

# Chapter 5.5 Completing Application Information Details: Archaeology

## 5.5 Archaeology Information Tab

Submission into the Commission's Application Management System (AMS) for an oil and gas or associated activity must include application deliverables specific to archaeology as discussed in this section. The required archaeology deliverables vary based on the planned activity. The information entered into the archaeology tab of AMS is to be entered by, or obtained from a permitted professional archaeologist.

### **Please Note:**

This manual is written as a whole and provided to industry in sections to allow permit holders to access activity chapters. It is prudent of the permit holder to review the manual in its entirety and be aware of the content in other sections of the manual.

### 5.5.1 Professional Reliance and Results Based Archaeology Review

The professional reliance and results based review process at the Commission was established in 2004 and is designed to support the following objectives:

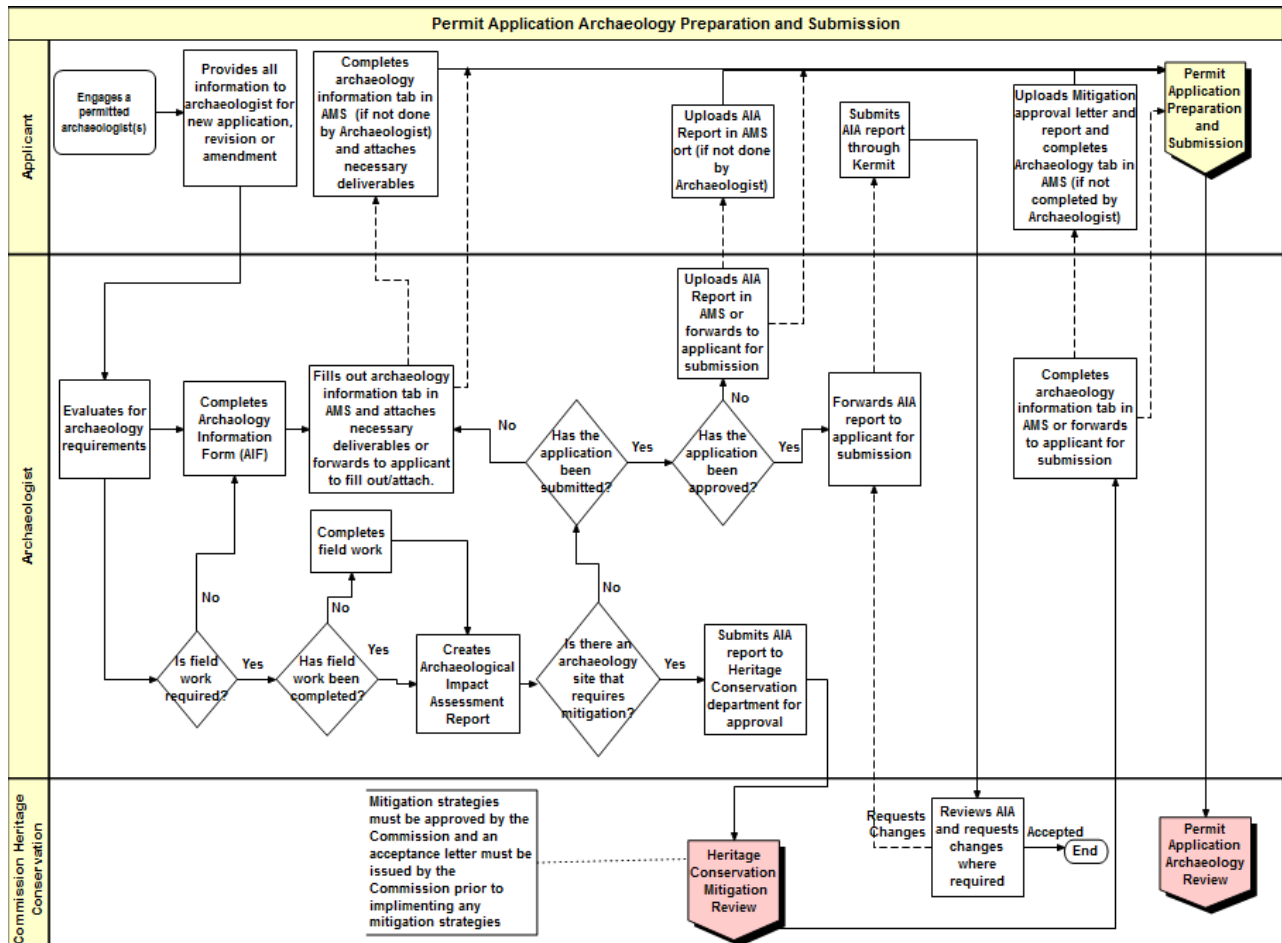
- Increase the efficiency and effectiveness of the review process.
- Ensure compliance with applicable legislations (Oil and Gas Activities Act (OGAA) and Heritage Conservation Act (HCA)).
- Support clients in the fulfilment of their permit obligations.
- Manage archaeology resources by balancing and considering all land values.

