

Forgeng, Eric E FLNR:EX

From: bjorn Simonsern [bjorno@shaw.ca]
Sent: Wednesday, March 14, 2007 20:25
To: Forgeng, Eric E TSA:EX
Subject: Re: Alteration permit for Ron Leier, Site DhRx-16

ERIC:

It seems that I forgot about an expiration date - again!! I would suggest an expiry date of September 30th., again, as for the last one.

Cheers

Bjorn Simonsen

----- Original Message -----

From: Forgeng, Eric E TSA:EX
To: bjorn Simonsern
Sent: Wednesday, March 14, 2007 10:15 AM
Subject: Alteration permit for Ron Leier, Site DhRx-16

Hi Bjorn,
I need an expiration / report due date for the above permit application, let me know when you get a chance,
Thanks!
Eric

*Eric Forgeng, M.A.
Permitting and Assessment Section
Archaeology Branch
Ministry of Tourism, Sport and the Arts*

*ph. (250) 952-5307 fax (250) 952-4188
e-mail: Eric.Forgeng@gov.bc.ca
Archaeology Branch website: www.tsa.gov.bc.ca/archaeology/*

Forgeng, Eric E FLNR:EX

From: bjorn simonsen [bjornoshaw.ca@prod.shaw.ca]
Sent: Sunday, August 12, 2007 20:11
To: Forgeng, Eric E TSA:EX
Cc: Loraine Littlefield; john somogyi; leier2004@shaw.ca
Subject: Departure Bay

Good Morning Eric:

First I would like to thank you for coming to Nanaimo on Friday to review our archaeological monitoring and recovery project at Departure Bay. Your presence and understanding of the situation was much appreciated by both the Snuneymuxw Nation representatives and by the Madrone Environmental crew on site.

As discussed in the course of your on-site visit the archaeological work that we began last Tuesday within the proposed "Tides" condominium development has gone beyond what was originally anticipated and allowed for in the Alteration Permit issued to Ron Leier of Leier Construction. In particular, we have been encountering a considerable number of burials that were not anticipated, as well as significantly more undisturbed shell midden deposits that originally estimated, based on both the previous ARCAS testing program and our own of just over a year ago. This has required us to shift our focus from a mainly construction monitoring role, to one of burial recovery and systematic excavation.

As you know, the site preparation work by Leier's excavation contractor (Hazelwood Construcxtion Services Ltd. of Nanaimo) was halted as of mid-day on Friday, pending your site inspection and on-site meeting with ourselves, Ron Leier and Snuneymuxw Nation representatives. In the course of these discussions and deliberations, there was general agreement that the following process would be followed with regard to the continuation of the archaeological investigations:

1. That all machine excavation - except for that carried out at the request and at the direction of the Madrone archaeological crew - would be stopped until further notice.
2. That all known human remains will be exposed and removed immediately and handled with respect, as per the Snuneymuxw Nation Burial Protocol. This activity will be given the highest priority for all current work on site. No machinery will be allowed to work while this work is in progress.
3. Systematic excavation work in 1 x 1 meter units within areas found to contain undisturbed archaeological deposits (such as the middle area of the property as viewed by you last Friday) will also be given priority and will proceed on a daily basis until an adequate representative sample of this matreial has been recovered (we are proposing a 10% sample of such deposits as being adequate).
4. Additional removal of historic fill (gravel and other imported material) will commence on Tuesday, August 14th. in order to uncover additional undisturbed shell midden or other archaeological deposits in areas around the building footprint that are yet to be excavated by the contractor. These excavations will be carried by a small rubber-tired excavator and will be done under the direction of the on-site archaeological crew. All non-cultural overburden fill will be trucked off-site.
5. If additional areas of undisturbed archaeological deposits are uncovered, these will be subjecetd to systematic excavation in 1 x 1 meter units up to a 10% sample, as above.
6. Should additional human remains be found in the course of the above excavation work, their removal will be given priority over other work on site.

No heavy machine excavation activity will take place on site until we are satisfied that both burial remains and undisturbed archaeological deposits have been properly and respectfully recovered. We are hopeful that this can be achieved within the next week. However, the completion of these tasks will be dictated by what is being found in the course of our fill removal work.

Once the above recovery program has been completed, it is our intention to have the original deep excavation work by the large excavator proceed, as originally planned. However, we also intend to continue our construction monitoring program in order that any additional human remains that mw y be encountered can be respectfully recovered.

I trust that the above outline of the continuation of archaeological work at the "Tides" property is sufficient for your office to proceed with the issuance of a Permit Ammendment, as per our on-site meeting and discussion of last Friday. Should you require any additional information, or wish to discuss any of the above with me directly, please contact me at (250) 701-5327. This will reach me sooner than an email message.

Yours sincerely

Bjorn Simonsen
Archaeologist and Senior Associate
Madrone Environmental Services Ltd.
Duncan, B.C.

Forgeng, Eric E FLNR:EX

From: Forgeng, Eric E TSA:EX
Sent: Friday, August 24, 2007 13:13
To: 'bjorn Simonsern'
Subject: Cemetery Regulation Website

Hi Bjorn,

This is the website for the Business Practices and Consumer Protection Authority of BC, who regulate the establishment and operation of cemeteries:

http://www.bpcpa.ca/index.php?option=com_content&task=view&id=167&Itemid=450

The person I talked with suggested that if you're at the point where you want to organize a cemetery on private land, to download and read the Certificate of Public Interest Application Checklist (item 1) and the Application for License-Operator of a place of interment checklist (item 2). They said they'd undoubtedly waive the criminal record check in the case of a First Nation government as an applicant.

There is a licensing fee of \$1,000.00.

Any questions after reading the material on the web, then call the BPCPA Licensing Manager Tim Monahan at 1-888-777-4393 x 2664. He's the one who issues the certificate of public interest.

Other contact information:

Phone: 604 320-1664

Fax: 250 920-7181

Hours of Operation

The BPCPA offices are open from 8:30 am to 4:30 pm (PST), Monday through Friday.

Mailing Address:

PO Box 9244 Victoria BC V8W 9J2

Victoria Office Courier Address:

5th Floor, 1019 Wharf Street, Victoria BC V8W 9J2

As I mentioned on the phone, reburying remains from the same site (even other modern properties) within site boundaries can be done under a HCA Section 12 permit such as the permit you're holding. Burying remains from other sites within the boundaries of a site is more legally complicated and will require some additional discussion.

Hope this helps, let me know if I can answer any questions.

Good luck with the site, thanks for keeping me informed!

Eric

Eric Forgeng, M.A.

Permitting and Assessment Section

Archaeology Branch

Ministry of Tourism, Sport and the Arts

ph. (250) 953-3362 fax (250) 953-3340

e-mail: Eric.Forgeng@gov.bc.ca

Archaeology Branch website: www.tsa.gov.bc.ca/archaeology/

Forgeng, Eric E FLNR:EX

From: bjorn simonsen [bjorno@shaw.ca]
Sent: Sunday, August 26, 2007 20:12
To: Forgeng, Eric E TSA:EX
Subject: Re: Cemetery Regulation Website

Hi Eric:

Thank you for this. I will be attending the meeting at Snuneymuxw Nation office tomorrow (Monday) morning and will bring this information with me.

s.16, S18

s.16, S18

Stay tuned.

