

**COMMONWEALTH OF MASSACHUSETTS
BOARD OF UNDERWATER ARCHAEOLOGICAL RESOURCES
MINUTES OF PUBLIC MEETING – 28 MAY 2009**

MEMBERS PRESENT: John Hoagland (Dive Community Representative)
Terry French (Designee of John Warner, State Archivist)
Martha King (Director of DCR Division of Waterways)
Lenny Loparto (Designee of Brona Simon, State Archaeologist)
Jonathan Patton (Designee of Brona Simon, Executive Director of the
Massachusetts Historical Commission)
Joe Pelczarski (Designee of Deerin Babb-Brott, Director of Coastal Zone
Management)
John Tulik (Designee of Aaron Gross, Director of Environmental Law
Enforcement)
Victor Mastone, Director (Staff for the Board)

MEMBERS ABSENT: Marcie Bilinski (Dive Community Representative)
Brendan Foley (Marine Archaeologist)

PROCEEDINGS:

The public meeting of the Massachusetts Board of Underwater Archaeological Resources was convened by the Director, Victor Mastone, at 1:31 PM on 28 May 2009 in the CZM Conference Room at 251 Causeway Street, Boston.

1. MINUTES

A. Minutes of 26 March 2009

Victor asked the Board if there were any comments or corrections to the minutes of the public meeting held on 26 March 2009. There were no other comments or corrections.

John Hoagland moved to accept the minutes of the public meeting held on 26 March 2009. Terry French seconded. Unanimous vote in favor. So voted.

2. DIRECTOR'S REPORT

A. Alaina Kaiser

Victor stated the Board has a new unpaid research associate (intern), Alaina Kaiser. Ms. Kaiser recently graduated from Boston University. She is interested in pursuing a career in underwater archaeology. She will begin work on June 8th.

B. Lake Quinisigamond Commission

Victor reported that he gave a brief update to the Lake Quinsigamond Commission in Shrewsbury on the evening of March 26, 2009. He believed our information was well received. He noted the he and Cheryl Stedtler would be giving the Commission a more detailed presentation this summer.

C. NOAA's Marine Protected Areas

Victor reported that he had several items to report related to NOAA's Marine Protected Areas (MPA) program. He noted he is an appointed member of the Marine Protected Areas Federal Advisory Committee:

1. He attended the meeting of the Marine Protected Areas Federal Advisory Committee (FAC) in Annapolis, MD on April 20-24th. The first member sites in National System

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- of MPAs were announced at the meeting. Victor displayed the poster cartoon in which cultural resources were prominently displayed.
2. A Partnership Retreat for member sites of the National Systems is scheduled for June 2-3 in Queenstown, MD. Victor was invited to participate and discuss the issues of cultural heritage.
 3. Victor reported he was part of the FAC working group which is currently working on evaluation criteria for how the Marine Protected Areas system operates. They will be meeting in Monterey, CA on July 28-31.
 4. He is participating as a member in the MPA Center's selection and interview team to hire a Cultural Resources Coordinator for the program.
 5. Victor stated the next full meeting of the FAC be held in Anchorage, AK, in early September.

Victor noted that all travel expenses would be paid by NOAA's MPA Center.

D. Area (Oil Spill) Committee

Victor reported he attend the meeting of the U.S. Coast Guard's Area Committee for Oil Spill Response on May 7th. Joe Pelczarski was also in attendance representing CZM.

E. Summer Recess

Victor reminded the Board that there are no regularly scheduled meetings over the summer months as it is typically too difficult to achieve a quorum. The Board's next scheduled meeting is 24 September 2009.

3. BOARD MEMBER REPORTS

There were no Board member reports.

4. SUBCOMMITTEE REPORTS: OUTREACH

Victor reported he had been very busy with outreach activities and anticipated the summer would be equally busy.

A. Massachusetts Archaeological Society Annual Meeting and Conference

Victor reported that he gave a presentation entitled "Massachusetts Submerged History" at the Annual Meeting of the Massachusetts Archaeological Society in New Bedford on April 18th. The lecture was well received and was followed by a lengthy question and answer session. John Hoagland and Jonathan Patton were in attendance. Victor said he greatly appreciated having Board members in attendance.

B. Bay State Council Meeting

Victor reported that he attended the April 29th meeting of the Bay State Council of Divers. The meeting focused on fostering greater cooperation among the dive community, especially with dive related business. A highlight was there new website developed by Michael Prange. He noted that Michael has been volunteering on the Mishoon project.

The next meeting of the Council will be on June 10th. That meeting will focus on a number of ongoing issues including the improved communications and website.

