

**Maritime Archaeology Working Group (MARCH)
Perot Systems, Scituate, MA
9:00 AM – 4:00 PM
24 November 2003**

Meeting Summary

Summary of Action Items

1. Working group decides to use acronym MARCH as the title of the working group.
2. MARCH is interested in having John Broadwater present as a technical advisor on scuba diving permitting at the *Monitor*. SBNMS should arrange.
3. MARCH is interested in having a NOAA attorney present as a technical advisor on heritage resource damage assessments. SBNMS should arrange.
4. Alternates may be chosen by MARCH members, must be chosen and submitted to Ben Cowie-Haskell by 9 December 2003.
5. SBNMS staff will prepare a draft action plan for the MARCH meeting in February. The January meeting will be skipped to allow time for the staff to prepare the draft action plan. The draft action plan will be distributed to the group two weeks prior to the meeting for review.
6. MARCH members should suggest meeting places and submit location to Ben Cowie-Haskell.
7. MARCH members set the meeting dates as the 3rd Tuesday of each month.
 - Meeting dates are: 16 December 2003, 20 January 2004, 17 February 2004, 16 March 2004, 20 April 2004.
8. MARCH needs further clarification as to whether salvage can take place within SBNMS. Bruce Terrell, NMSP Maritime Archaeologist, will supply clarification.
9. MARCH should evaluate the permitting process.
10. SBNMS should supply the mapping/technology document drafted at Thunder Bay National Marine Sanctuary for MARCH's review.
11. MARCH would like a notice posted in local papers regarding the participation of fishing representatives in MARCH.
12. SBNMS staff should supply more detailed information about water quality testing, during the meeting.
13. SBNMS staff should email MARCH members with revised contact information.
14. The 16 December 2003 MARCH meeting will start at 8:00 AM at the SBNMS office in Scituate, MA.

Working Group Attendees

Name	Affiliation
Jerry Hill	SAC Member Chair
Ben Cowie-Haskell	SBNMS Team Lead
John Jensen	Mystic Seaport
Ivar Babb	National Undersea Research Center at UCONN
Victor Mastone	MA Board of Underwater Archaeological Resources
Deborah Cramer	Conservation Community
Martina Duncan	Portland Harbor Museum
David Robinson	Public Archaeology Lab
Bill Lee	Commercial Fishing Industry
Steve James	Recreational Diving Industry
Marcie Bilinski	Technical Diving Community

Working Group Members Absent

Bruce Terrell, National Marine Sanctuary Program Maritime Archaeologist
 Jeff Gray, Thunder Bay National Marine Sanctuary Manager
 Anne Smrcina, Stellwagen Bank National Marine Sanctuary Education Coordinator
 Don King, Gillnet (fixed gear) representative

Others Present

Deborah Marx, SBNMS Maritime Archaeologist
 Matthew Lawrence, Rapporteur and SBNMS Maritime Archaeologist
 Craig MacDonald, SBNMS Superintendent

WELCOME, INTRODUCTIONS, AND OPENING COMMENTS BY JERRY HILL

Each working group member provided his or her name, affiliation, background, interests, and connection with the Stellwagen Bank National Marine Sanctuary. Sanctuary Superintendent Craig MacDonald then introduced himself and indicated that the Maritime Archaeology Working Group and SBNMS would be setting a national precedent as one of the first sanctuaries to address the issues facing the Working Group. The working group’s contact information was circulated, allowing them to correct errors or add information.

WHY ARE WE HERE: Working Group Process Presentation by Ben Cowie-Haskell

- Position of the WG in the overall scheme of the Management Plan Review process
- SBNMS conducted two rounds of public scoping, first in 1999 and second in 2002 because of long period b/t first scoping and the beginning of the rest of the Management Plan Review. The Sanctuary Advisory Council set up the 12 WG’s to respond to public scoping comments. The Management Plan Review process is mandated by Congress to take place every 5 years. Jerry Hill states that the WG shouldn’t think only in problem statements but also opportunity statements.

