 **HERITAGE CONSERVATION ACT
 APPLICATION FOR S12.2 PERMIT**

THIS IS AN AUDITABLE DOCUMENT

The undersigned .............................................................................................................................................................

|  |  |
| --- | --- |
| Name: |  |
| Company: |  |
| Address: |  |
| Phone and Email: |  |

hereby applies/apply for a permit, under section 12.2 of the *Heritage Conservation Act*, to carry out a Heritage Inspection, in accordance with the information requested on this form.

**Section 1 – Administrative Details**

**Section 1.1 – Permit Expiration**

Permit shall expire two years from issuance date, or another date specified by the BC Energy Regulator (Regulator).

Or provide alternate permit expiration date, rationale, and timeline:

|  |  |
| --- | --- |
| Date (dd/mm/yyyy): |  |
| Rationale: |  |
| Permit Timeline and/or Construction Schedule: |  |

**Section 1.2 – Permit Applicant’s Certification**

I certify that I am familiar with the provisions of the *Heritage Conservation Act* of British Columbia, and that I will abide by the terms and conditions listed herein, or any other conditions the Minister may impose, as empowered by said Act.

|  |  |
| --- | --- |
| Permit Applicant Name: |  |
| Signature: |  |
| Date (dd/mm/yyyy): |  |

**Section 1.3 – Permit Application Scope**

Regulator issued permits are exclusive to provincially regulated activities covered by the *Energy Resource Activities Act* (ERAA). The Regulator does not issue permits for Canada Energy Regulator (CER) regulated projects.

Proposed development type(s) to be assessed (select one or more):

* Development types that are consistent with oil and natural gas resource extraction (ex. wellsite, pipeline, access road, workspace, decking site, shoofly, facility, geotechnical assessment)
* The proposed development(s) is/are subject to Environmental Assessment Office (EAO) review
* Integrity Project(s)
* Maintenance/Operations
* Decommissioning/Deactivation/Restoration
* Geophysical Program
* Geothermal development
* Other (describe):

Provide a brief description of the development type(s) and general location:

**Section 1.4 – Permit Application Deliverables**

Mapping must be attached that illustrate the application area.

Spatial data (shapefiles and kml/kmz files) must be provided that illustrate the application area.

**Section 2 – Permit Deliverables**

**Section 2.1 - Schedule of Deliverables**

The permit holder must fulfill the following deliverables detailed below in sections 2.2, 2.3, 2.4, 2.5, 2.6, and 2.7. The permit holder may have the consulting archaeological company submit deliverables on their behalf.

**Section 2.2 - Fieldwork Notifications Deliverable**

Prior to the commencement of all archaeological fieldwork, the Regulator and First Nations identified via the Consultation Area Database must be notified following the current deliverable schedule located in the Heritage Conservation Program Guidance provided by the Regulator.

If an assessment to support emergent or emergency works is required, the permit holder shall notify as soon as reasonably practicable.

The permit holder must provide a written response to all comments received from First Nations prior to the commencement of fieldwork. The Regulator must be copied on all responses by the permit holder.

Any information brought forward during the fieldwork notification period must be considered and summarized in the applicable interim report deliverable and, where appropriate, utilized to support the assessment.

**Section 2.3 - Interim Reports Deliverable**

Interim reports are to be submitted following the current deliverables schedule provided by the Regulator. Alternate arrangements may be considered upon leave of the Regulator.

**Section 2.4 - Permit Reconciliation Deliverable**

Permit reconciliation must be submitted annually, following the current deliverable schedule provided by the Regulator. Alternate arrangements may be considered upon leave of the Regulator.

**Section 2.5 - Final Report Deliverable**

A final report must be submitted prior to or upon permit expiration. Alternate arrangements may be considered upon leave of the Regulator.

**Section 2.6 - Inventory Deliverables**

Required inventory deliverables are to be submitted following the current deliverable schedule provided by the Regulator. Alternate arrangements may be considered upon leave of the Regulator.

**Section 2.7 - Shapefile Deliverables**

Annually, following the current deliverable schedule provided by the Regulator. Alternate arrangements may be considered upon leave of the Regulator.

**Section 3 – Certified Archaeologist**

The permit applicant must employ a qualified archaeologist in good standing and certified by the Regulator.

