



Protected Archaeological Sites Regulations

What are Archaeological Sites?

Archaeological sites are locations where there is physical evidence of how people lived in the past. In BC many of these sites have been identified and are protected by legislation.

Archaeological sites and oral histories are the only evidence of our Province's rich history extending back at least 12,000 years. These sites are protected and managed for their historical, cultural, scientific and educational value to the general public, local communities, and First Nations. We need to protect and conserve this rich but fragile legacy.

Who Regulates Archaeological Sites?

The Provincial Government recognizes the importance of archaeological sites through the *Heritage Conservation Act*. Under this Act, the Archaeology Branch is responsible for maintaining and distributing archaeological information and deciding if permits can be issued to allow development to take place within protected sites.



If there is an archaeological site on your property, you will have to contact the Provincial Ministry of Tourism, Culture and the Arts Archaeology Branch to determine what level of site investigation is required before you can develop in the area. Uncontrolled disturbance of a site will result in the loss of information about events and activities that happened on your property hundreds or thousands of years ago. Damaging a site without a permit from the Archaeology Branch is unlawful.

The Regional District must check the Provincial inventory of protected archaeological sites to establish if there is an archaeological site on the property prior to the processing of the following applications:

- Building Permit Applications
- Rezoning Applications
- OCP Amendment Applications
- ALR Applications

The Regional District will also check the Provincial inventory in response to inquiries by property owners or prospective purchasers.

If it is determined that a known archaeological site overlaps a property, the applicant or inquirer will be referred to the Archaeology Branch for more information.

During the subdivision approval process, the Ministry of Transportation checks for archaeological sites. If required, the Ministry will request an impact assessment to find out exactly where the site is located. Ministry policy is to place the site(s) under a Restrictive Covenant if possible.

Access to Archeological Site Information

Archaeological site records in the British Columbia Archaeological Site Inventory are available on a need to know basis. Information is released following the [Access to Archaeological Site Information Policy](#). Groups that often require archaeological site information include:



- First Nations
- Property owners (private or corporate)
- Government land use planning agencies (all levels)
- Academic researchers
- Environmental consultants
- Lawyers
- Private industry
- Realtors

The Regional District has access to archaeological site data and can tell property owners and prospective purchasers if a site is located on a specific property. Detailed information regarding a specific site can be obtained from the Archaeology Branch.

To get access to archaeological information, you may submit an online [Archaeological Site Data Request Form](#). Prior to gaining access to archaeological site inventory data, you must agree to established terms and conditions governing data sharing and access. A link to terms and conditions is found on the data request form.

Access to resource management level archaeological reports and associated location and detailed site mapping is given to agencies and individuals directly involved in archaeological resource management, approved accredited academic archaeological research, property owners, and prospective land purchasers or their agents (for sites specific to their property).



Impacts to Site Development

The Province requires that you obtain a site alteration permit in order to develop within a protected archaeological site. To receive a site alteration permit, the Archaeology Branch will need to know exactly where the archaeological site is located, the site significance, and how development will affect the site. This task, called an archaeological impact assessment, includes field work and is completed by a professional consulting archaeologist under Provincial authority. The archaeologist will work with you to develop options on how to manage impacts to the archaeological site.

This can be accomplished by resiting development or building redesign. If the site cannot be avoided, impacts may be reduced by adopting less intrusive building techniques. Finally, if major damage to a significant archaeological site cannot be avoided, the Province may require that the site be scientifically excavated to recover the information that will be lost as a result of development.

If development related damage to significant archaeological deposits cannot be avoided, the Province may require the property owner to complete an archaeological excavation to recover the information that will be destroyed as a result of development. This work is completed under a separate permit by a professional consulting archaeologist.

If the impact assessment results show that you are able to develop without affecting the archaeological site, you will not require a site alteration permit to proceed with development.

The property owner is responsible for the costs of required archaeological studies. However, by taking early action, you can minimize the costs to manage impact to the archaeological sites. The Archaeology Branch does not charge for issuing heritage permits.

Affects on Property Values

According to the Archaeology Branch of the Provincial Government, there are two issues that may affect property values: how does an archaeological site affect the present use of my property and how will the site affect the future use of my property?

The current use of the property is seldom affected unless the use involves significant land alteration. A house on a fully developed lot is not affected by overlapping with an archaeological site. An active gravel pit is a concern, because this current use will damage or destroy a site.

New development, such as changing the building footprint, major landscaping, or installation of an in ground swimming pool, will be a concern, because the new activity may damage the archaeological site. When planning for land use change, ensure that a professional consulting archaeologist is part of the planning process. They can determine if the new development will have an affect on the archaeological site.

In many cases, the archaeological site is not within the areas being developed. As an example, sites on waterfront properties are usually close to the water and are often contained within zoning setbacks set up to protect other environmental values.



REPORTING ARCHAEOLOGICAL FINDS

Every year in British Columbia, significant archaeological artifacts and sites are discovered by people out hiking, digging in their garden, or simply going about their work. When reported to an appropriate agency such as the Archaeology Branch, new archaeological information can make a valuable contribution to our understanding of the history of our province and prevent the destruction of important cultural resources.

If you do encounter archaeological remains it is important that you report them as soon as possible and follow the [Procedures for Reporting Finds](#) or the [Procedures for Reporting Human Remains](#).

If you think you have discovered an archaeological site, please contact the Archaeology Branch by telephone at (250) 953-3334.

You also may want to contact the archaeology or anthropology department of your closest university or college, as they may be able to give you some insights into what you have found. Additionally, you may want to contact a professional archaeologist.

For information on archaeologists who provide assessment services, you can contact the [BC Association of Professional Archaeologists](#), or look in the yellow pages of your telephone directory under 'Archaeologists.'



The Archaeological Branch of the Province of BC is responsible for the administration of the Heritage Conservation Act. It is not administered by the Regional District. Any questions regarding archaeological sites should be directed to the Archaeology Branch.

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