

**COMMONWEALTH OF MASSACHUSETTS
BOARD OF UNDERWATER ARCHAEOLOGICAL RESOURCES
MINUTES OF PUBLIC MEETING – 30 MAY 2019**

MEMBERS PRESENT Anthony Abdal-Khabir, Deputy Director (Acting Director of Environmental Law Enforcement)
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 Lisa Engler, Director of Coastal Zone Management)
John Warner (State Archivist)

Victor Mastone, Director (Staff for the Board)

MEMBERS ABSENT: Graham McKay (Marine Archaeologist)
Nadia Waski (Designee of Brona Simon, State Archaeologist)
Vacancy (Dive Community Representative)

PROCEEDINGS:

The public meeting of the Massachusetts Board of Underwater Archaeological Resources was convened by the Director, Victor Mastone (Vic M) at 1:30 PM on 30 May 2019 in the CZM Conference Room at 251 Causeway Street in Boston.

1. MINUTES

A. Minutes 31 January 2019

Vic M asked the Board if there were any comments or corrections to the minutes of the public meeting held on 31 January 2019. There were no comments or corrections to the minutes.

Mike Driscoll moved to accept the minutes of the 31 January 2019 public meeting. John Warner seconded. Unanimous vote in favor. So voted.

A. Minutes of 28 March 2019

Vic M asked the Board if there were any comments or corrections to the minutes of the informal public meeting held on 28 March 2019. There were no comments or corrections to the minutes.

Dan Sampson moved to accept the minutes of the 29 March 2019 informal public meeting. Mike Driscoll seconded. Unanimous vote in favor. So voted.

2. DIRECTOR'S REPORT

A. Board Appointments and Staffing

Vic M stated the memo regarding Board's gubernatorial appointments was sent by Lisa Engler, MCZM Director, to the Secretary's Office to facilitate the process. They have received no feedback. He will ask Director Engler to raise the issue again as we have a new cabinet Secretary Kathleen A. Theoharides.

Vic M stated that he was pleased to announce that David S. Robinson is his successor as the Board's Chief Archaeologist (State Underwater Archaeologist). He started on Tuesday, 28 May 2019. Vic M noted that many Board members have previously met David and should be familiar with the quality of his work as the principal investigator and/or project archaeologists for a number of special use permits and his work with the Nipmuc Nation reconnaissance permit. David has informed the Nipmuc permittee

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that he must resign as their project archaeologist. We are looking to identify possible replacements for that project. He is completing the final report for SUP 14-007, New Bedford Harbor Superfund Site. As a result, we do not need to renew that permit and will let it expire. Vic M will review the final report for that project.

Vic M noted he has continued to maintain continuity of Board operations since my retirement on 13 April 2019. His agreement with MCZM/EEA is that he will continue to serve as special employee on a so-called “120-day” temporary appointment to facilitate transition and training of David.

3. BOARD MEMBER REPORTS

A. Anthony Abdal-Khabir

Anthony Abdal-Khabir announced that he would be stepping down as Director of Environmental Law Enforcement and retiring from state service at the end of June 2019 after 38 years of service. He noted he appreciated the opportunity to serve the Board. He stated that Environmental Police Officer Jack Chapin would be the agency’s designee on the Board. Vic M added EPO Chapin has served as the ELE alternate since 2011.

B. Deputy Director

Given he is leaving state service, Anthony Abdal-Khabir announced he was resigning as the Board’s Deputy Director, effective this meeting. Vic M stated the Board needed to elect a replacement to complete Anthony’s term of office which expires at the end of December 2019. He suggested the Board consider nominating David Robinson to fill this position for the remainder of Anthony’s term.

Anthony Abdal-Khabir nominated David Robinson for the position of Deputy Director. There were no additional nominations.

Dan Sampson moved to elect David Robinson as Deputy Director for the remainder of 2019. John Warner seconded. Unanimous vote in favor. So voted.

Change in the order of Business

Vic M noted the Board had a very full agenda for today’s meeting. He stated that as chair he would be changing the order of business at this point and move directly to Old Business.

