

Graves, Debra FIN:EX

From: Batten, Justine FLNR:EX
Sent: Monday, February 29, 2016 4:43 PM
To: Robinson, Gordon FLNR:EX
Cc: Jupp, Sandra FLNR:EX
Subject: RE: PO Issues Update

Follow Up Flag: Flag for follow up
Flag Status: Flagged

*Justine Batten
Director
Archaeology Branch
Ministry of Forests, Lands and Natural Resource Operations*

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



From: Robinson, Gordon FLNR:EX
Sent: Monday, February 29, 2016 4:18 PM
To: Batten, Justine FLNR:EX
Cc: Jupp, Sandra FLNR:EX
Subject: PO Issues Update

Hi Justine

I am working on the PO issues update for first thing Thursday morning and was wondering if you could let me know if there have been any notable developments on these archeology issues in the last week.

This is what we have from the previous version:

Heritage Conservation Act	<p>s.13,s.16</p> <p>Pilot Project</p> <ul style="list-style-type: none">● s.13,s.16
Burial sites	<ul style="list-style-type: none">● s.16,s.18

s.16,s.18

-
-

Thank you for your help with this.
Gordon

Gordon Robinson | Manager, Executive Issues | Deputy Minister's Office | Ministry of Forests, Lands and Natural
Resource Operations | tel: 250.387.4878 | cell: 250.213.8447 Gordon.Robinson@gov.bc.ca

Graves, Debra FIN:EX

From: Batten, Justine FLNR:EX
Sent: Tuesday, May 31, 2016 9:19 AM
To: Robinson, Gordon FLNR:EX
Subject: RE: PO issues update

Just as shown below – rather a glacial pace

*Justine Batten
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Please consider the environment before printing this e-mail

From: Robinson, Gordon FLNR:EX
Sent: Tuesday, May 31, 2016 9:16 AM
To: Batten, Justine FLNR:EX
Subject: PO issues update

Hi Justine

The PO has scheduled another issues update for tomorrow afternoon. Would you be able to take a look at the previous archeology updates and let me know if we need anything new?

Heritage Conservation Act	<div>s.13,s.16</div> <div>Pilot Project<ul style="list-style-type: none">● s.13,s.16</div>	f
Burial sites	<div>● s.16,s.18</div>	

Thanks for your help



Gordon Robinson
Manager, Executive Issues
Deputy Minister's Office
Phone (250) 387-4878, Cell (250) 213-8447
Forests, Lands and Natural Resource Operations

Graves, Debra FIN:EX

From: Batten, Justine FLNR:EX
Sent: Monday, April 11, 2016 10:16 AM
To: Robinson, Gordon FLNR:EX
Cc: Jupp, Sandra FLNR:EX
Subject: RE: PO Issues Update

One item changed

*Justine Batten
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Please consider the environment before printing this e-mail

From: Robinson, Gordon FLNR:EX
Sent: Monday, April 11, 2016 10:13 AM
To: Batten, Justine FLNR:EX
Cc: Jupp, Sandra FLNR:EX
Subject: PO Issues Update

Good morning Justine

I am working on the PO issues update for Wednesday morning and was wondering if you could let me know if there have been any notable developments on these arch issues in the last few days. It looks like the PO has these scheduled once a week for a while now, so I apologize in advance for having to ask you about these so frequently.

This is what we have from the previous version:

Burial sites	<ul style="list-style-type: none">• s.16,s.18•
Heritage Conservation Act	s.13,s.16

s.13,s.16

F

•

Thank you for your help with this.
Gordon

Gordon Robinson | Manager, Executive Issues | Deputy Minister's Office | Ministry of Forests, Lands and Natural Resource Operations | tel: 250.387.4878 | cell: 250.213.8447 Gordon.Robinson@gov.bc.ca



Thank you for your help with this.
Gordon

Gordon Robinson | Manager, Executive Issues | Deputy Minister's Office | Ministry of Forests, Lands and Natural Resource Operations | tel: 250.387.4878 | cell: 250.213.8447 Gordon.Robinson@gov.bc.ca