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Victor stated the Council asked if they might sponsor a dive or two for the various clubs to volunteer their services to the Board. He thought they could assist in a diver survey of the Minot's Ledge site. The dives are planned for the Sundays of June 14 and 28.

C. Cape Cod Maritime History Symposium

Victor reported he would be giving a presentation at the 13th Annual Cape Cod Maritime Symposium at the Cape Cod National History Museum in Brewster on Saturday, May 30th. The presentation is entitled "Encountering History May be A Walk On Cape Cod Beach". It dealt chiefly with the Board's SHIPS initiative. In it, Vic highlighted some Cape Cod Beach such as at Craigsville Beach and at Newcombs Hollow Beach

D. Conference on New England Archaeology

Victor reported he planned to attend the 29th Annual Conference on New England Archaeology on Sunday, May 31st at Anna Maria College in Paxton, MA.

D. NASOH Conference

Victor reported that he attended the Annual Conference of the North American Society of Oceanic History (NASOH) at Vallejo, CA on May 13-17. He noted that he served as the Program Co-Chair and will be heavily involved with next year's annual conference in Avery Point and Mystic, CT, jointly hosted by UConn and Mystic Seaport. The organization is comprised of both maritime archaeologists and historians.

F. South Shore Neptunes Dive Club

Victor reported that he would be giving a presentation on Project Mishoon to the South Shore Neptunes Dive Club on June 16th.

G. Quincy Beaches Commission

Victor reported that he would be giving a presentation on the Minot's Ledge Lighthouse Archaeological Project sponsored by the Quincy beaches Commission. It will at the Crane Public Library in Quincy on June 17th at 6:30 PM.

H. TTOR Shipwrecks Detectives Camp

Victor noted that he will be participating again in The Trustees of the Reservation Shipwrecks Detectives Camp at Crane's Beach in Ipswich on July 15th. This educational program is geared for children eight to twelve years of age.

5. OLD BUSINESS

A. Fathom Research LLC

Victor reported that Fathom Research, LLC. had requested renewal of its Special Use Permit (08-001) for marine archaeological reconnaissance survey as part of the Hull Offshore Wind Energy Project. Victor stated he received an electronic version of the renewal application, but the original never arrived. David Robinson has sent another application with original signatures. Unfortunately, the Board can only act to extend their permit due to timing issues.

John Hoagland moved to extend the expiration date of Special Use Permit (08-001) issued to Fathom Research, LLC for the Hull Offshore Wind Energy Project until the next meeting

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of the Board scheduled for 24 September 2009 with all standard and special conditions in remaining effect. Martha King seconded. Unanimous vote in favor. So voted.

B. Philip D. Greco Associates, Inc.

Victor reported that the permits held by Philip D. Greco Associates, Inc. (PGA) are up for renewal and that Mr. Greco had submitted the renewal applications and Annual Reports in accordance with the Board's regulations. Mr. Greco was not able to attend the meetings to present the applications on behalf of PGA. Victor stated he was contacted by Mr. Greco who explained he must attend to some unexpected family business in Florida this week.

Victor state that Mr. Greco had given a brief update over the telephone. PGA was still planning to undertake his robotic surveys. They currently have up to three robots available when they are all functioning; all are currently being refurbished. These are tethered robots equipped with video cameras that crawl along the bottom and search. Similar to several permit areas there is substantial sand accretion over the permit areas.

John Hoagland moved to grant renewal of the Reconnaissance Permit (92-001) held by Philip D. Greco Associates, Inc. for its Eastham/Wellfleet site with all standard conditions in effect and with the further condition that the permittee coordinate all field activities with the staff of the Cape Cod National Seashore. Terry French seconded. Unanimous vote in favor. So voted.

Martha King moved to grant renewal of the Reconnaissance Permit (92-002) held by Philip D. Greco Associates, Inc. for its Wellfleet site with all standard conditions in effect and with the further condition that the permittee coordinate all field activities with the staff of the Cape Cod National Seashore. Lenny Loparto seconded. Unanimous vote in favor. So voted.

C. Raymond L. Hayes

Victor reminded the Reconnaissance Permit held by Raymond Hayes for his project in Great Harbor, Woods Hole is up for renewal and its expiration date had been extended until this meeting. Dr. Hayes had submitted the renewal application and Annual Report in accordance with the Board's regulations. Unfortunately, Dr. Hayes was not in attendance to present his application due to an out-of-state conflict. Dr. Hayes provided the Board with a copy of A small document he has been working with the Institute of Maritime History on underwater archaeology and low visibility. He has also been working with Jim Karos to provide the field component of his MAHS training. Victor state he wanted to take this opportunity to compliment Dr. Hayes on the quality of his report, which could serve as model in terms of its format and content.

