

**COMMONWEALTH OF MASSACHUSETTS
BOARD OF UNDERWATER ARCHAEOLOGICAL RESOURCES
MINUTES OF PUBLIC MEETING – 5 December 2019**

MEMBERS PRESENT: Michael Driscoll (Designee, Director of DCR Division of Waterways)
Graham McKay (Marine Archaeologist)
Jonathan Patton (Designee of Brona Simon, Executive Director of the Massachusetts Historical Commission)
Dan Sampson (Designee of Lisa Berry Engler, Director of Coastal Zone Management)
John Warner (State Archivist)
Nadia Waski (Designee of Brona Simon, State Archaeologist)

David Robinson, Director (Staff for the Board)

MEMBERS ABSENT: Jack Chapin (Designee of the Director of Environmental Law Enforcement)
Mark McClanan (Dive Community Representative)
Gary Murad (Dive Community Representative)

PROCEEDINGS:

The public meeting of the Massachusetts Board of Underwater Archaeological Resources (BUAR) was convened by the Director, David Robinson (Dave R) at 1:34 PM on 5 December 2019 in the Massachusetts Office of Coastal Zone Management (CZM) Conference Room at 251 Causeway Street in Boston.

1. MINUTES

A. Minutes of September 26, 2019

Dave R asked the Board if there were any comments or corrections to the minutes of the public meeting held on 26 September 2019. There were no comments or corrections to the minutes.

Graham McKay moved to accept the minutes of the 26 September 2019 public meeting. John Warner seconded. Unanimous vote in favor. So voted.

2. DIRECTOR'S REPORT

A. Restoration Project, Inc.

Dave R reported that he spoke with Eloise Newell, Director of the Restoration Project, Inc. on November 4, 2019, to ask if she would be renewing Reconnaissance Permit #10-001. Ms. Newell said that given that the Red Sox had won not one, but four, World Series Championships since Restoration Project, Inc. began their project to lift “the curse of the Bambino” (by finding and recovering Babe Ruth’s piano from Sudbury’s Willis Pond, so that it could then be restored and played at Fenway), that it was probably time to consider their effort a success and to let the permit naturally expire. Ms. Newell thanked the Board and its retired Director, Victor Mastone (Vic M), as well as all of the project’s dedicated volunteers who had helped search for the piano over the years for their support and assistance. She felt that it had been a good project. BUAR concurred. GO SOX!!!

B. Fieldwork

Steep Hill Beach, Ipswich – Dave R reported that he and Vic M examined the remains of the late nineteenth century wooden fishing-schooner turned sand-schooner, *Ada K. Damon*, after the BUAR was alerted last month to its re-exposure by a recent powerful autumn Nor’easter. The 1875 Essex-built Grand Banks fishing schooner was lost during a winter gale on Steep Hill Beach in 1909. *Ada K. Damon’s* wreck-site was the focus of earlier research efforts by BUAR in 2015 and 2016 when they partnered with

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the Seafaring Education and Maritime Archaeological Heritage Program, Salem State University, the National Park Service, the Nautical Archaeology Society, and the PAST Foundation to offer field schools examining the vessel's archaeological remains and the arc of its history. Vic M observed that the shipwreck was more exposed than it had been previously. BUAR took advantage of the wreck's more extensive exposure by "photo-scanning" the wreck-site. Photo-scanning involves taking a series of continuous overlapping photographs that can then be used with computer software, like Agisoft's MetaShape, to create 3D photogrammetric models of sites and objects. A photo Dave R took of the site will be featured in the upcoming issue of *Sea History Magazine's* "Ship Notes, Seaport, and Museum News" section. One of BUAR's goals is to make the Commonwealth's rich maritime history and shipwrecks more accessible to all of the state's citizens, including those who do not dive. A way to achieve that goal is by getting as many of the exempted shipwrecks photo-scanned and modeled as possible, so that the models can be added to the Exempted Wrecks portion of the BUAR website. This is one of several long-term projects that Dave R is currently working on with MA CZM GIS Specialist and BUAR-member, Dan Sampson. In June 2019, Dave R took a week-long course on photogrammetric 3D modeling taught by the world's leading expert Kotaro Yamafune at the Lake Champlain Maritime Museum in Vermont.

