

**COMMONWEALTH OF MASSACHUSETTS
BOARD OF UNDERWATER ARCHAEOLOGICAL RESOURCES
MINUTES OF PUBLIC MEETING – 27 MAY 2010**

MEMBERS PRESENT: Terry French (Designee of John Warner, State Archivist)
John Hoagland (Dive Community Representative)
Kevin Mooney, Deputy Director (Designee of Director of DCR Division of Waterways)
Jonathan Patton (Designee of Brona Simon, Executive Director of the Massachusetts Historical Commission)
Dan Sampson (Designee of Deerin Babb-Brott, Director of Coastal Zone Management)
John Tulik (Designee of Aaron Gross, Director of Environmental Law Enforcement)
Victor Mastone, Director (Staff for the Board)

MEMBERS ABSENT: Marcie Bilinski (Dive Community Representative)
Brendan Foley (Marine Archaeologist)
Lenny Loparto (Designee of Brona Simon, State Archaeologist)

PROCEEDINGS:

The public meeting of the Massachusetts Board of Underwater Archaeological Resources was convened by the Director, Victor Mastone, at 1:30 PM on 27 May 2010 in the CZM Conference Room at 251 Causeway Street, Boston.

1. MINUTES

A. Minutes of 25 March 2010

Victor asked the Board if there were any comments or corrections to the minutes of the public meeting held on 25 March 2010. There were no other comments or corrections.

John Hoagland moved to accept the minutes of the public meeting held on 25 March 2010. Kevin Mooney seconded. Unanimous vote in favor. So voted.

CHANGE IN THE ORDER OF BUSINESS

Victor stated he would now be changing the order of business and go immediately to the action items under Old Business and New Business. Upon completing those items, he would return to the Director's report and other items on the agenda.

2. OLD BUSINESS

A. Nipmuc National – Tribal Historic Preservation Office

Victor reported that the permit held by the Nipmuc National – Tribal Historic Preservation Office is up for renewal and the renewal application and Annual Reports have been submitted in accordance with the Board's regulations. The Project Director, Cheryl Stedtler, is in attendance to present the application. Victor stated he wanted to take this opportunity to compliment Cheryl on the excellent quality of their report, which could serve as model in terms of its format and content.

Cheryl stated they were continuing to make progress. She reviewed the past year's activities. Directing the Board members attention to Attachment 1 of her renewal application, she said they now have photographs of mishoon 3 taken in June 2009 and noted its condition. During the June dive, they had three pontoon boats and three dive teams in the water. Using the boats was an improvement over the previous shore for dive operations. it allowed them to visit all three known mishoonahs. In February 2010, they attempted an ice dive. The dive operation went well, but visibility was poor due to recent work on a sewer line north of the permit area. Cheryl reported the divers were

**COMMONWEALTH OF MASSACHUSETTS
BOARD OF UNDERWATER ARCHAEOLOGICAL RESOURCES
MINUTES OF PUBLIC MEETING – 27 MAY 2010**

volunteer divers from ADAM - Archaeological Diving Association of Massachusetts. She noted their local networking with lake residents was going well.

Cheryl reported she was continuing with documentary research. She noted she has not been able to find additional information on the late nineteenth century helmet dives on the lake, except for the newspaper articles presented last year. She came across an article from Skin Diver Magazine in the 1962 describing a scavenger dive that resulted in the removal of 6 tons of materials. John Hoagland asked if she has been able to locate anyone involved in that dive. Cheryl said the article listed various dive teams and she has inquiries out to various dive clubs to see if they know anyone mentioned in the article. Victor suggested that she contact Michael Prange to post the request on the bay State Council of Divers website.

Cheryl stated they were still looking for a location for museum facility. She said the house on Plum Island in the lake had burned down. They have begun informal discussions with Worcester's Parks Department to see if they might be able to use one of their buildings along the lake. The Park Director appeared open and receptive to assist them..

Cheryl noted they were monitoring the planned rehabilitation of the Route 9 Bridge that forms the northern boundary of their permit area. Kevin asked if they believed there was anything in that area. She was not aware of anything in that area, but that area has not been surveyed. Kevin asked if they had been in touch with Mass DOT. Victor said he has spoken with John Rempelakis at Mass DOT to make him aware of the Nipmuc Nation permit area. Kevin reviewed his program's process and wanted to insure this project was a following similar process.

Cheryl reported they had had some additional donations. The project was featured as "Charity of the Day" on the Good Search Website a few weeks ago. It brought greater visibility to the entire project and some has increased donations to the Nipmuc Nations as a result.