Additional certified archaeologists and certified field directors may be added upon approval of the Regulator.

The Regulator can remove certified archaeologists and certified field directors who are no longer in good standing.

Certified archaeologists and certified field directors must be cited in Section 10.

**Section 4 – Related Studies**

If the permit is constrained to a distinct project area, provide an appendix with previous studies and archaeology sites.

Culture Areas:

 The application area overlaps with the following culture areas:

* + Northwest Coast
	+ Interior Plateau
	+ Sub-Arctic/Boreal Forest

**Section 5 – Desktop and Field Methods**

**Section 5.1 – First Nations Comments**

The certified archaeologist will record feedback from First Nations generated from fieldwork notifications, fieldwork observations, and report review, and summarize the information and any management recommendation adaptations in the applicable interim report(s).

**Section 5.2 - Desktop Review**

Prior to the initiation of fieldwork, all previously recorded archaeological sites within 200m of the development must be subject to detailed review of available information. This review must be incorporated in the applicable interim report(s).

Prior to the initiation of fieldwork, all previously completed archaeological assessments within 200m of the development must be subject to detailed review of available information. This review must be incorporated in the applicable interim report(s).

Prior to the initiation of fieldwork, the “Informed Contributors” layer in RAAD must be reviewed for sites within 200m of the development. This review must be incorporated in the applicable interim report(s).

Drone imagery may be used to inform the desktop review.

**Section 5.3 - Archaeological Potential**

The following criteria will be considered by the certified archaeologist when determining areas with potential for archaeological resources:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Geological, terrain, or microtopographical features | Elevation | Proximity to areas of potential cultural significance | Any of the criteria that existed in the past that are not present today | Site types in proximity |
| Proximity to potable water | Forest cover | Timber with potential for culturally modified tree (CMT) sites | Areas identified by First Nations or other interest parties | Complete disturbance |
| Slope | Soil drainage | Shorelines | Landscape – macro and micro | Negative association |
| Aspect | Proximity to sheltered areas | Proximity to cultural resources | Incorporate previous work  | Regionally specific |

The above is not limiting, and other criteria should be considered and included in each interim report.

**Section 5.4 - Data Management**

All field data (field notes, photos, GPS data, shapefiles, polygons of negative subsurface tests locations and areas of potential) must be stored and are subject to audit by the Regulator.

Field data must be provided as required and defined by the applicable repositories.

Field data must be provided as required for protection decisions under the HCA.

Field notes must include:

-survey coverage

-First Nations information provided

-subsurface testing methods

-preliminary management recommendations for sites

-detailed site descriptions

-rationale of in-field decisions

Photos are required that illustrate the assessment as well as those required by repositories and for protection decisions.

Management and documentation of unique visual technology (videos, three-dimensional imagining, and similar) must be discussed with the Regulator to determine management and ascension standards prior to use.

**Section 5.5 - Survey Coverage**

The study area must be defined at the time of fieldwork notification.

The study area will be surveyed for archaeological features and areas exhibiting potential for archaeological resources. Survey transects will be based on the discretion of the field director utilizing AOA studies (if applicable) and in-field observations.

Areas with high potential for surface artifacts or exposures will be surveyed at a higher density, not to exceed 5m intervals.

Survey transects may be modified in those areas with terrain that has low potential for archaeological resources other than CMTs.

Survey may be modified to address safety concerns.

Transects are not to exceed 30m intervals.

The Regulator may be contacted with an alternate survey coverage proposal in advance of survey for consideration.

Survey cannot be completed by drone. Helicopter overflight may be utilized for an initial identification of archaeological potential. Definition of the boundaries of archaeological potential identified during overflights must be completed with ground reconnaissance.

**Section 5.6 - Areas of Archaeological Potential (AOPs)**

AOPs identified via desktop review without field verification will require a minimum 25m avoidance buffer unless the Regulator directs alternate requirements.

AOPs must be field verified to provide management recommendations. Attributes collected must include – type of feature, dimensions, centre point UTM. AOPs must be recorded to the same level (ex. mapping) as protected archaeological sites. Photos and notes are required.

If the AOP boundary differs from the recommended management boundary, both must be indicated on mapping.

Adjacent archaeological potential to the proposed development will be recorded.

**Section 5.7 - Subsurface Testing**

Stratigraphy is to be observed and recorded. Tests must be completed to non-cultural deposits.