Bjorn

----- Original Message -----

From: Forgeng, Eric E TSA:EX
To: bjorn Simonsern
Sent: Friday, August 24, 2007 1:12 PM
Subject: Cemetery Regulation Website

Hi Bjorn,

This is the website for the Business Practices and Consumer Protection Authority of BC, who regulate the establishment and operation of cemeteries:

http://www.bpcpa.ca/index.php?option=com_content&task=view&id=167&Itemid=450

The person I talked with suggested that if you're at the point where you want to organize a cemetery on private land, to download and read the Certificate of Public Interest Application Checklist (item 1) and the Application for License-Operator of a place of interment checklist (item 2). They said they'd undoubtedly waive the criminal record check in the case of a First Nation government as an applicant.

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Hope this helps, let me know if I can answer any questions.

Good luck with the site, thanks for keeping me informed!

Eric

*Eric Forgeng, M.A.
Permitting and Assessment Section
Archaeology Branch
Ministry of Tourism, Sport and the Arts*

*ph. (250) 953-3362 fax (250) 953-3340
e-mail: Eric.Forgeng@gov.bc.ca
Archaeology Branch website: www.tsa.gov.bc.ca/archaeology/*

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Version: 7.5.484 / Virus Database: 269.12.6/971 - Release Date: 8/24/2007 2:59 PM

August 2007

To: Batten, Justine TSA:EX
Subject: Departure Bay meeting notes

Hi Justine,

Here are a few notes on the meeting this morning regarding site DhRx-16 at 2855 Departure Bay Road.

The participants were:

Geraldine Manson, SFN Elder's Cultural Coordinator
David Mannix, SFN Economic Development Officer
Bjorn Simonsen and John Somogyi, Madrone
Ron Leier, developer and permittee for the current SAP 2007-094
Patrick Heintz, Leier Construction Project Manager,
Chris Rust, Boorman Investment Company (financial advisor ?)
Eric Forgeng and Ray Kenny, Archaeology Branch

s.16

As a contingency in the event that the SFN are unable to purchase the property within the next (undefined but reasonably short) period of time, Bjorn will apply for a new S14 investigation permit to continue the excavation of burials in the northern portion of the lot, and probably around the excavated units in the center of the property. Detailed project maps incorporating all previous data will be provided to the Branch as part of the application.

Bjorn will need a special dispensation to be able to hold the permit.

The Branch has agreed to expedite the permit with SFN support once all application data are received.

Monitored construction work can continue elsewhere on the property under the existing S12 permit, the developer proposes a temporary fence to isolate the burial area. The SFN agree that machinery can be used elsewhere on the property away from the burials. If additional burials are encountered, then the protocol used under the current amended S12 permit will be followed.

s.16, S18

The developer understands that the property still contains protected archaeological deposits, and may not be modified in future without the necessary permits and studies. He understands that the burial area and a buffer zone (size to be defined in the new S14 permit) is not to be impacted further. A covenant is being considered.

Bjorn will be calling me this afternoon to check in and discuss permitting, and I have established a direct line of communication with Geraldine and David at the Sneneymuxw that will hopefully make future discussions on this project easier. My best assessment of the meeting today is that it was successful. I had all of my questions answered, everyone had a chance to air their concerns, and it appears that everyone is on the same page with regard to the archaeology.

Please let me know if you'd like any additional information.

*Eric Forgeng, M.A.
Permitting and Assessment Section
Archaeology Branch
Ministry of Tourism, Sport and the Arts*

ph. (250) 953-3362 fax (250) 953-3340

Forgeng, Eric E FLNR:EX

From: Batten, Justine TSA:EX
Sent: Tuesday, September 11, 2007 13:48
To: Forgeng, Eric E TSA:EX
Subject: RE: Departure Bay Reburials

well that's a change! thanks for keeping me in the loop

Justine Batten
Director
Archaeology Branch
Ministry of Tourism, Sport and the Arts

Telephone: 250 953-3355
Fax: 250 953-3340
email: justine.batten@gov.bc.ca

-----Original Message-----

From: Forgeng, Eric E TSA:EX
Sent: Tuesday, September 11, 2007 1:31 PM
To: Batten, Justine TSA:EX
Subject: FW: Departure Bay Reburials

Justine, FYI

This is the latest change from Departure Bay...

Eric

-----Original Message-----

From: Loraine Littlefield [<mailto:loraine1@snuneymuxw.ca>]
Sent: Tuesday, September 11, 2007 11:07 AM
To: Forgeng, Eric E TSA:EX
Subject: RE: Foundry Report

Hi Eric,

s.16, S18

Loraine

Forgeng, Eric E FLNR:EX

From: bjorn simonsen [bjorno@shaw.ca]
Sent: Friday, September 21, 2007 13:44
To: Forgeng, Eric E TSA:EX
Cc: leier2004@shaw.ca
Subject: Site Plan

Hi Eric:

I have obtained a clean Site Construction Plan from the owners of "The Tides" project at Departure Bay. Unfortunately, however, the information that needs to be plotted on the plan is not readily accessible until this weekend. However, we will be plotting this information on the plan over the weekend and have it delivered to your office on Monday morning.

Also for your information and attention

S16

S16 we have been asked to gear up for a Tuesday, September 25 resumption of archaeological monitoring and burial recovery work at Departure Bay. This will now include the use of a small excavator to remove midden matrix which is to be trucked off-site to the Snuneymuxw I.R. #1 Reserve at the south end of Nanaimo. Given this development, I would like to request on behalf of our client (Mr. Ron Leier) that his current Alteration Permit be revised to allow for the transfer and placement of midden material from site DhRx-16 (the Departure Bay Site) to the Snuneymuxw I.R. #1 Reserve Cemetery location. A new Site Form for the Cemetery location will be prepared and submitted to your office upon completion of the Site Alteration program.

Yours sincerely

Bjorn Simonsen
Madrone Environmental Services Ltd.

Bjorn Simonsen

Forgeng, Eric E FLNR:EX

From: Forgeng, Eric E TSA:EX
Sent: Friday, September 21, 2007 14:00
To: 'bjorn simonsen'
Subject: RE: Site Plan

Thanks, Bjorn

That will be great. Could you ask Loraine or Gerry to write me an email approving of the amendment to remove material to the cemetery? We technically can't begin the work without their written approval.

Much obliged,
Eric

*Eric Forgeng, M.A.
Permitting and Assessment Section
Archaeology Branch
Ministry of Tourism, Sport and the Arts*

*ph. (250) 953-3362 fax (250) 953-3340
e-mail: Eric.Forgeng@gov.bc.ca
Archaeology Branch website: www.tsa.gov.bc.ca/archaeology/*

From: bjorn simonsen [<mailto:bjorno@shaw.ca>]
Sent: Friday, September 21, 2007 1:44 PM
To: Forgeng, Eric E TSA:EX
Cc: leier2004@shaw.ca
Subject: Site Plan

Hi Eric:

I have obtained a clean Site Construction Plan from the owners of "The Tides" project at Departure Bay. Unfortunately, however, the information that needs to be plotted on the plan is not readily accessible until this weekend. Howeverm we will be plotting this information on the plan over the weekend and have it delivered to your office on Monday morning.

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Yours sincerely

Bjorn Simonsen
Madrone Environmental Services Ltd.

Bjorn Simonsen

Forgeng, Eric E FLNR:EX

From: Forgeng, Eric E TSA:EX
Sent: Thursday, September 27, 2007 14:58
To: 'bjorn simonsen'
Subject: Golder Report for 7-11 adjacent to 2855 Departure Bay

<ftp://ftp.env.gov.bc.ca/pub/outgoing/Bjorn/>

Hi Bjorn,

Thanks for coming by today, I think the meeting went well. The Golder report is too big to email (53 mb), but you can download it from the URL above and have a look if you'd like.

Let me know if you have any further questions about the S14 permit.