- Guide, evaluate and provide recommendations to improve the effectiveness of client’s management systems as they apply to archaeological resources through the Archaeology Audit Program (AAP).

The Commission’s archaeology unit has three main streams of business:

- Application screening and review of archaeology components.
- Business conducted on behalf of the Archaeology Branch of FLNRORD.
- Archaeology Audit Program.

**Figure 5-D Preparation and Submission of Archaeology Requirements**



## Important Preparation and Submission Factors

1. If the archaeology tab is generated a permitted archaeologist must be listed on the administrative tab. A professional reliance email notification will be sent to the archaeologist listed on the administrative tab upon submission of the application. If the archaeology tab is generated and no archaeologist is listed on the administrative tab the application will be moved into revision to allow for the addition of the archaeologist to the administrative tab.
2. A permitted archaeologist must review each application area to evaluate the potential for impacts to archaeological values and identify what, if any, additional work may be required. The Commission expects applicants to:
  - Engage a reputable archaeology company employing professionals eligible to hold a permit to work in the application area under Section 14 of the [Heritage Conservation Act](#) and specific to the application area.
3. The permitted archaeologist completes the Archaeology Information Form (AIF) designed for AMS and the appropriate data fields within the archaeology tab. An AIF designed for AMS can be found on the Commission's [website](#) and should be used for all applications when new disturbances are anticipated within an application area. Only applications submitted as an "Administrative Change" do not require an AIF. Administrative Change is defined below, under "Other reference terms".

Ideally, the information on the AIF will be entered into AMS by the applicant's permitted archaeologist and the form submitted to the applicant for confirmation of project information and upload. In instances where the applicant has not granted permissions for their archaeologist to access AMS, either the applicant or their agent will complete the archaeology tab.

Either the oil and gas applicant, their agent or their archaeologist must upload the completed and signed AIF into AMS. The uploaded document should be placed under "Other Archaeology Document."

**Please Note:**

The AIF is an auditable document and must include the appropriate HCA Section 14 permit number and the permit holders signature.

4. The submitted information (both within AMS and on the archaeology information forms) are reviewed by the Commission archaeology staff for accuracy and appropriateness.
5. Archaeology reports resulting from a field investigation (Archaeological Impact Assessment (AIA) or Preliminary Field Reconnaissance (PFR)) may be submitted at numerous points during the application (or pre-application) process, depending on the timing of the field assessment. However, all reports must be uploaded by the applicant or oil and gas activity permit holder as soon as they are received from the archaeologist and preferably at the time of application. Reports must be uploaded under the Archaeology Report dropdown option. For post-permit issuance uploads of archaeology reports, see point 7.

- Reports with no recovery of an archaeology site during an impact assessment:

If no archaeological resources are found during a field assessment the AIA or PFR report must be uploaded as soon as possible, but no later than 60 days after the project construction has been completed.

Inclusion of a completed archaeological impact assessment report greatly facilitates a number of reviews during the application process, including the Commission's archaeology review and the First Nations consultation processes.

- Reports finding an archaeology site during an impact assessment:

If an archaeology site has been found within a proposed development area, an AIA report detailing the field work is due immediately.

Construction work must not proceed near the area of concern until the report is approved by the Commission. The following steps must be followed when archaeological resources are encountered during an archaeological impact assessment:

- i. The permitted archaeology consultant responsible for the field assessment must discuss mitigation strategies with the oil and gas applicant and present the results of the assessment and proposed mitigation strategies within the context of a draft AIA report.
- ii. The report is submitted to the Commission for approval of all mitigation strategies pertaining to the new archaeology site. Submissions must be made via Arch.Submissions@bcogc.ca for review and approval.
- iii. Once the report has been reviewed, the Commission provides formal notification to the applicant and the archaeologist regarding approval or decline of the report and recommendations within.
- iv. Once an approval letter is received from Commission archaeology staff, the applicant must upload the report and approval letter into AMS.