ACTION: Working group decides to use acronym MARCH as the title of the Maritime Archaeology working group.

-Ben Cowie-Haskell reviewed the Reference Document section of the binder with MARCH. A Management Plan may include regulatory changes. An Action Plan focus on heart of the issues and includes:

- Breakdown of the issue into a problem or an opportunity
- How to deal with it / Action
- Who is going to do it?
- Time frame for its accomplishment
- Problem/Opportunity -> Strategy-> Activities

MARCH should develop a whole suite of problems and opportunities that need to be addressed. These issues should also present a range of activities to answer its strategies according to National Environmental Policy Act (NEPA). The National Marine Sanctuary Act clearly shows that SBNMS should be focused on resource protection with compatible uses. Jerry Hill reminds the group that SBNMS is an integral part of its community and that MARCH's actions will have ramifications.

Ben Cowie-Haskell introduces the concept of technical advisors, he suggests:

- John Broadwater from the Monitor National Marine Sanctuary be invited to present of diver permitting.
- A NOAA Attorney should be invited to present on Cultural Resource damage assessments and civil penalties.

MARCH members may suggest other technical advisors. SBNMS has a small amount of money to reimburse them for travel.

ACTION: John Broadwater and NOAA Attorney invited to present as technical advisors.

Ben Cowie-Haskell defines the roles of working group members. He will facilitate MARCH by providing information the WG requires. Jerry Hill will be an objective facilitator. The general public is welcome to observe, but cannot take part in the meeting except through representation by one of the MARCH members.

-Discussion of Alternates for MARCH members. Members may have an alternate attend the meeting in their place. Alternates may attend meetings, but it is the responsibility of the MARCH member to keep their alternate up to speed.

ACTION: MARCH members may choose Alternates. Alternates must be chosen and their names submitted to Ben Cowie-Haskell by 9 December 2003.

-Ben Cowie-Haskell suggests to MARCH that SBNMS Staff prepare a draft action plan (straw man plan) for review at Meeting in February, working group agreed.

ACTION: SBNMS staff will prepare a draft action plan for the MARCH meeting in February. The January meeting will be skipped to allow time for the staff to prepare the draft action plan. The draft action plan will be distributed to the group two weeks prior to the meeting for review.

-Discussion of MARCH meeting dates and locations.

ACTION: MARCH members should suggest meeting places and submit location to Ben Cowie-Haskell

ACTION: MARCH members set the meeting dates as the 3rd Tuesday of each month.

- Meeting dates are:
- December 16, 2003
- January 20, 2004
- February 17, 2004
- March 16, 2004
- April 20, 2004

-Return to discussion of the Reference Document and decision-making

MARCH will try to achieve agreement on issues to present a unified action plan to the Sanctuary Advisory Council. If agreement is not reached, MARCH will send to the SAC a document detailing issues MARCH could not come to an agreement upon. There will be no voting in MARCH, everyone is free to express their views and all share in the responsibility for MARCH's success. Everyone should leave his or her egos and logos at the door. MARCH members with dissenting opinions must clearly state their position and offer alternate solutions. If a MARCH member misses a decision, it is solely up to the group to decide if it wants to revisit the issue. Sanctuary Advisory Council Working Groups are exempt from the Federal Advisory Committee Act (FACA)

-Review of documents in the MARCH binder to provide action plan examples:

-Sample: Coastal Armoring at Monterey Bay National Marine Sanctuary

-MARCH members were made aware of the Cultural Resources Action plan drafted by a working group at the Monterey Bay National Marine Sanctuary.

SBNMS MARITIME HERITAGE PROGRAM PRESENTATIONS PART I: Legislation and Regulations That Impact Heritage Resources at SBNMS, presented by Deborah Marx.

The National Marine Sanctuaries Act provides the mandate for SBNMS to protect, manage, and interpret the heritage resources that lie within its jurisdiction. The National Marine Sanctuary Regulations directs SBNMS to comply with the Federal Archaeology Program (FAP) of which the National Historic Preservation Act (NHPA) is the portion of FAP that is most germane to SBNMS. Section 110 of the NHPA requires that federal agencies inventory, assess, and nominate to the National Register historic properties the federal agency has control over. Section 106 requires that a review of federal or federally funded projects must be made to assess the project's impact on historic properties.