Plymouth Harbor, Plymouth - Dave R stated that on September 27 and November 21, BUAR conducted two site visits in North Plymouth where an intact element of a paleocultural landscape is preserved in the intertidal zone of Plymouth Harbor. The area is archaeologically sensitive and at risk of erosion. BUAR is preparing a Massachusetts Historical Commission (MHC) site form for the area that it will be submitting to the MHC later this month.

C. Bay State Council of Divers

Dave R reported that he attended the night meeting of the Bay State Council of Divers on Wednesday October 23, 2019. The main topics of discussion were refining some of the logistical details of the Council's annual Treasure Hunt Competition and Club Picnic, and on-going concerns related to diver access to the water in Rockport and possible ways to begin trying to address it. Dave R offered to give a presentation or presentations to the Rockport community on marine archaeology in Massachusetts and the important roles recreational divers and diving can and do have in underwater research and historic preservation. The Council asked Dave R to prepare a draft talk to give the membership at its next meeting in early 2020. Dave R also informed the Council of BUAR's interest in making Massachusetts's exempted shipwrecks accessible to the non-diving public using 3D photogrammetric models of the sites. Dave R asked the Council if it thought underwater photographers from the Massachusetts recreational diving community would be interested in assisting in that effort and learning about underwater photography methods for 3D modeling. The Council recommended Dave R give a presentation and workshop on photogrammetric methods at the 2020 Boston Sea Rovers Dive Show. Dave R is currently working on a proposal for the presentation and workshop. The 2020 Boston Sea Rovers Dive Show will be held at the DoubleTree by Hilton Boston North Shore, 50 Ferncroft Road, in Danvers, March 7-8.

D. Awards

Dave R reported that on October 18, 2019, he accepted the Eva Butler Scholar Award from the Exeter, Rhode Island-based Tomaquag Museum. The award was presented to him for "his commitment to Native American-led research in marine archaeology to share the history of the Indigenous communities of Southern New England." The award was presented at the museum's Annual Honoring Ceremony and Cultural Showcase held at the University of Rhode Island in Kingston, where David and the other two honorees were also recognized by Rhode Island Governor Raimondo and United States Congressmen Langevin, Reed, and Whitehouse. For the past 18 years, Dave R has worked with Tribes of the region as an advocate for the recognition, identification, and protection of submerged paleocultural landscapes and archaeological sites at risk of damage or destruction from impacts related to offshore activities. As part of this work, he has engaged Tribal communities and built relationships and capacity between Tribes, federal and state agencies, and the scientific community to better enable successful collaboration. The Tomaquag Museum is Rhode Island's only Indigenous museum dedicated to sharing Native culture, arts, and history from a first-person perspective.

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E. Massachusetts Ocean Management Plan Update

Dave R reported that BUAR is working with MA CZM on the most recent updating of the MA Ocean Management Plan (OMP). The MA OMP must be updated every 5 years. Part of the most recent updating effort is related to BUAR's development of an ArcGIS geospatial database of the Commonwealth's shipwrecks. MCZM GIS/Data Manager and BUAR member, Dan Sampson (Dan S), has been working on this aspect of the updated ocean management plan and provided a summary of what he's been working on along with a handout. Dan S has created a working draft geospatial database using publicly-available shipwreck information derived from seven different sources. This new database inventories approximately 2,400 reported shipwrecks in MA waters. Next steps, which could take several years to complete, will involve adding data from BUAR's paper archives and making the database's attribute tables for individual wrecks more robust. Nadia Waski asked if the database was live and available online yet and whether survey areas would be included in it? Jonathan Patton then asked if the database would also cover inland waters within BUAR's jurisdiction? Graham McKay asked if the database would be publicly accessible? Dan S stated that the database was not yet live and online. Dave R stated that he envisions the BUAR's underwater archaeological resources geospatial database will eventually include survey areas and inland waters and be similar to and integrate well with the MA Historical Commission's (MHC) MACRIS geospatial database, once it does go online. Dan S stated that he envisions "inward-" and "outward-facing" versions of the database with some information being publicly available and other information being password-protected, similar to the way MACRIS is accessed. Dave R asked Nadia Waski and Jonathan Patton, who work at MHC, if they felt the MACRIS public/password protected interface system has been successful and administratively effective? They confirmed that it has been. Dave R reported that he is developing BUAR underwater archaeological site forms, and that specific site information for populating them and the database is now being recorded by BUAR whenever a newly-discovered underwater archaeological site is reported.

