

TO: CHAIR AND MEMBERS
EXECUTIVE COMMITTEE

DATE: 2020 October 21

FROM: DIRECTOR PLANNING AND BUILDING
DIRECTOR PARKS, RECREATION AND
CULTURAL SERVICES

FILE: 77000 02
Reference: Archeological Sites

SUBJECT: ARCHAEOLOGICAL POLICY FRAMEWORK

PURPOSE: To provide the Committee with information relating to the creation of an archaeological policy framework for Burnaby.

RECOMMENDATIONS:

1. **THAT** the Committee request Council to approve an expenditure of up to \$25,000 to retain a consultant to assist staff in the development of an appropriate archaeological policy framework for management of archaeological resources on City land, as outlined below in *Section 3.0*.
2. **THAT** the Committee request Council to approve an expenditure of up to \$30,000 to complete an archaeological overview assessment of Barnet Marine Park, including reviewing identified locations for two '4stop of interest' signs, as outlined below in *Section 4.0*.
3. **THAT** a copy of this report be forwarded to the Social Planning Committee, the Parks, Recreation and Culture Commission, and the Community Heritage Commission for information.

REPORT

1.0 INTRODUCTION

British Columbia's heritage includes archaeological sites - the physical evidence of how and where people lived in the past. For most of the time that people have lived in B.C. no written records were made. Archaeological sites and oral tradition are the only vestiges of a rich history, and protecting and conserving this fragile legacy and non-renewable natural resource is critical. Archaeological sites in B.C. may also be of regional, provincial, national or international significance, and may be as many as 14,000 years old.

The *Heritage Conservation Act* (the 'Act') is the Provincial legislative vehicle for this management and recognizes the historical, cultural, scientific, spiritual, and educational value of archaeological sites to First Nations, local communities, and the public. Under the *Act*, the Province of B.C. is responsible for maintaining and distributing archaeological information and deciding if permits can be issued to allow development to take place within or adjacent to protected archaeological sites. Administration of these responsibilities is performed by the Archaeology Branch (the 'Branch').

Development proponents are responsible under the legislation for avoiding or managing impact to these sites. Local governments support development proponents by identifying when a proposed development overlaps with a known archaeological site, and in such cases refer proponents to the Branch. The Branch makes data about known archaeological sites available to local governments to enable this support. Local governments are also responsible to fulfil all necessary regulations when they themselves are the proponent.

While Burnaby complies with its legislative requirements in relation to the protection and preservation of archaeological sites, the increased complexity and rapid pace of development (both by private developers and by the City), as well as the initiation of government-to-government relationships with local First Nations, has prompted the need for an enhanced, streamlined City-wide approach to archaeological protection.

2.0 POLICY CONTEXT

An enhanced approach to managing archaeological assets within Burnaby is supported by the following policy context:

- **Official Community Plan** (1998) includes ‘Section 12.0 – Heritage Planning’, with Goal 12.2 to conserve “the City’s unique natural, cultural, archaeological and built heritage”.
- **Burnaby Social Sustainability Strategy** (2011) includes the Goal ‘Community Liveability’, which references the ‘sense of identity’ fostered by community heritage.

In addition to the policies noted above, advancing archaeological management and protection is supported by a number of goals and sub-goals of the *Corporate Strategic Plan*:

- **A Connected Community**
 - Partnership – Work collaboratively with businesses, educational institutions, associations, other communities and governments
- **An Inclusive Community**
 - Create a sense of community – Provide opportunities that encourage and welcome all community members and create a sense of belonging
- **A Healthy Community**
 - Lifelong learning – Improve upon and develop programs and services that enable ongoing learning
- **A Thriving Organization**
 - Organizational culture – Ensure that our core values are reflected in our policies, programs and services delivery

3.0 CITY ARCHAEOLOGICAL POLICY AND PROCESSES

Several City departments contribute to the management and protection of archaeological resources. The Engineering and Planning and Building Departments issue permits, some of which can lead to excavation and could potentially disturb an archaeological site. Reviewing permit applications to flag those that overlap with known archaeological sites is one way the City supports protection of archaeological resources.