The mitigation review and approval procedures discussed above are currently in place and have been established over the past decade; they have proved to be the most efficient manner to approach site recoveries and facilitate communication among Commission staff, clients and archaeologists. The only change to the process associated with the implementation of AMS is the required upload of the approval letter.

Since the implementation of AMS in July 2016, the Commission has observed that the most accurate application submissions for archaeology information are those where the archaeologist has access to and enters the information into the archaeology tab in AMS. Granting the permitted archaeologist these permission greatly reduces the need to move applications into revision.

6. Archaeology site alteration permits are reserved for unique scenarios where a project cannot avoid disturbing an archaeology site. The applicant or oil and gas activity permit holder must apply to the Commission for a permit issued under Section 12 of the Heritage Conservation Act specific to the activity that will be carried out. These permits are applied for independent of AMS and an upload of

the permit application into the system is not required at the time of development application submission. However, if prepared upload all documents pertaining to the Section 12 permit application under “Other Archaeology Document”.

7. To upload an archaeology report post permit issuance, open Kermit External and select the ‘Post Permit Actions’ tab. Under the heading ‘Permits’, click ‘Find Permits’ and enter the AD# or Legacy OGC File#. Press search. Click on the AD# and click the ‘Attachments’ tab. Under the heading ‘Post Approval Attachments’ click on ‘upload.’ An upload prompt will appear, click +Add files and select the file for upload, select document type ‘Archaeological Assessment Report.’ Click ‘start upload.’ Press save.
8. All documents relating to the archaeology component of applications must be retained by oil and gas applicants and are subject to review by Commission staff during formal or informal audit processes. These records include application information, assessment information and communication documents between the client and the archaeologist.

### **Please Note:**

Full processes and expectations for the annual audit of archaeology management systems are outlined in the Commission’s Archaeology Audit Program Procedure Manual and available online [here](#).

## 5.5.2 Guiding Legislation and Regulations

Applicants are responsible and accountable for ensuring that planning and development activities comply with the [Heritage Conservation Act](#) (HCA), Oil and Gas Activities Act (OGAA) and all supporting Commission policies and conditions of permit. The Commission’s archaeology application requirements are based on HCA and OGAA and the Commission endeavors to ensure applicants remain within these legislative and policy requirements. Special conditions for archaeology may be added to development permits for clients to facilitate the protection of archaeological resources.

All archaeological sites are protected under the HCA. This protection is not affected by an error or omission in the Provincial Heritage Register or by failure to register

property in the Provincial Heritage Register. The Heritage Conservation Act protects all archaeological sites whether on private or public lands. Under Sections 13 (1) and (2) of the HCA:

- Archaeological sites are protected against any damage. This protection applies to all sites, regardless of whether they are located on Crown or private lands.

Under Section 36 of the Heritage Conservation Act:

- Anyone found to be in contravention of Section 13 (1) or (2) is liable for a fine or imprisonment.

## **Heritage Conservation Act Site Alteration Permit, Section 12**

Under OGAA a specified enactment with provision for Section 12 of the HCA:

- Section 8 (1) authorizes the Commission, instead of the Archaeology Branch of FLNRORD, to issue site alteration permits to oil and gas clients when an archaeology site cannot be practically avoided.

This authority is for oil and gas developments within the entire province of B.C. but does not include projects subject to Canadian Energy Regulator (CER) review and approval.

## **Heritage Conservation Act Inspection Permits, Section 14**

The Archaeology Branch of Ministry of Forests, Lands and Natural Resource Operations issues permits under Section 14 of the HCA, RSBC 1996, c. 187 to all qualified archaeologists who want to conduct archaeological field investigations in the province of B.C. (i.e. those who want to conduct AIA work). The responsibilities relating to these permits are outlined in the application and terms and conditions of the permit.

For archaeologists working in northeast B.C. the Commission monitors and ensures compliance by archaeologists with the terms and conditions of these permits through

report reviews and field visits. A Protocol Agreement between the Oil and Gas Commission and the Archaeology Branch guides the review of work conducted under an inspection permit. Any breach of permit or deficiency in work is reported to the Archaeology Branch and may affect future permit eligibility.