Thanks
Eric

*Eric Forgeng, M.A.
Permitting and Assessment Section
Archaeology Branch
Ministry of Tourism, Sport and the Arts*

*ph. (250) 953-3362 fax (250) 953-3340
e-mail: Eric.Forgeng@gov.bc.ca
Archaeology Branch website: www.tsa.gov.bc.ca/archaeology/*

Forgeng, Eric E FLNR:EX

From: Batten, Justine TSA:EX
Sent: Thursday, October 4, 2007 17:09
To: Forgeng, Eric E TSA:EX; Kenny, Ray TSA:EX; Glaum, Doug TSA:EX
Subject: FW: Departure Bay meeting notes

Please note most recent development. No permit should be issued until we have a chance to discuss this between our selves, with our Executive and with MARR. I will be back in the office by 2 pm tomorrow so let's plan to discuss then.

Doug if you need to reach me call Evert's assistant as my phone won't be on in the meeting.

Justine Batten
Director
Archaeology Branch
Ministry of Tourism, Sport and the Arts

Telephone: 250 953-3355
Fax: 250 953-3340
email: justine.batten@gov.bc.ca

From: Richter, Mindy S ABR:EX
Sent: Thursday, October 4, 2007 4:59 PM
To: Batten, Justine TSA:EX
Subject: RE: Departure Bay meeting notes

Hi Justine,

Please see the attached letter to our Ministers.



VANCOUVR-#855
0-v1-FAX_FROM_C

Mindy
250-356-5344

From: Batten, Justine TSA:EX
Sent: Thu, September 27, 2007 2:02 PM
To: Yardley, Jim R TSA:EX; Pyper, John ABR:EX; Richter, Mindy S ABR:EX
Cc: Suenderman, Charles PAB:EX
Subject: FW: Departure Bay meeting notes

Here are the latest events in this matter. The meeting held in our offices today went very well as all the parties participated in trying to resolve the issue.

s.16, S18

s.16, S18

Justine Batten
Director

Archaeology Branch
Ministry of Tourism, Sport and the Arts

Telephone: 250 953-3355
Fax: 250 953-3340
email: justine.batten@gov.bc.ca

From: Forgeng, Eric E TSA:EX
Sent: Thursday, September 27, 2007 1:40 PM
To: Batten, Justine TSA:EX
Subject: Departure Bay meeting notes

Hi Justine,

Here are a few notes on the meeting this morning regarding site DhRx-16 at 2855 Departure Bay Road.

The participants were:

Geraldine Manson, SFN Elder's Cultural Coordinator
David Mannix, SFN Economic Development Officer
Bjorn Simonsen and John Somogyi, Madrone
Ron Leier, developer and permittee for the current SAP 2007-094
Patrick Heintz, Leier Construction Project Manager,
Chris Rust, Boorman Investment Company (financial advisor ?)
Eric Forgeng and Ray Kenny, Archaeology Branch

s.16

As a contingency in the event that the SFN are unable to purchase the property within the next (undefined but reasonably short) period of time, Bjorn will apply for a new S14 investigation permit to continue the excavation of burials in the northern portion of the lot, and probably around the excavated units in the center of the property. Detailed project maps incorporating all previous data will be provided to the Branch as part of the application.

The Branch has agreed to expedite the permit with SFN support once all application data are received.

Monitored construction work can continue elsewhere on the property under the existing S12 permit, the developer proposes a temporary fence to isolate the burial area. The SFN agree that machinery can be used elsewhere on the property away from the burials. If additional burials are encountered, then the protocol used under the current amended S12 permit will be followed.

s.16, S18

The developer understands that the property still contains protected archaeological deposits, and may not be modified in future without the necessary permits and studies. He understands that the burial area and a buffer zone (size to be defined in the new S14 permit) is not to be impacted further. A covenant is being considered.

Bjorn will be calling me this afternoon to check in and discuss permitting, and I have established a direct line of communication with Geraldine and David at the Sneneymuxw that will hopefully make future discussions on this project easier. My best assessment of the meeting today is that it was successful. I had all of my questions answered, everyone had a chance to air their concerns, and it appears that everyone is on the same page with regard to the archaeology.

Please let me know if you'd like any additional information.

*Eric Forgeng, M.A.
Permitting and Assessment Section
Archaeology Branch
Ministry of Tourism, Sport and the Arts*

*ph. (250) 953-3362 fax (250) 953-3340
e-mail: Eric.Forgeng@gov.bc.ca
Archaeology Branch website: www.tsa.gov.bc.ca/archaeology/*

Forgeng, Eric E FLNR:EX

From: Forgeng, Eric E TSA:EX
Sent: Thursday, October 4, 2007 15:13
To: 'bjorn simonsen'
Subject: DhRx-16 permit application

Hi Bjorn,

I'm working on the permit application for the Departure Bay excavation, I got the map from John yesterday evening. He did a nice job of plotting the trenches from the previous AIAs, it's much easier with everything on the same map. I'd like to add a point to the reporting section of the application, that all the data collected from the earlier excavations under SAP 2007-094 be incorporated into the report for the current investigation permit, we'll essentially combine the two permits for reporting purposes. I could either add this as a condition, or ask you to re-write the reporting paragraph. Do you have any thoughts on this?

s.16

s.16

Could you get back to me as soon as you have a chance ? Thanks for your cooperation with all of this.

Cheers
Eric

*Eric Forgeng, M.A.
Permitting and Assessment Section
Archaeology Branch
Ministry of Tourism, Sport and the Arts*

*ph. (250) 953-3362 fax (250) 953-3340
e-mail: Eric.Forgeng@gov.bc.ca
Archaeology Branch website: www.tsa.gov.bc.ca/archaeology/*

Forgeng, Eric E FLNR:EX

From: Forgeng, Eric E TSA:EX
Sent: Thursday, October 4, 2007 15:29
To: 'bjorn simonsen'
Subject: One more thing

Hi Bjorn,

I also need an expiration date for the permit.

Thanks,

*Eric Forgeng, M.A.
Permitting and Assessment Section
Archaeology Branch
Ministry of Tourism, Sport and the Arts*

*ph. (250) 953-3362 fax (250) 953-3340
e-mail: Eric.Forgeng@gov.bc.ca
Archaeology Branch website: www.tsa.gov.bc.ca/archaeology/*

Forgeng, Eric E FLNR:EX

From: bjorn simonsen [bjorno@shaw.ca]
Sent: Thursday, October 4, 2007 16:35
To: Forgeng, Eric E TSA:EX
Subject: Re: One more thing

Hi Eric:

Got both of your email notes and can respond, as follows:

- I am complete agreement that we should be submitting a single report - but possibly in two sections - relating to all work carried out under the current Alteration Permit and the Investigation Permit being applied for. I suggest you simply make this a condition of the permit or request that this be done in the covering letter that will accompany the next permit (assuming that Snuneymuxw does not acquire the property).

s.16

- Lastly, I would suggest a March 31, 2008 termination date for the Investigation Permit.

Hope the above is what you needed.

Bjorn Simonsen

----- Original Message -----

From: Forgeng, Eric E TSA:EX
To: bjorn simonsen
Sent: Thursday, October 04, 2007 3:29 PM
Subject: One more thing

Hi Bjorn,

I also need an expiration date for the permit.

Thanks,

*Eric Forgeng, M.A.
Permitting and Assessment Section
Archaeology Branch
Ministry of Tourism, Sport and the Arts*

*ph. (250) 953-3362 fax (250) 953-3340
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Archaeology Branch website: www.tsa.gov.bc.ca/archaeology/*

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Forgeng, Eric E FLNR:EX

From: Forgeng, Eric E TSA:EX
Sent: Friday, October 5, 2007 08:10
To: 'bjorn simonsen'
Subject: RE: One more thing

Perfect! That answers my questions. Please keep in touch about how things are going with the purchase negotiations and scheduling. We'll still have to amend the alteration permit to remove midden from the site, and will need a letter from the SFN to expedite it if the work is going forward.

