while fieldwork conducted during the permit year had not located any additional evidence of a shipwreck, his historical research suggested that such evidence may be in deeper water within his permit area and that is where he planned to focus future field efforts, if granted a permit renewal by the Board. There was no further discussion.

Jack Chapin moved to grant Joseph T. Baker renewal of Reconnaissance Permit (22-001) for his Gloucester site with all standard and special conditions in effect, for the period of one year with its new expiration date set as May 29, 2026. John Warner seconded. Unanimous in favor by a roll-call vote. So voted.

C. Neil Good, Reconnaissance Permit (REC 24-002), Waquoit Bay, Falmouth and Mashpee

Neil Good's Reconnaissance Permit (24-002) for his Waquoit Bay site in Falmouth and Mashpee was up for renewal. Mr. Good was granted an extension of his permit's expiration date at the Board's previous meeting. Mr. Good submitted a complete renewal application, fee payment, and annual report in accordance with the Board's regulations. Mr. Good was in attendance to represent this permit. Mr. Good reported successful fieldwork results that acquired acoustic imagery of the charted wreck within his permit

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area, obtained using a Raymarine fish-finder. Mr. Good planned to conduct additional fieldwork at the site using a drop-camera to obtain underwater video imagery of the charted wreck, if the Board voted to renew his permit. Mr. Good also reported that he gave a presentation on his project to the Falmouth Historical Society on April 10, 2025. There was no further discussion.

Graham McKay moved to grant Neil Good renewal of his Reconnaissance Permit (24-002) for his Waquoit Bay site in Falmouth and Mashpee, for the period of one year, retroactive to the permit's original expiration date, with its new expiration date set as March 27, 2026, with all standard and special conditions in effect, including that Mr. Good must:

- 1) coordinate his activities with the DCR Program Manager at the Waquoit Bay National Estuarine Research Reserve (Tonna-Marie Surgeon-Rogers);
- 2) maintain regular communication with the DCR State Parks Archaeologist (Jonathan Patton); and
- 3) maintain regular communication with the Tribal Historic Preservation Officer for Mashpee Wampanoag Tribe (David Weeden) and the Tribal Historic Preservation Officer for the Wampanoag Tribe of Gay Head (Aquinnah) (Bettina Washington)

Jonathan Patton seconded. Unanimous in favor by a roll-call vote. So voted.

D. Goodwin & Associates, Inc., Special Use Permit (SUP 20-001), SouthCoast (formerly Mayflower) Wind Project's Falmouth Electric Cable Corridor (or ECC) project area in the North Atlantic Ocean and Nantucket Sound

Goodwin & Associates, Inc.'s Special Use Permit (20-001) for the Massachusetts state waters portion of the SouthCoast (formerly Mayflower) Wind Project's Falmouth ECC project area, located in the North Atlantic Ocean and Nantucket Sound, was up for renewal. Goodwin & Associates, Inc. submitted a complete renewal application and annual report in accordance with the Board's regulations. Goodwin & Associates, Inc.'s Steve Schmidt was in attendance to represent this permit. There was no further discussion.

Dan Sampson moved to renew Goodwin & Associates, Inc.'s Special Use Permit (20-001) for the Massachusetts state waters portion of the SouthCoast (formerly Mayflower) Wind Energy Project's Falmouth ECC project area, located in the North Atlantic Ocean and Nantucket Sound, as detailed in the renewal application, with all the standard and special conditions in effect, for the period of one year from today with its new expiration date set for May 29, 2026. Graham McKay seconded. Unanimous in favor by a roll-call vote. So voted.

E. Hassanamisco Nipmuc Council, Reconnaissance Permit (REC 22-005), Lake Quinsigamond and Flint Pond, Shrewsbury and Worcester

The Hassanamisco Nipmuc Council's (or the Council) Reconnaissance Permit (22-005) for its "Project Mishoon" permit area in Lake Quinsigamond and Flint Pond in Shrewsbury and Worcester was up for renewal. The Council was granted an extension of their permit's expiration date at the Board's previous meeting. The Council submitted a complete renewal application, fee payment, and annual report in accordance with the Board's regulations. The Council's Project Archaeologist, Victor Mastone, was in attendance to represent this permit. Mr. Mastone reported that if granted renewal of their permit, the Council's research team planned to conduct visual inspections and high-definition video-documentation of the mishoonash this summer using underwater remotely operated vehicle (ROV) technology owned and operated by colleagues from Woods Hole Oceanographic Institution (WHOI). Mr. Mastone also reported that they were working on a conservation proposal and cost estimate to present to the Council's leadership and Tribal members for their consideration. Dave R asked Mr. Mastone to keep the Board informed as to planned fieldwork dates and to include him in the fieldwork, if possible. There was no further discussion.

