

**COMMONWEALTH OF MASSACHUSETTS
BOARD OF UNDERWATER ARCHAEOLOGICAL RESOURCES
MINUTES OF PUBLIC MEETING – 29 November 2012**

MEMBERS PRESENT: Marcie Bilinski (Dive Community Representative)
Marc Carullo (Designee of Bruce Carlisle, Director of Coastal Zone Management)
Jack Chapin (Designee of Aaron Gross, Director of Environmental Law Enforcement)
Terry French (Designee of John Warner, State Archivist)
Lenny Loparto (Designee of Brona Simon, State Archaeologist)
Graham McKay (Marine Archaeologist)
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)
Victor Mastone, Director (Staff for the Board)

MEMBERS ABSENT: Gary Murad (Dive Community Representative)

PROCEEDINGS:

The public meeting of the Massachusetts Board of Underwater Archaeological Resources was convened by the Director, Victor Mastone, at 1:30 PM on 29 November 2012 in the CZM Conference Room at 251 Causeway Street, Boston.

Victor introduced Marc Carullo who will be serving at today's meeting in place of Dan Sampson as the designee for Director of Coastal Zone Management.

1. MINUTES

A. Minutes of 27 September 2012

Victor asked the Board if there were any comments or corrections to the minutes of the public meeting held on 27 September 2012. There were no comments or corrections.

Terry French moved to accept the minutes of the public meeting held on 27 September 2012. Graham McKay seconded. Unanimous vote in favor. So voted.

2. DIRECTOR'S REPORT

A. Elections of Board Officers

Victor stated that the Board annually elects its two officers, Director and Deputy Director. Victor reminded the Board that it could nominate whoever it would like to serve as Director and Deputy Director. He suggested that the Board keep with past practice and consider nominating its staff to facilitate administration. Vic noted that prior to 2008 the position of Deputy Director had been held by Board staff as well. He did not believe backfilling the other staff position would happen in the foreseeable time. He noted that the Deputy Director position basically serves to allow the Director to step out of the meeting chair role and participate in debate. Further, he noted the Board had not held a meeting when he [Victor] could not be in attendance. For 2012, Victor Mastone served as Director and Board member Kevin Mooney as Deputy Director. Victor asked the Board members for nominations.

Kevin Mooney nominated Victor Mastone for the position of Director. Terry French seconded the nomination.

Graham McKay nominated Kevin Mooney for the position of Deputy Director. Jack Chapin seconded the nomination.

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Lenny Loparto moved to elect Victor Mastone as Director and Kevin Mooney as Deputy Director of the Board for 2013. Terry French seconded. Unanimous vote in favor. So voted.

B. Schedule of Board Meetings for 2013

Victor proposed a continuation of the bi-monthly schedule of regular public meetings in 2013. In addition, he asked the Board to consider not scheduling meetings in June, July, and August, as it is difficult achieving a quorum in the summer months. He noted that this would not preclude the Board from holding additional public meetings if there were a need. Victor proposed scheduling meetings in 2013 for January 31, March 28, May 30, September 26, and December 5. He noted he would still reserve meeting space for the last Thursday of February, April, June, July, August, and October. He did not reserve space for November due to Thanksgiving.

Kevin Mooney moved to adopt the dates of January 31, March 28, May 30, September 26, and December 5 as the Board's schedule of public meetings for 2013. Jack Chapin seconded. Unanimous vote in favor. So voted.

Change in the order of Business

Victor stated that as chair he would be changing the order of business at this point and move directly to Old Business. He would return to other business later in the meeting. Under Old Business, he said he would start with Underwater Discoveries Unlimited to accommodate a request by Mr. Snow.

3. OLD BUSINESS

A. Underwater Discoveries Unlimited

Victor reported that Underwater Discoveries Unlimited (UDU) had submitted its Excavation Permit renewal application and Annual Report in accordance with the Board's regulations. In addition, he had submitted some additional clarifying information which Vic distributed to the Board. Victor noted the Mr. Snow also has a video clip of the site to show to the Board. Mr. Oscar Snow was in attendance to present UDU's application. Vic reminded the Board this permit was UDU's southern area, where the *White Squall* is located.

