

**COMMONWEALTH OF MASSACHUSETTS
BOARD OF UNDERWATER ARCHAEOLOGICAL RESOURCES
MINUTES OF PUBLIC MEETING – 25 May 2017**

MEMBERS PRESENT: Anthony Abdal-Khabir, Deputy Director (Designee of James McGinn, Director of Environmental Law Enforcement)
Marcie Bilinski (Dive Community Representative)
Michael Driscoll (Designee, Director of DCR Division of Waterways)
Terry French (Designee of John Warner, State Archivist)
Gary Murad (Dive Community Representative)
Dan Sampson (Designee of Bruce Carlisle, Director of Coastal Zone Management)
Nadia Waski (Designee of Brona Simon, State Archaeologist)
Victor Mastone, Director (Staff for the Board)

MEMBERS ABSENT: Graham McKay (Marine Archaeologist)
Jonathan Patton (Designee of Brona Simon, Executive Director of the Massachusetts Historical Commission)

PROCEEDINGS:

The public meeting of the Massachusetts Board of Underwater Archaeological Resources was convened by the Director, Victor Mastone at 1:30 PM on 25 May 2017 in the CZM Conference Room at 251 Causeway Street in Boston.

1. MINUTES

A. Minutes of 30 March 2017

Vic M asked the Board if there were any comments or corrections to the minutes of the public meeting held on 30 March 2017. There were no comments or corrections to the minutes.

Marcie Bilinski moved to accept the minutes of the 30 March 2017 public meeting. Dan Sampson seconded. Unanimous vote in favor. So voted.

Change in the order of Business

Vic M stated that as chair he would be changing the order of business at this point and move directly to Old Business.

2. OLD BUSINESS

A. James M. Karos

Vic M reported that James Karos had submitted his Reconnaissance Permit renewal application and Annual Report. Mr. Karos was not in attendance to represent his permit. Vic M noted Mr. Karos told him current job responsibilities had affected his free time, but he wanted to continue documenting these sites. There was no further discussion.

Dan Sampson moved to renew, retroactive to 26 January 2017, Reconnaissance Permit (06-001) held by James M. Karos for his Chelsea Creek site in Revere/Boston/Chelsea with all standard conditions remaining in effect. Mike Driscoll seconded. Unanimous vote in favor. So voted.

B. Nipmuc Nation Tribal Historic Preservation Office

Vic M reported that the permit held by the Nipmuc National – Tribal Historic Preservation Office is up for renewal at today's meeting. The renewal application and Annual Reports have been submitted in accordance with the Board's regulations. The Project Director, Cheryl Stedtler, was not in attendance to

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represent the application due to a family medical issue. Vic M stated he wanted to take this opportunity to again compliment them on the excellent quality of their report.

Nadia said she had a question from Jonathan Patton, MHC, regarding the status of the C-14 dating of the mishoonash. Vic M said it was his understanding they would need to collect new samples as the previous samples had become degraded or lost. He noted that it was cost prohibitive to process all samples when they were initially collected. There was no further discussion.

Terry French moved to renew the Reconnaissance Permit (01-001) held by the Nipmuc Nation Tribal Historic Preservation Office for its Worcester/Shrewsbury site with all standard conditions in effect. Mike Driscoll seconded. Unanimous vote in favor. So voted.

C. David S. Robinson & Associates, Inc.

Vic M reported that David S. Robinson & Associates, Inc. had submitted their Special Use Permit renewal application for the New Bedford Harbor Superfund Site Remediation Project. Mr. Robinson had called to note they would likely be modifying the scope of work during this field season. He was not in attendance to represent his application. There was no further discussion.

Gary Murad asked what they had been finding that they would need to modify the scope of work. Vic M responded that they uncovered some shipwreck remains. There is a possibility they might be Revolutionary War period similar to those encountered further up the harbor. They are working out the fine points of the scope work needed to undertake that documentation.