-Discussion turned to archaeological research/salvage permitting. Ben Cowie-Haskell described his experience with permitting at the Florida Keys National Marine Sanctuary (FKNMS). MARCH reviewed National Marine Sanctuary Program permitting rules included within the MARCH binder. Group discussion of Mel Fisher and treasure salvage within the FKNMS. Jerry Hill offered personal comments on his encounters with Mel Fisher.

ACTION: MARCH needs further clarification as to whether salvage can take place within SBNMS. Bruce Terrell can best supply this information.

ACTION: MARCH should evaluate the permitting process.

SBNMS MARITIME HERITAGE PROGRAM PRESENTATIONS PART I: Maritime Heritage Resource Research Activities at SBNMS, presented by Matthew Lawrence

Heritage resource investigation began in earnest in 2000 at SBNMS. The most valuable tool has been a multibeam bathymetry map that depicts the SBNMS's seafloor in great detail. Investigating potential shipwreck anomalies on this map as well as information from John Fish, Arne Carr, and others has resulted in the location of 13 shipwrecks. Over 50 potential shipwreck anomalies are within the Sanctuary, however the map does not depict all shipwrecks in the Sanctuary. Older, deteriorated shipwrecks as well as smaller vessels do not appear on the map. SBNMS has not made an attempt to identify prehistoric sites and has no methodology to do so. SBNMS has conducted education/outreach to inform the public in a variety of ways including: symposia, museum exhibits, presentations, and press conferences

General Description of SBNMS and Its Natural Resources, presented by Ben Cowie-Haskell

SBNMS in general, including fishing, habitat, Western Gulf of Maine Closed Area, and marine mammal information. The WGMCA only excludes the use of ground fishing gear. If fishing regulations are proposed by MARCH they must be approved by the Fishery Management Council

PROBLEM CHARACTERIZATION: MARCH Examines the Public Scoping Document

MARCH assessed each concern and action/strategy for validity. Concerns or actions/strategies that MARCH found groundless or were formed from a lack of information include:

5.A Need for Inventory and Assessment and Comprehensive Characterization.

Concerns:

1. SBNMS has placed too much emphasis on SCRs: other authorities exist to handle them.
2. Cultural Resources should not take priority over natural resources

Actions/Strategies:

1. No exploration of SCRs in SBNMS.
2. SBNMS should not concentrate on one site, the Portland, and ignore the rest of their cultural resources.

5.B No Plan for SCR Management and Protection

Concerns: All concerns were valid.

Actions/Strategies:

1. Do not change SCR regulations.
2. Do not turn this into a public dive site
3. Protect cultural resources from all disturbance

4. There are a host of other institutions that can do the job.
 5. SBNMS should dedicate its resources to ecosystem protection instead of SCRs.
 6. Prioritize living marine resources over historical or cultural resources.
- 5.C Lack of Public Awareness/Interpretation
All Concerns and Action/Strategies were considered valid.

ROUND TABLE DISCUSSION PARTS I AND II

MARCH found that the Problem Statement was too limiting and did not contain several key issues that MARCH felt needed representation

-Revised Problem Statement:

The Sanctuary represents a rich repository for heritage resources. Management, conservation, and interpretation of these heritage resources requires an understanding of their extent, context, condition, threats, and historic value through scientific research.

-After evaluating all of the public scoping comments, MARCH further refined the comments and added new concerns and actions/strategies.

5.A Need for Inventory and Assessment and Comprehensive Characterization of Heritage Resources.

Concerns:

-SBNMS is not working fast enough to inventory resources before they are impacted and/or damaged.

-SBNMS is the sole entity responsible for heritage resource management within the sanctuary, however other agencies, such as the Army Corps of Engineers, could be involved in heritage resource management if a project under their jurisdiction is initiated in the sanctuary.

