

**COMMONWEALTH OF MASSACHUSETTS
BOARD OF UNDERWATER ARCHAEOLOGICAL RESOURCES
FINAL MINUTES OF PUBLIC MEETING – SEPTEMBER 28, 2023**

MEMBERS PRESENT:

Jack Chapin* (Designee of Shaun Santos, Director of Environmental Law Enforcement)
Michael Driscoll (Designee of Gregory Robbins, Director of DCR Division of Waterways)
Justin Malcolm (Designee of Brona Simon, State Archaeologist)
Mark McClanan* (Gubernatorial Appointee, Dive Community Representative [at-large])
Graham McKay (Gubernatorial Appointee, Marine Archaeologist [at-large])
Daniel Sampson (Designee of Lisa Berry Engler, Director of Coastal Zone Management)
John Warner (State Archivist)

(*present via remote access)

David Robinson, Director (Staff for the Board)

MEMBERS ABSENT:

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

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), with the assistance of co-host and Massachusetts Office of Coastal Zone Management (CZM) Administrative Assistant, Patrice Bordonaro, at 12:33 PM on September 28, 2023 in the 9th floor conference room #9176 at 100 Cambridge Street, Suite 900, in Boston, with a quorum of seven (7) current members of the Board in attendance in person and remotely, as confirmed by a roll-call.

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 May 25, 2023 Board meeting's minutes
- the Director's report
- Board Member reports
- a summary of the Board's Public Engagement Activities
- Old Business,
- New Business and,
- an Executive Session after the end of the public portion of the meeting for the purposes of discussing a litigation matter.

Dave R explained that this meeting's hybrid format conformed with the Commonwealth's temporary provisions (effective through March 31, 2025) pertaining to the Open Meeting Law that were signed by Governor Healey on March 29, 2023. This temporary provision allows 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 by Dave R, and Board members, the meeting's co-host, prospective permittees, and members of the public were all welcomed to the meeting. Dave R also acknowledged and welcomed EEA's Deputy General Counsel, Read Porter, and retired BUAR Director, Victor Mastone, to the meeting, the latter of whom was in attendance in support of one of the permittees with business before the Board.

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1. MINUTES

A. Minutes of the May 25, 2023 Meeting of the Board

Dave R asked if the Board had any comments or corrections to the draft minutes of the Board's May 25, 2023 public meeting. There were no comments or corrections to the minutes.

Graham McKay moved to accept the minutes of the Board's May 25, 2023 public meeting. Michael Driscoll seconded. Unanimous in favor by a roll-call vote. So voted.

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

Due to the very 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, a summary of the Board's Public Engagement Activities since its May 25, 2023 meeting, and an Executive Session.

5. OLD BUSINESS

A. Bassing Cove Maritime Association (EXC 91-001) – Scituate

Bassing Cove Maritime Association's (BCMA) Excavation Permit (91-001) for their Scituate site was up for renewal. At the Board's March 30, 2023 meeting, BCMA informed the Board's staff that after holding this permit and conducting fieldwork and educational outreach on their project for 32 years, the BCMA wished to close out the project in 2023. To provide the BCMA with adequate time to coordinate and complete the various requisite elements of the project's close-out, the Board's staff recommended and the Board voted unanimously to grant the BCMA an extension (the first) of their permit's expiration date until the Board's regularly-scheduled public meeting on May 25, 2023. Unfortunately, due to unforeseen circumstances, less progress was made towards completing the project than anticipated. Consequently, the BCMA requested and the Board voted unanimously again to grant BCMA a second extension of its permit's expiration date, until this regularly scheduled public meeting (September 28, 2023). It has been the Board's practice to grant no more than two extensions of a permit's expiration date within a given permit year. Given that BCMA had not submitted a renewal application, their permit was set to expire naturally at the conclusion of this meeting. Dave R stated that after today's meeting, the Board's staff would be sending the BCMA a letter informing them of their permit's expiration and directing them to submit their annual report within 30 days of receipt of the Board's letter, and their project completion report within 60 days of the receipt of the Board's letter. Further, Dave R stated that the Board's staff would continue to coordinate with BCMA to ensure that these reports are completed and all project documentation from this long-term project will be turned over to the Board for archiving. Dave R also stated that the Board's staff would coordinate with the BCMA and the Irish Mossing Museum in Scituate to discuss preparing a Board-reviewed and -approved long-term loan agreement between the BCMA, the museum, and the BUAR for the artifacts that BCMA recovered from their permit area (i.e., the *Forest Queen* shipwreck site), which have been conserved and are on display for the public's benefit at the Irish Mossing Museum. BCMA members Tom Mulloy, Debra Jackson, and Hank Lynch were not present to represent the permit; however, Ms. Jackson had communicated by phone with the Board's staff prior to this meeting and reported that BCMA was in the process of cataloging the artifact assemblage and preparing the necessary final reporting documents, which they anticipated having to BUAR in December of 2023. On behalf of the BCMA, Ms. Jackson thanked the Board for its kindness and patience over the years, and said "You guys are the very best." There was no further discussion.