Mr. Snow stated that when they began fieldwork this past summer, they found the *White Squall* was exposed. They took over 140 photographs and a DVD video which he wanted to show the Board. He noted his Project Archaeologist will be returning to the project, but they will be replacing the divers as they were not going to be available. They hoped to return in June and document the site. He noted he will be contacting the Cape Cod National Seashore and the Wellfleet Conservation Commission as he had done in past. He then described the supplementation information that was distributed to the Board. He noted they were working in shoal waters, roughly 16 feet deep. He said the area is under regular surveillance.

Attention now turned to the DVD video provided by Mr. Snow. Mr. Snow narrated the video content pointing out various features of the vessel remains. He noted the vessel, roughly 167 feet in length by 27 feet wide, appears to be in three sections. He noted the bow winch and frames. They intend to airlift the sand off the structure. Mr. Snow reviewed the vessel's cargo and past work by Ocean Marine Diving Company (OMDC).

Discussion turned to the Mr. Snow's hand-out. Lenny noted he did not see any mention of mapping in the excavation procedures and asked Mr. Snow if they intended to map the blocks once

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they were exposed. Victor noted they he and Mr. Snow were just discussing that omission prior to the Board. Mr. Snow assured the Board he would be mapping the site. Victor said that when he informed Mr. Snow that he had suggested mapping language for inclusion in the procedures Mr. Snow responded that that should be in there. This appears to be a simple omission. Victor noted this had been an issue with OMDC because the Board was interested to see whether the blocks were still locked together or simply concreted together. Mr. Snow assured the Board that they would be recorded and photographed. Victor noted they should be labeled prior to recovery. Graham asked how much structure was left given it was in 16 feet of water. Mr. Snow said it was mainly ribs [frames], but the steel [hull plates] were deteriorated and gone. The winch was visible in the bow. Victor noted he did not believe the previous permittee found any hull plates, but only the frames, floors, and keel.

Kevin asked if the Board needed to include the mapping requirement in the motion. Victor said he believed it should be included as part of the updated work plan. It was a sense of the Board that the mapping should be stated in the work plan. Victor said he would send suggested language for inclusion in his work plan.

Kevin Mooney moved to renew the Excavation Permit (06-003) held by Underwater Discoveries Unlimited for the White Squall site in Wellfleet with all standard conditions in effect and the further conditions that all excavation activities be conducted under the direct supervision of the project archaeologist and in accordance with the submitted work plan, and the UDU coordinates all field activities with the staff of the Cape Cod National Seashore. Terry French seconded. Unanimous vote in favor. So voted.

Mr. Snow than the Board and invited them to visit him in the field.

B. Bassings Cove Maritime Association

Victor reported that the excavation permit held by Bassings Cove Maritime Association would expire on 27 January 2013. This would be prior to the next scheduled meeting of the Board on 31 January 2013. He asked the Board to extend the expiration date until that meeting.

No further discussion.

Kevin Mooney moved to extend the expiration of the Excavation permit, No. 91-001, held by the Bassings Cove Maritime Association to 31 January 2013 with all standard and special conditions remaining in effect. Graham McKay seconded. Unanimous vote in favor. So voted.

C. William Bradbury

Victor reported that Mr. William Bradbury had submitted his Reconnaissance Permit renewal application and Annual Report in accordance with the Board's Regulations. Mr. Bradbury was in attendance to present his application to the Board.

Mr. Bradbury said he would like to apologize to the Board for being a little defensive in his presentation last year. He explained that his submission today was his attempt to lay before the Board his reasoning of the situation. He said that the offers to assist him had not come to fruition. He said that he would pursue contacting other potential sources of assistance, such as the Institute for Nautical Archaeology. He stated that he really would like to turn the site over to a university type group who could better handle the resource.

