

**COMMONWEALTH OF MASSACHUSETTS
BOARD OF UNDERWATER ARCHAEOLOGICAL RESOURCES
FINAL MINUTES OF PUBLIC MEETING – 17 December 2021**

MEMBERS PRESENT (ROLL CALL):

Michael Driscoll (Designee of Stephanie Cooper, Acting Commissioner of Department of Conservation Resources Division Waterways)
Vincent Malkoski (Dive Community Representative [Organization] [Gubernatorial appointment])
Mark McClanan (Dive Community Representative [At-Large] [Gubernatorial appointment])
Graham McKay (Marine Archaeologist [Gubernatorial appointment])
Dan Sampson (Designee of Lisa Engler, Director of Coastal Zone Management)
John Warner (State Archivist)

David Robinson, Director (Staff for the Board)

MEMBERS ABSENT:

Jack Chapin (Designee of Colonel Shaun Santos, Director of Environmental Law Enforcement)
Brona Simon's Designee (State Archaeologist)
Brona Simon's Designee (Executive Director of the Massachusetts Historical Commission)

PROCEEDINGS:

This virtual public meeting of the Massachusetts Board of Underwater Archaeological Resources (BUAR or Board) was convened by its Director, David Robinson (Dave R), with the assistance of co-host and MassBays Executive Director, Pam DiBona, at 12:30 PM on December 17, 2021, with a quorum of six (6) current members of the BUAR in attendance. The meeting was rescheduled from its originally scheduled and canceled December 2, 2021 date.

Dave R stated that the purpose of this regularly-scheduled public meeting was to conduct the BUAR's business requiring the involvement of the full Board.

Items on today's agenda included:

- Approval of the September 30, 2021 BUAR meeting's minutes
- Director's report
- Board Member reports
- Summary of the BUAR's Public Engagement Activities
- Old Business, and
- New Business.

Dave R explained that BUAR staff have been working remotely since March 16, 2020 due to the COVID-19 pandemic. All BUAR business and communications are currently being conducted primarily via email, supplemented by virtual meetings, limited phone calls, "hard-copy" mailings, and weekly transmittals of BUAR mail from MA Coastal Zone Management's (CZM) offices to BUAR's remote work location. Holding BUAR's meetings virtually through publicly-available internet-based "Zoom" technology as an alternative means of meeting was authorized by Governor Baker's March 12, 2020 "Order Suspending Certain Provisions of the Open Meeting Law" (Massachusetts General Law [MGL] c. 30A, s. 20), and extended in perpetuity on June 16, 2021 with the Governor's signing into law "An Act Relative to Extending Certain COVID-19 Measures Adopted During the State of Emergency" (MGL c. 20, s. 20). Votes during virtual meetings are taken through a roll call, as required by MGL c. 30A, ss. 18-25. Virtual-meeting ground-rules and new security precautions were reviewed by Dave R, and all of the Board members, permittees, and members of the public were welcomed to the meeting.

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1. MINUTES

A. Minutes of the September 30, 2021 Meeting of the Board

Dave R asked if the Board had any comments or corrections to the revised draft minutes of the Board's public meeting of September 30, 2021. There were no additional comments or corrections to the minutes.

Vin Malkoski moved to accept the minutes of the September 30, 2021 public meeting as written. Dan Sampson seconded. Unanimous vote in favor by a roll-call vote. So voted.

2. DIRECTOR'S REPORT

A. Elections of Board Officers

Dave R stated that the Board annually elects its two officers (Director and Deputy Director) at its December meeting. Dave R reminded the Board members that they can nominate whoever they would like, and noted that the Board's past practice has been to consider and nominate its staff for these positions to facilitate administration. Prior to 2010, the Deputy Director position had been held by Board staff as well. Backfilling this other staff position does not appear likely to happen in the foreseeable future. To date, the Board has not yet held a meeting when Dave R or his predecessor (Victor Mastone), could not be in attendance. For 2021, David Robinson served as the Board's Director, and the Board's Deputy Director position was held by Board member, Dan Sampson (designee of Lisa Engler, Director of CZM). Dave R asked the Board for nominations for the Director and Deputy Director positions for the period beginning January 1 and ending December 31, 2022.

Vin Malkoski nominated David Robinson for the position of Director and Dan Sampson as Deputy Director of the Board. John Warner seconded the nominations.

Vin Malkoski moved to elect David Robinson as Director and Dan Sampson as Deputy Director of the Board for 2022. John Warner seconded. There was no further discussion. Unanimous in favor by a roll-call vote. So voted.

B. Schedule of Board Meetings for 2022

Dave R proposed a continuation of the bi-monthly schedule of regular public meetings in 2022 and reminded the Board that this schedule does not preclude it from holding additional public meetings if there is a need. In addition, he asked the Board to consider not scheduling regular meetings in June, July, and August, as it has proven in the past to be difficult to achieve a quorum during the summer months. Dave R proposed scheduling meetings in 2022 for January 27, March 31, May 26, September 29, and December 1, as the last Thursday of November is Thanksgiving. Dave R recommended that the Board consider and plan to vote at its next (January 27, 2022) meeting on whether or not to continue conducting the Board's meetings remotely or to transition back to the pre-pandemic in-person format. Dave R noted that an additional consideration was the pending movement of BUAR's physical office location to the MA Division of Marine Fisheries (DMF's) New Bedford offices at 836 South Rodney French Boulevard in early 2022, and the possibility of holding in-person meetings there.

