

**COMMONWEALTH OF MASSACHUSETTS
BOARD OF UNDERWATER ARCHAEOLOGICAL RESOURCES
MINUTES OF PUBLIC MEETING – 25 October 2018**

MEMBERS PRESENT: Michael Driscoll (Designee of Gregory Robbins, Director of DCR Division of Waterways)
Gary Murad (Dive Community Representative)
Jonathan Patton (Designee of Brona Simon, Executive Director of the Massachusetts Historical Commission)
Dan Sampson (Designee of Bruce Carlisle, Director of Coastal Zone Management)
John Warner (State Archivist)
Nadia Waski (Designee of Brona Simon, State Archaeologist)
Victor Mastone, Director (Staff for the Board)

MEMBERS ABSENT: Anthony Abdal-Khabir, Deputy Director (Acting Director of Environmental Law Enforcement)
Graham McKay (Marine Archaeologist)
Vacant (Dive Community Representative)

PROCEEDINGS:

The public meeting of the Massachusetts Board of Underwater Archaeological Resources was convened by the Director, Victor Mastone (Vic M) at 1:33 PM on 25 October 2018 in the CZM Conference Room at 251 Causeway Street in Boston.

1. MINUTES

A. Minutes of 24 May 2018

Vic M asked the Board if there were any comments or corrections to the minutes of the public meeting held on 24 May 2018. There were no comments or corrections to the minutes.

Dan Sampson moved to accept the minutes of the 24 May 2018 public meeting. John Warner seconded. Unanimous vote in favor. So voted.

Change in the order of Business

Vic M noted the Board had a very full agenda for today's meeting. He stated that as chair he would be changing the order of business at this point and move directly to Old Business.

2. OLD BUSINESS

A. Gary Esper

Vic M reported that the two permits held by Gary Esper were up for renewal today. Mr. Esper had submitted his renewal applications and annual reports in accordance with the Board's regulations. One is for excavation (#12-005) and the other is reconnaissance (#12-006) in the Towns of Eastham and Wellfleet. Mr. Esper was in attendance to represent his permit application.

Mr. Esper stated he had not been out there lately, but had been doing a lot of research. He noted he included information on the *Rolla* with his submission. The late Richard Weckler, historian for the former Greco permits, had done research on it. He included a copy the magnetometer survey of the area. He believed he cluster of hits represented the *Rolla*. He planned to go out there next Spring noting its distance from port limited his access. Gary Murad asked how far? Mr. Esper said about 30-35 miles, so he needed a larger vessel to stay on site. He may have access to such vessels from another he has been working with in New York. Comments were made about the presence of great white sharks in the area. There was no further discussion.

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Gary Murad moved to grant renewal, retroactive to 27 September 2018, of Excavation Permit No. 12-005 held by Gary Esper for his Eastham/Wellfleet site with all standard conditions in effect, and the further condition that the permittee coordinate all field activities with the staff of the Cape Cod National Seashore. Mike Driscoll seconded. Unanimous vote in favor. So voted.

Gary Murad moved to grant renewal, retroactive to 27 September 2018, of Reconnaissance Permit No. 12-006 held by Gary Esper for his Eastham site with all standard conditions in effect and the further condition that the permittee coordinate all field activities with the staff of the Cape Cod National Seashore. Dan Sampson seconded. Unanimous vote in favor. So voted.

B. Alexander Bezkorovainy

Vic M reported that the excavation permit held by Alexander Bezkorovainy was up for renewal today. Mr. Bezkorovainy had not submitted his renewal application and annual report or otherwise communicated with the Board. Alex Bezkorovainy was not in attendance to represent his permit application. Vic M noted the Board's practice in such circumstances was to grant an extension. There was no further discussion.

Gary Murad moved to extend the expiration date of the Excavation Permit (06-002) held by Alexander Bezkorovainy for his Salem Sound site with all existing standard and special conditions remaining in effect until to 29 November 2018. Mike Driscoll seconded. Unanimous vote in favor. So voted.