Marcie Bilinski moved to renew, retroactive to 30 March 2017, Special Use Permit (14-001) held David S. Robinson & Associates, Inc., for New Bedford Harbor Superfund Site Remediation Project in Fairhaven with all conditions remaining in effect. Mike Driscoll seconded. Unanimous vote in favor. So voted.

D. Restoration Project

Vic M reported that Restoration Project, Inc., had not submitted its reconnaissance permit renewal application and Annual Report in accordance with the Board's regulations. Eloise Newell, Director of Restoration Project, Inc., has requested an extension to complete their application. She was not present at this meeting. Victor noted this would be a first extension. There was no further discussion.

Marcie Bilinski moved to extend the expiration date of Reconnaissance Permit (10-001) held by the Restoration Project, Inc. for its Willis Pond site in Sudbury until 28 September 2017 with all standard conditions in effect. Terry French seconded. Unanimous vote in favor. So voted.

E. Stellwagen Bank National Marine Sanctuary

Vic M reported that the Stellwagen Bank National Marine Sanctuary had decided not to renew and surrendered its Special Use Permit for the waters off Gloucester. This was effective 20 April 2017.

F. Victor Ricardo

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

Mr. Ricardo showed some photographs of shipwreck remains that are currently located behind the Salisbury Beach Reservation Headquarters. He was wondering, with the state's permission, would a museum, such the Peabody or the Customs House, want these remains for a display. Vic M said he had supervised the removal of these remains from the beach to their current location. This was a combined effort of Reservation and town staff. The Reservation's intention was to possibly create an outside

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display by its visitors' center. Vic M noted it was unlikely that any museums would take them as that would require they take the necessary steps to conserve these remains.

Mr. Ricardo showed the Board members photographs of his new 25 foot boat. It can support several divers in the field. He will be adding equipment such as a chart plotter and side scan sonar. He purchased it in FL and will register it up here.

Mr. Ricardo said he was told about a barge that sank in his permit area. He believes his team located that barge. He described it as a giant mound of sand roughly 100 to 120 feet long at a depth of 31 feet. His diver, Mike, dove he site and noted concrete slabs over the area. It was reported to be a ferro-cement barge and partially salvaged with one fatality. Vic M asked Mr. Ricardo to provide the Board with the location of the barge.

Gary Murad 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. Mike Driscoll seconded. Unanimous vote in favor. So voted.

Mr. Ricardo noted that several years ago he found some unspent munitions on Salisbury Beach. Once learned, this discovery reported to the Massachusetts Environmental Police (MEP). In response to that report, MEP immediately conducted a site inspection. Vic M said he would distribute NOAA guidelines regarding the encountering of munitions and ordinance via the Board's email distribution list.

F . Nicholas Snyder

Vic M reported the Nicholas Snyder has requested the Board approve a joint venture agreement between him and MAP Explorations, LLC ("MAP"). The proposed joint venture is a sub-contracting of permit rights. In accordance with the Board's regulations, 312 CMR 2.09(6), any sub-contracting of existing permit rights must be approved by the Board. Vic M stated he had been working with EEA Deputy General Counsel, Jennifer Sulla, in reviewing the document. They had been working representatives of both parties to insure their agreement was in compliance with the Board's statute and regulations. The final version had been distributed to the Board for review. Mr. Snyder could not be present today, but was represented by his Project Director, Gary Esper. Peter Tzelios was present to represent MAP Explorations, LLC.

Mr. Esper expressed his hope that the Board could approve this agreement so they could continue work on the project. He explained that MAP brings expertise and equipment for both underwater remote sensing and commercial diving. Mr. Tzelios further explained he was a certified rescue diver and his partners, Andrew Arthur and Matt Art, have extensive field experience to move the project forward.

