



Canada

# Guide for the Management of Archaeological Resources

National Capital Commission  
February 2008



***Ce document est aussi disponible en français.***

National Capital Commission  
202-40 Elgin Street  
Ottawa, Canada K1P 1C7  
Tel.: 613-239-5555 Toll-free: 1-800-704-8227 TTY: 1-866-661-3530  
[www.canadacapital.gc.ca](http://www.canadacapital.gc.ca)

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*Guide for the Management of Archaeological Resources*  
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Cover photo: Archaeological excavation of a pre-contact site, Leamy Lake Park, 1997

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## Introduction

As specified in the *National Capital Act*, adopted by Parliament in 1958, and amended in 1988, the National Capital Commission's (NCC) objectives are as follows:

- a) prepare plans for and assist in the development, conservation and improvement of the National Capital Region in order that the nature and character of the seat of the Government of Canada may be in accordance with its national significance; and
- b) organize, sponsor or promote such public activities and events in the National Capital Region as will enrich the cultural and social fabric of Canada, taking into account the federal character of Canada, the equality of status of the official languages of Canada and the heritage of the people of Canada.

The archaeological resources situated on NCC lands are part of the heritage resources that help trace the history of Canada's Capital Region (CCR), and define its social and cultural identity. These resources also have considerable educational potential, as they communicate the history of the Capital and the country to Canadians and visitors from abroad.

For more than 15 years, the NCC has been working on an archaeological resource management policy to protect and enhance the archaeological resources discovered on its lands. This brochure is an abridged guide for project managers who are responsible for works that could have an impact on archaeological resources located on NCC lands. Its purpose is to present an overview of policies and current legislation aimed at protecting these resources, as well as procedures for ensuring the protection of known or potential archaeological resources on NCC lands, through existing internal processes.



△ Fine white earthenware pitchers, McGovern Heritage Archaeological Associates, 2002

## What Is an Archaeological Resource?

Archaeological resources can be defined as the physical traces of material culture left behind by people in the past. These remnants of the past may be visible on the surface of the earth, or deeply buried, leaving no indication of their existence; or partially or completely submerged in a lake, a river or the sea, like a shipwreck.

Examples include evidence of past human activity such as a stone tool flaking area, a butchering site, a fishing station or an industrial site; remains of human settlement such as a temporary shelter, building, trading post, agricultural settlement or village; vestiges of means of communication or transportation, such as a ship or dugout canoe; and the context in which these traces are found, including the stratigraphy and the spatial distribution of artifacts.

**Archaeological resources are divided into two categories.**

- a) Archaeological resources related to the Aboriginal occupation of the region (pre-contact period) are considered to be of national interest, because of their link with the history of human occupation and the geomorphology of vast regions and physiographic units that transcend the territory of CCR. This period of occupation often dates back at least 7,000 years.

- b) Archaeological resources linked to the Euro-Canadian occupation of the territory (historical period) are related to the history of the settlement and occupation of the region since the early 19th century, and are mainly of local or regional interest.

Because of its national mandate, the NCC must take the necessary measures to identify and conserve archaeological resources of national interest (pre-contact resources). The NCC is also committed to respecting and taking into account the archaeological resources of local and regional interest that are found on the federal lands for which it is responsible.



◁  
Kitchen cellar of the Leamy house, Leamy Lake Park, Marcel Laliberté, 2006



# What Is the Framework for Archaeological Resource Protection in CCR?

## Federal Legal Context

There is no federal law governing the practice of archaeology on federal lands. Like the provinces, however, certain federal agencies or departments, such as Parks Canada and National Defence, have adopted guidelines and established specific rules for the protection of archaeological resources on their lands. These measures, however, are not recognized in legislation.