John Hoagland asked about the status of their film documentary and a projected date for its completion. Cheryl said not yet as it would be covering the whole scope of the project including both Nipmuc heritage and the canoe project. She noted there would be a workshop next month for the Nipmuc people to get onboard with accuracy in historical reenactment. They envisioned about ½ hour on tribal history and the remainder, ½ hour or more, on the canoe project. So, documentary would not be completed until after the project is done.

Jonathan Patton asked about the status of the remote sensing survey being undertaken by Dr. Allen Gontz. Cheryl said they had planned to take Allen out earlier this week, but they had problems getting a boat. They are now in sync with the schedule of a local volunteer boat operator. They hope to get out within the next two weeks and survey. Vic noted that he and Cheryl both try to be present during field operations.

Kevin Mooney moved to renew the Reconnaissance Permit (01-001) held by the Nipmuc Nation Tribal Historic Preservation Office for its Worcester site with all standard conditions in effect. John Hoagland seconded. Unanimous vote in favor. So voted.

B. Victor Ricardo

Victor reported that the reconnaissance permit held by Victor Ricardo is up for renewal and that Mr. Ricardo had submitted his renewal application and Annual Report in accordance with the Board's regulations. Mr. Ricardo was in attendance to represent his application.

Mr. Ricardo said his report would short, sweet, and sad. He noted for the past 3-4 years he had a sand problem and over the past year he did not have a boat. He reviewed the loss of his boat which occurred one day after placing at its mooring. His is currently in litigation over loss of the vessel. As a result, he had not done much in the field. He has now secured a third vessel and it

**COMMONWEALTH OF MASSACHUSETTS
BOARD OF UNDERWATER ARCHAEOLOGICAL RESOURCES
MINUTES OF PUBLIC MEETING – 27 MAY 2010**

should be ready shortly. Mr. Ricardo noted he has maintained communication and met with the DCR's Park Supervisor, Mike Magnifico. He also reported he continued with his archival research. In addition, he has been researching remote sensing equipment. He planned to purchase a Lowrance HDS-5X depth finder which will produce images similar to side scan sonar. He presented information on his proposed equipment purchase to the Board.

Kevin Mooney moved to grant renewal of the Reconnaissance Permit (94-001) held by Victor Ricardo for his Salisbury site with all standard conditions in effect and the further conditions that Mr. Ricardo coordinate with the Department of Conservation and Recreation (DCR) facility (Salisbury Beach State Reservation) staff and the DCR Office of Historic Resources for any on site activities; the DCR staff determine when activities on site take place; no excavation activities take place under this permit; and that no cultural materials leave the boundaries of the Commonwealth of Massachusetts except with the prior written approval of the Board. John Hoagland seconded. Unanimous vote in favor. So voted.

C. University of Massachusetts Archaeological Services

Victor reported the University of Massachusetts Archaeological Services had submitted a request for an extension of its Special Use Permit. They have completed field work and were in the report drafting stage. In the draft report, they will make some recommendations. Victor said he did not want to go into specific details as report is not ready for review.

Kevin Mooney moved to extend the expiration date to September 30, 2010 for the University of Massachusetts Archaeological Services Special Use Permit (09-002) for the Salem Ferry Terminal Project area (as specified in the application) with all standard conditions in effect and the further condition that University of Massachusetts Archaeological Services submit its survey research design and methodology to the SHPO for review. Jonathon Patton seconded. Unanimous vote in favor. The motion passes. So voted.

D. Raymond L. Hayes

Victor reminded the Reconnaissance Permit held by Raymond Hayes for his project in Great Harbor, Woods Hole is up for renewal and its expiration date had been extended until this meeting. Dr. Hayes had submitted the renewal application and Annual Report after the deadline for the March Board meeting. Unfortunately, Dr. Hayes could not be in attendance to present his application as he is still in DC this week. Victor noted he has also been working with Jim Karos to provide the field component of his MAHS training. Dr. Hayes has several targets he would like to examine this year. Victor stated he wanted to take this opportunity to compliment Dr. Hayes on the quality of his report, which could serve as model in terms of its format and content.

Kevin Mooney moved to renew, retroactive to 25 March 2010, the Reconnaissance Permit (07-001) held by Raymond L. Hayes for his Great Harbor, Woods Hole (Falmouth) site with all standard conditions in effect. John Hoagland seconded. Unanimous vote in favor. So voted.