C. R. Christopher Goodwin & Associates, Inc.

Vic M reported the James S. Smith, Project Archaeologist, for R. Christopher Goodwin Associates had requested modification of their Special Use Permit No.17-001 for the Bay State Wind project. The modifications were outlined in their letter 21 August 2018. He subsequently granted provisional approval of that modification. He was seeking the Board's formal approval of those modifications. There was no further discussion.

Gary Murad asked if they had found anything so far. Vic M said not to his knowledge. He noted the normal procedure was reroute to avoid anomalies and typically do further investigation on them..

Jonathan Patton moved to modification of Special Use Permit No.17-001, held by R. Christopher Goodwin Associates for the Bay State Wind Project as detailed in their letter of 21 August 2018. John Warner seconded. Unanimous vote in favor. So voted.

D. Gray & Pape, Inc.

Vic M reported that Gray & Pape, Inc., had requested of Special Use Permit application for the underwater remote sensing, and archaeological reconnaissance survey and documentation related to the Vineyard Wind Project in Barnstable, Martha's Vineyard, Nantucket and Yarmouth. Dr. Michael Tuttle will serve as Project Archaeologist.

Vic M noted they heard from the project archaeologist regarding only a couple of anomalies, most likely natural features. Jonathan Patton said MHC had received a copy of their report to BOEM from them which said they found one shipwreck and two possible paleosols. Vic M noted he has had to remind permittees of their need to comply with our requirements as well as BOEM.

Mike Driscoll moved to grant renewal, retroactive to 27 September 2018, of Special Use Permit No. 17-003 to Gray & Pape, Inc., for the underwater remote sensing and, archaeological reconnaissance survey and documentation related to the Vineyard Wind Project in Barnstable, Martha's Vineyard, Nantucket and Yarmouth for the area as specified in the application with all standard conditions in effect and special conditions remaining in effect. Nadia Waski seconded. Unanimous vote in favor. So voted.

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E. Nipmuc Nation

Vic M reported that he participated in field inspection activity of the dugout canoes in Lake Quinsigamond on July 27. It was a joint effort of the Board, the permittee, the Division of Marine Fisheries (DMF), and the Massachusetts Environmental Police (MEP). Two of three canoes were successfully found and inspected by the DMF divers. It was also fortunate that MEP was there to provide security as a private boat came uncomfortably close to the divers in the water.

Gary Murad asked about dive conditions. Vic M said that visibility was limited, but they could safely conduct operations. John Warner asked if there was a reason they could find the third dugout. Vic M it could be several factors: change in the shoreline [new lakefront homes], poor GPS fix, visibility, or even inadvertent removal. They spoke with the nearby property owner and he was not aware of the site. They hoped to get in one more dive the Fall before the lake iced over.

F. Public Archaeology Laboratory, Inc.

Vic M reported there was the renewal of two special use permits held by the Public Archaeology Laboratory, Inc. (PAL), were up for renewal at today's meeting.

1. New Bedford Harbor Superfund Site, SUP No. 16-003. Vic M reported that the Public Archaeology Laboratory had submitted its renewal for two special use permit. The first permit renewal involved the intertidal archaeological sites located within the New Bedford Harbor Superfund Site in Acushnet and Fairhaven. This permit renewal was essentially to keep the permit active in the event they needed to return to the field. Vic M noted work was also being conducted under a State Archaeologist Permit. There was no further discussion.

Jonathan Patton moved to grant renewal, retroactive to 27 September 2018, of Special Use Permit No. 16-003 held by the Public Archaeology Laboratory for archaeological reconnaissance, intensive (locational), and site examination archaeological surveys of intertidal archaeological sites located within the New Bedford Harbor Superfund Site in Acushnet and Fairhaven for the area (as specified in the application) with all standard and special conditions in effect. Dan Sampson seconded. Unanimous vote in favor. So voted.

2. Upper Roberts Meadow Reservoir Dam Breach and Stream Restoration Project SUP No. 17-009. Vic M reported that the Public Archaeology Lab had submitted a special use permit application for archaeological reconnaissance (walkover) and mitigation monitoring/recordation as part of the Upper Roberts Meadow Reservoir Dam Breach and Stream Restoration Project in Northampton. Similar to the other projects, there had been historically mills in that area. There was no further discussion.