B. Commonwealth Heritage Group, Inc. (SUP 22-003) – Lowell Area Gas Modernization Project (Middlesex Canal), Lowell

Commonwealth Heritage Group, Inc.'s (or CHG) Special Use Permit (22-003) for archaeological monitoring and documentation, as well as the recovery of artifacts, prior to and during construction activities associated with the Lowell Area Gas Modernization Project's area of potential effect within two canal

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crossing areas (in Wetland W-2 and near Wetland W-5) of the Middlesex Canal in Lowell, was up for renewal. CHG's principal investigator for the project, Marty Dudek, informed the Board's staff that CHG was still working on its project report, the completion of which was delayed beyond the timeframe CHG originally anticipated. The Board had approved during its May 25, 2023 meeting a second and final extension of their permit's expiration date until September 28, 2023 (this meeting). With no opportunity to extend further, CHG opted to renew the permit and submitted a complete renewal application and an annual report, in accordance with the Board's regulations. Mr. Dudek, was in attendance via remote access to represent this permit and reported that he anticipated submitting the draft technical report for the project sometime in November of 2023. There was no further discussion.

Daniel Sampson moved to grant Commonwealth Heritage Group, Inc. renewal of their Special Use Permit (22-003) for the Lowell Area Gas Modernization Project's area of potential effect within two canal crossing areas (in Wetland W-2 and near Wetland W-5) of the Middlesex Canal in Lowell, with all standard and special conditions in effect, for the period of one year, with its expiration now set for September 28, 2024. Justin Malcolm seconded. Unanimous in favor by a roll-call vote. So voted.

C. R. Christopher Goodwin & Associates, Inc. (SUP 21-005) – SouthCoast Wind (formerly Mayflower Wind) Project's Mount Hope Bay Project Area (i.e., the Brayton Point Export Cable Corridor), Fall River, Somerset, and Swansea

R. Christopher Goodwin & Associates, Inc.'s (RCG&A) Special Use Permit (21-005) for the Massachusetts state waters portion of the SouthCoast Wind (former Mayflower Wind) Project's Mount Hope Bay Area (i.e., the "Brayton Point Export Cable Corridor [ECC]") project area, in Fall River, Somerset, and Swansea, is up for renewal today. RCG&A has submitted a complete renewal application and an annual report providing a synopsis of the results of Phase I submerged cultural resource analyses and interpretation of high-resolution geophysical (HRG) and geotechnical data acquired during the 2022 field. RCG&A's David McCollough and Ashley Himmelstein were in attendance via remote access to represent this permit. Ms. Himmelstein reported that no additional survey work was currently being conducted, nor was any scheduled at present. There was no further discussion.

Daniel Sampson moved to renew R. Christopher Goodwin & Associates, Inc.'s Special Use Permit (21-005) for the state waters portion of the SouthCoast Wind Project's Mount Hope Bay Area (i.e., the "Brayton Point ECC"), in Fall River, Somerset, and Swansea, with all the standard and special conditions in effect, for the period of one year, with its new expiration set as September 28, 2024. Michael Driscoll seconded. Unanimous in favor by a roll-call vote. So voted.

D. Gray & Pape, Inc. (SUP 17-003) - Vineyard Wind I Project Area, State Waters of Nantucket Sound, Barnstable, Martha's Vineyard, Nantucket, and Yarmouth

Gray & Pape, Inc.'s Special Use Permit (17-003) for their Vineyard Wind I Project area in the state waters portion of Nantucket Sound in Barnstable, Martha's Vineyard, Nantucket, and Yarmouth was up for renewal. Gray & Pape, Inc. submitted a complete renewal application and Annual Report in accordance with the Board's regulations. Gray & Pape Inc.'s annual report submitted to the Board as part of its permit renewal application provided a concise summary of the research tasks performed over the past permit year as part of the Section 106 mitigative compliance "Ancient Submerged Landforms Study" that is being conducted under BUAR SUP 17-003. The annual report also provided preliminary results of the research conducted to date.

More specifically, Gray & Pape, Inc. reported that the specific tasks completed on the study this year were:

- The collection and opening of all cores recovered from state waters for the mitigation study being conducted as part of the signed MOA.
- The recording and posting online of the initial core opening and documentation for asynchronous viewing by Tribal representatives.

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- Multiple levels of geochemical and paleo-biological analyses with several remaining types of analyses still underway to provide detailed information on the spatio-temporal distribution of flora and fauna within the Project area.

Gray & Pape, Inc. reported the initial interpretation from the documented stratigraphy indicated establishment of an estuarine environment between the proglacial context and marine transgression. Thus far, radiocarbon dates recorded from the sampled cores have ranged from roughly 5,000 to 33,000 calibrated years before present (calBP), and pollen results have suggested the sediments represent Early Holocene (10-8 kBP) mixed deciduous and coniferous forest habitats, apart from one core (VC-14B) that hosted solely a deciduous forest, and another (VC-10), that hosted a bog. Gray & Pape, Inc., also reported that they have combined 2019 and 2022 paleochannel data into a single digital elevation model. This model is advantageous for cultural mitigation, as it gives visual access archaeologists are accustomed to having to modern landforms through maps, but to a post-glacial landform and waterway that are now buried below both sediment and seawater.