Vin Malkoski moved to adopt the dates of January 27, March 31, May 26, September 29, and December 1 as the Board's schedule of public meetings for 2022. Mark McClanan seconded. Unanimous in favor by a roll-call vote. So voted.

*****Change in the Order of Business**

Due to the meeting's very full agenda, as Chair, Dave R changed the order of business and moved directly to the agenda's Old Business and New Business action items. These agenda items were then

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followed by the remainder of the Director's Report, Board Member Reports, and a summary of the Board's Public Engagement Activities since its September 30, 2021 meeting.

4. OLD BUSINESS

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

Dave R reported that Archaeological and Historical Services, Inc.'s (AHS's) Special Use Permit (19-005) for the Mill Pond Improvements project area at Marston Mills in Barnstable was up for renewal. AHS had submitted a complete renewal application and Annual Report in accordance with the Board's regulations for consideration at BUAR's canceled December 2, 2021 meeting. Dave R, as the Board's Director, administratively extended the expiration date of AHS's permit until this meeting. AHS's Dr. David Leslie was present to represent this permit.

Dave R summarized for the Board the survey's results, recommendations, and current status. Dave R noted that AHS's 2020 underwater geoarchaeological reconnaissance survey with ground penetrating radar (GPR) represented an innovative and effective shallow-water geo-archaeological survey approach that had proven to be successful at identifying evidence of submerged and buried river terraces, as well as an underwater geomorphological feature or submerged post-contact period structure, with pre- and post-contact period archaeological sensitivity. Dave R reported that the Board's staff had reviewed and concurred with the findings and recommendations of AHS's technical report, and recommended AHS develop a formal unanticipated discovery plan conforming with BUAR's published *Policy Guidance for the Discovery of Unanticipated Underwater Archaeological Resources* for the project. AHS had requested renewal of this permit to address any unanticipated discoveries that could happen during project construction. Dr. Leslie commented he was pleased with the survey's results and noted that GPR is an inexpensive alternative to traditional marine survey techniques that is particularly effective in shallow, fresh water environments. There was no further discussion.

Michael Driscoll moved to renew AHS's Special Use Permit (19-005) for their Mill Pond Improvements project area at Marston Mills in Barnstable with all standard and special conditions in effect. The permit period is for one year and expires December 17, 2022. Vin Malkoski seconded. Unanimous in favor by a roll-call vote. So voted.

B. Joseph K. Dietlin

Dave R reported that Joseph K. Dietlin's Reconnaissance Permit (00-003) for his Salem Sound site was up for renewal. Mr. Dietlin had submitted a complete renewal application, fee, and annual report in accordance with the Board's regulations for consideration at BUAR's canceled December 2, 2021 meeting. Dave R, as the Board's Director, administratively extended the expiration date of Mr. Dietlin's permit until this meeting. Mr. Dietlin was not in attendance to represent this permit.

Dave R noted that in his renewal application, Mr. Dietlin reported that his project team had conducted metal detector diver surveys over the past year around the northeast corner of Southern Gooseberry Island and had worked their way away from the island in a southeasterly direction towards the Dry Breakers. Mr. Dietlin believes this area has a high probability of containing the remains of the vessel *Margaret*, based on a survivor's (James Lamb's) account of the sinking. There was no further discussion.

Graham McKay moved to renew Joseph K. Dietlin's Reconnaissance Permit (00-003) for his Salem Sound site with all standard and special conditions in effect. The permit period is for one year expiring December 17, 2022. Mike Driscoll seconded. Unanimous in favor by a roll-call vote. So voted.

C. Gary Esper (Wellfleet/Eastham Site)

Dave R reported that Gary Esper's Reconnaissance Permit (12-005) for his Wellfleet/Eastham site was up for renewal. Mr. Esper had submitted a complete renewal application, fee, and annual report in accordance with the Board's regulations for consideration at BUAR's canceled December 2, 2021 meeting.

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Dave R, as the Board's Director, administratively extended the expiration date of Mr. Esper's permit until this meeting.

Mr. Esper was in attendance to represent this permit. He reported that no fieldwork was conducted in this permit area over the past year; however, he anticipates conducting a marine magnetometer survey of the area in 2022. Mr. Esper also reported that he renewed his National Park Service (NPS) Research Permit for 2022, allowing him to conduct BUAR-permitted remote sensing and archaeological survey to determine the nature and extent of the resource(s) and to analyze the archaeological and historical significance of the resource within the Cape Cod National Seashore (CACO) portion of his permit area (i.e., within one-quarter mile of shore) until the permit's expiration in December 2022. Mr. Esper noted that his US Army Corps of Engineers permit would also be current in 2022. There was no further discussion.