3. BOARD MEMBER REPORTS

There were no Board member reports.

4. PUBLIC ENGAGEMENT ACTIVITIES

A. Massachusetts Archaeological Society Annual Meeting

Dave R reported that he presented "Archaeology of Submerged Paleocultural Landscapes in Southern New England: Observations from Recent Experiences and Recommendations for Future Directions" at the Annual Meeting of the Massachusetts Archaeological Society in Middleborough on November 16, 2019. Dave R noted that the meeting was well-attended with about 50 people in the audience.

B. National Native American Heritage Month Presentation

Dave R reported that in recognition of National Native American Heritage Month in November, he gave an invited talk and webinar with University of RI-Graduate School of Oceanography faculty, Dr. John King, on their recently completed Submerged Paleocultural Landscapes Project. The presentation was given at the NOAA Greater Atlantic Region Fisheries Office during their Equal Employment Opportunity/Diversity Action Committee meeting on November 19, 2019. A significant element of the project was Tribal engagement and collaboration in all aspects of the project, from research design development to field data acquisition, processing, analysis, and interpretation, and public education.

C. School Programs

Dave R reported that on January 14, 2020, BUAR will be conducting an invited school visit program on the underwater archaeology of the Nipmuc Nation's "Project Mishoon" at Vinson Owen

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Elementary School, Winchester. BUAR is also working on developing the content and schedule for an after-school STEM program on underwater archaeology at Chenery Middle School in Belmont, MA, as part of the Belmont After School Enrichment Collaborative.

D. Society for Historical Archaeology (SHA)/Advisory Council on Underwater Archaeology (ACUA) Annual Conference

Dave R reported that the 2020 SHA/ACUA's annual conference is being held in Boston on January 8-11 and that he will be presenting in this year's ACUA Underwater Cultural Heritage Workshop. The workshop is designed to introduce non-specialist participants to underwater archaeology, its different investigative techniques, international best practices, and associated existing legislation.

5. OLD BUSINESS

Dave R noted that the Board at its previous public meeting had voted to administratively extend the expiration dates for three permits held by William Bradbury, Joseph Dietlin, and Kenneth Medeiros, as they would have expired prior to today's December 5, 2019 meeting. These permits were previously renewed on 29 November 2018 and thus would have expired on 29 November 2019. The Board did not meet in November, because of the Thanksgiving Holiday. At the previous meeting, the Board also voted to extend three other permits, two held by Gary Esper, and one held by the Public Archaeology, Laboratory, Inc. The Board considered and voted on the renewals of each of these six permits.

A. William Bradbury

Dave R reported that William Bradbury had submitted his Reconnaissance Permit renewal application, fee and Annual Report in accordance with the Board's regulations. Mr. Bradbury, who attended the meeting, gave a brief presentation on the long history and challenges of his permitted work on his Annisquam site.

Graham McKay moved to grant renewal of Reconnaissance Permit No. 87-002 held by Mr. William Bradbury for his Gloucester (Annisquam) site with all standard conditions in effect. Michael Driscoll seconded. Unanimous vote in favor. So voted.

B. Joseph K. Dietlin

Dave R reported that Joseph K. Dietlin had submitted his Excavation Permit renewal application, fee and Annual Report in accordance with the Board's regulations. Mr. Dietlin, who attended the meeting, gave a brief presentation summarizing his research on his Salem site to date and plans for the coming year.