Nadia Waski moved to grant renewal, retroactive to 27 September 2018, of Special Use Permit No. 17-009 by the Public Archaeology Lab, Inc., for archaeological reconnaissance (walkover) and mitigation monitoring/recordation as part of the Upper Roberts Meadow Reservoir Dam Breach and Stream Restoration Project in Northampton as detailed in the technical proposal accompanying the application with all standard conditions in effect and special conditions remaining in effect. Jonathan Patton seconded. Unanimous vote in favor. So voted.

6. NEW BUSINESS

A. Public Archaeology Lab

Vic M reported that the Public Archaeology Lab had submitted a Special Use Permit application for archaeological mitigation monitoring/recordation as part of the Merrimack River Stabilization at Wellman Avenue in Chelmsford. Victor stated PAL had completed and closed out its original special use permit, No. 17-005, and was subsequently contracted for additional monitoring services. He provisionally granted Special Use Permit No. 18-002 on 5 September 2018.

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Mike Driscoll moved to grant Special Use Permit No. 18-002 to the Public Archaeology Lab, Inc., for archaeological mitigation monitoring/recording as part of the Merrimack River Stabilization at Wellman Avenue in Chelmsford as detailed in the technical proposal accompanying the application with all standard conditions in effect and the further condition that Public Archaeology Lab, Inc., submit its research design and methodology to the State Historic Preservation Office (SHPO) for review. Jonathan Patton seconded. Unanimous vote in favor. So voted.

B. Isolated Find Exemption – Laura Gasset-Shoemaker

Vic M said he was contacted by Ms. Gasset-Shoemaker concerning an old wooden ship's frame and planking that has washed up near A Street on Nantasket Beach in Hull. She had collected it after a winter storm. She had retrieved this disarticulated fragment and had subsequently contact the Board to see if it would be interest/use to the Board or a museum for research or teaching object. He told her the proper procedure to support a donation would be to file for an exemption and then donate. She agreed to file for an exemption. Vic M asked the Board to give positive consideration of the request.

Vic M noted the fragment was worm eaten and highly degraded. Gary Murad asked if we knew when it dates from. Vic M said it was likely nineteenth century. He added there are numerous wrecks off Hull and the fragmented nature of the frame/ceiling plank and made it extremely difficult to assign it to any specific site or date. He noted it was interesting that the applicant caught onto structural features, the nature of the trenails and splits.

Jonathan Patton asked if it were covered from DCR property. Vic M replied DCR was not interested in this random wooden fragment.

Jonathan Patton moved to waive jurisdiction over isolated find number 2018-IF-0002 a wooden futtocks and planking fragment recovered Nantasket Beach in Hull and relinquish all rights, title and interest to the Laura Gasset-Shoemaker. Mike Driscoll seconded. Unanimous vote in favor. So voted.

C. SEARCH, Inc.

Vic M reported that the Search Inc. had submitted a Special Use Permit application for the visual inspection and documentation of the Nomans Land Island inscribed stone in Chilmark. These services will be provided by archaeologist Michael Arbuthnot. Victor noted the application meets the requirements specified in the Board's regulations. He noted this would be second special use permit granted fro that area as well as to Michael Arbuthnot. Vic M stated that he provisionally granted Special Use Permit No. 18-003 on 11 October 2018.