Joe Pelczarski moved to renew, retroactive to 26 March 2009, the Reconnaissance Permit (07-001) held by Raymond L. Hayes for his Great Harbor, Woods Hole (Falmouth) site with all standard conditions in effect. Terry French seconded. Unanimous vote in favor. So voted.

D. Dennis McGrath and Harry Noyes

Victor reminded the Reconnaissance Permit held by Dennis McGrath and Harry Noyes for their Marblehead site was up for renewal and its expiration date had been extended until this meeting. Mr. Noyes had submitted the renewal application and Annual Report in accordance with the Board's regulations.

Victor noted that Mr. Noyes was having significant computer problems and ended up faxing supplemental; information. Mr. Noyes reported to Vic that he was having difficulty getting Mr. McGrath to commit to the project. Victor informed Mr. Noyes that as Mr. McGrath was a co-applicant/co-permittee that Mr. McGrath would have to notify the Board he was no longer party to

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the permit. Victor noted that in the application Mr. Noyes had mentioned trying to work with the Marblehead Historical Society as a repository. Terry French observed that Abbott Hall would be a great venue for display. Victor also noted that Mr. Noyes was well aware of the conservation needs associated with the cannon.

John Tulik moved to renew, retroactive to 26 March 2009, the Reconnaissance Permit (07-002) held by Dennis McGrath and Harry Noyes for Marblehead site with all standard conditions in effect and the further conditions that the permittee prepare a detailed map of the area searched and a log of observations made on each dive in order for the Board to determine if the cannon represents an isolated find. Additionally, the permittee is required to provide the Board with a conservation plan for the cannon. Terry French seconded. Unanimous vote in favor. So voted.

E. Nipmuc National – Tribal Historic Preservation Office

Victor reported that the permit held by the Nipmuc National – Tribal Historic Preservation Office is up for renewal and the renewal application and Annual Reports have been submitted in accordance with the Board's regulations. The Project Director, Cheryl Stedtler is in attendance to present the application. Victor stated he wanted to take this opportunity to compliment Cheryl on the quality of their report, which could serve as model in terms of its format and content.

Cheryl reviewed the past year's activities. The last six (6) months have been the busiest. She showed the Board some of the brochures they had developed for marketing. She then showed the Board a model of a mishoon made by one of the tribal members. It was being used as part of their outreach and educational programs at pow wows, school groups, etc. She has created a mock paper dugout to take to school programs in which students can kneel in it. They are hoping to have a Skype interview between students and the divers.

Cheryl reported they have been working with volunteer divers from ADAM - Archaeological Diving Association of Massachusetts. Michael Prange and Bob Michelson have been conducting video and still photo-documentation of the mishoonahs in November and December. They created a photo-mosaic of mishoon #1 and got their first photographic images of mishoon #2. During their dives, they discovered a great deal of trash, such as tires, buckets, bottles, etc. So, she is working on ways to protect these sites with David Robinson, the Project Archaeologist. In February, Dr. Allen Gontz from UMass-Boston conducted a ground penetrating through the ice. It sounded like a great idea, but the data collection had a lot of problems. He plans to return in the Fall to undertake additional survey.

Cheryl continues to conduct documentary research about on the lake. She has been concentrating on a natural history camp that operated on the lake from 1885 to 1897 to determine if they may have constructed dugouts. She uncovered some interesting newspaper articles from the latter part of the nineteenth century concerning some helmet diver investigations of the lake. These articles mention both recovery of a bark canoe, a dugout canoe, and a stone hatchet. This was just north of their permit area.

She noted she was collaborating with Bob Michelson to create an hour long documentary. It will include a history of the Nipmuc People as well as this project. They hope to document the creation of a dugout.

Cheryl noted she had been working on various aspect of project planning with David Robinson. They will add a section to their budget concerning report writing, estimated at around \$20,000. They are developing plans for alternatively in situ preservation and for partial recovery.

Victor noted there was a significant interest in the project and these resources. He saw the project moving forward on many fronts and a shift from keeping this secret. He noted they

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are quite difficult to find and we have the accurate GPS coordinates. Cheryl said there is a great deal of interest in a lake museum.

John Hoagland suggested creating a framework of pvc pipes around the site. Cheryl noted there was some concern that they just do not know what is under the silt. She noted David Robinson was also concerned that a frame might serve to collect debris rather than deflect debris.

