

**COMMONWEALTH OF MASSACHUSETTS
BOARD OF UNDERWATER ARCHAEOLOGICAL RESOURCES
MINUTES OF PUBLIC MEETING – 23 JUNE 2011**

MEMBERS PRESENT: Terry French (Designee of John Warner, State Archivist)
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 Bruce Carlisle, 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)
John Hoagland (Dive Community Representative)
Kevin Mooney, Deputy Director (Designee of Director of DCR Division of Waterways)

PROCEEDINGS:

The public meeting of the Massachusetts Board of Underwater Archaeological Resources was convened by the Director, Victor Mastone, at 1:30 PM on 23 June 2011 in the CZM Conference Room at 251 Causeway Street, Boston.

1. MINUTES

A. Minutes of 26 May 2011

Victor asked the Board if there were any comments or corrections to the minutes of the public meeting held on 26 May 2011. There were no other comments or corrections.

Terry French moved to accept the minutes of the public meeting held on 26 May 2011. John Tulik seconded. Unanimous vote in favor. So voted.

2. DIRECTOR'S REPORT

Victor thanked Board member Joe Pelczarski and CZM staffer Denise Cavalieri for their assistance with Board matters during his absence last week.

3. BOARD MEMBER REPORTS

There were no Board member reports.

4. SUBCOMMITTEE REPORTS: OUTREACH

A. Winthrop Historical Improvement Association

Victor reported he gave a presentation to the Winthrop Historical Improvement Association on the evening of June 7. The topic was on the NPS American Battlefield Protection Program funded investigation of the Revolutionary War Battle of Chelsea Creek. Approximately 100 people were in attendance.

B. Bay State Council of Divers Meeting

Victor reported that the next meetings of the Bay State Council of Divers will be on July 13 and September 14. These meetings will be focusing on preparations for the Treasure Hunt in September.

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C. 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. This presentation will also be on the Board's on-going investigation of the Revolutionary War Battle of Chelsea Creek.

5. OLD BUSINESS

A. Gary Esper

Victor reported that Mr. Esper has requested a modification in his permit type status from reconnaissance to excavation. Mr. Esper has submitted a completed excavation permit application form and supporting materials, including a DVD, to support this request. Victor noted a change in type would not change the end date for the permit. Mr. Esper was present to discuss his request.

Mr. Esper told the Board he had been conducting extensive side scan sonar survey of the area. As a result, he identified what he believes to be older ship hull remains. He would like to continue investigation of these remains and possibly recover some artifacts that could aid in their identification of the ship. He has taken over four hours of underwater video footage of the site using an ROV. That footage has been edited down to about 8 minutes for the DVD he submitted with his application. Vic noted the wreck site was clearly visible in the side scan record.

Vic noted that Mr. Esper would be using Bob Cembrola as the Project Archaeologist and Scott Herber as his Project Conservator. Mr. Esper noted that Mr. Herber would like the Board permission to send some small objects to Mr. Herber's conservation lab in Florida for both treatment and as training objects for his students. Once trained, these students would then come here to assist with conservation for the project. Vic said he did not see a problem with that request as long as we could establish a chain of custody and protocols for the transportation and conservation processes; this could be a sense of the Board or as a specific permit condition.

Mr. Esper showed the DVD to the Board and explained what was being displayed on the screen. He observed the site was approximate 160 feet by 80 feet based on the side scan sonar record. There were three anchors visible. He noted that Scott and Bob have tentatively suggested these were 18th century anchors based on their observations of the DVD. The small stone like cobbles may be coal or ballast stone, but they will need to dive to inspect and identify what they are. The site appears to have been ripped apart by draggers. From the side scan records, they observed individual timbers up to a mile away. One object looked like a deteriorated ship's wheel. He pointed out what appears to be a capstan. He noted there was a great deal of ghost lobster gear and line on the wreck site. There were some larger timbers protruding from the bottom and all wood seem to be near the rock pile. In addition to gathering some diagnostic samples, he planned to begin mapping the site. Mr. Esper noted that board member, Marcie Bilinski, expressed an interest in diving the site. Vic added he had spoken with Marcie about her serving as our inspector/observer on the site for the dive(s). Vic observed that condition of the visible wood remains suggested the site may have been partially buried until recently. Vic noted the proposed work plan was not for excavation, but limited to recovery of selective objects.

Lenny Loparto asked about the conservation lab in Florida. Mr. Esper said he included information and photos of the lab in his application. He noted the plan was to send only small objects for training purposes. Once the lab in Boston was fully operational, the students would come up here to work, possibly as interns. Lenny thought there should be a condition in permit. He expressed a concern that a situation might arise where bulky objects were down in Florida and we needed to retrieve them. Mr. Esper said he did not intend to send large objects down to Florida. Jonathan Paton asked Mr. Esper to clarify the use of the Florida and East Boston labs. Mr. Esper explained he has secured the space here, but that Mr. Herber would have to come up to set up that lab. He said the

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suggestion of sending some small objects to Florida came from Mr. Herber who wanted to use them to train his students. Vic said he understood the intent was not to undertake the bulk of the conservation in Florida, but rather up here. Jonathan said he was concerned that these objects not spend too much time in transit as well as the custody issue. It was a sense of the Board the objects intended from the Florida lab would be restricted to small portable objects.

