

**COMMONWEALTH OF MASSACHUSETTS
BOARD OF UNDERWATER ARCHAEOLOGICAL RESOURCES
MINUTES OF PUBLIC MEETING – 26 MAY 2011**

MEMBERS PRESENT: Terry French (Designee of John Warner, State Archivist)
John Hoagland (Dive Community Representative)
Lenny Loparto (Designee of Brona Simon, State Archaeologist)
Kevin Mooney, Deputy Director (Designee of Director of DCR Division of Waterways)
Jonathan Patton (Designee of Brona Simon, Executive Director of the Massachusetts Historical Commission)
Joe Pelczarski (Designee of Bruce Carlisle, Director of Coastal Zone Management)
Jack Chapin (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 1:30 PM on 26 May 2011 in the CZM Conference Room at 251 Causeway Street, Boston.

1. MINUTES

A. Minutes of 31 March 2011

Victor asked the Board if there were any comments or corrections to the minutes of the public meeting held on 31 March 2011. There were no other comments or corrections.

John Hoagland moved to accept the minutes of the public meeting held on 31 March 2011. Kevin Mooney seconded. Unanimous vote in favor. So voted.

2. DIRECTOR'S REPORT

A. NPS American Battlefield Protection Program

Victor reported the end date for the grant was extended until December 31, 2011. He was in the process of extending the inter-agency service agreements between the Board and the University of Massachusetts at Boston for the Chelsea Creek Battlefield study. We only recently were able to undertake the walkover survey. Work is nearing completion.

B. Summer Recess

Victor reminded the Board that there are generally no regularly scheduled meetings over the Summer months of June, July, and August. It is typically too difficult to achieve a quorum during those months due to constraints on member availability. However, he anticipated receipt of a new Reconnaissance Permit application and also supporting materials for a request by Mr. Esper to modify the status of his permit type from reconnaissance to excavation. He was looking to hold a special Board meeting on June 30. Victor noted he knew that both Brendan Foley and John Hoagland could not make that meeting. He asked Board members to let him know of their availability. Failing a June meeting, he would look for one on July 28 or August 25. Otherwise, the Board's next scheduled meeting will be on 30 September 2010. He noted that the statute requires the board take action on permit applications within 30 days.

**COMMONWEALTH OF MASSACHUSETTS
BOARD OF UNDERWATER ARCHAEOLOGICAL RESOURCES
MINUTES OF PUBLIC MEETING – 26 MAY 2011**

3. BOARD MEMBER REPORTS

There were no Board member reports.

4. SUBCOMMITTEE REPORTS: OUTREACH

A. Battlefield Lecture - Order of the Founders and Patriots of America

Victor reported he and Craig Brown (UMass-Boston) gave a luncheon presentation on May 3 at the Union Club in Boston. The presentation was sponsored by the Massachusetts Society of the Order of the Founders and Patriots of America along with the Commonwealth Chapters of Society of the Sons of the Revolution, the Society of the War of 1812, and the Order of Lafayette and Descendants of Washington's Army at Valley Forge. The topic was their NPS American Battlefield Protection Program funded investigation of the Revolutionary War Battle of Chelsea Creek.

B. Bay State Council of Divers Meeting

Victor reported that he attended the May 11th meeting of the Bay State Council of Divers. The meeting focused on the Bay State Council's Club Dive/Treasure Hunt. It will be moved from its traditional May date to Sunday, September 25, 2011 at Stage Fort Park in Gloucester. The next meeting of the Council will be on July 13 and September 14 again focusing on preparations for the Treasure Hunt.

Victor stated the Council hoped to be sponsoring a dive or two for the various clubs to volunteer their services to the Board, including a diver survey of the Minot's Ledge site. However, the high cost of marine fuel has put this on hold for now. Victor reminded the Board that the Council had planned several dives last summer, but adverse weather/sea conditions on those dates cancelled those dives.

C. Conference on New England Archaeology

Victor reported he will be attending the 31th Annual Conference on New England Archaeology on Saturday, May 28th at University of Massachusetts-Amherst, MA. This year's conference theme is "Emerging Challenges in Coastal and Maritime Archaeology". He noted that Board member, Jonathan Patton, was an organizer of the conference. Two projects being reported on were done under Board permit and supervisions. They would be presentations by Cheryl Stedtler and David Robinson on the Nipmuc Nation's Mishoonahs Project at Lake Quinsigamond and Kerry Lynch on the UMass Archaeological Services Salem Ferry Terminal Project

D. Winthrop Historical Improvement Association

Victor reported he would be giving a presentation to the Winthrop Historical Improvement Association on the evening of June 7. The topic will be the NPS American Battlefield Protection Program funded investigation of the Revolutionary War Battle of Chelsea Creek.