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Justin Malcolm moved to renew the Hassanamisco Nipmuc Council's Reconnaissance Permit (22-005) for its "Project Mishoon" permit area in Lake Quinsigamond and Flint Pond in Shrewsbury and Worcester, with all standard and special conditions in effect, for a period of one year, retroactive to the permit's original expiration date, with its new expiration date now set as March 27, 2026. Jack Chapin seconded. Unanimous in favor by a roll-call vote. So voted.

F. Michael Margulis, Reconnaissance Permit (REC 24-001), Salisbury

Michael Margulis's Reconnaissance Permit (REC 24-001) for his Salisbury site was up for renewal. Mr. Margulis was granted an extension of his permit's expiration date at the Board's previous meeting. Mr. Margulis submitted a complete renewal application, fee payment, and annual report in accordance with the Board's regulations. Mr. Margulis was in attendance to represent this permit. Mr. Margulis reported that he had been active at the site in 2024 and anticipated making lots of discoveries in the coming year, if granted a renewal of his permit by the Board. Mr. Margulis also reported that he was finding it useful to use Google Earth Pro's satellite imagery within his permit area to identify visual anomalies of potential interest as future dive inspection targets. There was no further discussion.

Dan Sampson moved to renew Michael Margulis's Reconnaissance Permit (24-001) for his Salisbury site, for a period of one year, retroactive to the permit's original expiration date, with its new expiration date set as March 27, 2026, with all standard and special conditions in effect, including that Mr. Margulis must:

- 1) coordinate any on-site activities with the DCR facility (Salisbury Beach State Reservation) staff and allow the DCR facility staff determine when his on-site activities take place;
- 2) coordinate with Jonathan Patton (DCR State Parks Archaeologist);
- 3) not conduct any excavation activities under this permit; and
- 4) remove no cultural materials from the boundaries of the Commonwealth of Massachusetts without the prior written approval of the Board's staff.

John Warner seconded. Unanimous by a roll-call vote. So voted.

G. North Atlantic Dive Expeditions, Reconnaissance Permit (REC 17-004), Gloucester

North Atlantic Dive Expeditions' (or NADE) Reconnaissance Permit (17-004) for their Gloucester site was up for renewal. NADE's Heather Knowles requested an extension of the NADE permit's expiration date. NADE has been an active permittee who has done significant fieldwork and public outreach for their project and has repeatedly provided high-quality, comprehensive, annual reports to the Board. The Board has previously granted up to two extensions of a permit's expiration date within a given permit year. This would be this permit's first extension. Ms. Knowles was not in attendance to represent this permit. There was no further discussion.

Dan Sampson moved to extend the expiration date of North Atlantic Dive Expeditions' Reconnaissance Permit (17-004) for their Gloucester site, with all standard and special conditions in effect, until the next regularly scheduled meeting of the Board, currently scheduled for September 25, 2025. Jack Chapin seconded. Unanimous by a roll-call vote. So voted.

6. NEW BUSINESS

There was no New Business.

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

Dave R, as Chair, changed the order of business, again, and moved back to the Director's Report, followed by the Board Member Reports, and a summary of the Board's Public Engagement Activities since its March 27, 2025 meeting.

2. DIRECTOR'S REPORT

A. Fieldwork

- Conomo Point Shipwreck, Essex

On April 1, 2025, the Board's staff was joined by a group that included: students Julian Bokulich (UMass-Amherst) and Braedon Burke (UConn); leadership and staff from the Essex Shipbuilding Museum (KD Montgomery, Harold Burnham, and Jeff Lane); retired BUAR Director, Vic Mastone; and BUAR Board member, Graham McKay, to conduct a field-inspection and condition assessment of the Conomo Point shipwreck site in Essex. The Board's staff returned to the site again with Mr. Burnham and citizen scientist, Glenn Anderson, on May 28, 2025, to inspect and document the condition of the site after an unseasonable, strong Nor'easter had hit the region, and to install signage on the site. The purpose of this signage was to inform the public of the site's significance, its approximate age, its fragility, and its ownership by the Commonwealth, and to caution them of the potential penalties associated with breaking state laws by disturbing the site. These inspections were part of BUAR's ongoing monitoring, documentation, and active management of the site as it becomes increasingly exposed by erosion caused by a westward shift in Walker's Creek's main channel.