Vin Malkoski moved to renew Gary Esper's Reconnaissance Permit (12-005) for the exploration and inspection of underwater archaeological resource(s) at his Wellfleet/Eastham site with all standard and special conditions in effect, including that Mr. Esper coordinates all field activities with the staffs of the Cape Cod National Seashore and NPS regional office and that any recovered objects may not be removed from the Commonwealth of Massachusetts without prior approval of the Board's staff. The duration of this permit shall be one year from the date of issuance with its expiration date as December 17, 2022. Mike Driscoll seconded. Unanimous in favor by a roll-call vote. So voted.

D. Gary Esper (Eastham Site)

Dave R reported that Gary Esper's Excavation Permit (12-006) for his Eastham site was up for renewal. Mr. Esper submitted a complete renewal application, fee, an annual report, and monthly reports for project field activities that he conducted in September and October 2021, in accordance with the Board's regulations for consideration at BUAR's canceled December 2, 2021 meeting. Dave R, as the Board's Director, administratively extended the expiration date of Mr. Esper's permit until this meeting.

Mr. Esper was in attendance to represent this permit. He reported that fieldwork was conducted in this permit area on September 5 and 6, and on October 9, 2021. This fieldwork involved surveying a previously identified magnetometer anomaly location using a J.W. Fisher "8-x-48" metal detector coil to try to relocate the anomaly, so that its location could then be subjected to sub-surface investigation with a diver-operated jet-probe. None of these three field survey efforts proved successful in relocating the magnetic anomaly. Consequently, Mr. Esper plans to conduct a new magnetometer survey of the area this winter. Mr. Esper noted that the permit area is a very hard place to get out to and work because of sea and tidal conditions that can make it difficult to get in/out of Nauset Inlet. He added that underwater visibility had been bad when they visited the site this Fall. Mr. Esper also reported that he had coordinated with the NPS's CACO and regional office staffs to renew his NPS Research Permit for 2022, allowing him to conduct BUAR-permitted remote sensing and archaeological survey to determine the nature and extent of the resource(s) and to analyze the archaeological and historical significance of the resource within the CACO portion of his permit area. Mr. Esper also noted that his US Army Corps of Engineers permit would be current in 2022, as well. There was no further discussion.

Mike Driscoll moved to renew Gary Esper's Excavation Permit (12-006) for the exploration, excavation, and recovery of underwater archaeological resource(s) at his Eastham site with all standard and special conditions in effect, including that Mr. Esper coordinates all field activities with the staffs of the Cape Cod National Seashore and NPS regional office that any recovered objects may not be removed from the Commonwealth of Massachusetts without prior approval of the Board's staff. The duration of this permit shall be one year from the date of issuance with its expiration date as December 17, 2022. Vin Malkoski seconded. Unanimous in favor by a roll-call vote. So voted.

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E. Gray & Pape, Inc. – Special Use Permit (17-003) Vineyard Wind Export Cable Project Area - Barnstable, Martha's Vineyard, Nantucket, and Yarmouth - Extensions and Renewal (without Vineyard Wind South)

Dave R reported that Gray & Pape, Inc.'s Special Use Permit (17-003) for their Vineyard Wind Export Cable Project survey area in Barnstable, Martha's Vineyard, Nantucket, and Yarmouth was up for renewal. Dave R reminded the Board of its previous discussion during its January 38, 2021 public meeting about whether or not it should issue separate Special Use Permits to Gray & Pape, Inc. for their archaeological investigations of the state waters portions of the combined and overlapping "Vineyard Wind 1" and "Vineyard Wind 2" (previously called "Vineyard Wind-South") Offshore Export Cable Corridor (OECC) Project Envelope encompassing both Vineyard Wind-owned projects. Dave R noted that it was BUAR's initial preference to treat the two project surveys separately and issue separate Special Use Permits to Gray & Pape, Inc. for their survey of each project's separate APE, in order to make tracking the projects administratively cleaner. Dave R also noted that the Board's Special Use Permits are distinctly different than its Reconnaissance and Excavation permits. Issuance of BUAR Special Use Permits is restricted to qualified archaeologists for the purpose of conducting underwater archaeological investigations associated with a project's environmental review and public planning purposes, or for other scientific research. Further, all underwater archaeological resources identified during Special Use Permitted activities remain the property of the Commonwealth.

While issuing separate permits was BUAR's initial preference, because: a) micro-siting of the specific project OECC APEs for both projects was not yet finally defined within the limits of the single Vineyard Wind OECC Project Envelope encompassing both projects' OECC APEs; b) Gray & Pape, Inc. already was permitted by BUAR (Special Use Permit [17-003]) to survey the entirety of the state waters portion of the Vineyard Wind OECC Project Envelope encompassing both projects' OECC APEs; and c) both projects were owned by Vineyard Wind, the Board decided the simplest permitting approach was for Gray & Pape, Inc.'s surveys for both projects to be conducted under the single BUAR Special Use Permit (17-003) with separate reporting prepared for each project's survey results and recommendations as they became available and as part of the permit's annual reporting.

