

**COMMONWEALTH OF MASSACHUSETTS
BOARD OF UNDERWATER ARCHAEOLOGICAL RESOURCES
MINUTES OF PUBLIC MEETING – 28 September 2017**

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

MEMBERS ABSENT: Jack Chapin (Designee of James McGinn, Director of Environmental Law Enforcement)
Graham McKay (Marine Archaeologist)

PROCEEDINGS:

The public meeting of the Massachusetts Board of Underwater Archaeological Resources was convened by the Director, Victor Mastone (Vic M) at 1:31 PM on 28 September 2017 in the CZM Conference Room at 251 Causeway Street in Boston.

Vic M introduced John Warner, the Archivist of the Commonwealth. He was now attending Board meetings due to the retirement of his designee, Terry French.

1. MINUTES

A. Minutes of 25 May 2017

Vic M asked the Board if there were any comments or corrections to the minutes of the public meeting held on 25 May 2017. There were no comments or corrections to the minutes.

Marcie Bilinski moved to accept the minutes of the 25 May 2017 public meeting. Mike Driscoll seconded. Unanimous vote in favor. So voted.

2. DIRECTOR'S REPORT

Vic M noted the Board had a very full agenda for today's meeting. He was going to cover one action item under his Director's Report before changing the order of business for today's meeting.

A. Terry French

Vic M stated that he had learned of the retirement of Terry French last month. He noted that Terry had served on the Board as the designees of the Archivist of the Commonwealth from March 28, 1996 to May 25, 2017. Vic M recalled that many times he would turn to Terry to move or second a motion to move business along as well as noting Terry's helpfulness at the table with historic documents and willingness to provide advice to the Board's permittees.

John Warner moved to adopt the following resolution:

It is resolved by the Massachusetts Board of Underwater Archaeological Resources to express its sincere appreciation and gratitude to Terry French for his twenty-one years of service to the Board and to the Commonwealth through his service at the Massachusetts State Archives. Since 1996, Terry has participated in meetings providing invaluable guidance to the Board and permittees, assisting the Board in carry out its mission.

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Marcie Bilinski seconded. Unanomous vote in favor. So resolved.

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. Alexander Bezkorovainy

Vic M reported that the excavation permit held by Alexander Bezkorovainy was up for renewal today. Mr. Bezkorovainy had submitted his renewal application and annual report in accordance with the Board's regulations. Alex Bezkorovainy was not in attendance to represent his permit application. Vic M noted this was the typical limited effort. There was no further discussion.

Gary Murad moved to renew the Excavation Permit (06-002) held by Alexander Bezkorovainy for his Salem Sound site with all existing standard and special conditions remaining in effect, and the further condition that the permittee submit, for approval by Board staff, a detailed plan for the selection, transportation, and conservation of any objects intended to leave the Commonwealth of Massachusetts, prior to undertaking such action. Mike Driscoll seconded. Unanimous vote in favor. So voted.

B. Gary Esper

Vic M reported that the two permits held by Gary Esper were up for renewal today. Mr. Esper had submitted his renewal applications and annual reports in accordance with the Board's regulations. Mr. Esper was in attendance to represent his permit application.

Mr. Esper stated that had not done much work on his site. He concentrated his efforts over the past year on Nick Snyder's permit where he is Project Director. He said he planned to re-survey the permit area. Vic M asked him what he planned for survey. Mr. Esper said he has a magnetometer and planned a magnetometer survey of the permit areas. He wanted to compare the new survey data with that done years ago for the previous permittee, Phil Greco.

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

Marcie Bilinski moved to grant renewal of Reconnaissance Permit No. 12-006 held by Gary Esper for his Eastham site with all standard conditions in effect and the further condition that the permittee coordinate all field activities with the staff of the Cape Cod National Seashore. Mike Driscoll seconded. Unanimous vote in favor. So voted.

C. Public Archaeology Laboratory

Vic M reported that the Public Archaeology Laboratory had submitted its renewal special use permit application for archaeological reconnaissance, intensive (locational), and site examination archaeological surveys of intertidal archaeological sites located within the New Bedford Harbor Superfund Site in Acushnet and Fairhaven. This permit renewal was essentially to keep the permit active in the event they needed to return to the field. He told the Board that he had just received a draft copy of their report, but had not begun his reviewed it. Vic M noted work was also being conducted under a State Archaeologist Permit. There was no further discussion.