Clients hiring archaeologists to conduct assessments on proposed development areas must be familiar with the terms and conditions of the HCA Section 14 inspection permits and sign the permit to acknowledge understanding of the commitment and approach by the archaeologist. Clients should understand that the permit holder must work according to and fulfil the obligations set out within each permit.

### 5.5.3 Supporting Information

#### **Conducting an Archaeological Impact Assessment (AIA)**

Archaeological field work involving survey and sampling (ground truthing and testing) is typically referred to as an Archaeological Impact Assessment (AIA). An AIA is conducted prior to any on-the-ground development activities. An AIA where no testing has been conducted may be referred to as a preliminary field reconnaissance or PFR. The results of an AIA or PFR are detailed in a written report.

An AIA (field testing and verification) may be completed at any time before or during the application and review period or after a permit has been issued. However, all archaeology field work must be completed prior to any ground altering activities.

#### **Compliance as it Relates to a Professional Reliance and Results Based Regulatory Review**

Compliance with the requirements of the Heritage Conservation Act (HCA), , Commission policies, guidelines or associated legislation and conditions of permit must be adhered to. If a company is found by the Commission to be in non-compliance with any requirements, the company may be excluded from the expedited archaeology review stream until all issues have been resolved. During this period the client must ensure all archaeological requirements are met and reports are submitted to the Commission before the archaeology component of the application review will be



completed. In other words, development permit will not be issued until all reporting is submitted and approved by Commission archaeology staff, which could result in significant delays.

These sanctions do not exclude the client from further penalties, which may be imposed by the Commission or the Province of British Columbia under Section 36 of the HCA.

## 5.5.4 List of Supporting Materials

### Types of reports

**Archaeological Overview Assessment (AOA):** An AOA is largely a desktop review of available literature including reports, ethnographic studies, site inventory records and physiographic mapping. The resultant report describes the subject area's potential for containing archaeological resources and may provide recommendations if appropriate.

### Archaeology Impact Assessment (AIA):

An AIA refers to archaeological field work conducted prior to any on-the-ground development activities. Subsurface shovel testing of areas deemed to have archaeological potential may be conducted to identify archaeological sites within the proposed project area. An AIA where no testing has been conducted may be referred to as a preliminary field reconnaissance or PFR.

### Archaeology Impact Assessment Report (AIA report):

The results of an AIA are detailed in an AIA report.

### Preliminary Field Reconnaissance (PFR):

PFR refers to a field inspection that establishes if a subject area contains archaeological potential. Most often, if a PFR is conducted and the application area is found to contain archaeological potential, the attending archaeology company will perform a full AIA to save time and money for their client.

An archaeologist may also downgrade an AIA to a PFR if the intended AIA area proves to have no archaeological potential. The results of the field inspection would be detailed in an AIA or PFR report.

**Preliminary Field Reconnaissance Report (PFR report):**

The results of PFR are detailed in a PFR report.

## **Other reference terms**

**Administrative Change:**

For the purposes of the archaeology review, an Administrative Change refers to a modification that has no new land-based disturbance activities. Examples of administrative changes are a transfer of road tenure, document corrections, amendment applications with no ground disturbance or clearing activities anticipated and reduction of application area. In the case of a reduced application area, the new smaller applied for area must be contained within the original applied for area. If the reduced area is because of archaeology concerns, an AIF must accompany the revised, amended or new submission. Any revision to components that involve an increase in size, change in shape or position, is **not** considered an administrative change.

**Archaeological Potential:**

Archaeological potential refers to the possibility that archaeological resources may be present within a defined area. Potential is determined through examination of sets of variable criteria that change according to geographic location and geophysical characteristics.

**Archaeology Audit Program (AAP):**

The Commission conducts audits of oil and gas clients' archaeology management systems. The audit supports a professional reliance and results based regulatory review of the archaeology portions of applications.

**Archaeology Branch:**

The Archaeology Branch of FLNRORD is responsible for distributing archaeological information regarding the management of archaeological resources in British Columbia. In terms of provincial oil and gas projects, the Branch is authorized to issue permits to archaeologists under section 14(2) of the Heritage Conservation Act (HCA).

**Borden Number:**

The Borden Numbering system is a naming convention created by Charles Borden for archaeology sites found in Canada. A unique set of letters and digits are assigned to every new archaeology site as they are recorded in the provincial data base. Based on the geographic location of a site, letters are assigned from a map index and have the following format structure: AaBb-0001. The number after the hyphen indicates the order in which the site was found within a particular Borden Block. For example, the first site found in block AaBb would be assigned AaBb-0001, the second AaBb-0002 etc.

