

Heritage Conservation Management

The Heritage Conservation Program at the BC Oil and Gas Commission

BC Oil and Gas Commission (Commission) archaeologists review the archaeology components of oil and gas applications, provide subject matter expertise, complete an annual Archaeology Audit Program, and act as decision makers on alteration permit applications. Heritage Conservation Program staff also monitor the fieldwork of archaeologists working in northeast B.C. via a Protocol Agreement with the Archaeology Branch of the Ministry of Forests, Lands, Natural Resource Operations and Rural Development (FLNRORD).



Heritage Conservation Act (HCA) Permits

Section 12.2 Inspection Permit – Permits are adjudicated by the Archaeology Branch of FLNRORD and are issued to archaeologists to allow archaeological investigations to be completed. The permits include information on surface and subsurface testing methodology, identify artifact repositories, reporting requirements, and outline how archaeological potential will be identified. A permitted archaeologist will then complete archaeological investigations to identify archaeological sites within a defined project area.

If an HCA-protected archaeology site is identified, the professional archaeologist then recommends mitigation strategies for appropriate avoidance. If the archaeology site cannot be avoided, the oil and gas proponent may apply to the Commission for a section 12.4 site alteration permit.

Section 12.4 Site Alteration Permit – Permits are adjudicated by the Commission and are issued to an oil and gas proponent when a site cannot be avoided. The permits contain requirements such as archaeological monitoring, artifact collection, and post-construction permitting. The Oil and Gas Activities Act requires the Commission to adjudicate section 12.4 permits in place of the Archaeology Branch of FLNRORD. This applies throughout the province but does not extend to Canada Energy Regulator Projects.

What Requirements Apply?

Archaeological work is regulated under the Heritage Conservation Act (HCA):

- Its purpose is to encourage and facilitate the protection and conservation of heritage property in B.C.
- The HCA defines penalties associated with contraventions.
- The HCA applies regardless of level of disturbance and land type.
- The HCA defines the archaeological site types that are protected.

What is an Archaeological Site?

Archaeology sites provide evidence of past human activity. An archaeology site may have historical, cultural, aesthetic, scientific or educational value to B.C., a community or Indigenous people.

The Commission ensures the protection and conservation of archaeology sites in B.C. in regards to oil and gas activities.

The Commission provides regulatory oversight throughout the entire life cycle of each oil and gas project to assist permit holders in achieving best practices when managing archaeological resources.

Oversight and compliance is ensured pre-permit, during construction and post construction through the Heritage Conservation Program within the Commission.



For Further Information

Email ogc.communications@bcogc.ca or call 250-794-5200

24 Hour Incident Reporting for Industry 1-800-663-3456

This information is published by the BC Oil and Gas Commission and is available online at www.bcogc.ca

How are Archaeological Sites Regulated?

The Commission uses the Heritage Conservation Act (HCA) and Oil and Gas Activities Act (OGAA) to help make decisions when it comes to Heritage Conservation Management. This process can commence before a permit is ever granted.

Oil and gas proponents must hire a professional archaeologist permitted in B.C. to evaluate the proposed application for archaeology potential. The professional archaeologist needs a valid section 12.2 permit, issued by FLNRORD, to complete the archaeological assessment.

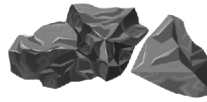
The archaeologist is required to complete an Archaeology Information Form to determine if field work is required. This form is submitted to the Commission along with the oil and gas activity application.

If field work is required, the archaeologist must submit an Archaeological Impact Assessment report and include mitigation strategies to ensure archaeology sites are not disturbed. When an archaeology site cannot be avoided, a HCA section 12.4 Site Alteration Permit may be granted allowing alteration of the archaeology site.

The Commission's Heritage Conservation Management Program reviews the Archaeology Information Form, as well as any Archaeological Impact Assessment Reports produced.

A Heritage Conservation Management condition is placed in all operational permits. This condition states if any heritage objects are found during construction, construction must stop immediately and the Commission must be notified.

How is an Archaeological Site Investigated Post-permit?



Sometimes, archaeological sites are not found until construction begins. If any materials protected under section 12.1 (2) of the HCA are noted during any phase of the ground-disturbing activities, the company must immediately cease all work in the vicinity of the artifacts, features and materials and contact the Commission as soon as possible.

Sites are investigated to establish the best mitigation strategies going forward. A Heritage Conservation Act Ministerial Order must be granted in order for anyone, including Commission staff, to alter the ground or remove artifacts from any site.

How are Permit Holders Held Accountable?

It is the permit holder's responsibility to ensure all legal and regulatory obligations are met, however, the Commission's Archaeology Audit Program evaluates the effectiveness of the permit holder's performance by auditing their archaeology management system.

If permit holders are deficient or found in non-compliance with any of the audited criteria, the Commission works closely with them to ensure those matters are corrected.

Permit holders are also subject to compliance and enforcement inspections, and, if found in non-compliance with section 12.1 (1) and (2) of the HCA or in violation of any permit condition, are liable to a fine or imprisonment.

Indigenous Nations and Heritage Conservation Act Permitting

Archaeological heritage has significant cultural, historical, scientific, spiritual, and educational value to the First Nations and Indigenous Peoples of British Columbia. First Nations help to manage and protect archaeological sites by participating in consultation and engagement processes. The Commission is responsible for the Crown's legal obligations to consult and accommodate Indigenous Nations within the regulatory scope; where a permit is required, the Commission consults First Nations.

Our Heritage Conservation Program's Responsibilities Are:

- ✓ Ensure compliance with applicable legislation (OGAA and HCA).
- ✓ Support oil and gas permit holders in the fulfilment of permit obligations.
- ✓ Manage archaeology resources by balancing and considering all values.
- ✓ Guide, evaluate and provide recommendations to improve the effectiveness of oil and gas permit holder management systems as they apply to archaeological resources through the Archaeology Audit Program.