Jonathon Patton moved to grant renewal of Special Use Permit No. 16-003 held by Public Archaeology Laboratory for archaeological reconnaissance, intensive (locational), and site examination

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archaeological surveys of intertidal archaeological sites located within the New Bedford Harbor Superfund Site in Acushnet and Fairhaven for the area (as specified in the application) with all standard and special conditions in effect. Dan Sampson seconded. Unanimous vote in favor. So voted.

D. Restoration Project

Vic M reported that Restoration Project, Inc. had submitted its reconnaissance permit renewal application and annual report in accordance with the Board's regulations. He reminded the Board that they had granted the permittee an extension in May until today's meeting. Eloise Newell, Director of Restoration Project, Inc. was not present today. She had informed Vic M that they hoped to dive some of the previously identified anomalies in the near future.

John Warner asked if they had been working on this since 2001. This permit is the search for Babe Ruth's piano. Vic M noted that last year they had moved their offices and it had taken him some time to reconnect with them. There was no further discussion.

Mike Driscoll moved to renew, retroactive to 25 May 2017, Reconnaissance Permit (10-001) held by the Restoration Project, Inc. for its Willis Pond Sudbury site with all standard conditions in effect. Dan Sampson seconded. Unanimous vote in favor. So voted.

6. NEW BUSINESS

A. Gray & Pape, Inc.

Vic M reported that Gray & Pape, Inc., had submitted a special use permit application for the underwater remote sensing, and archaeological reconnaissance survey and documentation related to the Vineyard Wind Project in Barnstable, Martha's Vineyard, Nantucket and Yarmouth. Dr. Michael Tuttle will serve as Project Archaeologist. The application came in after the deadline for the May meeting. Victor stated that he provisionally granted Special Use Permit No. 17-003 on 23 May 2017.

Jonathan Patton noted this was one of several offshore projects the Board and MHC will be seeing. Marcie noted the area had many shipwrecks. Vic M said he believed the initial survey was underway or just completed.

Gary Murad moved to grant Special Use Permit No. 17-003 to Gray & Pape, Inc., for the underwater remote sensing and, archaeological reconnaissance survey and documentation related to the Vineyard Wind Project in Barnstable, Martha's Vineyard, Nantucket and Yarmouth for the area as specified in the application with all standard conditions in effect and the further condition that Gray & Pape, Inc., submit its research design and methodology to the State Historic Preservation Office (SHPO) for review. Jonathan Patton seconded. Unanimous vote in favor. So voted.

B. Public Archaeology Lab

Vic M reported that the Public Archaeology Lab had submitted a special use permit application for archaeological reconnaissance and mitigation monitoring/recordation as part of the Merrimack River Stabilization at Wellman Avenue in Chelmsford. Victor stated that he provisionally granted Special Use Permit No. 17-005 on 27 May 2017.

Jonathan Patton noted this was a FEMA sponsored project. Vic M said only a small portion of the project was in the river, but the shoreline was considered archaeological sensitive

Jonathan Patton moved to grant Special Use Permit No. 17-005 to the Public Archaeology Lab, Inc., for archaeological reconnaissance and mitigation monitoring/recordation as part of the Merrimack River Stabilization at Wellman Avenue in Chelmsford as detailed in the technical proposal accompanying the application with all standard conditions in effect and the further condition that Public Archaeology Lab,

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Inc., submit its research design and methodology to the State Historic Preservation Office (SHPO) for review. John Warner seconded. Unanimous vote in favor. So voted.

C. Isolated Find Exemption – Scituate Historical Society - Scituate

Vic M said he was contacted by Dave Ball, President of the Scituate Historic Society, concerning an old wooden rudder that has washed up on Humarock Beach in Scituate. Mr. Ball had expressed strong concerns there was strong potential illicit removal or other vandalism, such as being burned in a July 4th bonfire. After discussing the situation, it was mutually determined that removal of the rudder from the beach into the custody of the Society was the best mechanism to protect the resource. It was further agreed upon that the Society would file for an Isolated Find Exemption and incorporate the rudder into some interpretive display. The Society was able to get the aid of Scituate DPW in transporting the rudder to their museum property. Vic M noted there are numerous wrecks off Scituate and the disarticulated nature of the rudder made it extremely difficult to assign it to a specific site. Thus far, neither Board staff nor the Society had been able to associate the rudder with any vessel or shipwreck. Vic M and Rico Roldan subsequently visited the museum and documented the rudder. It is a tiller style wooden rudder, roughly 17 feet in length. Vic M asked the Board to give positive consideration of the Society's request.