Dave R reported that on September 22, 2021, the Board's staff was contacted via email by Vineyard Wind's consultant, Geo SubSea Consulting, who requested a meeting with BUAR on Vineyard Wind's behalf to discuss: a) what were then pending changes in the Vineyard Wind 2/Vineyard Wind-South Project's ownership, funding, and project name; and b) a request by Vineyard Wind to separate Gray & Pape, Inc.'s Special Use Permit (17-003) area for the Vineyard Wind 1 and Vineyard Wind 2/Vineyard Wind-South projects' OECC into two different permits. The first permit would be the existing Special Use Permit (17-003) for the original Vineyard Wind 1 project OECC state waters APE. The second permit would be a new Special Use Permit for the Vineyard Wind 2/Vineyard Wind-South Project OECC state waters APE, a project which was being renamed "New England Wind" and its ownership transferring from Vineyard Wind to Park City Wind, LLC (a wholly owned subsidiary of Avangrid Renewables, LLC).

A remote-access meeting between Vineyard Wind, BUAR, and Geo SubSea Consulting staff was held on September 23, 2021. The Board's staff acknowledged and agreed that the pending changes in the ownership of the Vineyard Wind 2/Vineyard Wind-South project necessitated making Vineyard Wind's requested changes to the Board's permitting of the archaeological surveys for both projects, despite the other considerations (i.e., both projects in the same area being surveyed in methodologically identical ways by the same archaeological consultant).

In light of this pending transition, Dave R reported that on September 26, 2021, he, as the Board's Director, issued a provisional extension of the expiration date of Gray & Pape, Inc.'s Special Use Permit (17-003) for the Vineyard Wind (and Vineyard Wind 2/Vineyard Wind-South) Export Cable Project survey area in Barnstable, Martha's Vineyard, Nantucket, and Yarmouth to December 2, 2021. This requested extension was inadvertently excluded from the agenda for the Board's consideration and formal approval at the September 30, 2021 Board meeting. Without this provisional extension, Gray & Pape, Inc.'s Special Use Permit (17-003) would have expired naturally on September 30, 2021. Due to the cancellation of BUAR's December 2, 2021 meeting, Dave R, as the Board's Director, administratively extended the permit's

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expiration date again until the Board's next meeting (this meeting). With the extended expiration date, Gray & Pape, Inc.'s Special Use Permit (17-003) for their Vineyard Wind Export Cable Project survey area in Barnstable, Martha's Vineyard, Nantucket, and Yarmouth was up for renewal. Gray & Pape, Inc. submitted a complete renewal application and annual report for consideration at the Board's canceled December 2, 2021 meeting. The annual report covers both the Vineyard Wind 1 and Vineyard Wind 2/Vineyard Wind-South projects encompassed within Gray & Pape, Inc.'s Special Use Permit (17-003) area. This permit renewal application was for the archaeological survey that is exclusive to the Vineyard Wind 1 project's state waters OECC APE and no longer includes the Vineyard Wind 2/Vineyard Wind-South project's state waters OECC APE. Kim Smith of Gray & Pape, Inc. was in attendance to represent this permit. There was no further discussion.

John Warner moved to renew Gray & Pape, Inc.'s Special Use Permit (17-003) for their Vineyard Wind 1 Project's OECC APE survey area in Barnstable, Martha's Vineyard, Nantucket, and Yarmouth (exclusive of the Vineyard Wind 2/Vineyard Wind-South project's state waters OECC APE), with all of the standard and special conditions in effect, for the period of one year, retroactive to September 30, 2021, with its expiration date as September 30, 2022. Vin Malkoski seconded. Unanimous in favor by a roll-call vote. So voted.

F. Gray & Pape, Inc. – Special Use Permit (17-003) - Vineyard Wind Export Cable Project, Barnstable, Martha's Vineyard, Nantucket, and Yarmouth – Permit Scope Modification

Dave R reported that Gray & Pape, Inc. had requested modification to the scope of their Special Use Permit (17-003) to include mitigation activities as outlined in the Vineyard Wind 1 Mitigation Plan agreed upon in the April 26, 2021 Memorandum of Agreement (MOA) executed between the Bureau of Ocean Energy Management (BOEM), the MA State Historic Preservation Officer (MA SHPO), Vineyard Wind, and the federal Advisory Council on Historic Preservation (ACHP). On September 11, 2021, Dave R, as the Board's Director, provisionally approved Gray & Pape, Inc.'s requested modification. Activities allowed under this permit modification include archaeological reconnaissance and remote sensing, video documentation, grab sample collection, and vibracore sampling in the permit area to determine the presence or absence of potential submerged archaeological resources and undertake necessary recovery and documentation of these resources in the permit area, in accordance with Board directives, standard conditions, and as outlined in the Vineyard Wind 1 project's Mitigation Plan. This provisionally approved modification to Gray & Pape, Inc.'s Special Use Permit (17-003) was before the Board for its consideration for formal approval. Kim Smith of Gray & Pape, Inc. was in attendance to represent this permit. There was no further discussion.