4. OLD BUSINESS

A. Alexander Bezkorovainy

Vic M reported that the excavation permit held by Alexander Bezkorovainy was up for renewal today. Mr. Bezkorovainy had not submitted his renewal application and annual report or otherwise communicated with the Board and was not in attendance to represent his permit application. He noted none of our letters have been returned nor have our emails rejected. Given the Board did not receive any communication from Mr. Bezkorovainy regarding this permit, Vic M advised the Board to allow the permit to naturally expire. There was no further discussion.

Vic M noted the board did not need to vote on this item. It was the sense of the Board to take no further action of the permit and to allow it to naturally expire today, 30 May 2019.

B. Gray & Pape, Inc.

Vic M reported that Board had received a request from Gray & Pape, Inc., to modify the scope of work for Special Use Permit 17-003, as part of the Vineyard Wind project. This modification is for intensive archaeological remote sensing survey and coring along additional possible cable routes. Vic

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M noted had issued provisional approval of this modification on 15 March 2019. Michael Tuttle and Kim Smith were in attendance to represent Gray & Pape and Vineyard Wind.

Mike Tuttle noted they were completing this portion of the survey for alternate cable routes. There was no further discussion.

Anthony Abdal-Khabir moved to approve the request by Gray & Pape, Inc., to modify of the scope of work for Special Use Permit 17-003 as detailed in the revised work plan and the further condition that Gray & Pape, Inc., submit its revised research design and methodology to the State Historic Preservation Office (SHPO) for review prior to commencing fieldwork. Mike Driscoll seconded. Unanimous vote in favor. So voted.

C. 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 Fall River, Falmouth and Somerset. Steve Schmidt serves 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. He noted the permittee had also submitted a revised scope of work for an expanded permit area to include Vineyard Sound and Falmouth. Victor stated that he provisionally approved this modification on 15 March 2019. Vic M stated the Board should first act on the modification request and then the renewal request.

Mike Driscoll moved to approve the revised work plan and modified permit area for Special Use Permit No. 17-001 issued to R. Christopher Goodwin & Associates, Inc., in Fall River, Falmouth and Somerset for the area as specified in the application as amended with all standard conditions in effect and the further condition R. Christopher Goodwin & Associates submit its amended research design and methodology to the State Historic Preservation Office (SHPO) for review. John Warner seconded. Unanimous vote in favor. So voted.

Anthony Abdal-Khabir moved to renew Special Use Permit No. 17-001 granted to R. Christopher Goodwin & Associates, Inc., in Fall River, Falmouth and Somerset for the area as specified in the application as amended 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. Mike Driscoll seconded. Unanimous vote in favor. So voted.

E. Raymond Hayes

Vic M reported that Raymond Hayes had submitted a renewal application and Annual Report in accordance with the Board's regulations. Mr. Hayes was not present to represent his request. Vic M complimented Mr. Hayes on the high quality of his renewal application. There was no further discussion.

Dan Sampson moved to renew, retroactive to 28 March 2019 Reconnaissance Permit (07-001) held by Raymond A. Hayes for his Great Harbor, Woods Hole site in Falmouth with all standard and special conditions in effect. Gary Murad seconded. Unanimous vote in favor. So voted.

F. James M. Karos

Vic M reported that James M. Karos had submitted a renewal application and Annual Report in accordance with the Board's regulations. Vic M reminded the Board that they had previously extended this permit to allow him additional time to submit his renewal application. Mr. Karos was not in attendance to represent his permit. He had given the Board an update at its March meeting. There was no further discussion.

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Mike Driscoll moved to renew, retroactive to 31 January 2019, the 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. Dan Sampson seconded. Unanimous vote in favor. So voted.

E. 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 Report have been submitted in accordance with the Board's regulations. Vic M stated he wanted to take this opportunity to again compliment them on the excellent quality of their report. Cheryl Stedtler was in attendance to represent the project.

Cheryl stated she had a few things to report. They were out in July 2018 and collected woods samples for C-14 dating; they are still waiting for results. With David Robinson's departure from their project, they are in the process of looking for a new archaeologist. Until they fill that position, they would not be conducting field work. They received research on the lake Quinsigamond area from archaeologist Russ Handsman. It seems to confirm the lack of activity and settlement in the area before he late 18th century. Jonathan Patton asked if MHC could receive a copy of that information.