E. Philip D. Greco Associates, Inc.

Victor reported that the two permits held by Philip D. Greco Associates, Inc. (PGA) are up for renewal and that Mr. Greco had submitted the renewal applications and Annual Reports in accordance with the Board's regulations. Mr. Greco was not in attendance at the meetings to present the applications on behalf of PGA. Victor observed it was his understanding was the PGA would continue work of verifying previously identified targets. Victor noted that family issues have kept Mr. Greco in Florida much of the time lately.

Kevin Mooney moved to grant renewal of the Reconnaissance Permit (92-001) held by Philip D. Greco Associates, Inc. for its Eastham/Wellfleet site with all standard conditions in effect and with

**COMMONWEALTH OF MASSACHUSETTS
BOARD OF UNDERWATER ARCHAEOLOGICAL RESOURCES
MINUTES OF PUBLIC MEETING – 27 MAY 2010**

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.

John Hoagland moved to grant renewal of the Reconnaissance Permit (92-002) held by Philip D. Greco Associates, Inc. for its Wellfleet site with all standard conditions in effect and with the further condition that the permittee coordinate all field activities with the staff of the Cape Cod National Seashore. Terry French seconded. Unanimous vote in favor. So voted.

6. NEW BUSINESS

A. Restoration Project

Victor reported that Restoration Project, Inc. had submitted its reconnaissance permit application and Annual Report in accordance with the Board's Regulations. Victor noted he had raised the issue of extending the permit at the March Board meeting, but it was decided the Board would let it lapse as we had no communications from the permittee. Soon after that point in time, Eloise Newell contacted Victor stating they would like to renew. Victor informed her they would need to re-apply for the permit. Eloise said they had intended to renew, but that they were in another transition in their program trying to secure funding. Our renewal notice hit them at the height of their funding proposal development and she simply lost track of our renewal deadline. About that time, Kevin Kennedy contacted Eloise about getting back involved in the project. The Restoration Project has subsequently submitted a new reconnaissance permit application using information from the old application and new information provided by Kevin Kennedy. Eloise Newell Director of Restoration Project, Inc. could not be present today, but Kevin Kennedy was in attendance to represent the project.

Kevin Kennedy noted they had two people come forward with additional information about the loss of the piano. On April 29, 2010, he, Lee Swanson, Curator of the Sudbury Historical Society, and Kurt Garfield, Sudbury Town Historian, were contacted independently by former Sudbury resident Charlie Barry stating he had information about the Babe Ruth piano. On May 3, Lee Swanson and Kevin Kennedy met with Steve Barry, brother of Charlie, at a new location on the lake different from previous searches. Steve recalled as a 10 year old boy in 1968 seeing a piano face up in the water along the shore line in that area. Using a metal detector, they did not find anything that day. They separately re-interviewed the brothers. Charlie Barry recalled moving the harp portion to deeper water in 1975 to endear themselves to local residents of the lake by cleaning up the area. Kevin then returned to the offshore area with the metal detector and identified a target. Chris Hugo dove on the target which turned out to be metal debris, but worked wood objects were found. They are being kept in fresh water pending identification.

Kevin Kennedy described the oral interviews with the Barry Brothers. He said he has attempted to trip-up them during questioning without success. As a result, he believes them to be reliable witnesses. The story is essentially that Barrys and friend had a clean-up day where they burned the remaining wood and rolled the harp into deeper water. There are the remains of a cottage, a foundation, and stairs on the nearby shore.

Kevin noted they have created a sponsoring organization to support Eloise and the Restoration Project in the permit activities. They will provide a boat and motor, research services, and food and beverage for volunteer divers. They will be renting a pulse-8 magnetometer and possibly purchase one in the future to facilitate search activities.

Kevin Mooney moved to grant the Reconnaissance Permit (10-001) to the Restoration Project, Inc. for its Willis Pond Sudbury site with all standard conditions in effect. Terry French seconded. Unanimous vote in favor. So voted.

**COMMONWEALTH OF MASSACHUSETTS
BOARD OF UNDERWATER ARCHAEOLOGICAL RESOURCES
MINUTES OF PUBLIC MEETING – 27 MAY 2010**

Kevin Kennedy said he wanted to thank the Board for its service and support. He observed that other states did not have an equivalent to the Board and asked Victor to confirm that. Vic noted the process varied from state to state and that nationwide there were only about 8 people in his equivalent position of state marine/underwater archaeologist.

CHANGE IN THE ORDER OF BUSINESS

Victor stated he would now be changing the order of business to the original agenda.

