

ARCHAEOLOGICAL CHANCE FIND PROCEDURE

CPR Cascade Mile 118 Capacity Expansion Project

Contact List of Important Names & Telephone Numbers

<p>Proponent <i>Contact if archaeological resources or human remains are identified</i></p>	<p><i>Prime contact:</i> Chris Dane, Canadian Pacific Railway 604-944-5829 chris_dane@cpr.ca</p> <p><i>In-field contact:</i></p>
<p>Contractor <i>Contact if archaeological resources or human remains are identified</i></p>	<p><i>Prime contact:</i></p> <p><i>In-field contact:</i></p>
<p>Consulting Archaeologist <i>Contact if archaeological resources or human remains are identified</i></p>	<p><i>Prime contact:</i> Ewan Anderson, Terra Archaeology Limited 250-361-7911 ewan@terraarchaeology.com</p> <p><i>In-field contact:</i> Shana Morin, Terra Archaeology Limited 604-346-6467 shana@terraarchaeology.com</p>
<p>Archaeology Branch <i>Contact if archaeologist is unreachable</i></p>	<p>250-953-3334</p>
<p>Police/RCMP local non-emergency number <i>Contact only if human remains are identified and archaeologist and Archaeology Branch are unreachable</i></p>	<p>Port Moody Police: 604-461-3456 Burnaby RCMP: 604-646-9999</p>

Please note that email should be used as a secondary point of contact for records and follow up, after the matter has been discussed over the phone with the appropriate parties.

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1 Introduction

The proposed Mile 118 Capacity Expansion Project is located west of Reed Point, adjacent to the south shore of Burrard Inlet in the City of Burnaby and City of Port Moody. The project area covers a 1.1 km long section of railway, adjacent to which a siding is proposed, and a 0.44 km long alternate construction access road west of the siding project area (Figure 1).

No archaeological sites are located within the project footprint, although two sites are located immediately adjacent to the project, near Reed Point. A pre-construction archaeological assessment by Terra Archaeology Limited (Terra) and participants from Musqueam Nation, Tsleil-Waututh Nation, and Kwikwetlem First Nation was completed in September 2018. No archaeological sites were identified within the project area and the potential for undiscovered archaeological remains within the project footprint is considered to be low.

This document outlines how to appropriately manage unanticipated or “chance” archaeological finds made during project construction. The processes described below enable the proponent to manage impacts to protected archaeological sites concurrently with project construction activities. The objective of the Chance Find Procedure is **to ensure appropriate and respectful treatment of cultural heritage remains while maintaining project construction timelines.**

This document is intended to be used as an in-field resource. The project proponent and contractor should become familiar with the processes described below and the types of archaeological remains likely to be encountered in the project area (Appendix A).

An emergency contact sheet is provided on the cover page so that the appropriate people can be quickly contacted if necessary.

Any cultural materials which pre-date AD 1846 are automatically protected by the *Heritage Conservation Act* of British Columbia.

It is illegal to collect or remove any cultural remains from an archaeological site unless authorized to do so by a permit issued under Section 12 or 14 of the *Heritage Conservation Act*.

Remember:

- This Chance Find Procedure (CFP) is one of several impact management recommendations made by a professional archaeologist, or is part of the proponent’s broader heritage management policies. Project managers should consult these additional documents before implementing this CFP.
- All on-site personnel involved in ground altering activities should be familiar with this policy, *including* the types of sites described in Appendix A *before* starting on-site work.
- This CFP, including the content in Appendix A, should be presented to all on-site personnel by a professional archaeologist familiar with the project, in collaboration with local First Nations.

2 First Nations Cultural Heritage

The project area is located within the asserted territories of the Kwikwetlem First Nation, Musqueam Nation, Squamish Nation, Stó:lō Nation, Stó:lō Tribal Council, and Tsleil-Waututh Nation, communities whose ancestors have lived here since time immemorial. Indigenous communities have a deep respect for and connection with their cultural heritage. The preservation and protection of the physical remains associated with their ancestors' lives – in the form of archaeological sites – is an integral part of that respect.

Within these nations' lands are hundreds, or even thousands, of archaeological sites, representing thousands of years of history and hundreds of generations' experiences on the land. Archaeological sites exist in many contexts, including those that are well-preserved and well-documented, and others which are heavily altered from modern land use, or entirely unrecorded. Regardless of the context, all archaeological sites represent significant connections between Indigenous communities and their lands and ancestors, and must be treated with the utmost respect.

Given the sensitive nature of cultural heritage represented by archaeological sites, First Nations expect all project proponents and their contractors to follow these Chance Find Procedures and consult with community leaders regarding archaeological resources within project areas.

3 Types of Archaeological Resources

Archaeological remains can be found in either a disturbed or intact context. Artifacts to watch for include stone tools, as well as bone, antler, and tooth artifacts. Black soil (with or without concentrations of shell), fire-altered rock, hearth features, aligned rocks, or the wet remains of organic materials can also represent archaeological sites. Detailed characteristics of archaeological sites typical to the region are described and illustrated in the Archaeological Site Identification Guide presented as Appendix A.

Any discovery of bones that constitute possible human remains demands attention. Tsleil-Waututh Nation's Ancestral Remains Policy is presented in Appendix B. The Archaeology Branch's Found Human Remains Policy is presented in Appendix C.