Mike Driscoll moved to grant Gray & Pape, Inc. its requested modification to the scope of Special Use Permit (17-003) to include mitigation activities as outlined in the Vineyard Wind 1 Mitigation Plan for their Vineyard Wind 1 Project's OECC APE survey area in Barnstable, Martha's Vineyard, Nantucket, and Yarmouth, with all standard and special conditions in effect. Vin Malkoski seconded. Unanimous in favor by a roll-call vote. So voted.

G. Gray & Pape, Inc. – Special Use Permit (21-004) - Eversource Energy #91 Replacement Submarine Cable Project - Permit Area Modification

Dave R reported that on October 7, 2021, Gray & Pape, Inc. had requested a modification to their Special Use Permit (21-004) area for the Eversource Energy #91 Replacement Submarine Cable Project area located in Vineyard Sound between Falmouth and Tisbury, to accommodate adjustments made to the proposed route of the replacement submarine cable project area by the project proponent. Special Use Permit (21-004) was granted to Gray & Pape, Inc. by the Board at its September 30, 2021 public meeting. A detailed map and set of coordinates for the modification were submitted to the Board as part of Gray & Pape, Inc.'s modification request. Dave R, as the Board's Director, provisionally approved Gray & Pape, Inc.'s modification request on October 8, 2021. This provisionally approved modification request was before the Board for its consideration for formal approval. Kim Smith of Gray & Pape, Inc. was in attendance to represent this permit. There was no further discussion.

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Mike Driscoll moved to approve the modification to the location and extent of Gray & Pape's Special Use Permit (21-004) area for the Eversource Energy #91 Replacement Submarine Cable Project in Vineyard Sound between Falmouth and Tisbury, with all standard and special conditions in effect. Vin Malkoski seconded. Unanimous in favor by a roll-call vote. So voted.

H. Kenneth J. Medeiros

Dave R reported that Kenneth J. Medeiros's Reconnaissance Permit (07-003) for his Duxbury site was up for renewal. While Mr. Medeiros had not submitted his renewal application, he had communicated with the Board's staff via email, said that he intended to renew, and requested an extension. It has been the Board's practice to grant up to two extensions in a given permit year under these circumstances. This would be the first extension for this permit this year. Mr. Medeiros was not in attendance to represent this permit. There was no further discussion.

Mike Driscoll moved to extend the expiration date of Kenneth J. Medeiros's Reconnaissance Permit (07-003) for his Duxbury site until the Board's next regularly scheduled meeting on January 2, 2022, with all standard and special conditions in effect. John Warner seconded. Unanimous in favor by a roll-call vote. So voted.

I. North Atlantic Dive Expeditions (Heather Knowles)

Dave R reported that North Atlantic Dive Expeditions (NADE) Reconnaissance Permit (17-004) for their Gloucester site was up for renewal. The Board had voted to extend the expiration date of NADE's permit a second and final time at its September 30, 2021 meeting to December 2, 2021. NADE had submitted for the Board's consideration a completed renewal application, fee and Annual Report in accordance with the Board's regulations for consideration at BUAR's canceled December 2 2021 meeting. Dave R, as the Board's Director, administratively extended the expiration date of NADE's permit until this meeting. In their annual report, NADE noted that while no fieldwork was undertaken on the site over the past year due to COVID- and weather-related constraints, NADE's project team had focused their efforts, instead, on public engagement and had presented on the project at a meeting of The Explorers Club's in New York City on November 13, 2021. Ms. Knowles was not in attendance to represent this permit. There was no discussion.

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Vin Malkoski moved to renew North Atlantic Dive Expeditions' Reconnaissance Permit (17-004) for their Gloucester Site, with all standard and special conditions, for the period of one year, retroactive to May 27, 2021, with its expiration as May 27, 2022. Mike Driscoll seconded. Unanimous in favor by a roll-call vote. So voted.

J. SEARCH, Inc.

Dave R reported that SEARCH, Inc.'s Special Use Permit (19-004) for their marine archaeological assessment survey of the Amitie Submarine Cable project area in Rockport, Gloucester, Manchester-by-the-Sea, Beverly, Salem, Marblehead, Swampscott, Lynn, and Nahant was set to expire on December 2, 2021. SEARCH, Inc. had completed their reconnaissance survey and submitted their revised project technical report to BUAR for their review and comment in January 2021. The Board's staff reviewed and commented on the report and concurred with its findings and recommendations in a letter sent to SEARCH, Inc. on February 10, 2021. SEARCH, Inc. wants to keep this permit open, so that any unanticipated discoveries that may occur during the project's construction may be addressed under it.

Due to the cancelation of BUAR's December 2, 2021 meeting, Dave R, as the Board's Director, administratively extended the expiration date of the permit until December 17, 2021. SEARCH, Inc. has requested an extension of this permit's expiration date until the Board's next regularly scheduled public meeting on January 27, 2022.

It has been the Board's practice to grant up to two extensions within a permit year. This will be the first extension for this permit this year. SEARCH, Inc. has already submitted their complete renewal

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application and annual report for consideration at the Board's January 27, 2022 meeting. SEARCH, Inc.'s Dr. Bleichner was in attendance to represent this permit. There was no further discussion.