**Heritage Conservation Act (HCA):**

The HCA is the legislation that protects heritage property in British Columbia. Under Sections 13(1) and (2) of the HCA, archaeology sites are protected against any damage. This protection applies to all sites, regardless of whether they are located on Crown or private lands. Under Section 36, Offence and penalty, anyone found to be in contravention of Section 13 (1) or (2) is liable for a fine and/or imprisonment. This protection is not affected by an error or omission in the Provincial Heritage Register or by failure to register property in the Provincial Heritage Register.

**Permitted Archaeologist:**

An experienced archaeologist who holds a permit under Section 14 of the HCA. For the purpose of conducting archaeological impact assessments. Clients are expected to engage an archaeologist with a valid permit within the area of application for all review and recommendations.

**Professional Reliance and Results Based**

This approach to application review for archaeology was introduced to facilitate the processing of applications without delaying entire applications for archaeology requirements. The professional reliance review process for archaeology at the

Commission is based on the assumption that oil and gas clients contract permitted archaeologists to provide recommendations that are then passed on to the Commission. Although the onus for protecting archaeological resources is placed on the applicants, the Commission's archaeology unit provides support for both individual application processing and entire archaeology resource management systems.

The Commission's expedited review allows applications to be processed prior to the completion of archaeological assessments or submission of reports for those assessments. Exceptions and expectations for this advantage may be modified based on situation or performance.

Associated with a professional reliance and results based approach is the Commission's Archaeology Audit Program (AAP) (see definition for AAP).

#### **Protocol Agreement with the Archaeology Branch of FLNRORD:**

Under a Protocol Agreement with the Archaeology Branch, the Commission guides and reviews the work carried out by archaeologists in northeastern British Columbia. The Commission's jurisdiction is currently restricted to the Fort Nelson, Peace and Mackenzie Forest districts.

#### **Remote Access to Archaeological Data (RAAD):**

RAAD is a web interface that is used to access archaeological site data and is maintained by the Archaeology Branch of FLNRORD. All recorded archaeological sites within the province of British Columbia are entered into this database. Access to this information is subject to authorization granted by the Archaeology Branch and is limited to government agencies with land or resource management responsibilities, first nation governments, and professional consulting archaeologists. Site information contained within RAAD can be provided to clients, agents etc. by the Archaeology Branch, upon request. Coordinates of sites provided by RAAD should be should be verified using site maps and location descriptions available via RAAD or from the Archaeology Branch.

#### **Site Alteration Permits, HCA Section 12:**

A permit may be issued under Section 12 of the HCA if impact to an archaeological site cannot be practically avoided. These permits allow applicants to alter a known

archaeological site within the confines of special terms and conditions outlined in the permit.

Under OGAA a **specified enactment** with provision for section 12 of the HCA, authorizes the Commission to issue site alteration permits to oil and gas clients when an archaeology site cannot be practically avoided. This authority is for the entire province of B.C. for oil and gas developments and the Commission's authority is in place of the Archaeology Branch's. The Commission's powers do not include projects that are subject to Canadian Energy Regulator (CER) review and approval as CER projects are specifically excluded from this provision.

All archaeology forms and documents are found on the Commission's archaeology manuals, guidelines and forms page at <http://www.bccgc.ca/industry-zone/documentation/Archaeology>

## 5.5.5 Archaeology: Data Field Completion

Table 5-E below provides detailed instructions for each of the data fields requiring input (not auto populated) within the Application Management System.

**Table 5-E: Application Instruction Table for the Archaeology Tab**

Label	Instructions
Administrative Change Only	<p>Administrative changes are those with no land impact or reduction in application area as long as the reduced area is contained within the exact original on-the-ground space of the original application.</p> <p>Indicate yes, if changes made have no associated field activities. i.e. name changes or corrections to plans only.</p>
Administrative Change Description	<p>Provide a brief description of the changes included in the application. If an application is for an amendment it must be clearly stated as "amendment with no ground disturbance or clearing anticipated".</p>