Thanks very much,
Eric

*Eric Forgeng, M.A.
Permitting and Assessment Section
Archaeology Branch
Ministry of Tourism, Sport and the Arts*

*ph. (250) 953-3362 fax (250) 953-3340
e-mail: Eric.Forgeng@gov.bc.ca
Archaeology Branch website: www.tsa.gov.bc.ca/archaeology/*

From: bjorn simonsen [<mailto:bjorno@shaw.ca>]
Sent: Thursday, October 4, 2007 4:35 PM
To: Forgeng, Eric E TSA:EX
Subject: Re: One more thing

Hi Eric:

Got both of your email notes and can respond, as follows:

- I am complete agreement that we should be submitting a single report - but possibly in two sections - relating to all work carried out under the current Alteration Permit and the Investigation Permit being applied for. I suggest you simply make this a condition of the permit or request that this be done in the covering letter that will accompany the next permit (assuming that Snuneymuxw does not acquire the property).

s.16

- Lastly, I would suggest a March 31, 2008 termination date for the Investigation Permit.

Hope the above is what you needed.

Bjorn Simonsen

----- Original Message -----

From: Forgeng, Eric E TSA:EX
To: bjorn simonsen
Sent: Thursday, October 04, 2007 3:29 PM
Subject: One more thing

Hi Bjorn,

I also need an expiration date for the permit.

Thanks,

*Eric Forgeng, M.A.
Permitting and Assessment Section
Archaeology Branch
Ministry of Tourism, Sport and the Arts*

*ph. (250) 953-3362 fax (250) 953-3340
e-mail: Eric.Forgeng@gov.bc.ca
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Version: 7.5.488 / Virus Database: 269.14.0/1049 - Release Date: 10/4/2007 8:59 AM

Taylor, Julia C FLNR:EX

From: Batten, Justine FLNR:EX
Sent: Friday, October 5, 2007 4:24 PM
To: 'Ken Hughes-Adams'
Subject: RE: Archaeological permit application near Front St., Nanaimo

S22
S22 The Departure Bay permit was, as he was informed, an exception due to the extraordinary circumstances.

Justine Batten
Director
Archaeology Branch
Ministry of Tourism, Sport and the Arts

Telephone: 250 953-3355
Fax: 250 953-3340
email: justine.batten@gov.bc.ca

-----Original Message-----

From: Ken Hughes-Adams [mailto:ken.hughes-adams@madrone.ca]
Sent: Friday, October 5, 2007 4:09 PM
To: Batten, Justine TSA:EX
Subject: RE: Archaeological permit application near Front St., Nanaimo

Dear Ms. Batten,

S22 we will be submitting the permit in Bjorn Simonsen's name on Tuesday. I am disappointed that we couldn't find a way to move this more quickly.

Ken
Phone: 746-5545
Fax: 746-5850
E-mail:
Madrone Office: ken.hughes-adams@madrone.ca
Home Office: ken.hughes-adams@shaw.ca

-----Original Message-----

From: Batten, Justine TSA:EX [mailto:Justine.Batten@gov.bc.ca]
Sent: 2007, October 05 4:02 PM
To: Ken Hughes-Adams
Subject: RE: Archaeological permit application near Front St., Nanaimo

As we just discussed:

No permit can be issued until we get a new application signed by Monty and the City. We will though start the review of the application submitted by John as you state Monty will be submitting exactly the same application.

Justine Batten

Director
Archaeology Branch
Ministry of Tourism, Sport and the Arts

Telephone: 250 953-3355
Fax: 250 953-3340
email: justine.batten@gov.bc.ca

-----Original Message-----

From: Ken Hughes-Adams [mailto:ken.hughes-adams@madrone.ca]
Sent: Friday, October 5, 2007 2:51 PM
To: Batten, Justine TSA:EX
Subject: RE: Archaeological permit application near Front St., Nanaimo

S22
issued, Bjorn will supervise the work.

the permit is

Ken
Phone: 746-5545
Fax: 746-5850
E-mail:
Madrone Office: ken.hughes-adams@madrone.ca
Home Office: ken.hughes-adams@shaw.ca

-----Original Message-----

From: Batten, Justine TSA:EX [mailto:Justine.Batten@gov.bc.ca]
Sent: 2007, October 05 2:18 PM
To: Ken Hughes-Adams
Subject: RE: Archaeological permit application near Front St., Nanaimo

S22

Justine Batten
Director
Archaeology Branch
Ministry of Tourism, Sport and the Arts

Telephone: 250 953-3355
Fax: 250 953-3340
email: justine.batten@gov.bc.ca

-----Original Message-----

From: Ken Hughes-Adams [mailto:ken.hughes-adams@madrone.ca]
Sent: Friday, October 5, 2007 11:58 AM
To: Batten, Justine TSA:EX
Subject: Archaeological permit application near Front St., Nanaimo

Dear Ms. Batten,
Thank you for taking time to speak with me yesterday about qualifying
archaeological permits.

S22

to hold

S22

S22
I would like to pursue this further as we discussed.

Forgeng, Eric E FLNR:EX

From: bjorn simonsen [bjorno@shaw.ca]
Sent: Sunday, October 7, 2007 09:48
To: Forgeng, Eric E TSA:EX
Subject: Re: One more thing

Eric:

s.16

Stay tuned.

Bjorn

----- Original Message -----

From: Forgeng, Eric E TSA:EX
To: bjorn simonsen
Sent: Friday, October 05, 2007 8:09 AM
Subject: RE: One more thing

Perfect! That answers my questions. Please keep in touch about how things are going with the purchase negotiations and scheduling. We'll still have to amend the alteration permit to remove midden from the site, and will need a letter from the SFN to expedite it if the work is going forward.

Thanks very much,
Eric

*Eric Forgeng, M.A.
Permitting and Assessment Section
Archaeology Branch
Ministry of Tourism, Sport and the Arts*

*ph. (250) 953-3362 fax (250) 953-3340
e-mail: Eric.Forgeng@gov.bc.ca
Archaeology Branch website: www.tsa.gov.bc.ca/archaeology/*

From: bjorn simonsen [<mailto:bjorno@shaw.ca>]
Sent: Thursday, October 4, 2007 4:35 PM
To: Forgeng, Eric E TSA:EX
Subject: Re: One more thing

Hi Eric:

Got both of your email notes and can respond, as follows:

- I am complete agreement that we should be submitting a single report - but possibly in two sections - relating to all work carried out under the current Alteration Permit and the Investigation Permit being applied for. I suggest you simply make this a condition of the permit or request that this be done in the covering letter that will accompany the next permit (assuming that Snuneymuxw does not acquire the property).

s.16

- Lastly, I would suggest a March 31, 2008 termination date for the Investigation Permit.

Hope the above is what you needed.

Bjorn Simonsen

----- Original Message -----

From: Forgeng, Eric E TSA:EX

To: bjorn simonsen

Sent: Thursday, October 04, 2007 3:29 PM

Subject: One more thing

Hi Bjorn,

I also need an expiration date for the permit.

Thanks,

Eric Forgeng, M.A.

Permitting and Assessment Section

Archaeology Branch

Ministry of Tourism, Sport and the Arts

ph. (250) 953-3362 fax (250) 953-3340

e-mail: Eric.Forgeng@gov.bc.ca

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Checked by AVG Free Edition.

Version: 7.5.488 / Virus Database: 269.14.0/1049 - Release Date: 10/4/2007 8:59 AM

No virus found in this incoming message.