The only federal legislation that provides some protection for archaeological resources is the *Canadian Environmental Assessment Act*, to which the NCC became subject in June 2006. An environmental assessment conducted pursuant to the Act must consider not only the change that a project may cause to the environment, but also the effect of that change on, among others, “any structure, site or thing that is of historical, archaeological, paleontological or architectural significance.” Hence, there is an obligation to consider archaeological resources where the potential exists for finding such resources, including the obligation to carry out a preliminary archaeological inventory, if necessary. The environmental assessment must specify the nature of the effect on archaeological resources, and propose and apply mitigation measures to protect those resources. It should be noted, however, that certain activities,

and therefore certain types of projects, are excluded from the *Canadian Environmental Assessment Act*, and do not require an environmental assessment. Thus, the current federal legal context does not provide full or complete coverage for the protection of archaeological resources that may be found on NCC lands.

### ***Standards and Guidelines for the Conservation of Historic Places in Canada***

*Standards and Guidelines for the Conservation of Historic Places in Canada* was developed in 2003 by a group of experts from across Canada, under the direction and leadership of Parks Canada. The document provides sound direction and best practices in matters related to conservation. These standards and guidelines apply to buildings, landscapes, engineering works and archaeological sites. They are intended to offer results-oriented guidance for sound decision making pertaining to the planning and use of a historic place, as well as actions undertaken in any heritage site, including an archaeological site. *Standards and Guidelines for the Conservation of Historic Places in Canada* has been adopted by some Canadian provinces, which has contributed toward the improvement of conservation practices throughout the country.

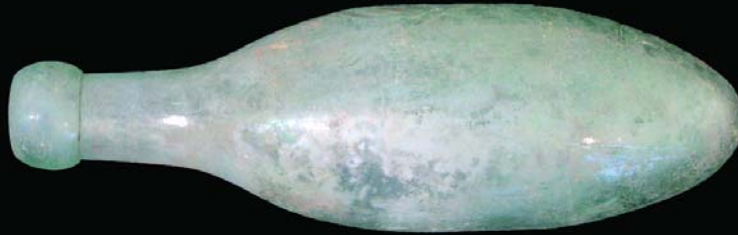
The chapter of this document that deals with archaeological resources includes best practices that focus on considering archaeological resources from the project planning stage, protecting archaeological sites and their in situ contextual data, minimizing the impact on archaeological sites within the context of activities conducted in the field, and integrating best practices into development projects.

*Standards and Guidelines for the Conservation of Historic Places in Canada* is available through the Parks Canada website at the following address: [www.pc.gc.ca/docs/pc/guide/nldclpc-sgchpc](http://www.pc.gc.ca/docs/pc/guide/nldclpc-sgchpc).

## **Provincial Legal Context**

Each Canadian province and territory has adopted legislation to protect archaeological resources located within its territory.

- a) The province of Ontario protects its archaeological resources through the *Ontario Heritage Act*. This Act also establishes a licensing and permit system to control the practice of archaeology. In addition, it creates the obligation to find an adequate permanent repository for artifacts discovered during excavations, and to document these excavations through a report that complies with established standards. Furthermore, this Act also clearly obliges all citizens to protect archaeological resources on their own property as well as on public property, and to report any accidental discovery to the Ontario Ministry of Culture.
  
- b) The province of Quebec ensures similar protection for its archaeological resources through its *Cultural Property Act*. This legislation establishes an archaeological research permit system, as well as practice standards. No one may undertake archaeological excavations on Quebec territory without first obtaining an archaeological research permit from Quebec's Ministère de la Culture, des Communications et de la Condition féminine. Citizens are also obliged to report any discoveries to the Ministry. It should be noted as well that, in both provinces, environmental legislation also includes protection mechanisms for archaeological resources.



△ Glass torpedo bottle, LeBreton Flats, McGovern Heritage Archaeological Associates, 2002



△ Pair of women's lace-up leather shoes, LeBreton Flats, McGovern Heritage Archaeological Associates, 2002

## **NCC Archaeological Resource Management Policy**

In the early 1990s, the NCC developed a draft policy for managing archaeological resources located on federal lands (Archaeological Resource Management — A Proposed Policy, NCC, 1991). This policy aimed at ensuring the protection of archaeological resources (sites, artifacts and data) situated on all federal lands in CCR, including NCC lands, and ensuring that this protection is integrated into programs relating to land use, design, property management, interpretation and programming.