Graves, Debra FIN:EX

From: Batten, Justine FLNR:EX
Sent: Monday, February 22, 2016 2:38 PM
To: Robinson, Gordon FLNR:EX
Cc: Jupp, Sandra FLNR:EX; Rosche, Kimberly FLNR:EX
Subject: RE: PO Issues Update

See below

*Justine Batten
Director
Archaeology Branch
Ministry of Forests, Lands and Natural Resource Operations*

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email: justine.batten@gov.bc.ca*



Please consider the environment before printing this e-mail

From: Robinson, Gordon FLNR:EX
Sent: Monday, February 22, 2016 11:43 AM
To: Batten, Justine FLNR:EX
Cc: Jupp, Sandra FLNR:EX; Rosche, Kimberly FLNR:EX
Subject: PO Issues Update

Good morning Justine

I am working on the PO issues update for Wednesday morning and was wondering if you could let me know if there have been any notable developments on these archeology issues. The MO has requested that we add the Sumas Mountain burial issue and the HCA pilot project to this tracker, so I have included them in the existing cells here. I will be out of the office for the next couple of days so if you could cc Kimberly Rosche that would really help.

This is what we have from the previous version:

s.13,s.16	
Heritage Conservation Act	
	s.13,s.16
Burial sites	• s.16,s.18

s.16,s.18

Thank you for your help with this.
Gordon

Gordon Robinson | Manager, Executive Issues | Deputy Minister's Office | Ministry of Forests, Lands and Natural
Resource Operations | tel: 250.387.4878 | cell: 250.213.8447 Gordon.Robinson@gov.bc.ca

Graves, Debra FIN:EX

From: Batten, Justine FLNR:EX
Sent: Monday, April 25, 2016 9:25 AM
To: Robinson, Gordon FLNR:EX
Subject: RE: PO issues update

No sorry it all remains the same at this time.

*Justine Batten
Director
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Ministry of Forests, Lands and Natural Resource Operations*

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From: Robinson, Gordon FLNR:EX
Sent: Monday, April 25, 2016 9:24 AM
To: Batten, Justine FLNR:EX
Subject: PO issues update

Hi Justine

Sorry to bother you with another one of these. Hopefully they should die out by June. Has anything happened on these archeology issues that you think would be worth including in the PO update?

Heritage Conservation Act	<p>s.13,s.16</p> <p>Pilot Project</p> <ul style="list-style-type: none">• s.13,s.16
Burial sites	<ul style="list-style-type: none">• s.16,s.18•

v

Thanks for your help



Gordon Robinson
Manager, Executive Issues
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Phone (250) 387-4878, Cell (250) 213-8447
Forests, Lands and Natural Resource Operations

Graves, Debra FIN:EX

From: Batten, Justine FLNR:EX
Sent: Tuesday, March 15, 2016 7:48 AM
To: Robinson, Gordon FLNR:EX
Cc: Jupp, Sandra FLNR:EX
Subject: RE: PO Issues Update

Good morning Gordon and the updates remain unchanged

*Justine Batten
Director
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Ministry of Forests, Lands and Natural Resource Operations*

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Please consider the environment before printing this e-mail

From: Robinson, Gordon FLNR:EX
Sent: Monday, March 14, 2016 10:39 AM
To: Batten, Justine FLNR:EX
Cc: Jupp, Sandra FLNR:EX
Subject: RE: PO Issues Update

Hey Justine,
I hope you had a good weekend. Any change on these for this week's update?

Thanks

Gordon Robinson | Manager, Executive Issues | Deputy Minister's Office | Ministry of Forests, Lands and Natural Resource Operations | tel: 250.387.4878 | cell: 250.213.8447 Gordon.Robinson@gov.bc.ca

From: Batten, Justine FLNR:EX
Sent: Monday, March 7, 2016 10:09 AM
To: Robinson, Gordon FLNR:EX
Cc: Jupp, Sandra FLNR:EX
Subject: RE: PO Issues Update

Unchanged thanks Gordon

*Justine Batten
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Ministry of Forests, Lands and Natural Resource Operations*

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email: justine.batten@gov.bc.ca



Please consider the environment before printing this e-mail

From: Robinson, Gordon FLNR:EX
Sent: Monday, March 7, 2016 9:38 AM
To: Batten, Justine FLNR:EX
Cc: Jupp, Sandra FLNR:EX
Subject: PO Issues Update

Good morning Justine

I am working on the PO issues update for Wednesday morning and was wondering if you could let me know if there have been any notable developments on these archeology issues in the last week.