Checked by AVG Free Edition.

Version: 7.5.488 / Virus Database: 269.14.2/1053 - Release Date: 10/6/2007 10:18 AM

Forgeng, Eric E FLNR:EX

From: Batten, Justine TSA:EX
Sent: Tuesday, October 9, 2007 15:43
To: Forgeng, Eric E TSA:EX
Subject: RE: Latest on Departure Bay

thanks Eric

*Justine Batten
Director
Archaeology Branch
Ministry of Tourism, Sport and the Arts*

*Telephone: 250 953-3355
Fax: 250 953-3340
email: justine.batten@gov.bc.ca*

From: Forgeng, Eric E TSA:EX
Sent: Sunday, October 7, 2007 10:20 PM
To: Batten, Justine TSA:EX
Cc: Kenny, Ray TSA:EX
Subject: Latest on Departure Bay

From: bjorn simonsen [<mailto:bjorno@shaw.ca>]
Sent: Sun 07/10/2007 9:47 AM
To: Forgeng, Eric E TSA:EX
Subject: Re: One more thing

Eric:

s.16

Stay tuned.

Bjorn

----- Original Message -----

From: Forgeng, Eric E TSA:EX
To: bjorn simonsen
Sent: Friday, October 05, 2007 8:09 AM
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e-mail: Eric.Forgeng@gov.bc.ca
Archaeology Branch website: www.tsa.gov.bc.ca/archaeology/*

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Sent: Thursday, October 4, 2007 4:35 PM
To: Forgeng, Eric E TSA:EX
Subject: Re: One more thing

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s.16

- Lastly, I would suggest a March 31, 2008 termination date for the Investigation Permit.

Hope the above is what you needed.

Bjorn Simonsen

----- Original Message -----

From: Forgeng, Eric E TSA:EX
To: [bjorn simonsen](mailto:bjorn.simonsen)
Sent: Thursday, October 04, 2007 3:29 PM
Subject: One more thing

Hi Bjorn,

I also need an expiration date for the permit.

Thanks,

*Eric Forgeng, M.A.
Permitting and Assessment Section
Archaeology Branch
Ministry of Tourism, Sport and the Arts*

*ph. (250) 953-3362 fax (250) 953-3340
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Version: 7.5.488 / Virus Database: 269.14.0/1049 - Release Date: 10/4/2007 8:59 AM

No virus found in this incoming message.

Checked by AVG Free Edition.

Version: 7.5.488 / Virus Database: 269.14.2/1053 - Release Date: 10/6/2007 10:18 AM

Forgeng, Eric E FLNR:EX

From: Batten, Justine TSA:EX
Sent: Tuesday, October 9, 2007 15:07
To: Suenderman, Charles PAB:EX; Forgeng, Eric E TSA:EX
Subject: RE: Departure Bay

s.16

*Justine Batten
Director
Archaeology Branch
Ministry of Tourism, Sport and the Arts*

*Telephone: 250 953-3355
Fax: 250 953-3340
email: justine.batten@gov.bc.ca*

From: Suenderman, Charles PAB:EX
Sent: Tuesday, October 9, 2007 11:27 AM
To: Batten, Justine TSA:EX; Forgeng, Eric E TSA:EX
Subject: Departure Bay

s.16

Heritage experts discount story of massacre at native burial site

Times Colonist (Victoria)
Saturday, October 06, 2007
Page B02
By Robert Barron

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Charles Suenderman
Communications Manager
Public Affairs Bureau
Ministry of Tourism, Sport and the Arts
Tel: 250 387 2799
Cell: 250 812 9670
Fax: 250 356 9829
charles.suenderman@gov.bc.ca

Forgeng, Eric E FLNR:EX

From: Batten, Justine TSA:EX
Sent: Friday, October 5, 2007 14:06
To: Kenny, Ray TSA:EX; Forgeng, Eric E TSA:EX
Subject: FW: Departure Bay meeting notes

Please get started on this right away as there should be a first draft by 2 pm Tuesday

*Justine Batten
Director
Archaeology Branch
Ministry of Tourism, Sport and the Arts*

*Telephone: 250 953-3355
Fax: 250 953-3340
email: justine.batten@gov.bc.ca*

s.13, s.16

s.13, s.16

From: Forgeng, Eric E TSA:EX
Sent: Thursday, September 27, 2007 1:40 PM
To: Batten, Justine TSA:EX
Subject: Departure Bay meeting notes

Hi Justine,

Here are a few notes on the meeting this morning regarding site DhRx-16 at 2855 Departure Bay Road.

The participants were:

Geraldine Manson, SFN Elder's Cultural Coordinator
David Mannix, SFN Economic Development Officer
Bjorn Simonsen and John Somogyi, Madrone
Ron Leier, developer and permittee for the current SAP 2007-094
Patrick Heintz, Leier Construction Project Manager,
Chris Rust, Boorman Investment Company (financial advisor ?)
Eric Forgeng and Ray Kenny, Archaeology Branch

s.16

As a contingency in the event that the SFN are unable to purchase the property within the next (undefined but reasonably short) period of time, Bjorn will apply for a new S14 investigation permit to continue the excavation of burials in the

northern portion of the lot, and probably around the excavated units in the center of the property. Detailed project maps incorporating all previous data will be provided to the Branch as part of the application.

The Branch has agreed to expedite the permit with SFN support once all application data are received.

Monitored construction work can continue elsewhere on the property under the existing S12 permit, the developer proposes a temporary fence to isolate the burial area. The SFN agree that machinery can be used elsewhere on the property away from the burials. If additional burials are encountered, then the protocol used under the current amended S12 permit will be followed.

s.16, S18

The developer understands that the property still contains protected archaeological deposits, and may not be modified in future without the necessary permits and studies. He understands that the burial area and a buffer zone (size to be defined in the new S14 permit) is not to be impacted further. A covenant is being considered.

Bjorn will be calling me this afternoon to check in and discuss permitting, and I have established a direct line of communication with Geraldine and David at the Sneneymuxw that will hopefully make future discussions on this project easier. My best assessment of the meeting today is that it was successful. I had all of my questions answered, everyone had a chance to air their concerns, and it appears that everyone is on the same page with regard to the archaeology.

Please let me know if you'd like any additional information.

*Eric Forgeng, M.A.
Permitting and Assessment Section
Archaeology Branch
Ministry of Tourism, Sport and the Arts*

*ph. (250) 953-3362 fax (250) 953-3340
e-mail: Eric.Forgeng@gov.bc.ca
Archaeology Branch website: www.tsa.gov.bc.ca/archaeology/*

From: Minister's Correspondence TSA:EX
Sent: Friday, October 12, 2007 3:51 PM
To: s.22
Cc: Minister, ABR ABR:EX
Subject: 17597 RE: Digging up Ancient Graves in Nanaimo AGAIN!

Follow Up Flag: Follow up
Flag Status: Blue

Ref: 17597

Email: s.22

cc: ABR.Minister@gov.bc.ca

Dear s.22

Thank you for your email of September 10, 2007, addressed to Honourable Michael de Jong, Minister of Aboriginal Relations and Reconciliation, regarding the development at 2855 Departure Bay Road in Nanaimo. Minister de Jong has requested I respond to you on his behalf.

I am aware of and share First Nations' concerns regarding the appropriate protection of heritage sites in the Province of British Columbia (Province). Heritage conservation is an important interest for both the Province and First Nations, and I believe we can only effectively further this interest by communicating and working together. The process developed under the *Heritage Conservation Act* (Act) is initiated in response to development proposals that will possibly disturb or alter landscapes having the potential to contain, or known to contain, archaeological sites. The established permitting process has been developed to ensure property owners are clearly aware of their responsibilities with respect to the protection of these sites while providing opportunities for First Nations to have input into the manner of the protection.