Marcie Bilinski moved to waive jurisdiction over isolated find number 2017-IF-0004 a wooden rudder recovered Humarock Beach in Scituate and relinquish all rights, title and interest to the Scituate Historical Society. Gary Murad seconded. Unanimous vote in favor. So voted.

Dan Sampson asked if being stored outside would further degrade the rudder. Vic M said will degrade, but it is in fairly stable condition and the wood was not punky at all. Its condition suggested to him that it had been buried in the buried the beach or dunes and only recently became exposed.

D. Public Archaeology Lab – East Bridgewater

Vic M reported that the Public Archaeology Lab had submitted a special use permit application for archaeological reconnaissance and mitigation monitoring/recordation as part of the Carver Cotton Gin Dam Removal Project in East Bridgewater. He and Rico had conducted a walkover of the site last Fall when they documented the fish weir upstream of the project. This project is subject to an MOA and their research design had been reviewed by the State Historic Preservation Office (SHPO). Vic M stated that he provisionally granted Special Use Permit No. 17-006 on 18 July 2017.

Mike Driscoll moved to grant Special Use Permit No. 17-006 to the Public Archaeology Lab, Inc., for archaeological reconnaissance and mitigation monitoring/recordation as part of the Carver Cotton Gin Dam Removal Project in East Bridgewater as detailed in the technical proposal accompanying the application with all standard conditions in effect. Jonathan Patton seconded. Unanimous vote in favor. So voted.

E. David S. Robinson & Associates – Boston/Winthrop

Vic M reported that David S. Robinson & Associates, Inc., had submitted a special use permit application for the marine archaeological reconnaissance survey of the new HEEC Submarine Cable route proposed to from South Boston to Deer Island. This work was necessary due to the deepening of the channel requiring the relocation of the existing cable. Vic M stated that he provisionally granted Special Use Permit No. 17-007 on 3 August 2017.

Vic M said they were looking at 2 routes. It is a complicated routing project due to the presence of ell grass. John Warner asked if the southern route was the preferred. Vic M said it was.

John Warner moved to grant Special Use Permit No. 17-007 to David S. Robinson & Associates, Inc., for the marine archaeological reconnaissance survey of the new HEEC Submarine Cable route proposed to from South Boston to Deer Island as detailed in the technical proposal accompanying the application with all standard conditions in effect and the further condition that David S. Robinson &

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Associates, Inc., submit its research design and methodology to the State Historic Preservation Office (SHPO) for review. Marcie Bilinski seconded. Unanimous vote in favor. So voted.

F. Public Archaeology Lab – Sturbridge

Vic M reported that the Public Archaeology Lab had submitted a special use permit application for archaeological reconnaissance (walkover) and mitigation monitoring/recordation as part of the Hamant Brook Restoration Project in Sturbridge. He noted that historically there were mills in that area and this project was subject to an MOA. Vic M stated that he provisionally granted Special Use Permit 17-008 on 28 August 2017. There was no further discussion.

Dan Sampson moved to grant Special Use Permit No. 17-008 to the Public Archaeology Lab, Inc., for archaeological reconnaissance (walkover) and mitigation monitoring/recordation as part of the Hamant Brook Restoration Project in Sturbridge as detailed in the technical proposal accompanying the application with all standard conditions in effect and the further condition that Public Archaeology Lab, Inc., submit its research design and methodology to the State Historic Preservation Office (SHPO) for review. Mike Driscoll seconded. Unanimous vote in favor. So voted.

G. Public Archaeology Lab – Northampton

Vic M reported that the Public Archaeology Lab had submitted a special use permit application for archaeological reconnaissance (walkover) and mitigation monitoring/recordation as part of the Upper Roberts Meadow Reservoir Dam Breach and Stream Restoration Project in Northampton. Similar to the other projects, there had been historically mills in that area. Vic M stated that he provisionally granted Special Use Permit 17-009 on 14 September 2017. There was no further discussion.

Jonathan Patton moved to grant Special Use Permit No. 17-009 to the Public Archaeology Lab, Inc., for archaeological reconnaissance (walkover) and mitigation monitoring/recordation as part of the Upper Roberts Meadow Reservoir Dam Breach and Stream Restoration Project in Northampton as detailed in the technical proposal accompanying the application with all standard conditions in effect and the further condition that Public Archaeology Lab, Inc., submit its research design and methodology to the State Historic Preservation Office (SHPO) for review. Nadia Waski seconded. Unanimous vote in favor. So voted.