- Plymouth "Bow" Find Research Update, North Plymouth

On May 21, 2025, the Board's staff transferred a small (0.5-x-1.0 cm) sample of the North Plymouth "Bow" underwater archaeological resource find to Lund University (Lund) in Sweden for AMS radiocarbon dating as part of BUAR's ongoing research on and management of this find that was made and reported in 2019 to BUAR by citizen scientist, Tony Uva. This dating effort is being funded through a grant that was obtained by former BUAR Board member and Lund professor, Dr. Brendan Foley, with input and assistance from the Board's staff. Receipt of the results from the dating is not anticipated until October, due to a backlog of work at Lund and the Swedish summer holiday season.

- Chelsea Creek Shipwreck Research Update, Revere

On May 21, 2025, the Board's staff transferred a wood sample recovered from a floor timber of the Chelsea Creek shipwreck to BETA Analytic, Inc. in Miami, FL for decontamination pre-treatment and AMS radiocarbon dating. This dating is being done as part of an ongoing collaborative research project between BUAR and a group of citizen scientists led by retired *Boston Globe* reporter, Stephen Kurkjian. The sample is being dated as part of an effort to determine whether or not the wreck could be that of HMS *Diana*, the first enemy vessel sunk during the 1775 American Revolutionary War "Battle of Chelsea Creek." Funding for the dating is generously being provided by Mr. Kurkjian and his associates.

B. Meetings

- May 28, 2025 Bay State Council of Divers Meeting

On May 28, 2025, the Board's staff participated remotely in a hybrid meeting of the Bay State Council of Divers (BSC). Agenda items included: 1) reviewing the Mission and Vision of the BSC; 2) Defining tasks for the near future and beyond; and 3) Defining needs and processes for making improvements to the BSC. During the meeting, the Board's staff noted the long-term relationship between the BUAR and the BSC, and expressed a desire for continued and even greater engagement between the BUAR and the BSC. The Board's staff also provided two BUAR update items for the most recent issue of the BSC newsletter.

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- May 1, 2025 Meeting with the Trustees of Reservations' Director of Cultural Resources and Manager of GIS (Geographic Information Systems)

On May 1, 2025, the Board's staff and CZM's GIS Team manager, Dan Sampson, and GIS staff, Brooke Hodge, met remotely with the Trustees of Reservations' (TTOR) Director of Cultural Resources, Cindy Brockway, and GIS Manager, Vin Antil. The purpose of the meeting was to discuss the results of the CZM/BUAR Project of Special Merit and brainstorm with Ms. Brockway and Mr. Antil ways for integrating the results of the PSM project into TTOR's GIS-based resource management programming. Specifically, TTOR is interested in adding as a data layer the PSM coastal cultural resources vulnerability mapping to TTOR's GIS mapping to help guide TTOR in proactively addressing the management needs of these vulnerable resource areas. A future meeting with TTOR's leadership is planned.

- April 18, 2025 Meeting with the Cohasset Historical Society Leadership

On April 18, 2025, the Board's staff met with Susan Hobson, Vice-President of the Cohasset Historical Society, at the Cohasset Maritime Museum. The purpose of the meeting was to discuss the transfer of a memorial plaque to the Cohasset Historical Society for public display in the Maritime Museum. This plaque was a gift from the Foundation for Coast Guard History. It memorializes the sacrifice of lighthouse keepers Joseph Antoine and Joseph Wilson. The two men were killed in the line-of-duty when the original Minot's Light experienced structural failure during an intense storm and toppled over into the sea. The date of April 17, 2026 marks the 175th anniversary of the collapse of the lighthouse in 1851. Planning by the Board's staff and the Cohasset Historical Society is currently underway to memorialize keepers Antoine and Wilson's sacrifice through a ceremony at the Cohasset Maritime Museum and the addition of the plaque, and interpretive signage about it, to the museum's existing Minot's Lighthouse exhibit, in a rededication ceremony for the memorial plaque. The plaque was made and installed (originally underwater) at the base of the lighthouse in 2007 by the Foundation for Coast Guard History. The plaque broke away from its underwater anchor several years after it was installed. It was recovered subsequently by divers and turned over to the BSC. The BSC passed it on to BUAR and requested that the Board's staff find a long-term home for it where it could be displayed for the public's benefit and seen and appreciated by a broader audience. In the coming months, BUAR and the Cohasset Historical Society will be working with the Foundation for Coast Guard History and the BSC to plan the 2026 rededication and memorial ceremony.