In the case of the development at site DhRx-16 in Departure Bay, the Archaeology Branch (Branch) of the Ministry of Tourism, Sport and the Arts has been working closely with the Snuneymuxw First Nation (Snuneymuxw), professional consulting archaeologists and the developer to ensure the appropriate process is followed. When intact human remains were encountered in early August, all machine work at the site was suspended, and the removal of human remains from the site was initiated at the request of the Snuneymuxw Chief, Council and Elders. As the situation develops, the Branch is working closely with Snuneymuxw spiritual advisors, the professional archaeologists, and the developer to ensure that human remains and cultural materials are being treated according to the wishes of the Snuneymuxw and the provisions of the *Act*.

Thank you for bringing your concerns to my attention.

Sincerely,

Stanley B. Hagen
Minister of Tourism, Sport and the Arts

From: s.22
Sent: Monday, September 10, 2007 9:37 PM
To: deJong.MLA, Mike
Subject: Digging up Ancient Graves in Nanaimo AGAIN!

Dear Hon. Mike de Jong:

I am writing this letter to you in hopes that we can find a workable and peaceful solution to a crisis in NANAIMO BC Vancouver Island.

As you should know, there have been people living in BC for thousands of years before Europeans came here. Since that time, there have been many issues about Land, Burial Sites, Village Sites, Cultural/Heritage Sites being destroyed and lost forever.

One such example of this is Nanaimo (Snuneymux). When Non-Native people came here to live in the early 1850's there were many villages (at least 10 or more) and burial sites (at least 5 or more). Many accounts from early settlers as to Villages and Places of Gathering that are no longer here or no longer recognized today.

The Snuneymux People have many specific claims that have not been settled since the 1850's.

The loss of Departure Bay Village/Burial Site was one of their biggest village sites at time of contact. Today there are no signs of any village.

Around June of this year the owner of 2855 Departure Bay Road decided to build a 3 storey condo complex there.

2855 Departure Bay Road is a known archaeological site on the Province's Archaeological Sites Register and is therefore subject to the requirements of the Heritage Conservation Act. The Provincial Registry number for this site is: DHRX-16.

Site Alteration Permit has been issued by the Provincial Archaeological Branch, however, this was after a few months of the proposed development.

Just in the last few weeks, it has been reported in the newspaper etc that there have been 15 bodies found at this location of the Snuneymux People, with a possible 50 or more still to be unearthed.

In Nanaimo's history, the ancient grave site at Cameron Island was excavated and the remains relocated. The Land was developed and never returned. Grave sites were ploughed through and remains dumped at the landfill when Duke Point Ferry Terminal was developed around 1996.

Please do not let this happen again! In recent months, there was another grave site found at the Civic Arena site and the Snuneymuxw were given back the Land where the grave was found. In the case of Departure Bay, anywhere from 15 to 50 bodies/remains already found and still more digging to be done. This site is VERY important to the Snuneymux culture, history, spirit, etc.

The site alteration permit has been authorized for the Departure Bay site. This needs to be seriously reviewed. Under the Heritage Conservation Act, it is possible to get a 120 days stop work order. And this may have to be done because many Snuneymux are upset about the treatment they are receiving again.

Grave sites, especially ancient grave sites, need to be RESPECTED. The Land should be given back to the Snuneymux (like the City of Nanaimo did in the Civic Arena Case). Many of the Snuneymux ancestors' are buried at the site of Departure Bay. Please find in your heart to reply and help with this most SERIOUS issue in Nanaimo.

Section 16 of the Heritage Conservation Act states : "If the minister considers that property has or may have heritage value and is likely to be altered for any reason, the minister may issue, to a person or class of persons, a stop work order that prohibits any alteration of the property for a period of up to 120 days, subject to any requirements and conditions the minister considers appropriate.

Please consider this option as the stop work order time frame would give the Snuneymux, municipal/provincial governments time to consider and collaborate on a FAIR and RESPECTFUL agreement about this Ancient Site (It needs to be protected for the future generations of all people).

I have already requested help and insight into this matter from Premier Gordon Campbell, Jean Crowder, Leonard Krog, Mayor Gary Korpan of Nanaimo, and some Snuneymux Elders.

If need be, I will bring this issue out to the public through the media (local/national/international). Please help us as I know you can.

Sincerely,

s.22

Forgeng, Eric E FLNR:EX

From: Batten, Justine TSA:EX
Sent: Thursday, October 18, 2007 10:28
To: Kenny, Ray TSA:EX; Forgeng, Eric E TSA:EX
Subject: Departure Bay

s.16

Let's say at 1045?

*Justine Batten
Director
Archaeology Branch
Ministry of Tourism, Sport and the Arts*

*Telephone: 250 953-3355
Fax: 250 953-3340
email: justine.batten@gov.bc.ca*

Forgeng, Eric E FLNR:EX

From: bjorn simonsen [bjorno@shaw.ca]
Sent: Thursday, October 18, 2007 13:34
To: Forgeng, Eric E TSA:EX
Subject: Permit Apl. Status

Hi Eric;

Don't know if you or someone else is handling an Alteration Permit application that I submitted on September 6, 2007, on behalf of Tony Harris of Nanaimo, B.C. I have had a couple of calls from Mr. Harris who seems puzzled about the status of this application as he has heard nothing from the Archaeology Branch.

The application relates to some proposed geotech. testing within the single lot lying adjacent to and south of the Tides Property at Departure Bay - which is why I thought you might be involved. Could you email me back with a status on this?

s.16, S17

s.22

Cheers

Bjorn Simonsen

Forgeng, Eric E FLNR:EX

From: Forgeng, Eric E TSA:EX
Sent: Thursday, October 18, 2007 13:41
To: 'bjorn simonsen'
Subject: RE: Permit Apl. Status

Hi Bjorn,
Tony Harris' permit is getting ready to go out the door for comment, sorry for the delay. Thanks for the update on the Tides project.
Regards,
Eric

*Eric Forgeng, M.A.
Permitting and Assessment Section
Archaeology Branch
Ministry of Tourism, Sport and the Arts*

*ph. (250) 953-3362 fax (250) 953-3340
e-mail: Eric.Forgeng@gov.bc.ca
Archaeology Branch website: www.tsa.gov.bc.ca/archaeology/*

From: bjorn simonsen [<mailto:bjorno@shaw.ca>]
Sent: Thursday, October 18, 2007 1:34 PM
To: Forgeng, Eric E TSA:EX
Subject: Permit Apl. Status

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s.16, S17

s.22

Cheers

Bjorn Simonsen

Forgeng, Eric E FLNR:EX

From: bjorn simonsen [bjorno@shaw.ca]
Sent: Thursday, October 18, 2007 17:06
To: Forgeng, Eric E TSA:EX
Subject: Re: Permit Apl. Status

Eric;

Thanks for this - but why did this take over a month to be acted upon? Can I at least inform the client that you will give only a 15 day turn-around for comments?