H. Policy Guidance on Establishing Shipwreck and Underwater Resource Avoidance Protection Plans

Vic M noted he had been developing a generic policy guidance document for establishing avoidance areas, commonly referred to as buffer zones, for avoiding adverse impacts on underwater archaeological resources. This policy would be directed chiefly to projects that are either undergoing archaeological desk top assessment studies or in the construction phase to assure no adverse effect on resources within project impact areas. It is a common practice to create such areas and he is often asked by technical service providers and project proponents for guidance. This policy would not modify or replace the Board's regulatory policy on buffer zones around permit areas. To avoid confusion, the policy uses the term avoidance area rather than buffer zones. He reminded the Board members that they previously established policy guidance documents for the treatment of human remains and policy guidance for unanticipated archaeological finds in 2006.

Vic M noted he had received detailed comments from Jonathan Patton and Dan Sampson. They were quite productive suggestions and revisions. He incorporated them into the discussion document. John Warner asked if when adopted would it go out with the permits? Vic said it would be a policy listed on our webpage and be distributed to project proponents. It would not intended for our regular reconnaissance and excavation permits. Rather, it would be aimed at project proponents under special use permits. If their work was beyond 1000 feet of a resource, they would not need to create an avoidance plan. Otherwise, we are looking to avoid resources. Such plans are typically included as a

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clause in an MOA. Marcie asked Vic M to insure that he replaces the phrase “buffer zone” with the phrase “avoidance area” throughout the document.

Marcie Bilinski moved to adopt *Policy Guidance for Establishing Shipwreck and Other Underwater Archaeological Resources Avoidance Protection Plans* as amended. John Warner 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 to Director's Report, Board Member Reports and Public Engagement Activities.

3. DIRECTOR'S REPORT (continued)

B. Field Operational Support

Vic M stated that the project review component, basically environmental/historic preservation compliance, and the public engagement activities of the Board's mandate have been steadily increasing over the past few years. In May, the Board abruptly lost access to state vehicle provided through an agreement with Massachusetts Environmental Police (MEP) since 2002 due to MEP's budget constraints. CZM has offered to provide up to \$3000 to cover those travel costs. This roughly equivalent to about a 20% reduction in field travel support, but CZM's resources are also very tight. Vic M noted the use of his personal vehicle has limitations for accommodating requisite equipment and volunteer staff. He wanted to make the Board aware that this could have an adverse impact on Board activities.

C. Fieldwork – Parker River Wildlife Refuge

Vic M stated he had several field activities to report. Some will be described under Public Engagement Activities below. He said his most recent investigation took him to the Parker River Wildlife Refuge on Plum Island in Newbury. He had received a call from a private party reporting a “new” shipwreck. Based on the location and description, he believed it was the lumber schooner *Ingomar*, lost in 1936. Vic M notified the Refuge staff, obtained the requisite federal Special Use Permit, and visited the site the next day. He noted that if waited to conduct his site visit that site might have become reburied and invisible before he got there. Vic M described the visible remains and confirmed it was the *Ingomar*.

D. USCG Salisbury to Plymouth Area Committee Oil Spill Response

Vic M reported that he planned to participate in the next meeting of the USCG Salisbury to Plymouth Area Committee Oil Spill Response to be held on October 11, 2017 in Boston.

E. Foreshore Forum 2017

Vic M reported that he would be participating in the Foreshore Forum 2017 in London on October 28-29. It was a joint conference of the Thames Discovery Programme (TDP) and the Coastal and Intertidal Zone Archaeological Network (CITiZAN). Both are community based programs for recording and monitoring intertidal and riverine archaeological sites. Vic M said he believed this would be helpful for the implementation of the Board's SHIPS initiative, citizen-scientist and field school programs. He stated he would be using personal funds and vacation time to attend this conference.

4. BOARD MEMBER REPORTS

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

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Marcie Bilinski informed the Board members that she was moving to Florida and that today's meeting was her final Board meeting. Her first meeting was May 30, 2002, giving her over 15 years of service to the Board. She thanked the Board for allowing her to serve with them.

5. PUBLIC ENGAGEMENT ACTIVITIES

A. Beach Sisters

Vic M reported that on June 2 he conducted a hands-on workshop for the "Beach Sisters" after-school program in Lynn using a 3D mock shipwreck for mapping. Beach Sisters is a collaborative program between the Northeastern University's Marine Science Center in Nahant 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." Eight students participated.