A couple of revisions to Gray & Pape's analyses plan were noted:

- Use of core portable x-ray fluorometry (pXRF) analysis for all elements in place of sediment mass spectrometry analysis for nitrogen, to record changes throughout the core without human observational bias or even the need for visibility of these changes. Having a record of varying elemental proportions through the core will provide a framework to link the macro-scale biophysical core observations and associated micro-scale biophysical sample data; and
- Smear-slide and thin-section analyses for petrology and micro-morphology in place of sediment sieving, sorting, and scanning electron microscopy (SEM) for micro-debitage analysis (MA). Gray & Pape, Inc.'s rationale was that this revised approach provided a way for them to view the contents of the sediments, as well as their specific associations at the micro-scale level, to confirm terrestrial vs. marine context identifications, as well as to observe and refine sediment dynamics hypotheses at the sampling scale available (i.e., the core diameter) for near-shore contexts.

Forecasted tasks for the coming permit year:

- Pre-construction surveys and associated work were expected to continue for the Project in late 2023 and in 2024. No additional archaeological field work is planned;
- Completion of data review and analyses;
- Possible review and/or reprocessing of previously acquired geophysical data to support maps and graphics for the new report;
- Preparation of the draft technical report; and
- Support for unanticipated discoveries, if necessary.

Dave R noted that, as he stated when Gray & Pape, Inc. came before the Board to request renewal of their permit last year, the results from this vibracoring and geoarchaeological analyses effort were going to be extremely important, because they provide the most extensive and detailed characterization available to date of Nantucket Sound's submerged ancient landscapes. While coarse-resolution geophysical data within the Sound and elsewhere off the coast has been available in some abundance for decades, high-resolution geophysical data acquired for archaeological analyses and site identification, ground-truthed by geotechnical data (i.e., vibracores), had not been available previously. Further, rather than this type of characterization being a mitigation approach that is repeated for each offshore development project proposed in Massachusetts waters, Dave R stated that it was BUAR's expectation that this study's approach should be seen as foundational and as a good starting point, with more robust, more sophisticated, and more focused underwater archaeological investigations developed to determine not only archaeological sensitivity or potential, but also to determine the presence or absence of precontact period Indigenous archaeological deposits, in a way that is analogous to identification surveys involving remote sensing, coring, and subsurface archaeological testing on land. Dave R noted that it is this type of next-level underwater archaeological resources identification survey will be critically important to BUAR's management of the Commonwealth's submerged cultural resources, to which the state holds title. Gray &

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Pape, Inc.'s Amanda Evans was in attendance via remote access to represent this permit. There was no further discussion.

Michael Driscoll moved to renew Gray & Pape, Inc.'s Special Use Permit (17-003) for their Vineyard Wind I Project area in the state waters portion of Nantucket Sound in Barnstable, Martha's Vineyard, Nantucket, and Yarmouth, with all standard and special conditions in effect for the period of one year with its new expiration date set as September 28, 2024. Justin Malcolm seconded. Unanimous in favor by a roll-call vote. So voted.

E. Gray & Pape, Inc. (SUP 21-003) - Eversource Energy 5th Cable Project, Vineyard Sound, Falmouth to Oak Bluffs

Gray & Pape, Inc.'s Special Use Permit (21-003) for their Eversource Energy 5th Cable Project in Vineyard Sound between Falmouth and Oak Bluffs was up for renewal. Gray & Pape, Inc. submitted a complete renewal application and Annual Report in accordance with the Board's regulations. Gray & Pape's annual report submitted to the Board as part of its permit renewal application provided a concise summary of the work that was conducted over the past year and the forecasted work for the coming permit year, in support of the revisions to the draft archaeological report and the proposed project's completion of the Section 106 Consultation process. Figures of survey results and tabularized information on the core locations, as presented in the last renewal application, and the plan for draft report revisions, were also provided in the application, along with a CV for Gray & Pape, Inc.'s new geoarchaeologist, Dr. Cynthia Fadem, who recently joined Gray & Pape, Inc.'s project team. Forecasted work for the coming permit year included report revisions and support for Section 106 Consultation, as needed, and support of unanticipated discoveries, if necessary. Gray & Pape, Inc. reported that pre-construction surveys and associated work were not currently anticipated and that the project was in review with construction pending project approval. Gray & Pape, Inc.'s Drs. Evans and Fadem were in attendance via remote access to represent this permit. Dr. Evans reported that Gray & Pape, Inc. plans to keep the permit open during the project's construction to address any unanticipated discoveries that may occur. There was no further discussion.

Michael Driscoll moved to renew Gray & Pape, Inc.'s Special Use Permit (21-003) for their Eversource Energy 5th Cable Project in Vineyard Sound between Falmouth and Oak Bluffs, with all standard and special conditions in effect for the period of one year with its new expiration date set as September 28, 2024. Jack Chapin seconded. Unanimous in favor by a roll-call vote. So voted.