Discussion turned to developing a permit condition regarding a detailed conservation that included the circumstances for using the Florida conservation lab. Once a plan was submitted by Mr. Esper, it would be distributed to the Board members for review and comment. Once consensus by the Board was reached, Victor could approve the plan.

Joe Pelczarski moved to change the permit type for permit 11-003 from a reconnaissance permit to an excavation permit with all standard conditions in effect, and the further conditions that all excavation activities be conducted in accordance with the submitted and approved work plan, and that the permittee submit, for approval by Board staff, a detailed plan for the selection, transportation, and conservation of any objects intended to leave the Commonwealth of Massachusetts, prior to undertaking such action. Terry French seconded. Unanimous vote in favor. So voted.

B. Nipmuc National – Tribal Historic Preservation Office

Victor reported that on June 20, 2011 Cheryl Stedtler along with volunteer divers, Michael Prange and Paul Daley, undertook an inspection of four new sonar targets. While none proved to be mishoonahs, they found a row boat, a rowing canoe, a debris pile, and a rock pile.

C. Victor Ricardo

Victor reported he had recently received an email from Mr. Ricardo. He is experiencing a delay in placing his mooring. In Salisbury, he has a 3,000 pound cement block and in 18 feet of water at low tide. In Hampton, he is in 5 feet of water at low tide. As a result, he reports that he needs a "PANCAKE BLOCK" only 15" high. Otherwise, his prop will hit anything higher. They are making the new block now, should be done by next week.

D. Restoration Project

Victor reported that Eloise Newall is trying to organize another dive with David Robinson and their team. If not soon, they may have to wait until the vegetation dies out later in the year.

6. NEW BUSINESS

A. Michael Jr. and Joseph Zdanowicz

Victor reported that Michael, Jr. and Joseph Zdanowicz had submitted a Reconnaissance Permit application in accordance with the Board's regulations for an area off Beverly and Manchester east of Halfway Rock. The application is complete. Michael and Joseph Zdanowicz were in attendance to present the application. Vic distributed a chart of existing permit areas and the requested permit area to the Board.

Mr. Michael Zdanowicz explained how they had come to inadvertently retrieve the artifacts in their lobster traps. He is a lobsterman who fished all around the areas depicted on the chart in the Fall. He described that, after a blow, his traps are generally loaded with stuff. He showed the board the variety of bottles that came up in his traps. He noted that sometimes get other materials, such as copper. Victor asked Mr. Zdanowicz to explain how he got the location. Mr. Zdanowicz explained

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there area was a flat muddy and then he comes across a hump on the bottom on his fathometer. He thought it was a mud hump with second echo, like a rock pile. He and his brother have the dive certification and would like to investigate the area.

Victor stated that he modified the requested permit boundaries so they did not intrude in the buffer zones established by the nearby permit areas to the north. Those permits were the ones held Esper & Bezkorovainy, to the northwest, and Esper to the northeast.

Victor noted that Mr. Zdanowicz has GPS coordinates for the ends of his trawls. In the event of future inadvertent finds, he will have useable location data. Victor reviewed the points he had covered with Mr. Zdonowicz when he came to the office. Victor had suggested that they limit their artifact collecting until have a conservation plan and photograph artifacts in situ. He added that reconnaissance permits do not allow for any excavation activities, but handy fanning was allowable technique. Jonathan asked about the spoon mentioned in the application. Mr. Zdanowicz said his grandmother currently has it, but he will try to get a picture for the Board.

Terry French moved to grant a Reconnaissance Permit (11-006) to Michael, Jr., and Joseph Zdanowicz for their Beverly/Manchester-by-the-Sea site with all standard conditions in effect. John Tulik seconded. Unanimous vote in favor. So voted.

B. 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 Comcast Cable Project under Vineyard Sound running from West Falmouth to Tisbury. The survey would be conducted under the direction of marine archaeologist, David Robinson. Victor noted the application meets the requirements specified in the Board's regulations and that he provisionally issued Special Use permit Number 11-005 on June 21, 2011. Due to timing issues, formal consideration of this permit by the Board will take place at the September 29, 2011 meeting. The Board's letter to Fathom noted they needed to submit their work plan to the SHPO for review.

There was no further business.

Joe Pelczarski moved to adjourn the meeting at 2:09 PM. Terry French seconded. Unanimous vote in favor. So voted.

Respectfully submitted,

Victor T. Mastone
Director