Victor asked if Mr. Bradbury had been on site over the past year. He replied that he had not dove the site, but the sand appears to have gone out. Victor wondered if there was any possibility to conducting any new remote sensing given the sand has gone out. He noted that even using a more recent Hummingbird might be help and suggested that Mr. Bradbury might find someone with such equipment to visit the site with him on their boat. Victor noted the Board did not own such equipment.

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Mr. Bradbury noted he was reviewing all his old data. He found additional targets. By plotting the targets, he believes he can now see a debris field. Victor suggested that Mr. Bradbury submit this product to the Board. Mr. Bradbury state he would submit that next year.

Kevin Mooney moved to renew the Reconnaissance Permit, No. 87-002, held by Mr. William Bradbury for his Gloucester (Annisquam) site with all standard conditions in effect. Jack Chapin seconded. Unanimous vote in favor. So voted.

D. Joseph Dietlin

Victor reported that Joseph Dietlin had submitted his Excavation Permit renewal application and Annual Report in accordance with the Board's regulations. He noted the permittee had again submitted a very thorough renewal package. Mr. Dietlin was in attendance to present his renewal application.

Mr. Dietlin said that when he initially submitted his renewal application he did not intend to undertake any field operations due to pending litigation. He has since reconsider and now intends to move forward and test two anomalies as previously planned. He would notify the Board prior to conducting field operations and report monthly the results if there were any activities. He noted he had started this search when he was 20 years old and would like to at least investigate the two anomalies. Vic noted the Board has previously approved the work, project archaeologist and project conservator. Mr. Dietlin said he would like to move forward with the project. Gary Esper said that he would be helping Mr. Dietlin with his permit.

Marcie Bilinski moved to renew the Excavation Permit (00-003) held by Joseph K. Dietlin for his Salem site with all standard conditions in effect. Kevin Mooney seconded. Unanimous vote in favor. So voted.

E. Gary Esper

Victor reported that Mr. Esper had contacted the Board to update his organizational chart with a new project archaeologist, Stephanie Ferrante. Ms. Ferrante had submitted her credentials and a letter stating she would be serving as project archaeologist on both permits. Victor said he had reviewed the information and determined Ms. Ferrante met the Board's qualifications for that position. This information was distributed to the Board.

H. Fathom Research LLC

Victor said there were two items that were carryover business from the last meeting. He noted he had spoken with he project archaeologist and confirmed he was still involved with these projects.

1. Sengekontacket Pond Channel Dredging Project

Victor reported that Fathom Research, LLC had submitted a Special Use Permit renewal application and annual report for a marine archaeological reconnaissance survey as part of the Sengekontacket Pond Channel Dredging Project (10-002). David Robinson would continue to serve as archaeologist for the project. Victor stated the survey was completed and the renewal request was for archaeological monitoring services. Vic noted that standard conditions include the need to submit the survey research design and methodology to the SHPO for review.

No further discussion.

Kevin Mooney moved to renew, retroactive to 27 September 2012, Special Use Permit No. 10-002 held by Fathom Research, LLC for the Sengekontacket Pond Channel Dredging Project area (as

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specified in the application) with all standard conditions in effect. Marcie Bilinski seconded. Unanimous vote in favor. So voted.

2. Comcast Cable Project

Victor reported that Fathom Research, LLC had submitted a Special Use Permit renewal application and annual report for a marine archaeological reconnaissance survey as part of the Comcast Cable Project (11-005) running from West Falmouth to Tisbury in Vineyard Sound. David Robinson would continue to serve as archaeologist for the project. MHC has already commented on the project report, but the Board has not at this time.

No further discussion.

Kevin Mooney moved to renew, retroactive to 27 September 2012, Special Use Permit No. 11-005 held by Fathom Research, LLC for the Comcast Cable Project area (as specified in the application) with all standard conditions in effect. Graham McKay seconded. Unanimous vote in favor. So voted.