An outline of what do to if artifacts or human remains are encountered is provided in following sections.

4 Chance Finds Guidelines

For land-altering activities outside of known site areas it is important to note that work in the area of the discovery must stop immediately no matter what type of archaeological material or feature has been encountered by the proponent or their contractors.

4.1 Initial Action by Proponent and Contractors

1) Stop Work

If archaeological materials are believed to have been encountered, all work in the area of the discovery should cease and the site area safely secured. Do not move any soil from the vicinity of the site, including any spoil material.

2) Contact an Archaeologist

An archaeologist should be contacted as soon as possible. If possible, e-mail notification of chance finds should include photographs of the finds from several angles, from close-up (with an everyday object, such as a pen, for scale), and from a short distance away.

3) Seek Guidance from the Archaeologist

The archaeologist will provide guidance on further action. Where possible a solution will be arrived at over the phone, perhaps supplemented by digital images of the find forwarded to the archaeologist's office. If the archaeologist cannot determine the exact nature of the discovery, and/or it cannot be satisfactorily resolved over the telephone or by e-mail, a visit will be arranged so the site can be assessed and mapped. Prior to visiting the area of the discovery, the Archaeology Branch of the Ministry of Forests, Lands, Natural Resource Operations and Rural Development will be notified of the discovery.

4.2 Archaeological Site Management Options

If the archaeologist confirms that an archaeological site has been discovered, there are several management options. Proponents should work collaboratively with First Nations and the archaeologist to determine a management plan if a conflict with an archaeological site is identified. If a *Heritage Conservation Act* inspection, investigation, or alteration permit is not in place either for the development, or in connection with a known archaeological site, this must first be applied for and obtained. The archaeologist can prepare the application for the appropriate permit which must be signed by an individual representing the development prior to submission. Once the permit has been granted by the Archaeology Branch there are three main archaeological site management options:

Avoid

If the boundaries of the site have been delineated, an attempt will be made to redesign the proposed development to avoid the site. It will likely be necessary to have a Heritage Inspection Permit in place to properly delineate site boundaries. Site avoidance is normally the fastest and most cost-effective management option for archaeological sites.

Mitigate

If it is not feasible to avoid the site through development redesign, it will be necessary to effectively sample it utilizing a systematic data collection program prior to its loss. This could include a systematic surface collection and/or excavation. Mitigative work is normally the most expensive and time-consuming management option.

Protect

It may be possible to protect the site through the installation of barriers during the time of the development and possibly for a longer term. This could include the erection of high visibility fencing around the site or covering the site area with a geotextile and then capping it with fill. The exact prescription would be site-specific.

5 Possible Human Remains Identified

Procedures in the event of the discovery of human remains during development are covered in depth by the Tsleil-Waututh Ancestral Remains Policy (Appendix B) and an Archaeology Branch Policy Statement (see Appendix C). A summary of these procedures is presented below.

5.1 Initial Action by Proponent and Contractors

1) Stop Work

Immediately cease all development activities in the area of the suspected human remains.

2) Contact an Archaeologist

An archaeologist should be contacted as soon as possible.

3) Seek Guidance from the Archaeologist

The archaeologist will provide guidance regarding further action.

5.2 Initial Action by Archaeologist

1) Contact Authorities

Archaeologist will contact the Archaeology Branch, and if warranted, municipal police or RCMP, and/or the Office of the Coroner.

2) Contact First Nations

Archaeologist will contact local First Nation community and inspect the site.

3) Plan Site Management

If the remains are deemed to be archaeological, the archaeologist will begin negotiations to appropriately manage them.

5.3 Human Remains Management Options

The handling of human remains believed to be archaeological in nature requires communication with, and cooperation of, the relevant First Nations groups. Generally, there are two possible courses of action that are followed. More detailed information with respect to the process is presented as Appendix C.

Avoid

The development project is redesigned to completely avoid the found human remains. An assessment should be made as to whether the remains may be affected by residual or accumulative impacts associated with the development, and properly addressed by a comprehensive management plan.

Exhume

Exhume the remains in a manner considered appropriate by the First Nation groups. This will involve the predetermination of a site suitable for the reburial of the remains. Certain ceremonies or procedures may need to be followed before development activities can resume in the area of the discovery.

First Nations' (Indigenous Peoples') ancestral remains are of the utmost importance to descendant communities. First Nations expect all developers and their contractors to follow specific cultural protocols any time ancestral remains are identified in development areas. In cases where no specific protocols exist, local First Nations should be involved in the development of a culturally appropriate and respectful ancestral remains management plan.

6 Legislation

Most archaeological sites including *any* site pre-dating AD 1846, all ancestral burials, indigenous rock paintings or carvings, and ship and aircraft wrecks older than 2 years are automatically protected under Section 13 of the *Heritage Conservation Act*. Whether these sites are recorded or not, they must not be altered in any way without a permit issued by the Archaeology Branch.

Other cultural heritage sites may be designated by a local government (e.g., historic buildings) or by agreement between the Province and First Nations. These sites are also protected from alterations of any kind without a permit.

Altering an archaeological site without a permit will result in:

1. Immediate stoppage of work, and/or
2. Penalties of up to \$1,000,000 or 2 years imprisonment.

Contact information for the Archaeology Branch can be found at the beginning of this document.