-Since heritage resources have received greater attention recently, MARCH members are concerned that SBNMS might give greater priority to heritage resources to the detriment of natural resources.

-The multibeam map is inadequate to identify all heritage resources within the sanctuary. SBNMS currently does not have a systematic method to investigate heritage resources that do not appear on the multibeam map.

-SBNMS currently does not have a systematic method to investigate prehistoric/Native American sites within the sanctuary.

-SBNMS may not wisely use the funds it possess if it chooses to inventory/assess objects that are not eligible for the National Register of Historic Places.

Actions/Strategies:

- SBNMS should develop a comprehensive GIS inventory of cultural resources.
- SBNMS should develop an integrated and systematic program of archaeological research.
- SBNMS should develop a systematic program of historical research to characterize heritage resources that may be within the sanctuary.
- SBNMS should coordinate with fisherman to help identify heritage resources.
- SBNMS should review the mapping/technology document drafted at Thunder Bay National Marine Sanctuary and consider incorporating its findings into the SBNMS Heritage Resource action plan.
- SBNMS should coordinate with Native American groups to help identify heritage resources.

5.B No plan for heritage resource management and protection

Concerns:

- NOAA has the statutory responsibility to preserve heritage resources under its jurisdiction.
- SCR management is Euro/American centric.
- Traditional fishing activities are damaging heritage resources.
- Recreational scuba diving on heritage resources may degrade the integrity of sites and or damage sites.
- Will disclosing the locations of heritage resource sites cause increased degradation of those sites?
- Some potential heritage resources are also environmental hazards (MIT radioactive waste, munitions disposal areas)
- SBNMS should consider the historical usage of the sanctuary and maintain public access (cultural history includes fishing on the bank)
- SBNMS will use shipwrecks as a way to prevent fishing within the sanctuary.

Actions/Strategies:

- SBNMS should consider regulation changes to better protect heritage resources.
- Diving on sites within the sanctuary should be regulated under a permitting process and/or a concession policy.

-SBNMS should release the coordinates of the *Portland* and other very high relief wrecks to commercial fisherman so that they can avoid entangling their gear and damaging the resource.

-SBNMS should clearly define its position on salvage and archaeological permitting.

-SBNMS should consult with Native American groups/ Tribal Preservation Officers to establish ownership of heritage resources and treaty rights.

-SBNMS should create a prioritized set of criteria describing differing levels of importance and the associated levels of protection needed to manage heritage resources.

-SBNMS should create “zones/restricted areas” around heritage resource sites to enhance their protection.

-The Sanctuary should develop a management plan that follows these steps:

1. Inventory (discovery and recording the resources present)
 2. Evaluation (determine the resources scientific and public importance)
 3. Planning (determine how the resource would be most appropriately used)
 4. Protection (safeguarding the resource)
 5. Utilization (authorizing or otherwise accommodating the proper use)
- (Taken from: Cultural Resources: Problems Protecting and Preserving Federal Archaeological Resources. GAO: December 1987)

5.C **Lack of Public Awareness/Interpretation of heritage resources**

Concerns:

-Currently many people do not know that SBNMS exists; heritage resources provide an opportunity to capture the public’s imagination and interest.

-Interest in heritage resources can be used to deliver a larger message of ocean stewardship.

-Public is interested in actively visiting the *Portland*. Can this be done without endangering the resource?

-User groups are unaware of heritage resource regulations that pertain to their activities.

Actions/Activities:

-Develop targeted outreach material for different user groups. (Commercial Fishing, Recreational Fishing, Scuba Diving)

-Outreach programs for Native American groups to preserve oral tradition about the sanctuary.

- Outreach programs for regional archeological societies.
- Decode SBNMS's cultural landscape to reveal the human dimensions of the sanctuary's past and present.
- Identify and prioritize a list of outreach targets.