Gary Murad asked what they looking for. Gary Esper noted there were a number of shipwrecks there and this area of Gloucester, as opposed the village along he harbor, was not heavily populated in the eighteenth century. Local history notes a number of wrecks in that area. One wrecking event in particular, the loss of the *Persia*, was not known until four days later. Vic M noted that Nick had used vessel components to obtain his permit and the recent isolated find was just outside that permit area.

Gary Murad asked if the reason for this venture was Nick's lack of resources. Vic M said correct. Gary Esper added that he and Nick had been working it off Gary Esper's boat, but Nick's new job doesn't provide him time to investigate the site.

Vic M noted that the idea of our review was to ensure they were not giving away anything that belongs to the state, they are going to work in accordance with our regulations, and Nick is always responsible fro the permit. Vic m noted that if this was an existing partnership before being granted he

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permit, the Board would not be looking at this document. Mr. Tzelios assured the Board members they intended to do everything in accordance with our regulations and this agreement reflects that. Gary provided the board with an updated organizational chart which included MAP personnel. There was no further discussion.

Mike Driscoll moved to approve the sub-contracting agreement between Nicholas Snyder and MAP Exploration LLC, with all standard and special conditions remaining in effect. Marcie Bilinski seconded. Unanimous vote in favor. So voted.

6. NEW BUSINESS

A. North Atlantic Dive Expeditions - Reconnaissance Permit – Gloucester

Vic M reported that the Board had received a complete reconnaissance permit application from Heather Knowles of North Atlantic Dive Expeditions for an area off Gloucester. Their application was to complete site examination research previously undertaken in collaboration with Stellwagen Bank National Marine Sanctuary. The Sanctuary has written a letter of support for this application. Vic M noted that the applicant and their research team have stated, in the application, that they will not seek ownership rights of the vessel or cargo. This was done to avoid any appearance of conflict with section 2.12(2) of the regulations. Vic M also took this opportunity to acknowledge the high quality of this application. Heather Knowles was in attendance to represent the application.

Heather reviewed their collaboration with NOAA's Stellwagen Bank National Marine Sanctuary. She stated that North Atlantic Dive Expeditions has a memorandum of agreement with NOAA to facilitate joint research. She explained that when NOAA identifies sonar targets, they dive and document sites within the Sanctuary. This particular wreck was located by the Sanctuary as they were making a vessel turn just outside the Sanctuary. The original imagery was limited, but two section of vessels remains appeared in that imagery. Under the SUP 16-001, they dove one of the section and found it appeared to be remnants of a steam powered cargo vessel. They became very intrigued. Due depth, conditions, and time of year, they did not have time to undertake additional dives. The original was modified to allow additional side scan sonar survey. They found third piece, likely the stern section. The steamship is in three pieces, spread apart too far to visit in a single dive. To date, they have only dove on the middle section. Heather explained that given the site is located outside of the Sanctuary, it made sense to disentangle the agreement for their research work outside the sanctuary. When the Sanctuary surrendered its permit, they applied for that same area to continue the project. So they hope the Board will grant the reconnaissance permit to allow them to continue diving the wreck, document what's there, and hopefully identify the vessel.

Vic M noted both application and previous reports were wonderful products, demonstrating high quality of work, and generates a lot of excitement. He asked Heather if she wanted to disclose any of her archival research, noting she did not need to. She said they believed might be the steamer *Ganos*. It was a cargo ship lost in a collision with *Pembroke*. It fits the dimensions, but it is in three pieces. She noted the historical record puts this vessel loss at a number of locations, but not at this location. It is a very good candidate, but need more information. It would be exiting to identify the wreck. Marcie asked about the depth. Heather said 200 feet.

Vic M asked if they were pursuing an Explorers Club Expedition flag as they did in the previous permit. Heather noted that she and her husband, Dave Caldwell, are members of the Explorers Club. They have flag and honors program for project expeditions. They applied for one previously and were granted it. They were granted an Expedition Flag on Tuesday. This flag is newer and they could take underwater. They plan to submit a report similar to the one they submitted last year. Heather noted she was looking forward to sharing results with us.