Subsurface test location (STL) descriptions will be recorded.

The effectiveness of testing at each STL will be determined by a quantitative and qualitative evaluation of research.

Tests will minimally measure 0.123m² (i.e. 35cm a side).

Sediments will be screened through 1/4” mesh or smaller.

Soils believed to contain cultural materials will remain within the site boundary unless subject to winter testing, sample collection or upon approval of the Regulator prior to removal.

STLs will be tested at no more than 5m intervals. Smaller intervals are expected for confined, discrete features.

Soil probes can only be used to confirm the presence of cultural deposits. Soil probes cannot be used to demonstrate cultural deposits are not present.

Testing is not to occur in areas of anticipated ancestral remains as well as other sensitive site types without Regulator confirmation.

**Section 5.8 - Assessments Under Snow-Cover Ground Conditions**

Depth of snow cover must be recorded.

Survey under snow cover may occur in areas evaluated to contain low potential for all archaeological resources except CMTs.

If the project is located within the Fort Nelson or Peace Natural Resource Districts, survey under snow-cover conditions is acceptable. Testing strategies must consider the degree in which microtopography was discernable. If topography is not discernable, systematic testing must be employed.

**Section 5.9 - Assessments Under Frozen Ground Conditions**

Where test locations were initially visited under snow-free conditions and evaluated to contain archaeological potential for subsurface archaeological resources, methods may include using artificial heating to create snow-free and thawed conditions, or other methods approved by the Regulator.

Evaluative units may be excavated after creating snow-free and thawed conditions.

If the anticipated site type consists of lithic material with non-complex stratigraphy and not associated with habitation, subsistence, and/or earthwork features, or is located within the Fort Nelson or Peace Natural Resource Districts, the following methods can be used for frozen subsurface testing:

 -tools may be employed to cut frozen ground

 -subsurface tests will be excavated, collected, and bagged individually by test unit

 -subsurface test will be numbered and mapped, soil must be kept separate.

 -soils may be transported to facilities for screening.

 -sediments will be thawed and individually screened by test through 1/4” or smaller mesh

 -remaining cleaned clasts from the collection screen will be removed and visually inspected

**Section 5.10 - Machine-Assisted Inspections**

Machine-assisted inspections must be directed by a certified archaeologist or certified field director. A certified field director must be on-site during machine-assisted inspections.

Toothed buckets may be used to remove obstructions prior to reaching potentially culture-bearing sediments.

Potentially culture-bearing sediments will be removed with a finishing bucket, in maximum 10cm vertical lifts. The horizontal extent of lifts will not exceed 3m.

 -100% of all lift locations must be observed and recorded.

 -The exposure of 100% of all lifts must be observed and recorded.

 -The placement of 100% of all lifts must be observed and recorded.

 -100% of the surface of resulting lift pile (mechanically displaced deposits) must be observed and recorded.

The field director may use discretion to determine the amount of material to be processed, at a minimum 25% will be processed, unless an alternative amount is approved by the Regulator prior to commencement.

In the event intact archaeological deposits or features are identified, mechanical excavation will cease, and excavation must proceed by hand unless alternative methods approved by the Regulator or specified in a section 12.4 permit.

Alternative methods for machine-assisted inspections may be proposed prior to fieldwork to the Regulator for approval.

**Section 5.11 - Monitoring**

The purpose of monitoring methodology is to support archaeological investigations, not to alleviate the requirement of section 12.4 permits. Unless a valid section 12.4 permit is in place, construction activities must cease if archaeological materials are identified.

The purpose of monitoring is to observe any exposed features or intact deposits and collect artifact provenience as precise as possible.

**Section 5.12 - Site Recording**

Archaeological sites will be mapped using measuring tools (ex. measuring tape, compass, GPS, total station). All archaeological features within the archaeological site must be measured and photographed. Archaeological sites and features must be photographed. Photos should provide adequate context for the site or feature. Detailed photos of site components are required. Diagnostic and distinctive artifacts must be photographed in the field and include a scale bar reference. Photos must be recorded in a field log.

Site boundaries must be approved by the Archaeology Branch and follow requirements detailed for registration in the Provincial Heritage Registry.

If the HCA protection status of an identified site is undefined, the site information must be presented to the Archaeology Branch for decision.