C. BUAR Annual Reporting Contents Checklist

To assist BUAR permittees in preparing their annual reports to be in conformance with the reporting requirements of the Board's Regulations and to ensure a greater consistency in this reporting, in April 2025, the Board's staff developed one-page Annual Reporting Contents Checklist for permittees to use as a reference while preparing their annual reports. This checklist is going to be sent out to BUAR permittees, along with the Board's staff's courtesy reminder about the approaching expiration date of their permits.

D. CZM/BUAR Project of Special Merit Update

Dave R reported that BUAR and CZM's work on the final phase of the NOAA Office for Coastal Management's Project of Special Merit (or PSM), to assess the vulnerability of Massachusetts coastal cultural resources from coastal hazards and sea level rise, remains underway. A draft online geonarrative intended for the general public and describing the project, its results, and its recommendations has been completed and is in the process of being edited and finalized. Initial GIS mapping of the relative densities of vulnerable coastal cultural resources is completed. The final phase of the project will involve conducting additional meetings with Massachusetts's Tribal communities to get their feedback and to identify with them areas of cultural sensitivity needing to be added to the mapping, as well as the preparation of the PSM's Final Report, which will be completed and submitted to NOAA in August. Results from the project will be used to assist CZM, BUAR, and other federal, state, local, and Tribal government agencies prioritize areas of the Massachusetts coast where the development and implementation of municipal and local-level adaptive management practices, as part of an overall coastal cultural resources management strategy, were recommended. Dan Sampson and Dave R then shared with the Board a summary of the results and recommendations from the study.

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3. BOARD MEMBER REPORTS

There were no Board Member Reports.

4. PUBLIC ENGAGEMENT ACTIVITIES

A. BUAR Free Public Lecture, Cohasset Historical Society's Summer 2025 Marine Speaker Series, Cohasset

On June 5, 2025, from 5:00-7:00 PM, the Board's staff will present the free public lecture, "An Uncommon Wealth: Massachusetts's Underwater Archaeological Resources," as part of the Cohasset Historical Society's Summer 2025 Marine Speaker Series, Cohasset.

B. BUAR Free Public Lecture, Monson Free Library World Ocean Day Celebration, Monson

On Saturday, June 7, 2025, from 11:00 AM-12:00 PM, the Board's staff will present "An Uncommon Wealth: Underwater Archaeology in Massachusetts," as part of the Monson Free Library's World Ocean Day celebration, Monson.

C. BUAR Vital On-Line Program Documents Translation & Access Enhancement

The Massachusetts Executive Office of Energy and Environmental Affairs (EEA), of which BUAR and its administrative host, CZM, are a part, is committed to improving the accessibility of its programs, activities, and services for individuals with limited English proficiency (LEP). As part of EEA's Language Access Plan (LAP or "plan") to reduce barriers and ensure LEP populations have meaningful access to services, programs, and activities, and to be responsive to community needs and in compliance with Governor Healey's 2023 Executive Order 615, the Board's staff is working with CZM's Communications staff, in coordination with EEA's Language Access Team, on two initiatives to improve and enhance public access to BUAR's vital on-line program documents.

One of these initiatives has involved the translation of vital on-line program documents into the top five languages in the Commonwealth with a goal to ensure better access for constituents with LEP. Vital documents are defined as: "documents containing critical information on agency programs, activities, services, including residents' eligibility rights, available in English which may deny non-English speakers and individuals with limited English proficiency equitable and meaningful access. Vital documents may include information that is critical for accessing programs or activities, and documents required by law." Specifically, links to the MA State legislature's translated BUAR-related statute and regulations and translated versions of BUAR's Policy Guidance Documents and three permits and Isolated Find Exemption application forms will be added to the BUAR website.

The other initiative has involved converting the four, currently .pdf format, online BUAR application forms into electronic forms that can be filled-out and submitted online, so that they may be sent directly into the Board's staff's email in-box.

Dave R thanked the Board, its permittees, and members of the public who attended the meeting, and reminded everyone that the next regularly-scheduled public meeting of the Board will be at **12:30 pm** on **Thursday, September 25, 2025**. This meeting will also be held in a hybrid format and accessible both remotely and as an in-person meeting in CZM/BUAR's offices on the 9th floor at 100 Cambridge Street in Boston. Instructions for accessing the meeting remotely or in-person will be posted prior to the meeting on the Board's Public Meetings Information webpage (<https://www.mass.gov/service-details/buar-public-meeting-information>). Permittees and interested members of the public were encouraged to monitor the BUAR webpage's Public Meetings Information section for other updates, meeting agendas, and meeting minutes.

Dan Sampson moved to adjourn the meeting at 1:19 PM. Graham McKay seconded. Unanimous in favor by a roll-call vote. So voted.

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Respectfully submitted,
David S. Robinson
Director