Marcie Bilinski moved to grant Reconnaissance permit No. 17-004 to North Atlantic Dive Expeditions with all standard conditions in effect. Mike Driscoll seconded. Unanimous vote in favor. So voted.

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B. R. Christopher Goodwin & Associates

Vic M reported that the R. Christopher Goodwin & Associates had submitted a Special Use Permit application for the underwater remote sensing and, archaeological reconnaissance survey and documentation related to the Bay State Wind Project in the Taunton River in Fall River and Somerset. Steve Schmidt will serve as Project Archaeologist. As stated in the application, they planned to undertake underwater remote sensing, archaeological reconnaissance survey and documentation related to the Bay State Wind Project. Victor stated that he provisionally granted Special Use Permit No. 17-001 on March 31, 2017.

Nadia stated that MHC had reviewed the contextual materials and found their application needed a more complete context. MHC suggested that Goodwin staff visit the MHC office, examine site files, and consult with their staff which they have not done. Vic said he had a brief discussion with Jonathan Patton regarding this issue. He noted that Jonathan had also reviewed their context and research for the project in federal waters; the Board had not seen that document. MHC suggested revised context would inform and improve their research design. There was agreement that the board would want additional information to that already submitted. It was the sense of the Board that Goodwin staff to submit a revised contextual description prior to submitting their report.

Nadia Waski moved to grant Special Use Permit No. 17-001 to R. Christopher Goodwin & Associates, Inc., in Fall River and Somerset for the area as specified in the application with all standard conditions in effect and the further condition R. Christopher Goodwin & Associates submit its research design and methodology to the State Historic Preservation Office (SHPO) for review. Dan Sampson seconded. Unanimous vote in favor. So voted.

C. Gray & Pape, Inc.

Vic M reported that the Gray & Pape. Inc. had submitted a Special Use Permit application for inter-tidal and subtidal marine archaeological documentation of marine railways site at 102-148 Border Street in East Boston. Michael Tuttle will serve as Project Archaeologist. As stated in the application, the activities include remote sensing, archaeological site examination and documentation of the historic marine railways. It is essentially a two-step approach to documentation. They proposed using high resolution multi-beam sonar to create a detailed map of the site followed-up by diver inspection of components and validation of measurements. Victor stated that he provisionally granted Special Use Permit No. 17-002 on 13 April 2017.

Vic M said Gray & Pape had conducted the remote sensing survey and shared preliminary results with him. The side scan clearly depicted the three marine railways. He and Mike Tuttle, Gray & Pape, conferred on possible targets for diver inspection and documentation as well as verifying measurements derived through remote sensing of these three mid-19th century marine railways.

This project is also subject to an MOA with Army Corps of Engineers and State Historic Preservation Office (SHPO). Nadia noted the first draft of the MOA. She noted the MHC was concerned the research design and methods may be incomplete with respect to Section 106 standards. MHC/SHPO had reviewed the application and wanted more details in the research design's historical context and field methodology. Vic M noted he had several discussions with Mike Tuttle over the field methodology. It was a meeting of the minds to settle upon multi-beam documents, mainly on the advice of the survey operator as most effective. Discussion concluded that Gray & Pape should prepare additional historical context and resubmit a research design.

Nadia Waski moved to grant Special Use Permit No. 17-002 to Gray & Page, Inc., in East Boston for archaeological site examination and documentation for the area as in East Boston specified in the application with all standard conditions in effect and the further condition that Gray & Pape, Inc., revise and expand historical context and research design methodology and resubmit those to the Board and the State Historic Preservation Office (SHPO) for review. Terry French seconded. Unanimous vote in favor. So voted.

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D. Change in the order of Business

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

3. DIRECTOR'S REPORT

Vic M noted that the project review, environmental/historic preservation compliance, component of the Board's mandate has been steadily increasing. At times, it comprises 50% of his work activities.