F. Gray & Pape, Inc. (SUP 21-004) - Eversource Energy #91 Replacement Cable Project, Vineyard Sound, Falmouth to Tisbury

Gray & Pape, Inc.'s Special Use Permit (21-004) for their Eversource Energy #91 Replacement Cable Project in Vineyard Sound from Falmouth to Tisbury was up for renewal. Gray & Pape, Inc. submitted a complete renewal application and Annual Report in accordance with the Board's regulations. Gray & Pape, Inc.'s annual report submitted to the Board as part of its permit renewal application provided a concise summary of the work that was conducted over the past year and forecasted work for the coming permit year, in support of the revisions to the Draft archaeological report and the proposed project's completion of the Section 106 Consultation process. Gray & Pape, Inc.'s Drs. Evans and Fadem were in attendance via remote access to represent this permit. Dr. Evans reported that as with Eversource Energy's 5th Cable Project, Gray & Pape, Inc. plans to keep the permit open during the project's construction to address any unanticipated discoveries that may occur. There was no further discussion.

Justin Malcolm moved to renew Gray & Pape, Inc.'s Special Use Permit (21-004) for their Eversource Energy #91 Replacement Cable Project in Vineyard Sound between Falmouth and Tisbury, with all standard and special conditions in effect for the period of one year with its new expiration date set as September 28, 2024. Daniel Sampson seconded. Unanimous in favor by a roll-call vote. So voted.

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G. Gray & Pape, Inc. (SUP 22-006) Brayton Point Redevelopment Project, Mount Hope Bay, Somerset

Gray & Pape, Inc.'s Special Use Permit (22-006) for the submerged lands portion of the proposed Brayton Point Redevelopment Project in Mount Hope Bay, Somerset was up for renewal. Gray & Pape, Inc. submitted a marine archaeological assessment report for the project. The Board's staff is currently reviewing that report and preparing its comment letter. In discussions with the Board, Gray & Pape, Inc. indicated that there was question as to whether, or not, their client for the project wished for them to renew the permit to cover any unanticipated discoveries that may occur during the project's construction and would need to be addressed under a Special Use Permit issued by the Board. To provide Gray & Pape with additional time to work with their client to decide whether, or not, they will be requesting a renewal of the permit, the Board's director recommended that the Board grant Gray & Pape, Inc. with an extension of the permit's expiration date until the Board's next regularly scheduled public meeting on November 30, 2023. 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. Gray & Pape, Inc.'s Dr. Evans was present to represent this permit. There was no further discussion,

Daniel Sampson moved to extend the expiration date of Gray & Pape, Inc.'s Special Use Permit (22-006) for the Brayton Point Redevelopment Project in Mount Hope Bay, Somerset, with all standard and special conditions in effect, until the next regularly scheduled meeting of the Board on November 30, 2023. Justin Malcolm seconded. Unanimous in favor by a roll-call vote. So voted.

H. James M. Karos (REC 06-001) – Chelsea Creek, Boston, Chelsea, and Revere

James M. Karos's Reconnaissance Permit (06-001) for his Chelsea Creek Site in Boston, Chelsea, and Revere was up for renewal. The Board had granted a second and final extension of the permit at its May 25, 2023 meeting, after receiving a request to do so from Mr. Karos during a telephone conversation with the Board's staff in early April 2023. Despite facing a significant health challenge, Mr. Karos was, nonetheless, upbeat and optimistic, and hoped to be able to continue his research within his permit area once he was feeling better. He expressed his appreciation to the Board for granting him the first permit extension and its consideration of granting him a second extension to provide him additional time to prepare a permit renewal application. Mr. Karos's wife replied on his behalf when email notification of the second extension was sent to Mr. Karos after the May 25, 2023 Board meeting: "Thanks so much, I let Jim know and he was very pleased." Sadly, Mr. Karos succumbed to the health challenge he was facing and passed-away the following week. With his passing, Mr. Karos's permit expired naturally at the conclusion of this meeting. However, in keeping with Mr. Karos's great interest in science, history, and archaeology and the underwater archaeological resources in his Chelsea Creek permit area, Dave R reported that to honor Mr. Karos's memory and his 17 years of active citizen science as a BUAR permittee, the Board's staff would proceed with Mr. Karos's plan to recover several wood samples for dendrochronological dating from one of the wrecks in Mr. Karos's permit area. The wreck to be sampled is the one that Mr. Karos's associates, Stephen Kurkjian and Paul Calantropo, hypothesized may be the British armed-schooner, HMS *Diana*, which was captured and burned during the Revolutionary War Battle of Chelsea Creek. While the overall size of the vessel's remains, as measured by Mr. Karos, indicate that it is too large to be HMS *Diana*'s remains, obtaining dendrochronological dates for the sampled timbers will provide conclusive evidence for whether, or not, the shipwreck dates from the Revolutionary War period, and, thus, could potentially be HMS *Diana*. The Board's staff is presently coordinating fieldwork logistics with Mr. Kurkjian and anticipates the sampling will take place either in October or November 2023. Costs associated with the wood's dating are generously being covered by Mr. Karos's associates. In addition to honoring Mr. Karos's memory with this planned fieldwork, the Board's Director recommended that the Board formally express its gratitude to Mr. Karos posthumously with a letter to his family, prepared by the Board's staff, and that the Board make a resolution to do the same at this meeting. There was no further discussion.