Terry French asked about the current status federal recognition process. Cheryl said they were in the appeals process right now. She noted the tribe is recognized by the state. Terry asked how many individuals claims to be members of the tribe. Cheryl said that 250 were on the federal role, but there are about 3,000 around MA, CT, and RI that did not meet the federal conditions.

Victor noted that the project always tries to have a tribal representative, typically Cheryl, along with either the project archaeologist or a Board representative when field operations take place. Generally, both Cheryl and Victor have been on site.

Lenny Loparto moved to renew the Reconnaissance Permit (01-001) held by the Nipmuc Nation Tribal Historic Preservation Office for its Worcester site with all standard conditions in effect. John Hoagland seconded. Unanimous vote in favor. So voted.

F. Panamerican Consultants

Victor reported the Panamerican Consultants, Inc. had informed him of their intent to renew their Special Use Permit application for a marine archaeological reconnaissance survey as part of the Neptune Offshore LNG Terminal Project. While they had completed their marine archaeological survey, they wanted to keep their permit active as part of the on-call archaeological service in the event of unanticipated finds. Victor said he had not received their renewal application as yet. He stated it would not be unreasonable to extend their current permit until the next meeting, especially as construction is on-going.

Terry French moved to extend the expiration date of Special Use Permit (08-002) issued to Panamerican Consultants, Inc. for the Neptune Offshore LNG Terminal Project until the next meeting of the Board scheduled for 24 September 2009 with all standard and special conditions in remaining effect. Martha King seconded. Unanimous vote in favor. So voted.

G. Victor Ricardo

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

Mr. Ricardo referred to his report and the local dredging/beach nourishment projects. He noted he had purchased and equipped a new boat. He said he has not been able to observe on bottom for the past 5 years due to the last beach nourishment project. Martha King explained the current nourishment projects for Salisbury Beach and Plum Island areas. Mr. Ricardo noted that the sand overburden is impeding his progress. He had four divers goes down with hand-held metal detectors on the magnetometer hits; they confirmed the locations. Even with three divers hand fanning, the units filled back in immediately with each surge. He observed that anecdotal diver information had dishes visible in that area prior to the last nourishment project. He is just waiting for another storm.

Mr. Ricardo stated he has been concentrating on historical research. He found reference to a commander Robert Studley on a convoy in 1711. However, he is looking for someone from a

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later period. His person was from Beverly, but his research efforts there have not been too fruitful.

Terry French moved to grant renewal of the Reconnaissance Permit (94-001) held by Victor Ricardo for his Salisbury site with all standard conditions in effect and the further conditions that Mr. Ricardo coordinate with the Department of Conservation and Recreation (DCR) facility (Salisbury Beach State Reservation) staff and the DCR Office of Historic Resources for any on site activities; the DCR staff determine when activities on site take place; no excavation activities take place under this permit; and that no cultural materials leave the boundaries of the Commonwealth of Massachusetts except with the prior written approval of the Board. Jonathon Patton seconded. Unanimous vote in favor. So voted.

6. NEW BUSINESS

A. University of Massachusetts Archaeological Services

Victor reported the University of Massachusetts Archaeological Services had submitted a Special Use Permit application for a marine archaeological reconnaissance survey as part of the Salem Ferry Terminal Project. The survey will be conducted under the direction of Dr. Mitch Mulholland and marine archaeologist Kerry Lynch and will include the use of a marine magnetometer, side scan sonar and sub-bottom profiler, and diver inspection of targets. Victor noted the application meets the requirements specified in the Board's regulations and that he provisionally issued the permit on 9 April 2009.

During their remote sensing survey, UMass identified several targets needing further archaeological investigation. The permit application includes their work plan for diver inspection of the targets. Their time team is lead by Kerry Lynch as the marine archaeologist assisted by Joe Zarzynski of Bateaux Below Inc.

John Hoagland informed the Board he would have to abstain from any vote on this permit. He explained that as President of RIMAP he works closely with Kerry Lynch who serves Vice President of RIMAP. In addition, he serves on the Board of Cook Ships with Joe Zarzynski.

Joe Pelczarski moved to grant University of Massachusetts Archaeological Services a Special Use Permit (09-001) for the Salem Ferry Terminal Project area (as specified in the application) with all standard conditions in effect and the further condition that University of Massachusetts Archaeological Services submit its survey research design and methodology to the SHPO for review. Martha King seconded. Six (6) votes in favor, one (1) abstention. The motion passes. So voted.

John Hoagland moved to adjourn the meeting at 2:25 PM. Terry French seconded. Unanimous vote in favor. So voted.

Respectfully submitted,

Victor T. Mastone
Director