E. Northeast Chapter of Massachusetts Archaeological Society

Victor reported he would be giving a presentation to the Northeast Chapter of the Massachusetts Archaeological Society on September 20, 2011 at 7:00 PM. It will be at the R.S. Museum on the campus Phillips Andover Academy. Victor reminded the Board that his presentation to the Northeast Chapter on the Board's on-going investigation of the Revolutionary War Battle of Chelsea Creek was cancelled due to snow storm on Tuesday, January 18.

COMMONWEALTH OF MASSACHUSETTS
BOARD OF UNDERWATER ARCHAEOLOGICAL RESOURCES
MINUTES OF PUBLIC MEETING – 26 MAY 2011

5. OLD BUSINESS

A. Philip D. Greco Associates, Inc.

Victor reported that the two 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 in attendance at the meetings to present the applications on behalf of PGA. Victor noted that personal medical issues related to eye surgery have kept Mr. Greco in Florida. Victor observed it was his understanding was the PGA would continue work of verifying previously identified targets.

There was no further discussion.

Kevin Mooney 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. John Hoagland seconded. Unanimous vote in favor. So voted.

John Hoagland 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. Kevin Mooney seconded. Unanimous vote in favor. So voted.

B. 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 after the deadline for the March Board meeting. Dr. Hayes was not present. Victor stated 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.

There was no further discussion.

Kevin Mooney moved to renew, retroactive to 31 March 2011, 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.

C. James Karos

Victor reported that James Karos had submitted his Reconnaissance Permit renewal application and Annual Report in accordance with the Board's regulations for his site in Chelsea Creek. He noted the Board had extended the expiration date for the permit at its March meeting. Victor noted he had visited the second shipwreck site last week. It was much larger than depicted in the aerial photograph and included part of the bow sprit. Mr. Karos was in attendance to represent his application.

Mr. Karos started by apologizing to the Board for not being very communicative over the past several months. He noted he had been concerned over his lack of progress over the past year. He would like to continue with this permit and concentrate his efforts on making a photo-mosaic of the second shipwreck.

Vic noted it would also be good if Mr. Karos could return to the Global Terminal site to document the wreck next to the one previously documented by him. While several wreck debris loci were observed on the mud flats, this site is now clear on Google Earth.

**COMMONWEALTH OF MASSACHUSETTS
BOARD OF UNDERWATER ARCHAEOLOGICAL RESOURCES
MINUTES OF PUBLIC MEETING – 26 MAY 2011**

John Hoagland moved to renew, retroactive to January 27, 2011, the Reconnaissance Permit (06-001) held by James M. Karos for his Chelsea Creek site (Revere/Boston) with all standard conditions in effect. Joe Pelczarski seconded. Unanimous vote in favor. So voted.

D. 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 excellent quality of their report, which could serve as model in terms of its format and content.

Ms. Stedtler stated that over the past year they continued reconnaissance and were concerned about proposed work on the RT. 9 Bridge which formed the northern boundary of their permit area. That area was surveyed on November 23, 2010 as part of a Mass DOT project. Nothing was found in the area of project effect and no further archaeological work was recommended around the bridge. However, David Robinson and OSI used this as an opportunity to conduct additional remote sensing in the permit area. They got some good side scan images of the western shore of the lake. The renewal package includes images of some promising side scan targets which might represent additional canoes. They also have good side scan images of Mishoonahs #1, #2, and #3. Ms. Stedtler noted that Project Archaeologist David Robinson believes that Mishoon #3 may be laying on its side after reviewing the side scan image.

Ms. Stedtler reported they have been trying to work with the City of Worcester Parks Department to obtain use of a building along the lake. She said they were not looking for funding or labor from the city, just re-allocation of its use. She would be attending a meeting of the Parks Commission this evening and meeting with the Director tomorrow.

Discussion turned to the side scan images. John Hoagland complimented her on the images. Victor noted he and David Robinson had discussed the lack of side scan images of dugouts from out research projects and these images would be helpful for other inland water projects.