ISSUES IN THE MARINA (issues/suggestions raised during the meeting that were set aside for later discussion)

- People would be interested in going over top of the *Portland* on a boat as part of a tour operation. Tour operator would like to use hull-mounted sonar to show an image of the *Portland*.
- Development of targeted outreach material to calm fears and educated specific user groups about the sanctuary's heritage resources.
- Look to the Wisconsin Maritime Heritage Trail system for ideas about maritime landscapes.
- NOAA's Maritime Heritage Program terminology does not fit with Federal Archaeology Program terminology used by most other cultural resource management practitioners.

Meeting Conclusion:

ACTION: SBNMS should supply more info to MARCH about water quality testing.

-MARCH members felt that the issue of heritage resource protection would reflect how the sanctuary treats the public/user groups in general.

ACTION: MARCH would like a notice posted in local papers regarding the cooperation of fishing representatives Bill Lee and Steve James in the Maritime Archaeology Working Group. This action would allay fishing concerns.

ACTION: SBNMS staff should send out an email to MARCH members with revised contact information.

ACTION: The 16 December 2003 MARCH meeting will start at 8:00 AM at the SBNMS office in Scituate, MA.

Gerry E. Studds **Stellwagen Bank National Marine Sanctuary**
Management Plan Review

Maritime Archaeology Working Group – Agenda

Date: 24 November 2003
Location: Stellwagen Bank National Marine Sanctuary
175 Edward Foster Rd.

Scituate, MA 02066
781-545-8026

TIME	TOPICS AND OBJECTIVES
9:00-9:30	<p>•Welcome •Introductions -Round Robin (Name, Affiliation, Background, and Interests)</p> <p>Objective: Familiarization with members.</p> <p>Discussion Leader: Jerry Hill</p>
9:30-11:30	<p>•Why Are We Here - Status of the Management Plan Review - The Working Group Process - Mechanics, Responsibilities, and Decision Making - Purpose and Structure of a Action Plan - How Does the Action Plan Fit into the Draft Management Plan?</p> <p>Objective: Familiarize working group members with the management plan review process and the how's and why's of the working group.</p> <p>Discussion Leader: Ben Cowie-Haskell</p>
11:30-12:15	<p>•SBNMS Maritime Heritage Program Presentations Part I - National Marine Sanctuary Program (NMSP) Overview and Mandates</p> <p>Objective: Familiarize working group members with the National Marine Sanctuary Program and NOAA's mandate concerning cultural resources based on federal historic preservation laws.</p> <p>Presenter: Deborah Marx</p>
12:15-12:30	<p>•Break to Distribute Lunch</p>
12:30-1:15	<p>•SBNMS Maritime Heritage Program Presentations Part II - Current Status of Maritime Heritage Resources Investigations and Management in SBNMS</p> <p>Objective: Familiarize working group members with the maritime heritage resources in SBNMS and the steps the sanctuary has undertaken to investigate and manage these resources.</p> <p>Presenters: Matthew Lawrence and Deborah Marx</p>
1:15-1:30	<p>•Break</p>

<p>1:30-2:00</p>	<p>•Problem Characterization - Review Public Scoping Comments on Maritime Heritage Resources - Identify Accurate, Inaccurate, and Missing Problems, Concerns, and Actions</p> <p><u>Objective:</u> Review and familiarize working group members with public scoping comments on maritime heritage resources.</p> <p>Discussion Leader: Ben Cowie-Haskell</p>
<p>2:00-3:00</p>	<p>•Round Table Discussion Part I - Identify Missing Maritime Heritage Resource Problems and Concerns</p> <p><u>Objective:</u> Identify additional maritime heritage resource problems and concerns based on the working group’s interests.</p> <p>Discussion Leader: Ben Cowie-Haskell</p>
<p>3:00-3:30</p>	<p>•Round Table Discussion Part II -Prioritize Maritime Heritage Resource Problems and Concerns</p> <p><u>Objective:</u> Develop a prioritized list of maritime heritage resource problems and concerns.</p> <p>Discussion Leader: Ben Cowie-Haskell</p>
<p>3:30-4:00</p>	<p>•Next Steps -Building an Action Plan - Meeting Schedule</p> <p>Discussion Leader: Jerry Hill</p>