Graham McKay moved for the Board's staff to prepare a letter and to make a resolution at this meeting to express the Board's gratitude for the 17 years of outstanding citizen science that James M. Karos gave to the Commonwealth as a dedicated and active BUAR permittee researching shipwreck sites within his

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historically significant and archaeologically sensitive Chelsea Creek BUAR Reconnaissance Permit area. Michael Driscoll seconded. Unanimous in favor by a roll-call vote. So voted.

I. North Atlantic Dive Expeditions (REC 17-004) – Gloucester

North Atlantic Dive Expedition's (NADE) Reconnaissance Permit (17-004) for their Gloucester site was up for renewal. NADE submitted a complete renewal application, Annual Report, and annual fee payment, in accordance with the Board's regulations. The Board had granted NADE an extension of its permit at its May 25, 2023 meeting. NADE reported that they planned to make several dives in their permit area in 2023-2024 to continue with site documentation, as allowed by weather and on-site conditions. NADE's Heather Knowles was not in attendance to represent this permit. 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 in effect, for the period of one year, retroactive to May 25, 2023, with the permits new expiration set as May 25, 2024. Justin Malcolm seconded. Unanimous in favor by a roll-call vote. So voted.

J. The Public Archaeology Laboratory, Inc. (SUP 16-003) – Acushnet, Fairhaven, New Bedford

The Public Archaeology Laboratory, Inc.'s (PAL) Special Use Permit (16-003) for their New Bedford Harbor Superfund Site (NBHSS) project area in Acushnet, Fairhaven, and New Bedford was up for renewal. PAL submitted a complete renewal application and Annual Report in accordance with the Board's regulations. PAL applied to renew this permit at the request of Jacobs Engineering, Inc., the environmental engineering firm managing day-to-day activities at the NBHSS, to accommodate and expedite PAL's response to any unanticipated discoveries that may occur during on-going remediation activities underway within archaeologically-cleared portions of the NBHSS. PAL's Jay Waller was in attendance via remote access to represent this permit. Mr. Waller reiterated the reason for PAL's request renewal of their permit and noted that their Unanticipated Discovery Plan was on-file at BUAR. There was no further discussion.

Daniel Sampson moved to renew the Public Archaeology Laboratory, Inc.'s Special Use Permit (16-003) for their New Bedford Harbor Superfund Site project area in Acushnet, Fairhaven, and New Bedford, with all standard and special conditions in effect for the period of one year with its new expiration date set as September 28, 2024. Justin Malcolm seconded. Unanimous in favor by a roll-call vote. So voted.

K. The Public Archaeology Laboratory, Inc. (SUP 21-002) – Bridgewater

PAL's Special Use Permit (SUP 21-002) for the Town River Restoration-High Street Dam and Bridge Removal Project in Bridgewater was up for renewal. PAL submitted a complete renewal application and Annual Report in accordance with the Board's regulations. PAL reported that renewal of the permit for construction phase archaeological monitoring and walkover survey was needed, because the Town's dam removal and fishway project's construction did not start until July 2023. Initiation of PAL's monitoring effort corresponded with the start of this construction. To date, PAL has completed the archaeological monitoring of sediment excavations and bridge and dam removal, and walkover survey of the drawdown river channel between the upstream temporary coffer dam and the downstream weir within the Project's Area of Potential Effect (APE). Archaeological monitoring of sediment excavation in the Town Brook River channel on the upstream side of the dam encountered no pre-contact period cultural deposits in the river channel. Post-contact cultural deposits were encountered buried in the accumulated sediments just upstream of the dam spillway and consisted of various disarticulated wood planks, a 14-ft-x-8-inch-x-10-in square timber, and five pieces from the lid of a wooden barrel. The wooden artifacts were documented by PAL as part of their monitoring work. Archaeological monitoring during the removal of the concrete dam spillway in the river channel documented the exposed cobble- and earthen-fill core of the concrete spillway, along with vertical and horizontal wood plank and timber supports, on the dam's upstream and downstream faces. A walkover survey of the dewatered portion of river channel and monitoring of a small area of sediment excavation between the temporary upstream coffer-dam and the former High Street bridge identified no cultural deposits. Archaeological monitoring and walkover (reconnaissance) survey for the project is anticipated to be completed in the late fall/early winter of 2023, after the contractor removes a temporary upstream coffer-

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dam. Preparation of the project's technical report will follow. PAL's Suzanne Cherau was not in attendance to represent this permit. There was no further discussion.

Michael Driscoll moved to renew the Public Archaeology Laboratory, Inc.'s Special Use Permit (21-002) for their Town River Restoration-High Street Dam and Bridge Removal Project in Bridgewater, with all standard and special conditions in effect for the period of one year, with its new expiration date set as September 28, 2024. Daniel Sampson seconded. Unanimous in favor by a roll-call vote. So voted.