I. Neil Good

Victor reported that Neil Good had submitted a Reconnaissance Permit renewal application and permit fee, but not his annual report as required under the Board's regulations. Therefore, the renewal application was considered incomplete. Victor stated that he had spoken with Bernie Gallagher who is assisting Neil Good with the project. He informed Victor that Neil had been ill this past year, but they hoped to get back on track this year. The permit would expire on December 1, 2012 if not extended by the Board. The extension would provide them time to submit their Annual Report. Mr. Good and Bernie Gallagher were not able to make today's meeting.

No further discussion.

Kevin Mooney moved to extend the expiration date until the next meeting of the Board scheduled for 31 January 2013 for the Reconnaissance Permit (00-002) held by Neil Good for his Waquoit Bay (Falmouth/Mashpee) site with all standard and special conditions in effect. Terry French seconded. Unanimous vote in favor. So voted.

J. James Karos

Victor reported that the reconnaissance permit held by James Karos would expire on 27 January 2013. This would be prior to the next scheduled meeting of the Board on 31 January 2013. He asked the Board to extend the expiration date until that meeting.

No further discussion.

Marcie Bilinski moved to extend the expiration of the Reconnaissance Permit, No. 06-001, held by the James Karos to 31 January 2013 with all conditions remaining in effect. Jack Chapin seconded. Unanimous vote in favor. So voted.

K. Kenneth J. Medeiros

Victor reported the Kenneth Medeiros had submitted a Reconnaissance Permit application in accordance with the Board's regulations for an area off Duxbury Beach adjacent to which he found historic buttons in 1992. The application is complete. Victor reminded the Board that Mr. Medeiros

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was granted an Isolated Find permit for the buttons in 2004. He subsequently located anomalies off shore of that area. Victor noted that Mr. Medeiros had called this morning and left a message stating he was having car trouble and may not make the meeting.

No further discussion.

Kevin Mooney moved to renew the Reconnaissance Permit (07-003) held by Kenneth J. Medeiros for his Duxbury site with all standard conditions in effect. Graham McKay seconded. Unanimous vote in favor. So voted.

L. Harry Noyes and Gary Gianotti

Victor reported that Harry Noyes and Gary Gianotti had submitted a renewal application and fee, but not their annual report as required under the Board's regulations. Therefore the renewal application was considered incomplete. He had spoken to with Mr. Gianotti who noted the Mr. Noyes had been ill and that the cannon remains in Vermont undergoing conservation treatment. The permit would expire on December 1, 2012 if not extended by the Board. The extension would provide them time to submit their Annual Report. Neither Mr. Noyes nor Mr. Gianotti was not able to make today's meeting.

No further discussion.

Kevin Mooney moved to extend the expiration date until the next meeting of the Board scheduled for 31 January 2013 for the Reconnaissance Permit No. 10-007 held by Harry Noyes and Gary Gianotti for their Marblehead Channel site with all standard conditions in effect. Terry French seconded. Unanimous vote in favor. So voted.

4. NEW BUSINESS

A. Isolated Find Exemption - City of New Bedford

Victor reported that the City of New Bedford had submitted an application for an Isolated Find Exemption for an iron anchor recovered from New Bedford Harbor Superfund Site. A report was prepared by David Robinson and is on file with the Board. Victor reminded the Board that this anchor find was first report to the Board in 2010 and that he had been in discussion with USEPA regarding proper treatment and disposition of the anchor. The anchor is an eighteenth century old-style long-shank admiralty style iron anchor with pudding on the ring. The City of New Bedford had notified USEPA and the Board that it was interested in displaying the anchor for public benefit and submitted the application before the board today. Victor noted this is a very common occurrence on approaches to harbors which often goes unreported to the Board.

Jack Chapin moved to waive jurisdiction over isolated find number 2012-IF-0001 from the New Bedford Harbor and relinquish all rights, title and interest to City of New Bedford. Kevin Mooney seconded. Unanimous vote in favor. So voted.

