



City of Port Moody

Report/Recommendation to Council

Date: July 10, 2020
Submitted by: Engineering and Operations Department – Project Delivery Services Division
Subject: Archaeology and Heritage Resource Protection for Construction and Maintenance Projects

Purpose

To present for Council consideration an Archaeological Management policy to establish clear expectations for the management of City capital and maintenance construction projects to facilitate the protection and conservation of heritage and archaeological sites within the City of Port Moody.

Recommended Resolution(s)

THAT Corporate Policy – 11-5240-2020-01 – Archaeology and Heritage Resource Protection for Construction and Maintenance Projects be approved as recommended in the report dated July 10, 2020 from the Engineering and Operations Department – Project Delivery Services Division regarding Archaeology and Heritage Resource Protection for Construction and Maintenance Projects.

Background

Archaeology is the study of past human behaviour based on the material culture left by the people who lived long ago. This material can include coins, inscriptions, tools, other artifacts, and other physical remains. In British Columbia, certain types of archaeological sites are protected by provincial legislation. These sites are protected whether they occur on public or private land (including land underwater). The majority of the province has not been surveyed for archaeological sites and thus most archaeological sites have not been recorded.

All archaeological sites that are known or suspected to predate 1846 are automatically protected under the BC *Heritage Conservation Act* (HCA). Certain sites, including human burials and rock art sites with heritage value, are automatically protected regardless of their antiquity.

HCA-protected archaeological sites or objects cannot be disturbed or altered without a permit issued by the Archaeology Branch (Ministry of Forests, Lands and Natural Resource Operations). The Archaeology Branch is responsible for issuing permits to conduct archaeological studies.

Discussion

Throughout the year, the City implements many projects as part of its operating or capital plans. Engineering, Operations, and Parks are the divisions that primarily have construction work sites where ground-altering activities are proposed. Works may include Capital Projects, Maintenance and Rehabilitation Projects, as well as any required maintenance activities designated as emergency works.

The Project Delivery Services division handles many of the City construction work sites and has been incorporating archaeology into the scope of its construction projects. However, it was recognized that, with various project managers and divisions, overarching guidance was required to achieve consistency and transparency in the handling of archaeology that may arise in the City's projects. For these reasons, staff is proposing a City Corporate Policy on archaeology and heritage resource protection for City projects. The objectives of the policy are to:

- formalize and document our project archaeology practices over the past several years;
- provide guidance to project managers and staff involved in construction projects;
- provide transparency to our First Nations partners and the public in how the City is approaching archaeology and heritage resource protection when we perform construction;
- provide a springboard for staff training on archaeology management and First Nations cultural understanding; and
- ensure our projects are in compliance with the HCA.

In addition, the policy is in congruence with the 2019-2022 Council Strategic Plan for Exceptional Service that strengthens relationships with our First Nations partners. The City's First Nations partners include Kwikwetlem First Nation, Musqueam Indian Band, Squamish Nation, Sto:lo Nation, and Tsleil-Waututh Nation.

In summary, the proposed policy states that:

- the project manager assigned to the project or maintenance activity is responsible for ensuring work is completed in accordance with the HCA;
- the project manager will consult appropriate resources and use triggers to determine if any part of the work site is within or near a known archaeological site;
- if the work site is within a known archaeological site, or within an area of significant archaeological potential, a notification and engagement process with the City's First Nations partners shall be followed;
- if an archaeology risk assessment is required, the project manager will enlist the services of a Registered Professional Archaeologist;
- under the guidance of an archaeologist, the project may
 - conduct an Archaeological Overview Assessment (AOA) (desktop study) to better understand risks;
 - conduct an Archaeological Impact Assessment (AIA) (field study) to narrow the risks;

- re-evaluate potential redesign to eliminate or mitigate impact to known archaeological sites or areas of significant archaeological potential;
- proceed per scope of the project with known risks under original or revised schedule; and/or
- conduct further risk evaluation.
- the project manager shall track all project communications with First Nations and record them in the First Nations Engagement Record as part of the project records; and
- during construction or any ground disturbing activities, the project team shall follow the City's Chance Find Management Guidelines that provides the appropriate response to the discovery of suspected archaeological resources and human remains.

The policy also states that for emergency work (e.g. broken water main repair) that requires quick timelines to ensure public safety and minimize property damage, notification of the work to First Nations or archaeologist engagement will be done after the emergency response, but will be completed as quickly as possible to minimize the chance of the emergency work contravening the HCA.

Engineering met with four of the five First Nations partners by video conference in May and June of this year to share the City's capital plans as well as this proposed policy. In general, the First Nations seemed appreciative of the meeting and were generally supportive of the policy. Staff proceeded to incorporate some of their comments into the policy in areas where the City can readily commit. Several of the First Nations groups advocated for early project engagement process to be viewed as true partners.

Staff also met with the City of Vancouver archaeology team, who were also supportive of the policy. The team provided additional insight on how to successfully manage this key component of construction projects, particularly along the shoreline areas of Greater Vancouver.

If Council endorses the Corporate Policy, it will come into effect immediately and training will be provided to the divisions involved in construction projects.

Other Option(s)

1. THAT staff be directed to continue construction and maintenance project work with First Nations stakeholders using the HCA as the guiding document.
2. THAT Council provide alternative direction.

Financial Implications

There are no direct financial implications associated with endorsing the Corporate Policy. Much of the archaeology work required on the City's engineering projects are considered as part of the capital plans. However, it should be noted that maintenance-type parks projects, which tend to be smaller capital projects, may experience budget concerns, particularly due to these projects around the Burrard Inlet which have high potential for archaeology investigation. As part of the rollout of the Corporate Policy, staff are considering enlisting archaeologists and First Nations partners for cultural and heritage training, costs of which will come from divisional training budgets.

Communications and Civic Engagement Initiatives

If the proposed Corporate Policy is adopted, it will be posted to the City website and shared with various stakeholders, including any of the City's engineering and archaeological service providers. It will also be shared with local First Nations groups as applicable.

Council Strategic Plan Objectives

This proposal is consistent with the goals of the 2019-2022 Council Strategic Plan as they relate to Exceptional Service that form effective relationships with service delivery partners, industries, and stakeholders to improve service delivery:

- Strengthen relationships with other levels of government, First Nations, community groups, and partners.

Attachment(s)

1. Draft Corporate Policy – 11-5240-2020-01 – Archaeology and Heritage Resource Protection for Construction and Maintenance Projects.
2. City of Port Moody Chance Find Management Guidelines.

Report Author

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Report Approval Details

Document Title:	Archaeology Protection for Construction and Maintenance Projects.docx
Attachments:	<ul style="list-style-type: none">- Attachment 1 - Draft Corporate Policy – 11-5240-2020-01 – Archaeology and Heritage Resource Protection for Construction and Maintenance Projects.pdf- Attachment 2 - City of Port Moody Chance Find Management Guidelines.pdf
Final Approval Date:	Jul 20, 2020

This report and all of its attachments were approved and signed as outlined below:

Kim Law for Jeff Moi, General Manager of Engineering and Operations - Jul 16, 2020 - 9:49 AM

Dorothy Shermer, Corporate Officer - Jul 16, 2020 - 10:06 PM

Rosemary Lodge, Manager of Communications and Engagement - Jul 17, 2020 - 12:18 PM

Paul Rockwood, General Manager of Finance and Technology - Jul 17, 2020 - 12:37 PM

Tim Savoie, City Manager - Jul 20, 2020 - 4:19 PM