Vic M took this opportunity to acknowledge that Lowell's Boat Shop, through Board member Graham McKay, has provided the Board with parts of an old dory for our public engagement activities. These two sections, a bow and mid-ships, will be used as 3D models for our hands-on shipwreck mapping activity.

4. BOARD MEMBER REPORTS

There were no Board member reports.

5. PUBLIC ENGAGEMENT ACTIVITIES

A. South Shore Neptunes Scuba Club

Vic M reported that he gave a lecture on April 4 at 7 PM to the South Shore Neptunes Scuba Club in Quincy. Victor gave a presentation on the on-going research at Lake Quinsigamond on the dugout canoes and other projects around Massachusetts.

B. Bridgewater State University

Vic M reported that he gave two lectures, one on underwater archaeology in Massachusetts and a second on archaeological law and ethics, to undergraduate students in ANTH 398: *Shipwrecks and Shore* at Bridgewater State University in Bridgewater on April 5. The class is being taught by Dr. Calvin Mires. On the following Saturday, April 8, he and Dr. Mires co-lead a site documentation exercise involving students from that class at the *City of Taunton* shipwreck site in Somerset.

C. Hazat of Temple Israel

Vic M reported that he gave a lecture on the Battle of Chelsea Creek in Sharon on Thursday evening, May 18. The lecture was sponsored by Hazat, an over 55 organization, at Temple Israel in Sharon. There were between 60-75 people in attendance.

D. Beach Sisters

Vic M reported that on June 2 he will be conducting a hands-on workshop on shipwreck mapping for the "Beach Sisters" after school program in Lynn. Beach Sisters is a collaborative program between the Marine Science Center and Girls Inc. of Lynn. "The Beach Sisters program helps to pave the way for school-aged girls living in an underserved, environmental justice community to develop scientific inquiry and citizenship skills, and to learn about academic and career opportunities in marine and environmental science." He will be assisted by Dr. Calvin Mires and Laurel Seaborn.

E. Monomoy Middle School

Vic M reported that on June 8 and 9 he will giving four lectures on underwater archaeology in Massachusetts to students at the Monomoy Middle School in Chatham. The students are studying local maritime heritage. Students will be participating in mapping the mock 3D shipwreck. He will be assisted by Dr. Calvin Mires, Laurel Seaborn, Greg Lott and Lee Crawford.

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F. Where STEM Meets History: Maritime Archaeology Field Schools

Vic M reported that he will be collaborating with Seafaring Education and Maritime Archaeological Heritage Program (SEAMAHP) and PAST Foundation on two one-week programs entitled “Where STEM Meets History: Maritime Archaeology Field School”. These programs are part of a NPS Maritime Heritage grant which BUAR is a partner and assisted in designing.

(1) July 10-14 – all day (Monday-Friday) –a middle school student program entitled at Salem’s Collins Middle School, NPS Salem National Maritime Historic Site and The Trustees of the Reservations (TTOR) Crane Estate.

(2) July 24-28 – all day (Monday-Friday) – a middle school teachers program at Salem’s Collins Middle School, NPS Salem National Maritime Historic Site and TTOR’s Crane Estate.

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

Vic M reported he will again be co-leading a Salem State University summer institute (workshop) during the week of August 14-18, 2017 with Dr. Calvin Mires and Captain Laurel Seaborn, both of the Seafaring Education and Maritime Archaeological Heritage Program. Vic M noted he will use vacation leave. Participants will receive three undergraduate credit hours from Salem State University and a certificate from the Nautical Archaeology Society. This course will use one or two shipwreck sites on the North Shore with beach access. It is intended to be a starting point for training citizen scientist volunteers. Several students from previous field schools have been assisting Victor with field investigations and outreach events.

Victor noted he had several other potential commitments for this summer which have not been scheduled.

Gary Murad moved to adjourn the meeting at 2:19 PM. Dan Sampson seconded. Unanimous vote in favor. So voted.

Respectfully submitted,

Victor T. Mastone
Director