Lenny Loparto 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. Kevin Mooney seconded. Unanimous vote in favor. So voted.

E. 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. Victor noted Mr. Ricardo had informed him he would be mooring his boat in Hampton, NH and provided him with a letter for the Board. Mr. Ricardo was in attendance to represent his application.

Mr. Ricardo stated his research is on-going. He described the boat problems over the past 2 years. While on-site in August, he spoke with a diver who reported finding a large anchor with chain on the Salisbury/Seabrook line which is his northern permit boundary. He noted that a number of years ago he had spoken with dragger fishermen who had snagged in this area; he sent a diver down who reported three cannon at that location and the gear hung up on an anchor fluke. Mr. Ricardo raised a concern about a shipwreck being on the line or just over into NH. Victor noted that was outside Board jurisdiction.

**COMMONWEALTH OF MASSACHUSETTS
BOARD OF UNDERWATER ARCHAEOLOGICAL RESOURCES
MINUTES OF PUBLIC MEETING – 26 MAY 2011**

Mr. Ricardo explained why he moved his mooring to Hampton, NH. It made for safer navigation and was closer to the site. He would inform the Board when he gets his boat in the water. He concluded by reminding the Board that the beach nourishment project still impeded his field work.

Kevin Mooney 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. Joe Pelczarski seconded. Unanimous vote in favor. So voted.

Mr. Ricardo asked in the event his permit was modified to allow recovery where he could land artifacts given the permit restriction. Victor said they would work together to develop a plan that would be acceptable to the Board.

F. Restoration Project

Victor reported that Restoration Project, Inc. had submitted its reconnaissance permit application and Annual Report in accordance with the Board's Regulations. Eloise Newell Director of Restoration Project, Inc. could not be present today. Victor noted that on Sunday, April 10, 2011, he participated in an on-site meeting with Eloise Newell, Project Archaeologist David Robinson and members of the project team. They walked over the shoreline of the project area and discuss previous work efforts. They will be developing a plan under David's supervision. David also planned to dive some of the previously identified anomalies in the near future.

Kevin Mooney moved to renew Reconnaissance Permit (10-001) to the Restoration Project, Inc. for its Willis Pond Sudbury site with all standard conditions in effect. Joe Pelczarski seconded. Unanimous vote in favor. So voted.

G. Gary Esper

Victor reported the Board has received a request from Mr. Esper to modify his permit type from reconnaissance to excavation. Mr. Esper is working on an excavation permit package.

H. University of Massachusetts Archaeological Services

Victor reported the University of Massachusetts Archaeological Services had submitted its final report for Salem Port Expansion Project.

I. Neil Good

Victor reported that Mr. Good had sent a copy of an article that described similar DNA traits among certain modern Icelanders and Native Americans. Victor disturbed copies to the Board members.

6. NEW BUSINESS

A. Fathom Research, LLC

Victor reported that Fathom Research, LLC had submitted a Special Use Permit application for a marine archaeological reconnaissance survey as part of the New Bedford Harbor Superfund Site 2011 Pre-Dredge Archaeological Survey Project in New Bedford Harbor. The survey would be conducted under the direction of marine archaeologist, David Robinson. As a result of the

**COMMONWEALTH OF MASSACHUSETTS
BOARD OF UNDERWATER ARCHAEOLOGICAL RESOURCES
MINUTES OF PUBLIC MEETING – 26 MAY 2011**

unanticipated shipwreck discovery of 2 years ago and other finds in the harbor, EPA agreed to undertake some additional survey of that area. Victor noted the application meets the requirements specified in the Board's regulations and that he provisionally issued the permit on April 1, 2011.

Kevin asked Victor to point out the project dredge areas on the permit map. Victor showed the areas. Victor also reviewed their field methodology.

John Hoagland moved to grant Fathom Research, LLC a Special Use Permit (11-004) for the Project area (as specified in the application) with all standard conditions in effect and the further condition that Fathom Research, LLC submit its survey research design and methodology to the SHPO for review. Kevin Mooney seconded. Unanimous vote in favor. So voted.

Kevin Mooney moved to adjourn the meeting at 2:02 PM. John Hoagland seconded. Unanimous vote in favor. So voted.

Respectfully submitted,

Victor T. Mastone
Director