This is what we have from the previous version:

Heritage Conservation Act	<div>s.13,s.16</div> <div>Pilot Project<ul style="list-style-type: none">• s.13,s.16</div>
Burial sites	<div><ul style="list-style-type: none">• s.16,s.18</div> <div><ul style="list-style-type: none">• </div>

Thank you for your help with this.
Gordon

Gordon Robinson | Manager, Executive Issues | Deputy Minister's Office | Ministry of Forests, Lands and Natural Resource Operations | tel: 250.387.4878 | cell: 250.213.8447 Gordon.Robinson@gov.bc.ca

Graves, Debra FIN:EX

From: Batten, Justine FLNR:EX
Sent: Monday, January 18, 2016 10:02 AM
To: Robinson, Gordon FLNR:EX
Cc: Jupp, Sandra FLNR:EX
Subject: RE: PO Issues Update

Two minor updates

*Justine Batten
Director
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email: justine.batten@gov.bc.ca*



Please consider the environment before printing this e-mail

From: Robinson, Gordon FLNR:EX
Sent: Monday, January 18, 2016 9:55 AM
To: Batten, Justine FLNR:EX
Cc: Jupp, Sandra FLNR:EX
Subject: PO Issues Update

Good morning Justine,

I am working on the PO issues update for the end of Wednesday and was wondering if you could let me know if there is anything new on these two archeology issues that should be included.

This is what we have from the previous version:

Heritage Conservation Act	s.13,s.16
s.16,s.18	

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Thank you for your help with this.
Gordon

Gordon Robinson | Manager, Executive Issues | Deputy Minister's Office | Ministry of Forests, Lands and Natural Resource Operations | tel: 250.387.4878 | cell: 250.213.8447 **Gordon.Robinson@gov.bc.ca**

Graves, Debra FIN:EX

From: Batten, Justine FLNR:EX
Sent: Monday, May 2, 2016 11:08 AM
To: Robinson, Gordon FLNR:EX
Subject: RE: PO issues update

A couple of minor changes made

*Justine Batten
Director
Archaeology Branch
Ministry of Forests, Lands and Natural Resource Operations*

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



From: Robinson, Gordon FLNR:EX
Sent: Monday, May 2, 2016 10:43 AM
To: Batten, Justine FLNR:EX
Subject: PO issues update

Good morning Justine

I am working on the PO issues update for Wednesday morning and was wondering if you could let me know if there have been any notable developments on these archeology issues that you think should be include.

This is what we have from the previous version:

Heritage Conservation Act	<div>s.13,s.16</div> <div>Pilot Project s.13,s.16</div> <ul style="list-style-type: none">•
Burial sites	<ul style="list-style-type: none">• s.16,s.18

•

Thanks for your help Justine



Gordon Robinson
Manager, Executive Issues
Deputy Minister's Office
Phone (250) 387-4878, Cell (250) 213-8447
Forests, Lands and Natural Resource Operations

Graves, Debra FIN:EX

From: Batten, Justine FLNR:EX
Sent: Monday, May 2, 2016 11:08 AM
To: Robinson, Gordon FLNR:EX
Subject: RE: PO issues update

A couple of minor changes made

*Justine Batten
Director
Archaeology Branch
Ministry of Forests, Lands and Natural Resource Operations*

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



From: Robinson, Gordon FLNR:EX
Sent: Monday, May 2, 2016 10:43 AM
To: Batten, Justine FLNR:EX
Subject: PO issues update

Good morning Justine

I am working on the PO issues update for Wednesday morning and was wondering if you could let me know if there have been any notable developments on these archeology issues that you think should be include.