Bjorn

----- Original Message -----

From: Forgeng, Eric E TSA:EX
To: [bjorn simonsen](mailto:bjorn.simonsen)
Sent: Thursday, October 18, 2007 1:40 PM
Subject: RE: Permit Apl. Status

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Regards,
Eric

*Eric Forgeng, M.A.
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Bjorn Simonsen

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Version: 7.5.488 / Virus Database: 269.15.0/1077 - Release Date: 10/18/2007 9:54 AM

Forgeng, Eric E FLNR:EX

From: Forgeng, Eric E TSA:EX
Sent: Thursday, October 18, 2007 18:54
To: bjorn simonsen
Subject: RE: Permit Apl. Status

Bjorn,

S16

You

I'll talk with you tomorrow
Eric

From: bjorn simonsen [<mailto:bjorno@shaw.ca>]
Sent: Thu 18/10/2007 5:06 PM
To: Forgeng, Eric E TSA:EX
Subject: Re: Permit Apl. Status

Eric;

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Bjorn

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Sent: Thursday, October 18, 2007 1:40 PM
Subject: RE: Permit Apl. Status

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s.16, S17

s.22

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Bjorn Simonsen

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Version: 7.5.488 / Virus Database: 269.15.0/1077 - Release Date: 10/18/2007 9:54 AM

Forgeng, Eric E FLNR:EX

From: bjorn simonsen [bjorno@shaw.ca]
Sent: Friday, October 19, 2007 08:57
To: Forgeng, Eric E TSA:EX
Subject: Re: Permit Apl. Status

Good Morning Eric:

Thank you for the reply. I figured as much.

Have a good day.

Bjorn

----- Original Message -----

From: "Forgeng, Eric E TSA:EX" <Eric.Forgeng@gov.bc.ca>
To: "bjorn simonsen" <bjorno@shaw.ca>
Sent: Thursday, October 18, 2007 6:54 PM
Subject: RE: Permit Apl. Status

Bjorn,

s.16

I'll talk with you tomorrow
Eric

From: bjorn simonsen [mailto:bjorno@shaw.ca]
Sent: Thu 18/10/2007 5:06 PM
To: Forgeng, Eric E TSA:EX
Subject: Re: Permit Apl. Status

Eric;

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Bjorn

----- Original Message -----

From: Forgeng, Eric E TSA:EX <mailto:Eric.Forgeng@gov.bc.ca>
To: bjorn simonsen <mailto:bjorno@shaw.ca>
Sent: Thursday, October 18, 2007 1:40 PM
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Eric Forgeng, M.A.
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ph. (250) 953-3362 fax (250) 953-3340
e-mail: Eric.Forgeng@gov.bc.ca
Archaeology Branch website: www.tsa.gov.bc.ca/archaeology/

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s.22 s.16, S17

Cheers

Bjorn Simonsen

No virus found in this incoming message.
Checked by AVG Free Edition.
Version: 7.5.488 / Virus Database: 269.15.0/1077 - Release Date: 10/18/2007
9:54 AM

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No virus found in this incoming message.

Checked by AVG Free Edition.

Version: 7.5.488 / Virus Database: 269.15.0/1077 - Release Date: 10/18/2007

9:54 AM

Forgeng, Eric E TSA:EX

From: Forgeng, Eric E TSA:EX
Sent: Thursday, October 25, 2007 1:26 PM
To: Batten, Justine TSA:EX
Subject: Fixed Typo in Departure Bay email

Justine, here is the main import of the information I got from the AG's office:

(Document AGBC 731968.001) HBC Minutes, London, 1855

HBC minutes from May 7, 1855 detail the HBC's purchase of 6,193 acres (at one pound sterling per acre) of land around Nanaimo, including the location of the Departure Bay village. The minutes state that HBC Chief Factor Sir James Douglas had "settled the claims of the Nanaimo Indians over the land" the previous December 26 (1853) and had cleared the area for purchase.

The HBC had a 10-year grant of all the land on Vancouver Island, but had to purchase any land they used for specific purposes. 90% of the price was kept in trust for the betterment of the colony, while the HBC kept a 10% commission.

The Nanaimo Treaty portion of the Douglas Treaties is missing, except for some notes which do not contain information relevant to Departure Bay. The AG's office can provide a copy of the fragments if we're interested.

(Document AGBC 591982), McKenna McBride minutes, Cowichan Agency 1913

An eyewitness to the treaty, "Dick Whoakum" the last survivor of the ten Snuneymuxw who first brought the coal fields to the HBC's attention, testified at the 1913 Royal Commission hearings.

He said that the Indians of this band have three homes: Their main home was at Departure Bay, at other times they lived on the Island (Gabriola) and the Nanaimo River. They draw the salmon from the Nanaimo River, and they go to Departure Bay for curing the herrings. Whoakum testified that Douglas had said "I don't take any land away from you at all. All these three places where you live at different times are yours."

The deponent complained that the Nanaimo were being prevented from cutting wood and fishing on non-reserve land that had been appropriated by the HBC. He wanted to be compensated for the value of the coal and other resources being taken from the Nanaimo's former lands.

1. While there is no known written record of the specific agreement concerning Departure Bay spoken of by Mr. Whoakum in 1913, it is consistent with Douglas' general operating policy that land occupied (or recently occupied) by FNs was not taken away from them.

3. A map detailing the 1855 HBC purchase shows the Departure Bay village as non-reserve land. An 1860 map shows the Departure Bay village as "deserted."

It appears that after the HBC purchase in 1854, the division of the land for reserve and private use went ahead without regard to the FNs former occupation at Departure Bay, which may have been the subject of an oral agreement between Douglas and the Nanaimo. There was no compensation for the loss of this location.

*Eric Forgeng, M.A.
Permitting and Assessment Section
Archaeology Branch
Ministry of Tourism, Sport and the Arts*

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Archaeology Branch website: www.tsa.gov.bc.ca/archaeology/*

Forgeng, Eric E FLNR:EX

From: Forgeng, Eric E TSA:EX
Sent: Thursday, November 29, 2007 10:52
To: 'bjorn simonsen'
Subject: Departure Bay DhRx-16 artefacts

Hi Bjorn,

I've been going through my file on the DhRx-16 excavations from last August under alteration permit 2007-094, and I have a map that John provided with the site number incorrectly labeled as DhRx-18. I remember that John and I had a discussion about this, and that he was [temporarily] unsure of the borden number of the site. This isn't a big problem in itself, everybody gets the numbers confused at one time or another, but it occurred to me that the some or all of the artefacts and other records from the excavation last summer may have been mis-labeled. Would you please look over the photo records, field notes and bagged artefacts and samples from DhRx-16 and make sure that the site number is correctly identified?

By the way, I just had a phone conversation with Monty about Descanso Bay, and we're exploring options.

Thanks very much,

*Eric Forgeng, M.A.
Permitting and Assessment Section
Archaeology Branch
Ministry of Tourism, Sport and the Arts*

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e-mail: Eric.Forgeng@gov.bc.ca
Archaeology Branch website: www.tsa.gov.bc.ca/archaeology/*

Forgeng, Eric E FLNR:EX

From: bjorn simonsen [bjorno@shaw.ca]
Sent: Thursday, November 29, 2007 12:07
To: Forgeng, Eric E TSA:EX
Subject: Re: Departure Bay DhRx-16 artefacts

Hi Eric:

I just spoke with John about this - and have also sent him a copy of your email and am on my way over to see him. He has indicated that the site number has been corrected on all maps and other documents, including artifacts and level bags. Regarding the latter, we have been employing someone to organize and tabulate all of this material so we can begin our analysis for the final report. We are also about to send off 4-5 samples for radiocarbon dating. There is still some issue over who is paying for the analysis, report writing etc., but we hope to have this resolved by next week.

I will either email you or call you later today (or tomorrow) to discuss what we have planned for the restoration of the site within "The Tides" property. I also have some preliminary information about testing in the adjacent Tony Harris lot.