L. Victor Ricardo (REC 94-001) – Salisbury

Victor Ricardo's Reconnaissance Permit (94-001) for his Salisbury site was up for renewal. Mr. Ricardo contacted the Board's staff to inform them of continued significant long-term health challenges that he has been dealing with and requested a second extension of his permit's expiration date. Mr. Ricardo has been an active BUAR permittee for nearly 30 years. 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 second extension. Mr. Ricardo was not in attendance to represent this permit. There was no further discussion.

Daniel Sampson moved to extend the expiration date of Victor Ricardo's Reconnaissance Permit (94-001) for his Salisbury site, with all the standard and special conditions in effect, until the next meeting of the Board on November 30, 2023. Michael Driscoll seconded. Unanimous in favor by a roll-call vote. So voted.

6. NEW BUSINESS

A. Steven D. Butz (P-SUP 23-001) – Quabbin Reservoir, New Salem

On July 10, 2023, Steven D. Butz submitted a complete Special Use Permit application to the Board's staff to conduct non-disturbance marine archaeological remote-sensing survey in the Quabbin Reservoir as part of Mr. Butz's doctoral research at SUNY-Alban to try to locate, survey, and map the remains of the late eighteenth-century "Conkey Tavern," as detailed in the work plan and maps that accompanied his application. Activities allowed under this permit would include remote sensing and ROV-deployed video documentation necessary for identifying and mapping heretofore unidentified underwater archaeological resources within his proposed permit area. On July 14, 2023, the Board's Director exercised his authority to approve and grant provisional Special Use Permit 23-001 to Mr. Butz. This provisional Special Use Permit (23-001) was issued dependent upon Mr. Butz's compliance with the Board's Regulations (312 CMR 2.00), and that all work must be conducted in accordance with the Board's directives, standard and additional conditions, and his proposed work plan. As additional conditions of the provisional permit, Mr. Butz must also:

1. coordinate, consult, and obtain the necessary permits and permissions from DCR, the MHC, the Tribes, and the local historical society and commissions prior to initiating fieldwork;
2. copy BUAR on any correspondence related to that coordination/consultation; and
3. contact the Board to let us know when he plans to undertake the BUAR-permitted fieldwork, so that we may join and assist him.

Mr. Butz was in attendance to represent this permit. DCR Archaeologist, Jonathan Patton, was also in attendance to represent the DCR Archaeologist Office's supervisory role in the project. Mr. Butz thanked the Board's staff for its assistance and coordination thus far, and noted that if he was successful in locating the underwater archaeological remains of the tavern using sonar, he would ground-truth the sonar contact with a non-disturbance visual survey conducted using an ROV. Dave R reiterated the Board's interest in joining and assisting Mr. Butz with his planned fieldwork. Jonathan Patton (DCR) said he looked forward to coordinating with BUAR and Mr. Butz on the project. There was no further discussion.

Michael Driscoll moved to formally approve and grant Steven D. Butz Special Use Permit 23-001, for the period of one-year with its expiration set as September 28, 2024, to conduct non-disturbance marine

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archaeological remote-sensing survey in the Quabbin Reservoir for the purpose of locating, surveying, and mapping the remains of the late eighteenth century “Conkey Tavern,” in accordance with the Board’s directives, standard and additional conditions, and the proposed work plan accompanying his application. Justin Malcolm seconded. Unanimous in favor by a roll-call vote. So voted.

B. SEARCH, Inc. (P-SUP 23-002) Neptune Deepwater Port & Submarine Pipeline Decommissioning – (Atlantic Ocean) Gloucester

On July 24, 2023, SEARCH, Inc. Maritime Project Manager, Ben Wells, submitted a complete Special Use Permit application to the Board’s staff to conduct a marine archaeological assessment in Massachusetts state waters of the Atlantic Ocean off Gloucester, as detailed in SEARCH, Inc.’s project description and maps accompanying their application for the project area, in support of Neptune LNG, LLC’s planning of its approach to decommissioning its Neptune Deepwater Port and associated natural gas pipeline. Activities allowed under this permit would include remote sensing, archaeological site examination, and recovery to determine the presence or absence of potential underwater archaeological resources and undertake necessary recovery and documentation of these resources within the proposed permit area. On July 27, 2023, the Board’s Director exercised his authority to approve and grant provisional Special Use Permit 23-002 to SEARCH, Inc. This provisional Special Use Permit (23-001) was issued dependent upon SEARCH, Inc.’s compliance with the Board’s Regulations (312 CMR 2.00), and that all work must be conducted in accordance with the Board’s directives, standard and additional conditions, and SEARCH, Inc.’s proposed work plan. Mr. Wells was in attendance to represent this permit. Mr. Wells thanked the Board’s staff for their assistance and coordination and rapid response to SEARCH, Inc.’s permit application. Mr. Wells reported that the project proponent’s environmental consultant will be considering as a decommissioning goal the option of decommissioning-in-place, based on the results of the current project’s geophysical and geotechnical surveys. There was no further discussion.

Daniel Sampson moved to formally approve and grant SEARCH, Inc. Special Use Permit 23-002, for the period of one-year with its expiration set as September 28, 2024, to conduct remote sensing, archaeological site examination, and recovery to determine the presence or absence of potential underwater archaeological resources and undertake necessary recovery and documentation of these resources within the proposed permit area, in accordance with the Board’s Regulations (312 CMR 2.00), directives, standard and additional conditions, and the proposed work plan accompanying SEARCH, Inc.’s application. Justin Malcolm 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 May 25, 2023 meeting.