Label	Instructions
Sources to Identify Archaeological Potential	Provide a list of the data sources used, such as plan maps, RAAD, orthophotos, previous assessment report, etc. to establish archaeological potential. Construction plan map job no, revision number and revision date used for the archaeology review must be cited. If a construction plan was not used, provide details of mapping source used to identify project location and for the review and evaluation of archaeological potential.
Areas Containing Archaeological Potential	Indicate if any or all portions of the proposed application area has the potential to contain archaeological resources.
Specify Factors Used to Assess Potential	List the physical landscape features used to determine whether or not archaeological potential exists within the application area. (i.e. prominent ridge, river bench, knoll surrounded by wetlands, saturated terrain with black spruce, steep slopes, etc).
Archaeology Report Attached	Indicate if an archaeology report is attached.
<b>Non-Geophysical Archaeology Information</b>	
Archaeology Site within 200m	Does the provincial data base, RAAD, indicate there are archaeology sites within 200 metres of the proposed activity area? Permitted archaeologist checks RAAD, the provincial data base, for known sites in proximity to proposed application area and lists. The distance is measured from the edge of the site to the closest point within the proposed development.
Borden Number(s)	List the Borden numbers of all sites within 200 metres of the proposed development must be listed here.
Distance from Borden # to Oil & Gas Development (m)	Indicate distance (in metres) from the closest edge of the archaeological site to nearest point on application area.
Has field work been completed?	Indicate if all the field work has been completed for the project. If any portion of the assessment is outstanding, indicate no.
Type of Field Work Completed	If an archaeological field assessment was completed, select the type of field work completed from the drop down list.
Is field work required?	If no archaeological assessment was completed at the time of application, indicate if one is required. A permitted archaeologist must evaluate each project and determine if an archaeological assessment is required.

Label	Instructions
Type of Field Work Required	If an archaeological assessment is required, select the type of field work required from the drop down list as determined by the permitted archaeologist.
Archaeological Site Identified	List sites recovered during the assessment of the proposed application area. Borden numbers are unique identifiers assigned by the province for each newly recovered site.
Borden Number	If field work was completed and archaeology site(s) found, list the Borden numbers of the site(s) recovered during the assessment of the proposed application area.
Site Mitigation Description	Briefly describe how the applicant plans on managing for the newly recovered archaeology site. For every site in conflict with the proposed project, a mitigation plan must be in place and detailed on the archaeological impact assessment report.
Has Commission Archaeology Staff Approved the AIA Report?	When an archaeology site(s) is recovered on an application/project area, an AIA report must be submitted to the Commission's archaeology unit as soon as possible. The report must outline how the site will be managed for and no project can proceed without approval of the site management strategies. Indicate yes if an approval for the report has been received from Commission archaeology staff and upload the approval letter. A report outlining management strategies are also required should a new project be in conflict with a previously recorded site.
Is a Site Alteration Permit Required?	If a project cannot avoid disturbing an archaeology site, the operator must apply to the Commission for a permit issued under section 12 of the Heritage Conservation Act. Indicate if there is intent to submit a permit application under section 12 of the HCA. Indicate unknown if this has not been determined.
<b>Geophysical Archaeology Information</b>	
Are There Known Archaeology Sites in Conflict with the Geophysical Program Including Line Shift Variance?	Does the provincial data base, RAAD, indicate there are archaeology sites within 200 metres of the maximum proposed line variance? A site is considered to be in conflict if it is located within 200 meters of the outside line variance.

Label	Instructions
Is Field Work Required?	The requirement for any assessment is determined by a permitted archaeologist. If any type of field assessment is recommended by a permitted archaeologist, indicate yes.
Type of Field Work Required	The permitted archaeologist will determine the type of archaeology assessment best for the proposed program area. Choose the type of field work required from the drop down list.
Other Type of Assessment	The option of 'other' is only chosen if the type of work recommended is not located in the drop down. Provide a detailed description of the 'other' type of field work intended.
Site Flagging Required	If the archaeologist's search of RAAD finds archaeology sites within 200 meters of the program's maximum proposed line variance, there is a requirement to have the sites flagged for protection by a qualified archaeologist. Indicate yes, if known archaeological sites are in conflict with the program.
Borden Number	Enter the Borden number(s) of the archaeological site(s) in conflict with the program. Borden numbers are assigned to each archaeology site recorded in the provincial registry (RAAD).
Flagging Completed Date	Provide the date(s) that flagging of known archaeological sites was completed. If the flagging has not been completed, leave this field blank.