Dan Sampson moved to grant renewal of Excavation Permit No. 00-003 held by Joseph K. Dietlin for his Salem site with all standard and special conditions in effect. John Warner seconded. Unanimous vote in favor. So voted.

C. Gary Esper

Dave R reported that the two permits held by Gary Esper were up for renewal and modification. One for an Excavation Permit in the Town of Eastham that Mr. Esper wants to modify to a Reconnaissance Permit (Permit No. 12-005) and the other a Reconnaissance Permit in the Town of Wellfleet that Mr. Esper wants to modify to an Excavation Permit (Permit No. 12-006). Mr. Esper, who attended the meeting, gave a brief presentation summarizing his activities on his Eastham and Wellfleet sites and his reasons for wanting to modify the permits.

Dave R reported that Mr. Esper had submitted his Reconnaissance and Excavation Permit renewal applications, fees and annual reports in accordance with the Board's regulations for both permits.

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Michael Driscoll moved to grant renewal and modification of Excavation Permit No. 12-005 to Reconnaissance Permit No. 12-005 held by Gary Esper for his Eastham site with all standard conditions in effect, and to grant renewal and modification of Reconnaissance Permit No. 12-006 to Excavation Permit No. 12-006 held by Gary Esper for his Wellfleet site with all standard and special conditions in effect, and with the further condition that the permittee coordinate all field activities with the staff of the Cape Cod National Seashore. Jonathan Patton seconded. Unanimous vote in favor. So voted.

D. Kenneth J. Medeiros

Dave R reported that Kenneth Medeiros had submitted his Reconnaissance Permit renewal application, fee and Annual Report in accordance with the Board's regulations.

Michael Driscoll moved to grant renewal of Reconnaissance Permit No. 07-003 held by Kenneth J. Medeiros for his Duxbury site with all standard conditions in effect. Nadia Waski seconded. Unanimous vote in favor. So voted.

E. Public Archaeology Laboratory, Inc.

Dave R reported that Public Archaeology Laboratory, Inc. had submitted its Special Use Permit renewal application and Annual Report in accordance with the Board's regulations.

Michael Driscoll moved to grant renewal of Special Use Permit.16-003 held by the Public Archaeology Laboratory, Inc. for the New Bedford Harbor Superfund Site with all standard conditions in effect. John Warner seconded. Unanimous vote in favor. So voted.

6. NEW BUSINESS

A. Archaeological and Historical Services, Inc. (AHS)

Dave R reported that Archaeological and Historical Services, Inc (AHS) had submitted a Special Use Permit application for reconnaissance archaeological survey of underwater area using a combination of visual inspections, probing, and systematic survey with ground-penetrating radar (GPR) deployed from a small boat. The survey was proposed as part of the Mill Pond Restoration Project along the Marston's Mill River in Barnstable. BUAR provisionally granted Special Use Permit No. 19-005 on July 17, 2019, but the application was accidentally left off the agenda for consideration at the September 26, 2019 meeting of the Board.

Michael Driscoll moved to grant Special Use Permit No. 19-005 to AHS for reconnaissance archaeological survey of the project's underwater area using a combination of visual inspections, probing, and systematic survey with ground-penetrating radar (GPR) deployed from a small boat as part of the Mill Pond Restoration Project along the Marston's Mill River in Barnstable, as detailed in the technical proposal accompanying the application, with all standard conditions in effect and the further condition that AHS submit its research design and methodology to the State Historic Preservation Office (SHPO) for review. John Warner seconded. Unanimous vote in favor. So voted.

B. SEARCH, Inc.

At the previous Board meeting, the Board moved and voted unanimously to table consideration of a motion to approve Special Use Permit No. 19-004 for marine archaeological reconnaissance/assessment and geotechnical survey in Rockport, Gloucester, Manchester-by-the-Sea, Beverly, Salem, Marblehead, Swampscott, Lynn and Nahant as detailed in the research design and map accompanying the application for AMITIE Subsea Cable System Project Archaeological Assessment until the Board's concerns were addressed and the further conditions were met in writing.