Vic M noted the permittee could continue with some reconnaissance activities, except recovery until they got a new archaeologist. He observed that past practice the Board continues to work with the Nipmuc Nation as members of the State Commission on Indian Affairs, a sister state agency. As a result, Vic M and Dave can still participate in field aspect of the project. Jonathan Patton suggested they speak with Ryan Wheeler, Peabody Institute of Archaeology, for suggestions on possible archaeologist. Vic m noted that he and Dave was also looking into that matter.

Mike Driscoll 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. John Warner 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. Vic M stated he had not heard from Eloise Newell, Director of Restoration Project, Inc., and she was not present at this meeting. He noted it has been the Board's practice to grant up to two extensions under these circumstances. Dan asked if this was first extension. Vic M said yes. There was no further discussion.

Dan Sampson moved to extend the expiration date of Reconnaissance Permit (10-001) held by the Restoration Project, Inc. for its Willis Pond site with all standard conditions in effect until the next meeting of the Board scheduled for 26 September 2019. John Warner seconded. Unanimous vote in favor. So voted.

E. Victor Ricardo

Vic M reported that the reconnaissance permit held by Victor Ricardo is up for renewal at today's meeting. Mr. Victor Ricardo had submitted his permit renewal application and Annual Report in accordance with the Board's regulations. Mr. Ricardo asked the Board to consider renewing his permit.

Mr. Ricardo said he did not have much to talk about from last year due to his on-going recovery. He has two divers, Mike Margolis and Chris Edwards, working with him. They planning to come up the next week to search an anchor from a 300-ton vessel; there previously planned dive was canceled due to weather. He noted he has another smaller boat from which he will operate his camera system. Vic M noted he had been contacted by one of Mr. Ricardo's diver, Michael Margolis,

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Vic M noted the permit had several special conditions which he believed should be updated. In particular, the clause stating “the DCR staff determine when activities on site take place” is unnecessary as permitted activities occur well outside park boundaries and the required coordination should occur prior to filed activities.

Mike Driscoll 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 State Parks Archaeologist for any on site activities; 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. Dan Sampson seconded. Unanimous vote in favor. So voted.

F. Nicholas Snyder

Vic M reported that the reconnaissance permit held by Nicholas Snyder is up for renewal at today's meeting. Mr. Snyder had submitted his permit renewal application and Annual Report in accordance with the Board's regulations. Gary Esper, Project Director, was in attendance.

Mr. Esper said that last year they were diving mainly on the north side of the permit area and did not find much. That had a magnetometer survey of the middle and south side of the permit. They planned to dive on those targets this year. Murad Gary asked what they believed was out in that area. There are a number of wrecks in that general area, but nothing specific. An early U.S. navy wreck is reported in that general area, off Brace's Cove. Vic M did not recall if that vessel is listed in the Board's naval inventory. Gary Murad asked about the depth. Mr. Esper said around 60 feet and very rocky with clear visibility.

Vic M asked about the extent of magnetometer survey coverage. Mr. Esper said they have only done one survey and that was submitted to the Board last year. He estimated less than half, and concentrated in the middle area. Mr. Esper noted there was a lot of vessel traffic going through that area.

John Warner moved to renew, retroactive to 28 March 2019, the Excavation Permit (11-002) held by Nicholas Snyder for Gloucester site with all conditions remaining in effect. Mike Driscoll seconded. Unanimous vote in favor. So voted.

G. North Atlantic Dive Expeditions

Vic M reported that the permit held by the North Atlantic Dive Expeditions 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, Heather Knowles, was not in attendance. Vic M stated he wanted to take this opportunity to again compliment the project on the excellent quality of their application and report. There was no further discussion.

Dan Sampson moved to grant renewal of 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.