Graham asked where they intended to display the anchor. Victor replied at the Whaling Museum. He noted he had also suggested they contact Kevin Moony should they desire alternative public space.

B. David S. Robinson & Associates, Inc.

Victor reported that David S. Robinson & Associates, Inc., had submitted a Special Use Permit application for marine archaeological survey as part of the Former Gloucester MGP Phase II Site

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Assessment, a coal tar remediation project. Victor noted the application meets the requirements specified in the Board's regulations and that he provisionally issued the permit on 9 November 2012.

Victor said that the Public Archaeology Laboratory submitted their survey research design and methodology as well as that for David S. Robinson & Associates, Inc., to the State Historic Preservation Office (SHPO) for review. Jonathan noted the State Archaeologists Permit has been issued. He accompanied archaeologists from both groups during a site walkover on 14 November 2012. He noted that a portion of the project includes the historic Burnham Marine Railway sites. Remains of a second marine railway, destroyed by fire in the 1950s, were also visible.

Kevin Mooney moved to grant David S. Robinson and Associates a Special Use Permit No. 12-007 for the Former Gloucester MGP Phase II Site Assessment for the area (as specified in the application) with all standard conditions in effect and the further condition David S. Robinson and Associates submit its survey research design and methodology to the State Historic Preservation Office (SHPO) for review. Marcie Bilinski seconded. Unanimous vote in favor. So voted.

Graham said he would provide Victor with the name of an individual who had worked on that site. Victor would send that information to the permittee.

Change in the order of Business

Victor stated that as chair he would be changing the order of business at this point and move to Director's Report.

2. Director's Report (continued)

C. U.S. Coast Guard Collaborative Research

Victor stated that he had participated in the second meeting of the U.S. Revenue Cutter *Bear* Search Team on October 23, 2012. He noted the Board is a formal member of the research charter between the USCG and NOAA. At this meeting, group members gave updates and presentation. Vic said he gave a brief overview of historical information and significance criteria. They had a very interesting presentation and small working group meeting on the application of search and rescue models to determine the resting place of the vessel.

D. New Research Associate – Sarah Johnson

Victor reported that Sarah Johnson has joined the Board's staff as our new Research Associate (unpaid intern). Sarah is a graduate of Cornell University in archaeology. She will be in the office one day per week, generally Mondays, and working primarily on program materials for the SHIPS initiative, including the handbook. She is planning to go to graduate school in the Fall.

5. BOARD MEMBER REPORTS

There were no Board member reports.

6. SUBCOMMITTEE REPORTS: OUTREACH

A. Governor Bellingham-Carey House

Victor reported that he gave a presentation at the Governor Bellingham-Carey House in Chelsea on the evening of October 2, 2012. The topic was the Battle of Chelsea Creek. It was a packed house, with over 50 people in attendance.

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B. Archaeology Month 2010/Archaeology Fair

Victor reported that the Board participated in the Museum of Science/Archaeological Institute of America Archaeology Fair on October 19th and 20th. He noted that Board member Marcie Bilinski assisted as in the past. He added he was also assisted by our new Research Associate (intern), Sarah Johnson, and the Maio Family, Chris, Sarah, Vincent, and Ezra. There were 1,600 students at the fair on Friday.

C. Bay State Council of Divers Meeting

Victor reported that he will be attending the meeting of the Bay State Council of Divers (BSC) on December 5, 2012. This meeting will focus on review of BSC's Club Picnic/Treasure Hunt held in September at Stage Fort Park in Gloucester and discussion of volunteer efforts to support BUAR site investigations at Minot's Ledge and monitoring of Exempt Sites.

Marcie Bilinski moved to adjourn the meeting at 2:13 PM. Graham McKay seconded. Unanimous vote in favor. So voted.

Respectfully submitted,

Victor T. Mastone
Director