Vic M stated that he was contacted in July by Arrow Media regarding a proposed investigation of "History of Vikings in America" for Science Discovery TV (UK). They initially were trying to get in contact with former permittee, Neil Good. Discussion included the alleged runic stone off Nomans Land Island in Chilmark. Subsequent email exchanges with Arrow Media lead Vic M to determine the proposed activities were archaeological in nature and would require a special use permit and they would need the services of a professional archaeologist to conduct their proposed activities. Arrow Media secured the services of SEARCH, Inc. with Michael Arbuthnot to serving as Project Archaeologist and permit applicant. In 2013, Mr. Arbuthnot previously held Special Use Permit 13-001for a similar project for the cable TV program, America Unearthed. Victor reminded the Board that it had previously determined that the Board had jurisdiction of the stone which lies in the state waters off the island and that the Board has a table application for the recovery of the stone. Vic M informed them that US Fish and Wildlife Service prohibit access to the island as both a wildlife sanctuary and a former bombing range. Early in their discussions and well prior to issuing a provisional permit, Vic M instructed Arrow Media to contact the THPOs for both the Wampanoag Tribe of Gay Head/Aquinnah and the Mashpee Wampanoag Tribe. The island has a special connection to the Wampanoag people and wanted to determine if the Tribe might object to the proposed activities. Arrow media reported receiving no response. As there had been no objection to the 2103 permit, he was comfortable in provisionally issuing this permit under review.

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John Warner asked if the inscribed stone was visible from the ocean. Vic M believed it to be so if you know the correct boulder. He shared with them an article from the 1941 Bulletin of the Massachusetts Archaeological Society [Volume 3, No. 4] by Douglas S. Byers. He also checked with R.S. Peabody Institute, where Byers worked at the time, and they had no records on this trip. Vic M looked at this as an opportunity to finally debunk the Norse affiliation story.

Jonathan Patton stated that with the previous 2013 permittee had submitted an MHC Project Notification Form and noted that MHC had not received a PNF for this application. He said MHC would like the permit conditioned to include the need to submit a PNF and a copy of the report on this permit. John Warner asked we might table this until MHC receives the PNF. Vic M said they could submit that prior to the field investigation.

Jonathan Patton moved to grant SEARCH, Inc. a Special Use Permit (18-003) for the Project area (as specified in the application) for marine archaeological non-invasive site inspection of the inscribed stone object lying in the waters off Nomans Land Island, Chilmark, as detailed on the map figures and photographs accompanying the application with all standard conditions in effect and the further condition that no one land upon the island, that a Project Notification Form be submitted to MHC prior to engaging in field work, that a copy of project report be also submitted to MHC, and for activities subject to Section 106 of the National Historic Preservation Act, they submit its research design and methodology to the State Historic Preservation Office (SHPO) for review. John Warner seconded. Unanimous vote in favor. So voted.

D. Policy Guidance on the Discovery of Unexploded Ordinance and Munitions

Vic M noted that over the past few years he had been developing a general policy guidance document for the discovery of unexploded ordinance and munitions. This question had come up a few years ago by permittees and most recently when Mr. Ricardo reported his recovery of unspent machine gun cartridges from off Salisbury Beach. MEP's Anthony Abdal-Khabir dealt with that issue at the time. Vic M subsequently sent Anthony the draft policy for his review and comment. The draft policy adheres to the generally accepted 3Rs - "Recognize, Retreat, and Report" - protocols for unexploded ordinance (UXO) used by federal agency and state/local police and fire services agencies.

Vic M stated he was looking for Board member comments on this draft, but first wanted to note he planned to strike the statute citation language from this policy. He believed the archaeological citation added nothing as these are referenced in other policy guidance documents and he could not find reasonably clear state or federal statutory language. The established 3Rs policy provides adequate and sufficient justification. He recommended deleting the section entitled *Application Massachusetts General Laws*. There was agreement to that revision.

Jonathan Patton asked there was a definition of state bottom lands used in the "Introduction". He said he has not seen that commonly used in Massachusetts. He believed a lot of readers would not understand the meaning. Vic M said a more commonly used term is "*lands under water*." There was agreement to that revision.

John Warner noted the if we remove statutory references, then we should strike the phrase "*in accordance with the applicable sections of Massachusetts General laws listed in this policy guidance*." He noted this would alleviate confusion. There was agreement to that revision.

Vic M showed the Board the poster and booklet prepared by the Baltimore District of the U.S. Army Corps of Engineers. He said he would see if he could find digital versions of these documents. Vic M said he no longer distributes these generally as he only a few copies remaining.