Mike Driscoll moved to extend the expiration date of SEARCH, Inc.'s Special Use Permit (19-004) for their Amittie Submarine Cable project area in Rockport, Gloucester, Manchester-by-the-Sea, Beverly, Salem, Marblehead, Swampscott, Lynn, and Nahant, with all standard and special conditions in effect, until the Board's next regularly scheduled public meeting on January 27, 2022. Vin Malkoski seconded. Unanimous in favor by a roll-call vote. So voted.

K. J. Nicholas Snyder

Dave R reported that J. Nicholas Snyder's surrendered Excavation Permit (11-002) for his Gloucester site had naturally expired and that Mr. Snyder's Project Director, Gary Esper, had submitted the Project Completion Report and Project Documentation (as required under BUAR Regulation 312 CMR 2.09[c]) for the Board to consider in determining whether or not Mr. Snyder's project was complete. At its September 30, 2021 meeting, the Board had voted to extend the expiration date of J. Nicholas Snyder's Excavation Permit (11-002) for his Gloucester Site a second (and final time). This extension was granted at the request of Mr. Snyder's Project Director, Gary Esper, to provide Mr. Esper with additional time to prepare and submit the project completion documents on Mr. Snyder's behalf. On October 19, 2021, the Board's staff e-mailed Mr. Snyder to request that he provide the Board with written notice of his intent to surrender his permit and allow it to naturally expire on the date of the next regularly scheduled Board meeting (i.e., the December 2, 2021 meeting that, subsequently, had to be canceled and rescheduled to December 17, 2021). Mr. Snyder provided the Board's staff with written notice by e-mail on October 22, 2021 that he was surrendering Excavation Permit (11-002) and allowing it to naturally expire. On November 12, 2021, Mr. Esper submitted to the Board the Project Completion Report for Mr. Snyder's permit, in conformance with the requirements of the Board's Regulations. The Board's staff reviewed the report and found its recounting of the history of the project through its synthesis of previous reports and summary of project activities to be concise and well-written. The Board's staff noted, however, that a complete set of all project documentation (i.e., field notes, logs, maps, plans, photographs, and drawings) that should have been generated during the project's field and research activities and is a required element of the Project Completion Report under BUAR Regulation 312 CMR 2.09(c), was not included in the Project Completion Report submittal. The Board's staff requested those materials on December 3, 2021. On December 7, 2021, Mr. Esper provided to the Board's staff by email a copy of a complete set of all available project documentation generated during the project's field and research activities to supplement the Project Completion Report. Dave R reminded the Board that the Resource Disposition element of the Board's project completion requirements was not necessary for this permit, as Mr. Esper had reported to the Board's staff on September 1, 2021 that no artifacts had been recovered as part of Mr. Snyder's permitted activities. Mr. Esper was in attendance to represent this permit. He noted that the permit area was a beautiful, but hard, place to dive, and that their research had indicated that whatever shipwreck remains were present at the site had probably become deeply buried under sediments between the rocks or had slid into deeper water. Mr. Esper noted that Mr. Snyder's subcontracted project partner would likely be applying for their own permit in the same area as Mr. Snyder's permit at some point in the future and that he hoped they would continue research in the area. Dave R thanked Mr. Esper for preparing and providing BUAR with the Project Completion Report and project documentation, but commented that he was surprised at how little project documentation had been generated during nearly 10 years of BUAR-permitted research at the site. Dave R then noted the importance of the Project Completion Report and project documentation as the principal public benefit of most BUAR-permitted projects and their potential to contribute to the historical and archaeological record of the Commonwealth's maritime past. He encouraged Mr. Esper and all other BUAR permittees to make a strong effort at documenting their work in detail as it proceeds, so that the Final Project Report and project documentation were thorough and complete. There was no further discussion.

John Warner moved to approve the Board's acceptance of J. Nicholas Snyder's Project Completion Report with its complete set of all available project documentation generated during the project's field and research activities for Excavation Permit (11-002) for his Gloucester site and to consider Mr. Snyder's obligations and responsibilities under this permit fulfilled in compliance with BUAR regulations. Michael Driscoll seconded. Unanimous in favor by a roll-call vote. So voted.

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5. NEW BUSINESS

A. Gray & Pape, Inc.

Dave R reported that on November 23, 2021, Gray & Pape, Inc. had submitted a Special Use Permit Application to conduct marine archaeological reconnaissance survey of the New England Wind Offshore Export Cable Corridor (OECC) (formerly the Vineyard Wind 2/Vineyard Wind-South OECC) in the state waters portions of Nantucket Sound and the Atlantic Ocean from Barnstable to Edgartown, as detailed in the work plan and maps accompanying Gray & Pape, Inc.'s application. This new permit application was necessitated by changes in the former Vineyard Wind-South Project's ownership, funding, and project name, and was requested by the original Project proponent (Vineyard Wind). The new project owner/proponent is Park City Wind, LLC, a wholly owned subsidiary of Avangrid Renewables, LLC. Permitted activities allowed under this permit would include marine archaeological reconnaissance and remote sensing survey, video documentation, benthic grab sample collection, and vibracore sampling within the permit area for the purposes of identifying underwater historic properties and archaeological resources within the New England Wind OECC project APE. On November 23, 2021, Dave R, as the Board's Director, reviewed, approved, and issued provisional Special Use Permit 21-006 to Gray & Pape, Inc. This provisional permit was before the Board today for its consideration for formal approval. Kim Smith of Gray & Pape, Inc. was in attendance to represent this permit application. There was no further discussion.