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Several departments undertake infrastructure projects on behalf of the City, and perform maintenance activities that could disturb an archaeological site. As such, Engineering, Parks, and Planning (Civic Projects) have responsibilities under the *Act* to avoid impact to archaeological resources. Under the *Act*, impacts to sites must be avoided or managed by development proponents. When local governments undertake infrastructure improvements, maintenance or other land altering activities they are responsible for avoiding or mitigating impacts to protected sites.

Staff in the Planning Department access data from the Archaeology Branch to identify known archaeological sites within Burnaby. The Heritage Planner is responsible for reviewing permit applications for work at (or adjacent to) known archaeological sites, and for referring applicants to the Branch when work is proposed at, or within 50 metres of, a known site. There are currently 21 known archaeological sites in Burnaby registered with the Branch, the majority of which are located on land owned by the City. As new sites are discovered, they are registered with the Branch and added to their provincial archaeological site inventory database.

Through the above process, the City complies with its legislative requirements under the *Act* and contributes to conservation of cultural and archaeological resources. However, the increased complexity and rapid pace of development (both by private developers and by the City) has prompted the need for an enhanced, streamlined City-wide approach to archaeological protection.

The City's commitment to implementing the 'Calls to Action' for local government stemming from the Truth and Reconciliation Commission of Canada Final Report, as well as emerging government-to-government relationship with local First Nations, underscores this need. Nations have a particular interest in the protection of archaeological sites as sacred and spiritual sites, including in some cases the remains of ancestors.

It is an increasingly common practice for B.C. local governments, crown corporations, and private companies to develop policies to avoid impact to archaeological resources that exceed the minimum legislative requirements of the *Act*, both as part of their engagement with First Nations and to avoid risk of unintended impact on an archaeological resource.

Burnaby's small number of known archaeological sites does not necessarily indicate there is a low risk of impacting a site, as in addition to known sites, there are areas of Burnaby that have been identified as having potential for containing archaeological material. For example, a 1987 Heritage Resource Study of Deer Lake Park conducted by Ian R. Wilson compiled an archaeological field inventory within the boundaries of Deer Lake Park and found that there is a high potential for archaeological sites on the north shore of the lake, particularly in the vicinity of Deer Lake Brook.

Given this context, staff are recommending that a consultant be retained to assist staff in developing policies and procedures for the management of archaeological resources on City land. Sufficient funds are available in the existing Mayor's Office budget to cover this work. This process will further support the City in its role in the preservation of cultural resources. Recommendations related to management of cultural resources on private land can be considered as part of the Official Community Plan update process, to ensure consideration is given to coordination of these policies with the City's broader land-use policy framework.

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4.0 ARCHAEOLOGICAL ASSESSMENT OF BARNET MARINE PARK

The lands and intertidal area that comprise Barnet Marine Park include three known archaeological sites. In addition to the presence of archaeological material, hənqəminəm and Skwxwú7mesh oral history documents the long history of Indigenous people in North Burnaby. Several important village sites existed along the shores of Burrard Inlet in the pre-contact era, and the remains of ancestral villages, long-term campsites and other known cultural sites have been found along the northern shoreline of Burnaby and Port Moody. Some of the sites in and around Burnaby would have been used seasonally for activities like fishing, shellfish gathering and sea mammal hunting. These sites produced middens, demonstrating long-term use by hənqəminəm and Skwxwú7mesh ancestors.

As such, the area of Barnet Marine Park is of particular cultural importance to local First Nations, and is a rich area of historical legacy for all Burnaby community members. To better support the City to protect and manage archaeological resources known and likely to be present within the Park boundaries, staff are recommending that the City retain a qualified archaeological consultant to complete an Archeological Overview Assessment (AOA) of Barnet Marine Park. Both the existence of known archaeological sites and cultural knowledge of pre-contact uses of these lands suggest a likelihood that additional archaeological material lies beneath the surface of the park, putting the City at risk of unintended impact to these resources. Sufficient funds are available in the existing Mayor's Office budget to cover this work.