This is what we have from the previous version:

Heritage Conservation Act	s.13,s.16
	Pilot Project
	• s.13,s.16
Burial sites	• s.16,s.18

Thanks for your help Justine



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Manager, Executive Issues
Deputy Minister's Office
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Forests, Lands and Natural Resource Operations

[illegible]

Thanks for your help



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Deputy Minister's Office
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Forests, Lands and Natural Resource Operations

Graves, Debra FIN:EX

From: Batten, Justine FLNR:EX
Sent: Monday, March 7, 2016 10:09 AM
To: Robinson, Gordon FLNR:EX
Cc: Jupp, Sandra FLNR:EX
Subject: RE: PO Issues Update

Unchanged thanks Gordon

*Justine Batten
Director
Archaeology Branch
Ministry of Forests, Lands and Natural Resource Operations*

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



From: Robinson, Gordon FLNR:EX
Sent: Monday, March 7, 2016 9:38 AM
To: Batten, Justine FLNR:EX
Cc: Jupp, Sandra FLNR:EX
Subject: PO Issues Update

Good morning Justine

I am working on the PO issues update for Wednesday morning and was wondering if you could let me know if there have been any notable developments on these archeology issues in the last week.

This is what we have from the previous version:

Heritage Conservation Act		s.13,s.16
	Pilot Project	
	● s.13,s.16	
Burial sites	● s.16,s.18	

	s.16,s.18
	•

Thank you for your help with this.
Gordon

Gordon Robinson | Manager, Executive Issues | Deputy Minister's Office | Ministry of Forests, Lands and Natural
Resource Operations | tel: 250.387.4878 | cell: 250.213.8447 Gordon.Robinson@gov.bc.ca

Graves, Debra FIN:EX

From: Batten, Justine FLNR:EX
Sent: Monday, January 11, 2016 7:41 AM
To: Robinson, Gordon FLNR:EX
Cc: Rosche, Kimberly FLNR:EX; Jupp, Sandra FLNR:EX
Subject: RE: PO Issues Update

Minor changes inserted

*Justine Batten
Director
Archaeology Branch
Ministry of Forests, Lands and Natural Resource Operations*

*Telephone: 250 953-3355
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Please consider the environment before printing this e-mail

From: Robinson, Gordon FLNR:EX
Sent: Friday, January 8, 2016 2:44 PM
To: Batten, Justine FLNR:EX
Cc: Rosche, Kimberly FLNR:EX; Jupp, Sandra FLNR:EX
Subject: PO Issues Update

Hi Justine

I am working on the PO issues update for Tuesday noon and was wondering if you could let me know if there have been any notable developments on these two archeology issues. I will be out of the office on Tuesday so if you could cc Kim on the response that would be great.

This is what we have from the previous version:

**Heritage
Conservation Act**

s.13,s.16

s.16,s.18

	forthwith.
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Thank you for your help with this.
Gordon

Gordon Robinson | Manager, Executive Issues | Deputy Minister's Office | Ministry of Forests, Lands and Natural Resource Operations | tel: 250.387.4878 | cell: 250.213.8447 [**Gordon.Robinson@gov.bc.ca**](mailto:Gordon.Robinson@gov.bc.ca)

**MINISTRY OF FORESTS, LANDS AND NATURAL RESOURCE OPERATIONS
DECISION NOTE**

Date: November 15, 2015
File: 280-20
CLIFF: 218734

PREPARED FOR: Tim Sheldan, Deputy Minister - Ministry of Forests, Lands and Natural Resource Operations

ISSUE: Direction requested as to level of stakeholder engagement on the Burial Areas Policy under the *Heritage Conservation Act (HCA)*

BACKGROUND:

In response to growing conflict where land development on private property intersects with First Nations' (FNs) burial areas, an internal Ministry of Forests, Lands and Natural Resource Operations (FLNR) review of the Burial Policy under the *HCA* was performed. The review was fully focused on internal processes and sought to provide recommendations as to how the Burial Policy may be updated to:

- provide greater certainty and equity as to the interests of FNs and land owners in British Columbia;
- provide clearer guidance and criteria for the Statutory Decision Maker; and,
- be more congruent with cultural values.