Bjorn Simonsen

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Sent: Thursday, November 29, 2007 10:52 AM
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Version: 7.5.503 / Virus Database: 269.16.10/1159 - Release Date: 11/29/2007 11:10 AM

Forgeng, Eric E FLNR:EX

From: Forgeng, Eric E TSA:EX
Sent: Thursday, November 29, 2007 13:15
To: 'bjorn simonsen'
Subject: RE: Departure Bay DhRx-16 artefacts

Thanks very much, Bjorn
Eric

*Eric Forgeng, M.A.
Permitting and Assessment Section
Archaeology Branch
Ministry of Tourism, Sport and the Arts*

*ph. (250) 953-3362 fax (250) 953-3340
e-mail: Eric.Forgeng@gov.bc.ca
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From: bjorn simonsen [<mailto:bjorno@shaw.ca>]
Sent: Thursday, November 29, 2007 12:07 PM
To: Forgeng, Eric E TSA:EX
Subject: Re: Departure Bay DhRx-16 artefacts

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To: bjorn simonsen
Sent: Thursday, November 29, 2007 10:52 AM
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Version: 7.5.503 / Virus Database: 269.16.10/1159 - Release Date: 11/29/2007 11:10 AM

Forgeng, Eric E FLNR:EX

From: bjorn simonsen [bjorno@shaw.ca]
Sent: Thursday, November 29, 2007 14:06
To: Forgeng, Eric E TSA:EX
Subject: Re: Departure Bay DhRx-16 artefacts

John may be contacting you with more info. later this afternoon.

Bjorn

----- Original Message -----

From: Forgeng, Eric E TSA:EX
To: [bjorn simonsen](mailto:bjorn.simonsen)
Sent: Thursday, November 29, 2007 1:14 PM
Subject: RE: Departure Bay DhRx-16 artefacts

Thanks very much, Bjorn
Eric

*Eric Forgeng, M.A.
Permitting and Assessment Section
Archaeology Branch
Ministry of Tourism, Sport and the Arts*

*ph. (250) 953-3362 fax (250) 953-3340
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Sent: Thursday, November 29, 2007 12:07 PM
To: Forgeng, Eric E TSA:EX
Subject: Re: Departure Bay DhRx-16 artefacts

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Bjorn Simonsen

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To: [bjorn simonsen](#)

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Forgeng, Eric E FLNR:EX

From: Batten, Justine TSA:EX
Sent: Monday, December 3, 2007 16:23
To: Forgeng, Eric E TSA:EX
Subject: FW: Departure Bay Site

Importance: High

does Bjorn's estimate accurately reflect his responsibilities under the permit and other work that should be done to make the property safe? Response ASAP please

*Justine Batten
Director
Archaeology Branch
Ministry of Tourism, Sport and the Arts*

*Telephone: 250 953-3355
Fax: 250 953-3340
email: justine.batten@gov.bc.ca*



Please consider the environment before printing this e-mail

From: Patrick Heintz [<mailto:leier2004@shaw.ca>]
Sent: Monday, December 3, 2007 4:20 PM
To: Batten, Justine TSA:EX
Cc: arlene@leierconstruction.com
Subject: FW: Departure Bay Site

Justine,

s.16, S17

Thanks again for taking the time to meet with us. If you have any further questions please don't hesitate to call me.

Patrick Heintz
Project Manager
Leier Construction
Tel: (250) 479-0915 (ext. 224)
Fax: (250) 479-0945
patrick@leierconstruction.com

From: bjorn simonsen [<mailto:bjorno@shaw.ca>]
Sent: December 3, 2007 12:30 PM

To: leier2004@shaw.ca
Subject: Fw: Departure Bay Site

Hi Patrick:

Following is an email that I sent to Loraine Littlefield of the Snuneymuxw Nation about a week ago. This outlines work to be done in restoring the site, as well as other follow-up work that is outstanding.

s.16

s.16

I don't know if this is sufficient for what you need to prepare a reply to Justine Batten. If not I can provide a new version with more detail for you.

Call me later at (250) 701-5327 to discuss.

Bjorn

----- Original Message -----

From: [bjorn simonsen](#)
To: [Loraine Littlefield](#)
Sent: Friday, November 23, 2007 9:57 AM
Subject: Fw: Departure Bay Site

Hi Loraine:

Here is the message that you should have received yesterday morning.

I really enjoyed the gathering last evening. Great bunch of people and very appreciative of our presentation.

Hope to hear from you soon regarding the email below.

Bjorn

----- Original Message -----

From: [bjorn simonsen](#)
To: [Loraine Littlefield](#)
Sent: Wednesday, November 21, 2007 8:46 PM
Subject: Departure Bay Site

Hi Loraine:

Here is a summary of outstanding work to be carried out for completion of "The Tides" property excavation project at Departure Bay:

- Placement of landscape cloth over exposed burial removal area and backfill with screened midden material stored on site.
- Backfill large excavation hole along southeast corner of property. This would utilize imported gravel already stored at back of lot.
- Backfill long trench along north side of lot, including further capping of reburial area. Midden backdirt would be used for the latter while remainder of trench will be filled in with gravel being stored on site.
- All backfilling will be done by a backhoe fitted with a front-end loader and will be supervised by myself or John Somogyi.
- Remainder of imported gravel fill will be evenly spread over the lot surface to create a flat surface.

Some thought needs to be put into spreading topsoil over the site surface. It might also be appropriate to simply leave the surface as a gravel base. It might also be necessary to construct a perimeter fence to keep out vandals.

In addition to the site restoration work outlined above, there is also some analysis work to be done on the artifacts and faunal remains from the excavation project. We also want to submit about four carbon samples for radiocarbon dating. Finally, we need to produce a report on the scope and findings of the project.

s.16

I hope to discuss this further with you and Geraldine on Thursday before our presentation to the Departure Bay Neighbourhood Association.

S22

Bjorn

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Checked by AVG Free Edition.

Version: 7.5.503 / Virus Database: 269.16.13/1167 - Release Date: 03/12/2007 12:20 PM

Forgeng, Eric E FLNR:EX

From: Batten, Justine TSA:EX
Sent: Tuesday, December 4, 2007 13:45
To: Forgeng, Eric E TSA:EX
Subject: RE: Monday from Bjorn

thanks Eric

*Justine Batten
Director
Archaeology Branch
Ministry of Tourism, Sport and the Arts*

*Telephone: 250 953-3355
Fax: 250 953-3340
email: justine.batten@gov.bc.ca*



Please consider the environment before printing this e-mail

From: Forgeng, Eric E TSA:EX
Sent: Tuesday, December 4, 2007 10:55 AM
To: Batten, Justine TSA:EX
Subject: Monday from Bjorn

Justine,

s.16, S17

Eric

*Eric Forgeng, M.A.
Permitting and Assessment Section
Archaeology Branch
Ministry of Tourism, Sport and the Arts*

*ph. (250) 953-3362 fax (250) 953-3340
e-mail: Eric.Forgeng@gov.bc.ca
Archaeology Branch website: www.tsa.gov.bc.ca/archaeology/*

From: bjorn simonsen [<mailto:bjorno@shaw.ca>]
Sent: Monday, December 3, 2007 8:23 PM
To: Forgeng, Eric E TSA:EX
Subject: Birch Application

Eric:

I dropped off the Birch application at your office this afternoon. However, it just occurred to me that there were no maps with it. Unless I hear otherwise from you, I will assume that you can use the map and plan that accompanied the original application.

If you need to contact me about htis tomorrow (Wednesday) please call me on my cel at (250) 701-5327.

On another matter, we are getting close to resolving who will pay for follow-up work at The Tides property at Departure Bay. I have provided both the Snuneymuxw and the owners with a list of what needs to be done and have given them an estimate of costs. This includes restoring the site, completing our analysis and writing a final report. I will keep you informed of progress as this moves on.

Bjorn Simonsen

Pages 58 through 60 redacted for the following reasons:

s.16