An AOA is a form of study that identifies areas of archaeological potential in a defined location, helping to reduce the risk of unintended impact with a previously unknown site. The completed study is filed with the Archaeology Branch. Once the study has been filed with the Branch, property owners wishing to develop on a site that is identified by an AOA as having archaeological potential are required to retain an archaeological consultant and obtain permits from the Archaeology Branch in order to proceed with their development. The consulting archaeologist is required by the Archaeology Branch to consult with First Nations when conducting the AOA.

4.1 'Stop of Interest' Signs at Barnet Marine Park

In 2017 the Ministry of Transportation and Infrastructure (MoTI) requested nominations for 'Stop of Interest' (SOI) signs, which tell a story of a person, place or event significant to provincial history. The City of Burnaby nominated a sign recognizing Kapoor Singh Siddoo, a business person and community activist who owned the Kapoor Sawmill in the Barnet Marine Park area. The Tsleil-Waututh Nation (TWN) nominated a sign with content that identifies the location of three TWN village sites located across the Inlet (visible from Barnet Marine Park). Both nominations were accepted by MoTI and are to be installed at Barnet Marine Park. The physical signs have been manufactured.

Discussions with MoTI regarding their installation are close to conclusion and siting locations for both signs have been selected (see *Appendix A* attached). The proposed location of the Kapoor Mill SOI is located at an appropriate distance from a related Kapoor Singh Siddoo sign installed by the City in 2017. The location of the sign which identifies the locations of three TWN village sites was selected via a site visit to Barnet Marine Park with multiple representatives of the Nation present, and is mutually acceptable.

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The proposed sign locations are not within 50 meters of a known archaeological site, and the City is therefore not required to obtain a permit from the Archaeology Branch, nor can the City require that MoTI obtain an archaeological permit. However, given the archaeological potential of Barnet Marine Park, and in order to proceed with installation of the signs in a timely manner, staff are recommending that the AOA referenced above also reviews these identified locations from an archaeological management and protection perspective.

This includes an archaeological assessment of the sign location area and the sourcing of appropriate sign mounting materials. An estimate for siting costs of the sign nominated by TWN is included in the budget amount for the AOA referenced above. Funds are available through the Planning Department operating budget for any siting costs associated with the Kapoor Singh Siddoo sign, as it was advanced through the Community Heritage Commission.

5.0 CONCLUSION AND RECOMMENDATIONS

The City has a long-standing commitment to the protection of heritage and archaeology resources within Burnaby. To further support this commitment within an increasingly complex and rapid pace of development, and in order to fully implement the City's commitment to the Truth and Reconciliation process, it is recommended that the Committee request Council to approve an expenditure of up to \$15,000 to retain a consultant to assist staff in the development of an appropriate archaeological policy framework for managing archaeological resources on City lands, as outlined above in *Section 3.0*.

It is also recommended that the Committee request Council to approve an expenditure of up to \$30,000 to complete an archaeological overview assessment of Barnet Marine Park, including reviewing identified locations for two 'stop of interest' signs, as outlined in *Section 4.0*.

Finally it is recommended that a copy of this report be forwarded to the Social Planning Committee, the Parks, Recreation and Culture Commission, and the Community Heritage Commission for information.



E. W. Kozak, Director
PLANNING AND BUILDING

RM/LC:sa
Attachment



D. Ellenwood, Director
PARKS, RECREATION AND
CULTURAL SERVICES

cc: City Manager
Director Engineering
Director Finance
Director Public Safety and Community Services
Director Human Resources
Museum Service Supervisor
Director Corporate Services

Fire Chief
Chief Librarian
OIC - RCMP
City Solicitor
Acting City Clerk
City Archivist