2. DIRECTOR'S REPORT

A. Interns

Victor reported the Board has two new interns. They are Denise Caban and Joshua Malone. They are graduates of the Dive Kulture training program. They are being paid by Action for Boston Community Development under their career exploration program for youth. They are working up to 10 hours/week through June and then up to 20 hours/week through mid-August.

B. NOAA's Marine Protected Areas Federal Advisory Committee

Victor reported that he had several items to report related to NOAA's Marine Protected Areas (MPA) Federal Advisory Committee (FAC). He reminded the Board he is an appointed member of the MPA FAC and co-chair of their Cultural Heritage Resources Working Group (CHRWG):

1. He attended the meeting of the full FAC in Charleston on April 18-23th. A climate change white paper was adopted and recommendation forwarded to the Secretaries of Commerce and Interior. The next full meeting of the FAC will be held in Southern California in early November 2010.
2. The CHRWG also met in conjunction with the FAC. They developed and the FAC adopted a mission statement concerning these resources for the FAC. They will be developing a white paper. Once adopted, Vic will share it with the Board.
3. The CHRWG is planning a sub-group meeting of tribal/indigenous representatives to better address their concerns. Vic said he will be participating in that meeting which will take place in Seattle, WA sometime between July and September.
4. Victor noted the FAC has two new committees. The MPA Center and FAC have asked him to serve as a liaison between CHRWG and the Coastal and Marine Spatial Planning Committee to ensure cultural heritage issues are properly addressed. While this group will be meeting over the next few months, the location and dates have not been set as yet.

Victor noted that all travel expenses are paid directly by NOAA's MPA Center.

C. South Carolina Institute of Archaeology and Anthropology (SCIAA)

Victor reported that also had the opportunity to meet with the staff of the SCIAA while in Charleston for the FAC meeting. SCIAA also received an NPS American Battlefield Protection Program grant. He spent a half day in the field with them as they documented battlefield features in Charleston Harbor. This included a former battery built on a sandbar that is sinking into the harbor.

D. NPS American Battlefield Protection Program

Victor reported the inter-agency service agreements between the Board and the University of Massachusetts at Boston for the Chelsea Creek Battlefield study are approved. The two graduate student assistants are Craig Brown and Chris Maio. Craig is finishing his MA in Historical Archaeology under Dr. Stephen Mrozowski. He is very familiar with the New Hampshire records where many of the

**COMMONWEALTH OF MASSACHUSETTS
BOARD OF UNDERWATER ARCHAEOLOGICAL RESOURCES
MINUTES OF PUBLIC MEETING – 27 MAY 2010**

troops came from. Chris is in the PhD program in Earth, Environmental and Oceans program under Dr. Allen Gontz. He has assisted the Board on several previous projects and working on historic landscape reconstruction.

E. Summer Recess

Victor reminded the Board that there are no regularly scheduled meetings over the summer months, June, July, and August, as it is typically too difficult to achieve a quorum. The Board's next scheduled meeting is 30 September 2010.

3. BOARD MEMBER REPORTS

There were no Board member reports.

4. SUBCOMMITTEE REPORTS: OUTREACH

Bay State Council of Divers Meeting

Victor reported that he attended the May 19th meeting of the Bay State Council of Divers. The meeting focused on the Bay State Council's Club Dive/Treasure Hunt. It will be moved from its traditional May date to Sunday, September 26, 2010 at Stage Fort Park in Gloucester. The next meeting of the Council will be on August 11 again focusing on preparations for the Treasure Hunt.

Victor stated the Council will be sponsoring a dive or two for the various clubs to volunteer their services to the Board. They would assist in a diver survey of the Minot's Ledge site. Victor reminded the Board that the Council had planned several dives last summer, but adverse weather/sea conditions on those dates cancelled those dives.

A. Conference on New England Archaeology

Victor reported attended the 30th Annual Conference on New England Archaeology on Saturday, March 27th at University of Massachusetts-Amherst, MA. Board member, Jonathan Patton, was an organizer of the conference.

D. NASOH Conference

Victor reported that he attended the Annual Conference of the North American Society of Oceanic History (NASOH) at Mystic, CT on May 12-16. He noted that he served as the Program Co-Chair and he used vacation time and personal funds to attend this year. He will be involved with next two annual conferences in 2011 it is at Old Dominion University, Norfolk, VA and in 2012 it will be at Thunder Bay National Marine Sanctuary, Alpena, MI. The organization is comprised of both maritime archaeologists and historians.

Terry French moved to adjourn the meeting at 2:17 PM. John Hoagland seconded. Unanimous vote in favor. So voted.

Respectfully submitted,

Victor T. Mastone
Director