H. Search, Inc.

Vic M stated he just wanted to remind the Board that Michael Arbutnot of SEARCH had submitted a letter report on the results of an archaeological site inspection and documentation of the Nomans Land Stone. He noted the high quality of the report. The results of this investigation will be presented in Season One of America's Lost Vikings, a Discovery Science Channel documentary television series. Vic M said that he did receive a call from the U.S. Fish and Wildlife Service informing him that the permittee and film crew landed on the island which a prohibited activity. This is an on-going investigation.

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I. Robert Wells

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

Mr. Wells acknowledged his previously proposed work plan was overly ambitious. He is having a difficult time finding an archaeologist for his project. As a result, he would be scaling back to mainly monitoring the site, more of a security perspective. He will still be looking for a project archaeologist. He tries to get out the area every day to see if there is any disturbance. He has also been reaching out to local residents for information. He is concerned about the coastal development in this area which has high archaeological potential. He is also concerned about the proposed natural gas compression station in the adjacent area. He has reached out to an archaeological firm working on that project, but has not heard back from them. He hopes to engage an archaeologist sooner and draft a good research plan.

Mike Driscoll moved to grant Reconnaissance Permit No. 18-001 held by Robert Wells for his Weymouth site with all standard conditions in effect, and the further conditions that the permittee submit a more detailed field methodology plan and that no excavation take place under this permit. Dan Sampson seconded. Unanimous vote in favor. So voted.

4. NEW BUSINESS

A. Gray & Pape, Inc. – Special Use Permit – Boston/Quincy

Vic M reported that Gray & Pape, Inc., had submitted a special use permit application for marine archaeological reconnaissance and geotechnical survey related to the Thompson Island Water Line Replacement in Boston and Quincy. He provisionally Special Use Permit No. 19-001 on 2 May 2019. Mike Tuttle and Kim Smith were present to represent the application.

Mike Tuttle explained this project was for the replacement of the failed water line serving Thompson Island. He reported that they conducted a magnetometer survey last week and plan for their sub-contractor to undertake the coring next week. There was no further discussion.

Anthony Abdal-Khabir moved to grant Special Use Permit No. 19-001 to Gray & Pape, Inc., for marine archaeological reconnaissance and geotechnical survey related to the Thompson Island Water Line Replacement in Boston and Quincy as detailed in the technical proposal accompanying 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. Gary Murad seconded. Unanimous vote in favor. So voted.

B. Neil Good – Reconnaissance Permit – Falmouth/Mashpee

Vic M reported that the Board had received a complete reconnaissance permit application from Neil Good for the area of Waquoit Bay in Falmouth and Mashpee. He reminded the Board that Mr. Good had previously held a reconnaissance permit, No. 00-002, for the identical area from 2000 to 2014. Mr. Good was in attendance to represent the application.

Mr. Good started by describing the Army uses of Washburn Island in the early years of WW II. He showed photographs of the different landing craft and shore facilities, including the wharves and the pontoon bridge. He explained he was also interested in looking at the shoreline change in the bay across all human use of this area. Dan Sampson noted the USGS maintains a database of shoreline maps, with the earliest reference map being 1844.

Gary Murad asked Neil to describe his project goal? Mr. Good responded that his overall goal was to document anything in the bay, and not just the WWII remains. He noted, for example, the Native American artifact, net sinker, recovered from within the bay [photograph included in the application].

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[NB: Audio cassette recording ends at this point.]

Vic M noted the previous permit held by Mr. Good for this area had several special conditions for coordination and communication. He believed those should be updated and included in the permit.

Gary Murad moved to grant reconnaissance permit No.19-002 to Neil Good for his Waquoit Bay site in Falmouth and Mashpee with all standard conditions in effect and the further condition that he coordinate field activities with the Department of Conservation and Recreation (DCR) staff at the Waquoit Bay National Estuarine Research Reserve, maintain regular communication with the DCR State Park Archaeologist, and the Tribal Historic Preservation Offices for the Mashpee Wampanoag Tribe and the Wampanoag Tribe of Gay head/Aquinnah. Mike Driscoll seconded. So voted.