Dan Sampson moved to approve for the period of one year, effective December 17, 2021, and expiring December 17, 2022, Gray & Pape Inc.'s Special Use Permit (21-006) for the state waters portion of Park City Wind, LLC's New England Wind Offshore Export Cable Corridor in Nantucket Sound and the Atlantic Ocean between Barnstable and Edgartown, as detailed in the work plan and maps accompanying the application, with all the standard and special conditions in effect. Vin Malkoski seconded. Unanimous in favor by a roll-call vote. So voted.

2. DIRECTOR'S REPORT (continued)

C. Board Membership

Dave R reported that on November 12, 2021, long-time Board member, Jonathan Patton, designee of Brona Simon, Executive Director of the Massachusetts Historical Commission, informed the Board's staff that he was resigning from his Staff Archaeologist, Preservation Planner, and Unmarked Burial Principal Investigator position at MHC to accept the DCR Archaeologist position in DCR's Office of Cultural Resources. This was a position previously held by Ellen Berkland prior to her retirement from state service earlier this year. Dave R noted that Mr. Patton was a valued member of the Board who frequently provided helpful guidance to the Board and its permittees in assisting BUAR carry out its mission. Mr. Patton served on the Board for 14 years, from January 25, 2007 to September 30, 2021. The Board's staff looks forward to continuing to work with Mr. Patton in his new position with DCR. In his outgoing message, Mr. Patton thanked the Board's staff and all of the Board members for their time and assistance in working with him during his tenure at MHC and on the Board. Ms. Simon has not yet indicated to the Board's staff who from her office will be replacing Mr. Patton as her designee in the Executive Director of the Massachusetts Historical Commission's Board seat. The Board is also awaiting notice from Ms. Simon on who will be her designee for the State Archaeologist seat on the Board.

D. Fieldwork

Dave R reported that Board staff conducted fieldwork in Hingham on November 3, 2021. This fieldwork consisted of a preliminary site inspection of an intertidal hulk of a wooden-hulled "scow-ended," "hopper-barge" (i.e., a barge designed to carry low-value bulk cargos, like coal, rocks, sand, rubbish, etc.), buried partially in sediments on the eastern bank of the Weymouth/Hingham Back River. BUAR was alerted to the wreck's presence by Ms. Donna Thompson, a former colleague of BUAR's former Deputy Director, David Trubey, who had worked with Mr. Trubey at the New Hampshire Division of Historic Resources. Ms. Thompson spotted the hulk while hiking along the riverbank. The barge's overall preserved dimensions measured approximately 45 feet long-x-15 feet wide. Additional dimensions of representative scantlings

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were taken. The barge's hull timbers were fastened with cupreous (0.5-inch square-shanked) spikes and (1-inch diameter round-in-section) "treenails." One side of the hull's turn-of-bilge was exposed and accessible for documentation. It consisted of a heavy, carved, "chine-log" created from the heart of a single large timber that extended the full length of the hull. This 'L-shaped' (in cross-section) chine-log measured 10 inches sided (its horizontal dimension)-x-12 inches molded (its vertical dimension)-x-3 inches thick (bottom)-x-3.5 inches thick (side) and was designed to make the 90-degree angle transition between the barge's flat horizontal bottom and its vertical sides. The bottom of the barge's hull consisted of (3-inches thick-x-12 inches wide) fore-and-aft-oriented hull planking attached to (7 to 11 inches sided-x-6 inches molded) athwartships-oriented framing or "floor" timbers, which were topped by (1.5 to 2 inches thick-x-7 to 8 inches wide) fore-and-aft interior or "ceiling" planking. The connections between the horizontally-planked sides and bottom of the hull were strengthened by vertically-oriented "standing knees" fashioned from grown-to-shape "compass" timbers that functioned like widely-spaced (with a 2 foot, 9 inch room between them) single "futtocks" or vertical framing timbers, which were attached to the hull's side planking, floor timbers, and bottom planking. The standing knees measured 6 inches sided and varied in their molded dimension from 3 inches at their upper toe to 6 inches at their lower toe and 2 feet at their throat. The "body" (bottom arm) of the knees measured 2 feet long and the "arm" (the vertical arm) measured 1 foot, 7 inches long. Evidence of a single athwartship internal wall or "bulkhead" was observed about one-third of the way down the length of the hull from one end of the barge, suggesting that its interior was divided into compartments. The forward-raking scow-ends of the barge were planked with vertically-oriented planks that measured 3 inches thick-x-11 inches wide, except at their corners where the planks measured 13 inches wide. Based on the observed remains of this scow-ended hopper-barge, the Board's staff estimated that it likely dates from the middle- to late-nineteenth century.