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Specifically, these conditions were that SEARCH, Inc. provide the Board:

1. written confirmation that SEARCH, Inc.'s research design was not being modified, and a qualified staff person was either still involved in the project or had been replaced with a similarly qualified person, accompanied by a resume for this new project team member;
2. for activities subject to review under Section 106 of the National Historic Preservation Act, SEARCH, Inc. submit its research design and methodology to the State Historic Preservation Office (SHPO) for review; and
3. further, SEARCH, Inc. submit its research design and methodology to the Massachusetts Historical Commission for review.

Once this information was received from SEARCH, Inc., the Board agreed that it would take up consideration of the permit's approval.

Dave R reported that SEARCH, INC. submitted written confirmation on October 7, 2019 that met Condition 1, but that it did not at that time provide confirmation that Conditions 2 and 3 had been met. The Board wrote to SEARCH, Inc. on November 18, 2019 asking for confirmation that Conditions 2 and 3 would be met and for the names of SEARCH, Inc.'s qualified marine archaeological staff who would be assigned to the AMITIE Subsea Cable System Project. SEARCH, Inc. responded on November 25, 2019, stating that Dr. Michael Faught and Mr. Ben Wells of their staff would be assigned to the project and that "the research design and methodology have been forwarded to the State Historic Preservation Office and Massachusetts Historical Commission." The Board received confirmation on December 4, 2019 from the State Historic Preservation Office and Massachusetts Historical Commission that they had received SEARCH, Inc.'s research design and methodology, thus meeting the Board's conditions for continuing consideration of SEARCH, Inc.'s application.

Dan Sampson moved to take from the table consideration of a motion to approve Special Use Permit No. 19-004 for marine archaeological reconnaissance/assessment and geotechnical survey in Rockport, Gloucester, Manchester-by-the-Sea, Beverly, Salem, Marblehead, Swampscott, Lynn and Nahant as detailed in the research design and map accompanying the application for AMITIE Subsea Cable System Project Archaeological Assessment. John Warner seconded. Unanimous vote in favor. So voted.

Dave R reported that having addressed the Board's concerns and met the Board's further conditions in writing as specified, SEARCH, Inc. had submitted a Special Use Permit application to the Board to conduct a marine archaeological reconnaissance/assessment and geotechnical survey in Rockport, Gloucester, Manchester-by-the-Sea, Beverly, Salem, Marblehead, Swampscott, Lynn, and Nahant as detailed in the research design and map accompanying the application they submitted for the AMITIE Subsea Cable System Project Archaeological Assessment.

Dan Sampson moved to grant Special Use Permit No. 19-004 for marine archaeological reconnaissance/assessment and geotechnical survey in Rockport, Gloucester, Manchester-by-the-Sea, Beverly, Salem, Marblehead, Swampscott, Lynn and Nahant as detailed in the research design and map accompanying the application for AMITIE Subsea Cable System Project Archaeological Assessment. Michael Driscoll seconded. Unanimous vote in favor. So voted.

C. Director's Position

Dave R informed the Board that the December meeting is the regular time when the Board must elect someone to the position of the Board's Director for the next year's term, which begins January 1 and ends December 31, 2020. He noted that the Board's past practice is for its staff to serve in this capacity.

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John Warner moved to elect David S. Robinson as Director of the Board for 2020 term, effective from the close of the 2019 term on December 31, 2019 and the January 1 start of the 2020 term until its end on December 31, 2020. Dan Sampson seconded. Unanimous vote in favor. So voted.

Dave R noted that the next scheduled public meeting of the Board will be 1:30 pm at 251 Causeway Street on Thursday, January 30, 2020.

Dave R thanked the Board for their service to the Commonwealth in 2019, and for continuing to put their faith in his ability to fulfill the role of Director. Dave R wished everyone a joyous holiday season and happy and healthy 2020.

Graham McKay moved to adjourn the meeting at 2:30 PM. Nadia Waski seconded. Unanimous vote in favor. So voted.

Respectfully submitted,

David S. Robinson
Director