B. Monomoy Middle School

Vic M reported that on June 8 and 9 he gave four lectures on underwater archaeology in Massachusetts to 6th grade students at the Monomoy Middle School in Chatham. After each lecture, students participated in mapping the mock 3D shipwreck. He was assisted by Dr. Calvin Mires, Laurel Seaborn, Greg Lott and Lee Crawford. The 6th grade students were studying local maritime heritage.

C. Bridgewater State University

Vic M reported that he met in the field on June 19 with Dr. Calvin Mires and students from Bridgewater State University's Center for the Advancement of STEM Education Summer Camp. They met at the shipwreck site of the coastal passenger steamer *City of Taunton* on the banks of the Taunton River in Somerset. The students documented the wreck to create a site plan and scale drawings of various visible components. The site is readily accessible and almost completely uncovered at low tide. It is an excellent teaching site.

D. Where STEM Meets History: Maritime Archaeology Field Schools

Vic M reported that he collaborated 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 were part of a NPS Maritime Heritage grant which BUAR was a partner, assisted in designing, and served as a co-instructor.

These week-long all-day programs were based at Salem's Collins Middle School with field trips to NPS Salem National Maritime Historic Site, sailing on the replica privateer *Fame*, and The Trustees of the Reservations (TTOR) Crane Estate. The first week (July 10-14) was exclusively middle school students and the second week (July 24-28) included both students and teachers. Program activities included construction of ship models, archaeological site mapping on the 3D mock shipwreck and at the *Ada K Damon* shipwreck site, use of a drone and an ROV, preparing a site plan, 3D modeling of ship components, and individual project presentations.

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

Vic M reported he again co-lead 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 this is one of his on-going projects, but he used vacation leave. Participants received three undergraduate credit hours from Salem State University and a certificate from the Nautical Archaeology Society. For the course, students documented the *Ada K Damon* site on the TTOR's Crane Estate with its easy 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.

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F. Bay State Council of Divers

Vic M reported that he attended the meeting of the Bay State Council of Divers on Wednesday September 6. The main topic of discussion was the upcoming annual Treasure Hunt Competition and Club Picnic. At the meeting, Matthew Lawrence informed the Council that this was his last meeting. He was transferring from the Stellwagen Bank National Marine Sanctuary to the Sanctuary at Key West, Florida. Council members expressed their thanks for his participation and wished him well in Key West.

The Council held its annual Treasure Hunt Competition and Picnic was on Sunday, September 17, at Stage Fort Park in Gloucester. There were estimated to be over 100 people in attendance. With approximately 50 divers participated in the scuba and snorkel events. Vic M distributed BUAR hand-outs and answered questions.

G. United Divers of Central Mass

Vic M reported he gave a lecture to the United Divers of Central Mass Scuba Club on the night of Thursday, September 21 in Fitchburg. The title was "*Hidden History: Underwater Archaeology in Massachusetts.*" There were approximately 20-25 people in attendance.

H. West Branch – Peabody Institute Library

Vic M reported that he will be giving a lecture at the West Branch Library in Peabody at 7 PM on Tuesday, October 10. The title is "*Drift Wood, Stone Circles, Three Canoes, a Lost Lighthouse, and a Piano: Stories of Collaboration and Public Engagement.*" This event is the part of Massachusetts Archaeology Month (October).

I. New England Heritage Education Summit

Vic M reported that he will be participating in New England Heritage Education Summit on Friday, October 13. It is sponsored by the Archaeological Institute of America and will be held at the Museum of Science in Boston.

J. Archaeology Month 2017 / AIA-MOS Archaeology Fair

Victor reported that October will be Massachusetts Archaeology Month. The Board will again be participating in the Archaeological Institute of America/Museum of Science Archaeology Fair on Saturday, October 14th. He said they will be using the 3D mock shipwreck and writing underwater as their hands-on maritime archaeology activity. He noted that Calvin Mires and Laurel Seaborn of SEAMAHP will be assisting him as well as student volunteers from Salem State University. Marcie volunteered to help.

Vic M stated that he wanted to remind the Board member that their next schedule meeting will be on Thursday, November 30. This is the Thursday after Thanksgiving.

Vic M informed the Board he would be out of the office from October 24 until November 6.

Gary Murad moved to adjourn the meeting at 2:32 PM. Marcie Bilinski seconded. Unanimous vote in favor. So voted.

Respectfully submitted,

Victor T. Mastone
Director