John Warner moved to adopt *Policy Guidance on the Discovery of Unexploded Ordinance and Munitions* as amended. Gary Murad seconded. Unanimous vote in favor. So voted.

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Change in the order of Business

Vic M stated that as chair he would be changing the order of business at this point and move to Director's Report, Board Member Reports and Public Engagement Activities.

3. DIRECTOR'S REPORT (continued)

A. Staffing

1. **Intern** - Vic M reported the Board has an intern from his field school at Salem State University. Sara Sierzego is a senior majoring in public history. Her project is to create a maritime archaeology exhibit at the Robbins Museum of Archaeology in Middleborough. We have selected artifacts. Dr. Calvin Mires of Bridgewater State University is also advising on the project.

2. **Collaboration with Geography Department** – Vic M noted the he and Dan Sampson continued their collaboration with the Geography Department at Salem State University to refine our shipwreck data base. The department see our database as a useful instructional tool. He hoped that complete the shipwreck atlas project before his retirement. Jonathan asked if that would be hosted anywhere. Dan Sampson said we could pretty much do whatever we want.

B. Fieldwork

1. **Parker River Wildlife Refuge** - Vic M stated he had received a report from the U.S. Fish and Wildlife Service of anchor find in the Spring during piping plover nesting season. So he could not visit and it got covered up. In August, he was contacted by Bill Sargent informing him the anchor was visible Vic M notified the Refuge staff, obtained the requisite federal Special Use Permit, and visited the site with Graham McKay, Bill Sargent, and Sarah Sierzego. The anchor is of yet an indeterminate age, though likely 19th century.

2. **Egypt Beach, Scituate** - Vic M stated he had received an email from Caroline Chase of Scituate reporting a possible shipwreck at Egypt Beach in Scituate. From the photographs, it appeared to possibly be some form of iron or steel sheeting. A barge had sunk offshore fo this area. The metal was not visible when Vic M visited the location. In examining historic aerial photographs, the site location appeared to coincide with post Blizzard of 1978 construction activities on the beach. The material is likely construction debris from a sheet pile bulkhead.

C. Meeting with Dr. Monica Grosso

Vic M reported he met with Dr. Monica Grosso. She is a maritime archaeologist in the program of Underwater Archaeology at Argentina's National Institute of Anthropology and Latin American Thinking. She was in the area researching whaling ships, in particular the Dolphin. The vessel was built in Somerset in 1850, sailed out of Warren, RI, and wrecked along the coast of Patagonia.

D. International Fields of Conflict Conference

Vic M reported that he participated in the 2018 International Fields of Conflict Conference on September 27-29, 2018. He gave a presentation in the session on the Revolutionary War; it was entitled, "*Historical Narrative and Cultural Landscape Analysis: Revealing the American War of Independence Battle of Chelsea Creek*"[1775]. He participated in a five person panel entitled, "*Documenting Military Archaeological and Cultural Landscapes.*" He noted that all travel expenses and registration were paid with personal funds.

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E. USCG Salisbury to Plymouth Area Committee Oil Spill Response

Vic M reported that he participated in the meeting of the USCG Salisbury to Plymouth Area Committee Oil Spill Response to be held on October 12, 2018 at the USEPA Lab in Chelmsford.

F. Bay State Council of Divers

Vic M reported that he attended night meetings of the Bay State Council of Divers on Wednesdays June 13, August 8 and September 5. The main topic of discussion was the upcoming annual Treasure Hunt Competition and Club Picnic. The Council held its annual Treasure Hunt Competition and Picnic was on Sunday, September 17, at Stage Fort Park in Gloucester. There were estimated to be over 100 people in attendance. With approximately 50 divers participated in the scuba and snorkel events. Vic M distributed BUAR hand-outs and answered questions. He used the Council as a venue to solicit replacement for Marcie's vacant position.

4. BOARD MEMBER REPORTS

Jonathan Patton and Nadia Waski announced that October is Massachusetts Archaeology Month.