2. DIRECTOR’S REPORT

A. Meetings

- On June 7, 2023, August 30, and September 13, 2023, the Board’s staff attended via remote access and hybrid regular meetings and an in-person special planning meeting of the Bay State Council of Divers (or BSC). The BSC is holding the in-person part of its meetings in Quincy on the Cold War-era naval vessel, USS *Salem*, the world’s only preserved US Navy Heavy Cruiser. Topics of discussion at the BSC meetings included a Women’s Dive Day event, the New England Aquarium’s Great Annual Fish Count, and the return of the BSC’s annual Treasure Hunt (which in addition to generating interest and gathering together members of the diving community, also serves as CZM-Coastsweep Beach Cleanup event and a food-drive opportunity for the local food bank). Other topics of discussion at the meetings were the 2024 Sea Rovers Clinic, continued coastal access issues in Rockport, and status updates on the Back Beach Neighborhood Association Lawsuits, most of which have been dismissed. BUAR reported out at the June and August meetings, and provided support to BSC’s annual Treasure Hunt planning by assisting with prize donation

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coordination and pick-up with dive shops in RI and VT. BUAR staff was unable to attend this year's BSC Treasure Hunt due to a previous commitment to assist the Massachusetts Archaeological Society (MAS) with their Wampanoag Heritage Day event at the Robbins Museum in Middleboro.

- On September 16, 2023, the Board's staff attended in-person a hybrid meeting of the MAS Trustees, and will be attending and co-presenting on Project Mishoon with Vic Mastone and Cheryl Stedtler at the MAS's Annual Meeting on October 21, 2023.
- On September 20, 2023, the Board's staff participated in the initial remote meeting of the Northeast Regional Ocean Council's Submerged Archaeological Resources Workgroup. The focus of this work group will be the assessment of potential submerged cultural landscapes in the Gulf of Maine as part of the ongoing ocean planning process there.

B. Fieldwork

- On June 1, 2023, the Board's staff, accompanied by CZM's Project Review and Dredging Coordinator, Robert Boeri, and Hassanamisco Nipmuc member, BUAR permittee, and Project Mishoon Director, Cheryl Stedtler, conducted a reconnaissance visit of the Quabbin Reservoir State Park and its surrounding towns to familiarize myself with the area, in preparation for discussions with DCR's Archaeologist and Cultural Resources staff and the Nipmuc Tribal members about potential opportunities to collaborate on marine and shoreline reconnaissance surveys of the Reservoir and its nearshore landscape. As part of the reconnaissance, BUAR staff met with Maria Beiter-Tucker, the Interpretive Services Supervisor at the Reservoir Visitor's Center, who gave us an orientation to the Reservoir and its natural and cultural histories.
- On June 14, 2023, BUAR staff, accompanied by MAS Trustees, Greg Lott and Eric Lott, participated in an intertidal walkover survey of the shoreline south and east of the Miles Standish Homestead Site where archaeological sensitive relict elements of formerly terrestrial landscapes were observed in the nearshore subtidal and intertidal zones.
- On August 6 and September 1, 2023, BUAR staff accompanied by Ipswich clammer, Steve Hemeon, his partner, Anne Babson, and CZM GIS Specialist and BUAR Deputy Director, Dan Sampson, and Maura and David Alger and Victor Mastone, respectively, to conduct site monitoring and documentation field work at the site of the Essex Bay shipwreck in Gloucester. First reported to the Board by its Director at its March 30, 2023 meeting, this wreck was discovered and reported to BUAR by Steven Hemeon on January 27, 2023, and first visited by BUAR staff and BUAR Board member Graham McKay, on February 10, 2023. Mr. Hemeon and Mr. and Mrs. Alger have been monitoring the site on behalf of BUAR and keeping us informed of any significant changes to the site. In just six months-time since about a third of the wreck's length was first reported as exposed and eroding from a sandflat, further exposure of the wreck has progressed rapidly due to erosion and the shifting of the nearby river channel. By early August, the entire length of the preserved hull was visible at moon-low low-tides within and below the intertidal zone. Ceramic sherds dating from the middle 1800s and the hull's construction features suggest an early 1800s date for when the vessel was built. The centerline of the hull is oriented on a bow-first NNE bearing of 36°. The preserved length of the hull, as measured by BUAR, is approximately 72 ft. The widest preserved part of the hull measured approximately 16 ft. The identity of the ship and the reason for its deposition in its present location remain unknown at present. BUAR staff is planning to return to the site on October 1, 2023 with Mr. Hemeon, BUAR volunteer and FAA-licensed drone pilot, Chris Wright, and BUAR Board member, Graham McKay, to obtain low-altitude, GPS-tagged, high-resolution, aerial photographs of the overall wreck site.

3. BOARD MEMBER REPORTS

There were no Board member reports.