2. DIRECTOR'S REPORT (continued)

B. Bay State Council of Divers

Vic M stated the Bay State Council of Divers (BSC) met on 27 February and 29 May at the South Shore Neptunes Club House in Quincy. The focus of the February meeting was preparation for the Boston Sea Rovers Conference on March 9-10, 2019 and public access issues. The focus of the 29 May meeting was the continuing beach access issue and the September Club Picnic and Treasure Hunt in Gloucester scheduled for 15 September 2019.

C. NOAA Office of Ocean Exploration and Research

Vic M reported that he was in Silver Spring, MD, from March 18-21 to participate as a peer review panelist for NOAA's Office of Ocean Explanation and Research's 2019 Grant Funding opportunity. The panel of about 9 people reviewed 31 proposals in the topics of deep ocean exploration, marine archaeology, and technological innovation. While he was not at liberty to discuss any of the proposals, he said he learned a great deal from the other scientists on the panel. Travel costs were paid by NOAA.

D. North American Society for Oceanic History

Vic M reported that the North American Society for Ocean History held its annual conference in New Bedford, 16–18 May 2019. This conference was held in collaboration with the National Maritime Historical Society, New Bedford Whaling Museum, New Bedford Whaling National Historical Park, and New Bedford Fishing Heritage Center. The conference theme is: “*Connecting the Global and Local: The Sea and Maritime Cities*”. Vic M is co-organizer/co-chair of the conference.

E. Society for Historical Archaeology

Vic M reported that the Society for Historical Archaeology will be holding its annual conference on historical and underwater archaeology in Boston, 8-12 January 2020. The conference theme is “*Revolution*.” Vic M is underwater program co-chair with Dr. Calvin Mires, Bridgewater State University.

4. PUBLIC ENGAGEMENT ACTIVITIES

A. R.S. Peabody Institute of Archaeology

Vic M reported that he was asked to participate in the R.S. Peabody Institute of Archaeology's Family Fun Day on February 21st and April 18th. It was a free public event during the school vacation weeks. He conducted a hands-on writing underwater activity.

B. Boston Sea Rovers Annual Underwater Clinic

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Vic M reported that he participated in the 2019 Boston Sea Rovers Underwater Clinic on March 9 and 10 in Danvers. As with last few years, he had a small display at the Massachusetts Environmental Trust table and assisted at the Trust and Division of Marine Fisheries tables.

C. Middle School STEM Career Night

Vic M reported he participated in the STEM Career Night at the Collins Middle School in Salem on April 9, 6 to 8 PM. He and Dr. Calvin Mires collaborated on this event. They had lead a STEM summer Camp at the school in July 2017.

D. New Bedford Fishing Heritage Center

Vic M reported the New Bedford Fishing Heritage Center will once again host an Unusual Catches Day for fishermen. The event was held at the Center on June 29th from 1-4 PM. The intent was to get active and retired fishermen to bring artifacts they have pulled up while fishing, their "Treasure from the Deep". Vic M noted the Center received a lot of positive feedback for last year's event. The invited panel of experts, John Fish, Dr. Calvin Mires, and Vic M, were on hand to examine these artifacts and provide some insights about their age and function. Vic M described some of the object brought in for identification. The event was open to the public and free.

E. Bridgewater State University (BSU) - Maritime Archaeology Field School

Vic M reported BSU Visiting Professor Dr. Calvin Mires who will be running a maritime archaeology field during the week of June 3-7, 2019 out of BSU's Yarmouth Campus. Dr. Mires will be collaborating with the Board to document the disarticulated shipwreck remains located in Sage Lot Pond, Falmouth. The course is intended to be a starting point for training citizen scientist volunteers on Cape Cod. Vic M noted that on 6 June 2019 both he and David Robinson would be on site.

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

Vic M reported he will again be co-leading a SSU Summer Institute during the week of August 5-9, 2019 with Dr. Calvin Mires and Captain Laurel Seaborn, both of the Seafaring Education and Maritime Archaeological Heritage Program. 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 Vic M with field investigations and outreach events.

Dan Sampson moved to adjourn the meeting at 2:31 PM. Anthony Abdal-Khabir seconded. Unanimous vote in favor. So voted.

Respectfully submitted,

Victor T. Mastone
Director