Subsurface tests must be spaced 1-3m, as determined by the field director. Testing will continue until 15m of negative tests are reached in each direction. Back testing may be utilized for larger sites. Alternate methods to determine site boundaries can be presented to the Regulator for approval based upon the nature of the site.

When a site is comprised of a single positive test, a minimum of four additional subsurface tests must be placed at 1m intervals in each direction.

CMTs must be recorded and follow requirements detailed for registration in the Provincial Heritage Registry. All CMTs will be recorded, and attributes collected unless an alternate sampling strategy is approved by the Regulator. CMTs that post-date AD 1846 will be recorded and attributes collected.

Petroglyphs and pictographs must be fully recorded using non-destructive techniques.

If wet sites are anticipated, applicable methodology must be attached. Methodology must include how the location and materials will be stabilized, if another repository is required, and evaluative excavation methods. In regions where wet sites are possible, it is required that a basic wet site recovery kit is available in the field.

If further methodology is required, it must be attached as an appendix to the application.

**Section 5.13 - Evaluative Excavation**

Evaluative units (EU) may be completed but cannot exceed up to 5% of the site area within the proposed development subject to assessment or five 1m x 1m EUs without approval by the Regulator.

Evaluative units must be excavated in stratigraphic layers or arbitrary levels between 5-10cm. Features must be excavated by stratigraphic layer. If stratigraphic layers exceed 10cm, they will be excavated at arbitrary levels between 5-10cm.

Artifacts and features will be recorded in situ and three-dimensional provenience collected.

Photographs must be recorded at the completion of each layer. Features and in situ artifacts must be photographed.

Stratigraphy must be recorded.

Two adjacent walls and floor plans must be illustrated to scale for each EU.

**Section 6 - Collection of Material, Sampling and Analysis**

**Section 6.1 – Collection of Material**

All materials from an archaeological context must be collected. Artifacts may be redeposited within the site boundary at the request of First Nations. Methodology for the artifact return will be developed in consultation with the Regulator and appropriate First Nations with consideration to the proposed development and archaeological mitigation requirements.

Alternate collection methodology (ex. sampling) may be utilized in consultation with the Regulator.

The certified archaeologist must ensure that materials collected from an archaeological site will be handled with sufficient care during excavation, recording, transport, cleaning, analysis and storage to ensure no additional damage or negative impacts occur to the collections during these processes.

All collected materials from an archaeological context will be collected, analyzed, reported and curated with the designated repository.

**Section 6.2 – Sampling and Analysis**

Artifacts and samples cannot leave the province without the appropriate permissions.

The certified archaeologist must ensure analysts are qualified. Analysts must be named in the appropriate interim report(s) and final report. The results of complex analysis will be described in the final report and detailed reports appended.

All samples will be processed unless an alternative is approved by the Regulator.

All artifact and faunal assemblages will be analyzed with the purpose of defining site function, activity areas and chronology.

All formed tools must be measured, and technological attributes recorded. All formed tools must be illustrated or photographed.

Faunal remains will be analyzed to the most specific taxa, element and side, if possible, by a qualified analyst. Cultural modifications and natural taphonomic processes must be noted.

If micro debitage, midden deposits, column samples or other unique archaeological material is expected, attach an appendix detailing the methodology on how it will be identified and assessed.

The quantity and weight of fire affected rock (FAR) must be collected at minimum unless additional methods are in an attached appendix. FAR can remain within the archaeological site boundaries.

If intact deposits are encountered, appropriate samples (ex. radiocarbon, column, bulk samples) must be taken. The provenience of all samples must be recorded, and samples must be labeled. Samples must be processed unless alternative arrangements are approved by the Regulator. A description of methods and analysis must be provided in the appropriate interim report(s) and final report.

Raw material sourcing analysis must be completed unless an alternative sample is approved by the Regulator.

Radiocarbon analysis will be appended to the final report and site record with calibrated and conventional/standard dates. Results must be submitted to the Canadian Archaeological Radiocarbon Database.

Collected CMT samples will be analyzed and retained in-office for one year after the expiration of the permit and discarded unless alternate arrangements are requested by First Nations.

**Section 7 - Interim Reports**

Site information in reporting must match information provided as part of the site record. Reports must include relevant HCA permit numbers and a distribution list.