5. PUBLIC ENGAGEMENT ACTIVITIES

A. Friends of the Parker River Wildlife Refuge

Vic M reported he gave a presentation to the Friends of the Parker River Wildlife Refuge in Newburyport on the night of June 4, 2018. The presentation was entitled, "*Nature and Maritime Archaeology: Revealing Massachusetts' Hidden History*".

B. Carmel Terrace

Vic M reported he gave an afternoon presentation to residents of the Carmel Terrace Assisted Living in Framingham on June 7, 2018. The presentation was entitled, "*Hidden Heritage: Underwater Archaeology in Massachusetts*."

C. Bridgewater State University

Vic M reported that on July 11 he met with Dr. Calvin Mires and students from Bridgewater State University's Center for the Advancement of STEM Education Summer Camp. They met at the shipwreck site of the coastal steamer *City of Taunton* on the banks of the Taunton River in Somerset. The students documented the wreck to create a site plan and scale drawings of various visible components. The site is readily accessible and almost completely uncovered at low tide. It is an excellent teaching site.

D. Salem State University Summer Institute - Maritime Archaeology of the North Shore

Vic M reported he again co-lead a SSU Summer Institute (workshop) during the week of July 16-20, 2018 with Dr. Calvin Mires and Captain Laurel Seaborn, both of the Seafaring Education and Maritime Archaeological Heritage Program. Vic M noted used vacation leave to teach the class. Participants will receive three undergraduate credit hours from Salem State University (SSU) and a certificate from the Nautical Archaeology Society. This course used the shipwreck site of the *City of Rockland* on the shore of Little Misery Island off Beverly. The island is owned by The Trustees of Reservations and it was fairly easy boat access from Salem via a vessel supplied by the Essex National Heritage Area. The field school course is intended to be a starting point for training citizen scientist volunteers. Several students assisted Vic M with field investigations and outreach events.

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E. Southeast Chapter, Massachusetts Archaeological Society

Vic M reported he gave a presentation to Southeast Chapter, Massachusetts Archaeological Society in Middleborough on September 12, 2018. He presented on the dugout canoes in Lake Qunsigamond (Worcester/Shrewsbury); the title was "*Underwater Archaeology: 17th Century Nipmuc Mishoonash in Lake Quinsigamond*".

F. United Divers of Central Massachusetts

Vic M reported he gave a presentation to the United Divers of Central Mass in Fitchburg on September 20. This was rescheduled from April 19. He presented on the dugout canoes in Lake Qunsigamond (Worcester/Shrewsbury), the title was "*Underwater Archaeology: 17th Century Nipmuc Mishoonash in Lake Quinsigamond*".

G. Manchester Historical Museum

Vic M reported he gave a presentation to the Manchester (MA) Historical Museum on the night of October 17. The presentation was entitled "*Maritime Archaeology: Revealing Massachusetts'Hidden History*". There were about 70 people in attendance.

H. Center Club of the North Shore

Vic M reported he gave a presentation to the Center Club of the North Shore on the morning of October 24 in Lynnfield. The presentation was entitled "*Maritime Archaeology: Revealing Massachusetts'Hidden History*".

I. Society of Colonial Wars in Massachusetts

Vic M reported that he will be giving a luncheon presentation to the Society of Colonial Wars in Massachusetts in Boston on January 17, 2019. The presentation will be on the 1775 Battle of Chelsea Creek.

J. Lynnfield Senior Center

Vic M reported that he will be giving a mid-day presentation to the Lynnfield Senior Center in Lynnfield. The presentation will be entitled, "*Nature and Maritime Archaeology: Revealing Massachusetts' Hidden History*".

Vic M stated that he wanted to remind the Board member that their next schedule meeting will be held on Thursday, November 29. He noted this is the Thursday after Thanksgiving. He will propose the meeting schedule for 2019 at that meeting. Keeping with the Board's traditional schedule, the first meeting in 2019 will be held on January 31.

Jonathan Patton moved to adjourn the meeting at 2:30 PM. John Warner seconded. Unanimous vote in favor. So voted.

Respectfully submitted,

Victor T. Mastone
Director