s.13

Throughout the development and resolution of the situation on Grace Islet, there has been ongoing interest of the Province's plans for the internal *HCA* Burial Policy from FNs and even more broadly, a desire to see a full review of the *HCA* itself.

s.16

DISCUSSION:

Beyond starting to implement the recommendations of the Burial Policy review, the next phase of this effort will focus upon stakeholder communication and three (3) options are presented below. While the broad range of interested parties will be common to all

1 of 4

approaches to engagement, there are options as to the level of stakeholder involvement.

s.13

OPTIONS:

s.13

Page 29

Withheld pursuant to/removed as

s.13

RECOMMENDATION:

s.13

OPTION SELECTED & SIGNATURE
Tim Sheldan, Deputy Minister

DATE SIGNED

Contact:
Robert Turner, ADM
Integrated Resource Operations
250 356-1874

Alternate Contact:
Justine Batten, Director
Archaeology Branch
250 953-3335

Prepared by:
Andy Calarco, Director
GeoBC
250 952-6581

Reviewed by	Initials	Date
DM		
DMO		
ADM		
Ex Dir		

**MINISTRY OF FORESTS, LANDS AND NATURAL RESOURCE OPERATIONS
DECISION NOTE**

Date: December 9, 2015

File: 280-20

CLIFF: 218734

PREPARED FOR: Tim Sheldan, Deputy Minister, Ministry of Forests, Lands and Natural Resource Operations

ISSUE: *HERITAGE CONSERVATION ACT (HCA)* BURIAL POLICY REVIEW: LEVEL OF STAKEHOLDER ENGAGEMENT

BACKGROUND:

In response to growing conflict where land development on private property intersects with First Nations' (FNs) burial areas, an internal Ministry of Forests, Lands and Natural Resource Operations (FLNR) review of the burial policy under the *HCA* was performed. The review was fully focused on internal processes and sought to provide recommendations as to how the burial policy may be updated to:

- provide greater certainty and equity as to the interests of FNs and land owners in British Columbia;
- provide clearer guidance and criteria for the Statutory Decision Maker; and
- be more congruent with cultural values

s.13

Throughout the development and resolution of the situation on Grace Islet, there has been ongoing interest of the Province's plans for the internal *HCA* burial policy from FNs and even more broadly, a desire to see a full review of the *HCA* itself.

s.16

DISCUSSION:

Beyond starting to implement the recommendations of the burial policy review, the next phase of this effort will focus upon stakeholder communication and three (3) options are presented below. While the broad range of interested parties will be common to all approaches to engagement, there are options as to the level of stakeholder involvement.

s.13

OPTIONS:

s.13

Page 33

Withheld pursuant to/removed as

s.13

Approved / Not Approved



*

15-12-10

Signature

Date

Tim Sheldon, Deputy Minister,
Ministry of Forests, Lands and Natural
Resource Operations

Contact:

Robert Turner, ADM
Integrated Resource Operations
250 356-1874

Alternate Contact:

Justine Batten, Director
Archaeology Branch
250 953-3355

Prepared by:

Andy Calarco, Director
GeoBC
250 952-6581

Reviewed by	Initials	Date
DM		
DMO		
ADM	A	10/12/10
Ex Director	MSM	Dec 10/15
Director	JB	Dec 9/15

* Approval contingent on

NRB review

ELUC review

DM+MST review with PO.

-Pls do not implement until
the above steps are complete.

CS

**MINISTRY OF FORESTS, LANDS AND NATURAL RESOURCE OPERATIONS
DECISION NOTE**

Date: November 15, 2015

File: 280-20

CLIFF: 218734

PREPARED FOR: Tim Sheldan, Deputy Minister, Ministry of Forests, Lands and Natural Resource Operations

ISSUE: DIRECTION REQUESTED AS TO LEVEL OF STAKEHOLDER ENGAGEMENT ON THE BURIAL AREAS POLICY UNDER THE *HERITAGE CONSERVATION ACT (HCA)*

BACKGROUND:

In response to growing conflict where land development on private property intersects with First Nations' (FNs) burial areas, an internal Ministry of Forests, Lands and Natural Resource Operations (FLNR) review of the burial policy under the *HCA* was performed. The review was fully focused on internal processes and sought to provide recommendations as to how the burial policy may be updated to:

- provide greater certainty and equity as to the interests of FNs and land owners in British Columbia;
- provide clearer guidance and criteria for the Statutory Decision Maker; and
- be more congruent with cultural values

s.13

Throughout the development and resolution of the situation on Grace Islet, there has been ongoing interest of the Province's plans for the internal *HCA* burial policy from FNs and even more broadly, a desire to see a full review of the *HCA* itself.

and providing recommendations to the Minister of Forests, Lands and Natural Resource Operations.

s.16

DISCUSSION:

Beyond starting to implement the recommendations of the burial policy review, the next phase of this effort will focus upon stakeholder communication and three (3) options are presented below. While the broad range of interested parties will be common to all approaches to engagement, there are options as to the level of stakeholder involvement.

s.13

OPTIONS:

s.13

Page 37

Withheld pursuant to/removed as

s.13

Approved / Not Approved

Signature
Tim Sheldan, Deputy Minister,
Ministry of Forests, Lands and Natural
Resource Operations

Date

Contact:
Robert Turner, ADM
Integrated Resource Operations
250 356-1874

Alternate Contact:
Justine Batten, Director
Archaeology Branch
250 953-3355

Prepared by:
Andy Calarco, Director
GeoBC
250 952-6581

Reviewed by	Initials	Date
DM		
DMO		
ADM	RT	Nov 20/15
Ex Director	MSM	Nov 20/15
Director	JB	Nov 20/15

**MINISTRY OF FORESTS, LANDS AND NATURAL RESOURCE OPERATIONS
INFORMATION NOTE**

Date: November 15, 2015

File: 280-20

CLIFF: 218741

PREPARED FOR: Tim Sheldan, Deputy Minister, Ministry of Forests, Lands and Natural Resource Operations

ISSUE: Next steps for the *Heritage Conservation Act* burial policy review

BACKGROUND:

Given the recent situation concerning Grace Islet and the intersection of First Nations social, cultural and heritage interests with private property rights in British Columbia, a review of the burial sites policies under the *Heritage Conservation Act* (HCA) was undertaken. The review resulted in nine (9) recommendations which have been presented for consideration to executive within the Minister of Forests, Lands and Natural Resource Operations. For context, the Executive Summary of this review may be found in **Appendix 1**.

s.13

s.13 For reference, since 1994, the Archaeology Branch has issued 3,003 Alteration Permits and there have only been six (6) instances where the Province has not been able to resolve conflict through other means and instead have had to enter negotiations to purchase a parcel of private property – since 1994, 99.9% of cases where alteration permits have been issued they have managed successfully and only 0.2% of situations have required financial settlements.

DISCUSSION:

The objective of the HCA burial policy review and the associated Action Plan (**Appendix 2**) is to strengthen the ability of the Archaeology Branch to preserve heritage values in British Columbia as well as to mitigate risks of conflict and financial exposure to both the Province and to private property owners. Ts.13

s.13

SUMMARY:

As the Action Plan proceeds, Archaeology Branch will be regularly providing updates for review and confirmation of direction and mandate to FLNR executive. Included in these updates, the Archaeology Branch will be bringing forward key decision points and seeking direction regarding specific implementation details on an ongoing basis.

Attachments:

Appendix 1: Executive Summary of internal review of the *Heritage Conservation Act* burial policy

Appendix 2: Action Plan – *Heritage Conservation Act* burial policy

Contact:

*Robert Turner, ADM
Integrated Resource Operations
250 356-1874*

Alternate Contact:

*Justine Batten, Director
Archaeology Branch
250 953-3335*

Prepared by:

*Andrew Calarco, Director
GeoBC
250 952-6581*

Reviewed by	Initials	Date
DM		
DMO		
ADM	RT	Nov 18/15
Exec. Director	MS	Nov 17/15

**MINISTRY OF FORESTS, LANDS AND NATURAL RESOURCE OPERATIONS
INFORMATION NOTE**

Date: November 15, 2015

Date of previous note:

File: 280-20

CLIFF: 218741

PREPARED FOR: Tim Sheldan, Deputy Minister - Ministry of Forests, Lands and Natural Resource Operations

ISSUE: Next steps for the *Heritage Conservation Act* Burial Policy review

BACKGROUND:

Given the recent situation concerning Grace Islet and the intersection of First Nations social, cultural and heritage interests with private property rights in British Columbia, a review of the burial sites policies under the *Heritage Conservation Act* (HCA) was undertaken. The review resulted in nine (9) recommendations which have been presented for consideration to executive within the Minister of Forests, Lands and Natural Resource Operations. For context, the Executive Summary of this review may be found in **Appendix 1**.

s.13

s.13 . For reference, since 1994, the Archaeology Branch has issued 3,003 Alteration Permits and there have only been six (6) instances where the Province has not been able to resolve conflict through other means and instead have had to enter negotiations to purchase a parcel of private property – since 1994, 99.9% of cases where alteration permits have been issued they have managed successfully and only 0.002% of situations have required financial settlements.

DISCUSSION:

The objective of the HCA Burial Policy review and the associated Action Plan (**Appendix 2**) is to strengthen the ability of the Archaeology Branch to preserve heritage values in British Columbia as well as to mitigate risks of conflict and financial exposure to both the Province and to private property owners. s.13

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SUMMARY:

s.13

As the Action Plan proceeds, Archaeology Branch will be regularly providing updates for review and confirmation of direction and mandate to FLNR executive. Included in these updates, the Archaeology Branch will be bringing forward key decision points and seeking direction regarding specific implementation details on an ongoing basis. This is mentioned to highlight that executive will be fully engaged in the process as it develops and opportunities for input will be made throughout.

Attachments:

- Appendix 1: Executive summary of internal review of the *Heritage Conservation Act* Burial Policy
- Appendix 2: Action Plan – Heritage Conservation Act Burial Policy

Contact:
ADM: Robert Turner
Div: IROD
Phone: 250-356-1874

Alternate Contact:
Name: Justine Batten, Director
Div/Region/Branch: Archaeology
Phone:250-953-3335

Prepared by:
Name: Andrew Calarco, Director
Branch/Region: GeoBC
Phone:250-952-6581

Reviewed by	Initials	Date
DM		
DMO		
ADM		
PRGM Dir./Mgr.		

Appendix 1

Executive Summary of internal review of the *Heritage Conservation Act* Burial Policy

Overview

British Columbia is home to 706 archaeological sites known to contain human remains of First Nations peoples. A majority of these sites are concentrated around the south coast of the Province. As development on private property in the province increases, these sites are being impacted with increasing regularity. These sites are protected under the *Heritage Conservation Act*, which requires property owners to go through a permitting process to ensure that development minimizes impacts to the sites to the greatest extent possible. Archaeology Branch staff utilize a number of mitigation tools to manage development within this context, and mediate agreements between landowners and First Nations. However, in some cases development on property is not feasible without substantially damaging the site, potentially justifying intervention by the Province to negotiate the purchase of property in order to ensure its continued protection.

While the Province has not been required to purchase properties in very many cases (12 properties have been purchased since 1976), all twelve purchases had the same underlying elements:

- Significant burial sites covering a substantial portion of the property
- High media profile and increasing public involvement
- Challenging relationships with stakeholders and First Nations
- Incremental costs of development continuing to accrue until a negotiating mandate was approved

The most recent case involving Grace Islet resulted in a commitment by the Minister of Forests, Lands and Natural Resource Operations to undertake a review of the Archaeology Branch's policies and procedures as they relate to the protection and management of First Nations burial sites.

As a result of the analysis undertaken, it is recommended that a number of policies and processes be developed to enable an effective decision-making framework for staff to identify those key sites that require provincial intervention at an early stage, in order to ensure protection of the site and manage costs and risk to the Province. As well, additional capacity for the Branch is proposed to enable the Archaeology Branch to undertake the necessary engagement and education activities with stakeholders, and manage communications on an ongoing basis. The recommendations include the following:

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Withheld pursuant to/removed as

s.13