E. BUAR Office Move

Dave R reported that BUAR's physical location is going to be moving. This move is necessitated by the ending of the Executive Office of Energy & Environmental Affairs' (EEA's) lease of a portion of the building at 251 Causeway Street and subsequent shifting of CZM's offices to EEA's central location at 100 Cambridge Street in Boston. With the state government and EEA's adoption and planned continuation of a "hybrid" model of working, significant downsizing of CZM and BUAR's office footprints were planned for the 100 Cambridge Street location. Given BUAR's space requirements for not only its paper files and archival records holdings, but also its artifact collection, research library, and field equipment, and in consideration of the current Board staff's desire to have active fieldwork, diving, and intern/volunteer programs, seeking options for a more accessible, alternative location to 100 Cambridge Street for BUAR's physical office and storage space was of particular interest. Discussions with BUAR Board member (and DMF senior staff member and Diving Safety Officer), Vin Malkoski, led to DMF offering to provide BUAR with that space in its New Bedford office's location. BUAR's administrative host, CZM, has approved of this planned move of BUAR's physical location and logistical details are currently being addressed. The planned move will be gradual and will take place during the first half of 2022. Although BUAR's physical location will be separate from CZM's, BUAR will continue to be administratively hosted by them.

3. BOARD MEMBER REPORTS

There were no Board member reports.

4. PUBLIC ENGAGEMENT ACTIVITIES

A. Green Jacket Shoal Ship Graveyard Tour

Dave R reported that on October 2, 2021, BUAR staff narrated the Providence River Boat Company's boat-based tour of a nineteenth century ship graveyard and maritime cultural landscape located at the mouth of the Seekonk/Blackstone River.

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B. Dedham Retired Men's Club In-Person Presentation

Dave R reported that on October 8, 2021, BUAR staff presented an in-person talk in Dedham to the membership of the Dedham Retired Men's Club on marine archaeology in Massachusetts, the wreck of the *Ada K. Damon*, and the risk climate change-induced sea level rise poses to the Commonwealth's coastal maritime heritage. This was BUAR's second presentation to the Club this year, the first being a Zoom-based talk in the Spring.

C. United Divers of Central Massachusetts

Dave R reported that on October 21, 2021, BUAR staff presented an in-person talk in Fitchburg to the membership of the United Divers of Central Massachusetts. The talk's topics included an introduction to BUAR's relatively new staff and to BUAR, a review of state laws and regulations concerning MA's underwater archaeological resources, and an account of the story of the sinking and recovery of the USS S-4 submarine off Provincetown.

D. Trustees of Reservations Coastal Volunteers Talk and "Shipwreck Scholars" Interactive Public Education Program

Dave R reported that on November 13 and December 12, 2021, BUAR staff visited the Trustees of Reservations Castle Hill/Crane Beach property in Ipswich to present an in-person talk on Massachusetts underwater archaeology and to give guided tours of the wreck-site of the *Ada K. Damon* as part of the Trustees of Reservations' Coastal Volunteers training. BUAR staff also assisted the Trustees' educational staff develop and deliver their new "Shipwreck Scholars" interactive public education program for families and children ages 5-12. The program takes advantage of the *Ada K. Damon* shipwreck site's greater accessibility on Steep Hill Beach and uses the site as a focal point for educating the public about the area and the wreck's history, archaeology, and on-going management, study, and interpretation by BUAR and the Trustees. Part of the Board's staff's contributions to the program was an original sea shanty with lyrics specific to, and telling the story of, *Ada K. Damon* and its final voyage and wrecking on Steep Hill Beach. The Board's staff led the singing of the shanty at the wreck site by the Trustees' Coastal Volunteers, educational staff, and Shipwreck Scholars Program participants. The song, sung to the tune of the classic shanty, "*South Australia*," was well-received and well-sung by all who participated. Dave R shared with the Board a letter from Shauna Delano, leader of Brownie Troop 67141 from Swampscott, thanking BUAR and the Trustees for a wonderful and engaging program. The Board's staff looks forward to continuing its public outreach work with the Trustees and the delivery of more Shipwreck Scholars Programs in 2022.

The next regularly scheduled public meeting of the Board will be held via remote-access at 12:30 pm on January 27, 2022. Permittees and interested members of the public are encouraged to monitor the BUAR webpage's Public Meetings Information section for updates, meeting agendas, remote-access meeting log-in instructions, as well as for past meeting minutes.

Dave R thanked meeting participants for their attendance and participation in the meeting and extended special thanks to Ms. DiBona for co-hosting, and to the Board for their continued effort, cooperation, and patience during these challenging times. He wished everyone continued good health and safety.

Vin Malkoski moved to adjourn the meeting at 1:42 pm. Dan Sampson seconded. Unanimous in favor by a roll-call vote. So voted.

Respectfully submitted,

David S. Robinson
Director