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4. PUBLIC ENGAGEMENT ACTIVITIES

A. BUAR-Munson Institute, Mystic Seaport

On July 18, 2023, BUAR staff returned to give another invited guest lecture on underwater archaeology at the Frank C. Munson Institute of American Maritime Studies at Mystic Seaport, Mystic, CT. The Munson Institute is considered among the leading centers for the teaching of maritime history in the United States. BUAR's invited lecture was part of an enhanced session of the program that the Institute offered undergraduate and graduate students this past summer by including an expanded cadre of specialist lecturers from collaborating institutions and other organizations, as well as representatives from the region's Native communities.

B. BUAR and the Trustees of Reservations' Public Outreach/*Ada K. Damon* Shipwreck Site Monitoring

On June 8 and August 23, 2023, BUAR staff co-delivered with TTOR's Engagement Manager and Educator, Valerie Perini, and her staff, 10 shortened versions of the "Shipwreck Scholars" public educational program, developed by BUAR staff and the Trustees of Reservations' Educators for interpreting the *Ada K. Damon* shipwreck site. The program was delivered to approximately 130 elementary and middle school-age children, ages 5-15, who were participating in an end-of-school year field trip and the "SummerQuest Crane Camp" at the Castle Hill/Crane Estate property in Ipswich.

C. Ship Graveyard Tours

On September 2, 2023, BUAR staff narrated, and will narrate again on September 30, 2023, two tours of the Green Jacket Shoal Ship Graveyard located at the mouth of the Seekonk River. These tours of southern New England's largest and most historic ship graveyard are run annually by the Providence River Boat Company.

D. MAS Wampanoag Heritage Day Event

On September 17, 2023, BUAR staff assisted the MAS with their "Wampanoag Heritage Day:" a Celebration of Indigenous Culture, Arts, and Food of this Land's Original People event, held at the Society's Robbins Museum in Middleboro. This free public event featured access to the museum and its displays and collections of ancient Indigenous stone artifacts, as well as an art and craft sale by Indigenous vendors, hands-on Indigenous craft activities, traditional Indigenous food (clam chowder), and a performance of traditional Indigenous dancing, singing, and drumming by the Neesh La singers and dancers.

E. Hull Life Saving Museum Presentation

On October 5, 2023, BUAR staff will be giving an invited in-person public presentation on the sinking and recovery of the USS submarine *S-4* off Provincetown in 1927-28 at the Hull Life Saving Museum.

F. Worcester Public Library Presentation

On October 7, 2003, the Board's staff will be co-presenting the talk entitled: "Project Mishoon: The Long-Awaited Return to the Resting Mishoonash Beneath the Waters of Lake Quinsigamond," with Victor Mastone and Cheryl Stedtler at the Worcester Public Library.

G. MetroWest Dive Club Presentation

On October 10, 2023, BUAR staff will be giving an invited in-person presentation on the sinking and recovery of the USS submarine *S-4* off Provincetown in 1927-28 to the membership of the MetroWest Dive Club in Natick.

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H. South Shore Neptunes Dive Club Presentation

On October 27, 2023, the Board's staff will be giving an invited Zoom presentation on the current cultural resource management challenge BUAR faces from sea level rise and the erosion of coastal cultural resources. Examples from Gloucester, Ipswich, and Essex will be featured.

I. Ada K. Damon Wreck Site "Talk & Walk"

On November 4, 2023, the Board's staff will be presenting a talk on, and co-leading an on-site tour of, the *Ada K. Damon* shipwreck site on Steep Hill Beach at the Trustees of Reservation's Castle Hill/Crane Estate site in Ipswich. For more information on how to register visit the Trustees of Reservation's Crane Estate website.

J. NEOSEC Ocean Literacy Summit Presentation

On November 16, 2023, the Board's staff will be co-presenting with TTOR's Valerie Perini the seminar entitled, "*The ship that wrecked twice! Using marine archaeology to communicate about our changing coasts,*" at the New England Ocean Science (NEOSEC) Literacy Summit in Gloucester, describing the Shipwreck Scholars educational and archaeological site monitoring program developed by BUAR and TTOR.

Dave R reminded everyone that the next regularly scheduled public meeting of the Board will be held at **12:30 PM** on **Thursday, November 30, 2023**. This meeting will be held in a hybrid format and accessible as both an in-person meeting in CZM/BUAR's offices on the 9th floor at 100 Cambridge Street in Boston and via remote access. Instructions for logging into the remote access meeting 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 are encouraged to monitor the BUAR webpage's Public Meetings Information section for other updates, meeting agendas, and meeting minutes. Dave R thanked everyone for their attendance and participation in the public portion of the meeting of the Board. All but the Board's members, staff, and EEA's Deputy General Counsel exited the meeting.

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

The Chair changed the order of business and requested a motion from the Board to enter into an Executive Session to discuss a litigation matter.

7. EXECUTIVE SESSION

Justin Malcolm moved for the Board to enter into Executive Session to discuss a litigation matter. John Warner seconded. Unanimous in favor by a roll-call vote. So voted.

Graham McKay moved to exit Executive Session and adjourn the meeting at 2:33 PM. Michael Driscoll seconded. Unanimous in favor by a roll-call vote. So voted.

Respectfully submitted,

David S. Robinson
Director