Interim reporting should follow standards detailed by the Regulator.

Where known, First Nation file numbers must be included.

All interim reports must include a section detailing the results of the desktop review.

A section outlining the rationale for determining potential within the study area must be included.

Surveyed terrain will be mapped in relation to the development footprint and described in the report. Areas of potential that are not surveyed will be mapped and rationale provided for why the area was not assessed and why it was evaluated to contain potential.

A summary of the stratigraphy must be provided, with special attention to significant results and variations.

Reports must describe why it was determined the sediments are non-cultural. If the depth of cultural deposits cannot be determined, a rationale must be provided.

Assumptions about the type, size and artifact density of potential target sites will be described and compared to the effectiveness of testing.

If the assessment is conducted under snow and/or frozen conditions, this detail will be included in the report, including approximate depth of snow.

If soils are removed from the site boundary, this will be described.

The subsurface testing interval rationale must be provided.

AOPs must be described, including how they were defined. Rationale to support how the management recommendations are appropriate must be provided.

Site significance must be evaluated.

Potential impacts to archaeological sites must be evaluated.

**Section 8 – Ancestral Remains**

Where human remains of suspected forensic interest are encountered, local law enforcement and the Coroners Service must be notified immediately. If partial or complete ancestral remains or burial features (ex. cairns and mounds) are identified, all fieldwork in the vicinity of the find must cease. Ancestral remains and/or burial features will be protected in place and the Regulator notified immediately. Fragmentary or isolated ancestral remains identified during post-field analysis will be kept in secure storage pending final disposition.

**Section 9 – Repository and Curation**

**Section 9.1 – Repository Requirements**

Repositories must be contacted and agree to accept materials collected under this permit application prior to application submission. A copy of the repository agreement must be kept on file by the certified archaeologist in the event of audit by the Regulator.

If more than one repository will be used, provide an appendix to the application indicating all repositories and specific individual repository involvement as appropriate.

|  |  |
| --- | --- |
| Contact Name: |  |
| Repository: |  |
| Address: |  |
| Phone and Email: |  |

**Section 9.2 - Repository Deliverables**

Repository deliverables must include:

-submission letter with box inventory

-artifacts and digital catalogue

-field notes (original and/or digital copies, this must include mapping and sketches)

-photographs and photo log. Copies of prints and digital photos are required.

-final permit report with interim reporting and specialized analysis reports attached

Materials must be transferred to the designated repository per the repository’s standards for packing and transport. The Regulator must be provided confirmation that the repository has accepted the archaeological collection.

The archaeological collection must be provided to the repository prior to permit expiration.

**Section 10 - Requirements of the Certified Archaeologist**

**Section 10.1 – Certified Archaeologist Responsibilities**

Certified archaeologists working under this permit are responsible for

-identifying and evaluating protected archaeological resources within the proposed development area subject to assessment.

 -interpreting archaeological site function.

-assessing site significance.

-identifying the nature and magnitude of direct and indirect impacts that future proposed development may have on protected archaeological sites, areas of archaeological potential, and adjacent potential.

-formulating management options for avoiding or mitigating the impacts to protected sites, which may include systematic data recovery.

-collating the results of any previous investigations at the site, with consideration to regional information.

-artifact storage, submission and acceptance by the listed repository.

**Section 10.2 – Certified Archaeologist Details**

|  |  |
| --- | --- |
| Certified Archaeologist Name: |  |
| Certified Archaeologist Approved by Regulator? Y/N |  |
| Archaeological Consulting Company: |  |
| Phone and Email: |  |
| Signature: |  |
| Date (dd/mm/yyyy): |  |

|  |  |
| --- | --- |
| Certified Field Director Name: |  |
| Certified Field Director Approved by Regulator? Y/N |  |
| Archaeological Consulting Company: |  |
| Phone and Email: |  |
| Signature: |  |
| Date (dd/mm/yyyy): |  |

Additional tables can be added if more certified archaeologists and/or certified field directors are required.

**Section 11 – Notices**

The title page of all reports required as part of this permit must indicate the name(s) of the copyright owner(s) and a Grant of License statement must be completed and signed by the copyright owner(s).

The permit holder shall provide affected First Nations with electronic copies of any site records and reports produced under the permit, unless the parties have agreed to alternate arrangements.