The principal statements of the draft corporate policy are as follows:

1. The NCC will integrate international management principles established for the protection of archaeological resources, including the United Nations Educational, Scientific and Cultural Organization (UNESCO) convention, into its project management procedures, impact studies and approval documents.
2. The NCC will undertake all appropriate steps to identify, conserve and develop, in a positive manner, archaeological resources of national importance, while respecting archaeological resources of local or regional interest.
3. The NCC will protect its archaeological sites against looting and vandalism to the best of its abilities.

In addition to addressing issues related to project planning and management in order to minimize project impact on archaeological

resources, this policy deals with questions such as the storage of archaeological resources and conservation of artifacts, as well as consultations with Aboriginal communities and their involvement in certain archaeological excavations linked to the pre-contact occupation of the territory.

The policy also establishes the respective responsibilities of the various NCC divisions regarding the management of known or potential archaeological resources on NCC lands. However, through its role in the coordination and planning of the Heritage Program, the Planning, Design and Land Use Division is involved at all stages of the application of this policy, from the identification of the archaeological potential of NCC lands to the management of artifact collections.

In the absence of federal legislation addressing the protection of archaeological resources, the NCC's internal policy and the *Standards and Guidelines for the Conservation of Historic Places in Canada* were used as a guide in the preparation of this document.



◁  
Laser transit set-up,  
LeBreton Flats, McGovern  
Heritage Archaeological  
Associates, 2002

## Which Internal Mechanism Ensures Consideration for the Protection of Archaeological Resources on NCC Lands?

Through its federal land use and design approvals process, one of the NCC's objectives is to coordinate land use, development and other works on federal lands in order to reinforce and positively contribute to the unique character, identity and quality of the Capital "in accordance with its national significance."

The federal land use and design approvals process ensures impact assessments for all submitted projects to ensure the conservation of archaeological resources. Under the provisions of the *National Capital Act*, the NCC has a responsibility for heritage. Archaeological resources are considered to be an integral part of the region's heritage, and are therefore taken into consideration during the review of NCC projects.

## At What Stage of a Project Should the Protection of Archaeological Resources Be Considered?

The impact of a project on known or potential archaeological resources should be considered from the initial planning stage of a project, activity or physical intervention on NCC lands, as recommended by national and international standards for the protection of archaeological resources. Verification of the archaeological potential of the site affected by the project should be carried out as early as possible at the start of the planning process to determine the presence of potential resources and, if necessary, to identify mitigation measures that will minimize if not completely avoid disturbance of an archaeological site.



▷  
Utensils from the Leamy house,  
Leamy Lake Park, Marcel Laliberté,  
2006



## How Is Archaeological Potential Determined?

There is a potential for archaeological resources from the historical and pre-contact periods to be present on NCC lands. To assess the possible presence on a site of archaeological resources from the historical period, project managers should become familiar with the history of the occupation of the site since the early 19th century. To do so, they can refer to NCC archival documents at the library or consult the appropriate portfolio manager. Depending on the importance or level of integrity of the archaeological resources that may be present on the land affected by the project, appropriate impact mitigation measures must be implemented. These measures range from archaeological supervision of the work during construction to a complete archaeological dig on the site (as was the case for certain sectors of LeBreton Flats).

To evaluate the possible presence of archaeological resources from the pre-contact period, the NCC has developed a map, entitled “Archaeological Resource Potential — Federal Lands in the National Capital Region.” This map is accessible through some of the NCC’s internal applications. The manager of the Heritage Program, who also has access to this map, can help in its interpretation. The Heritage Program manager should therefore be contacted as early as possible in the project planning stage to verify the pre-contact archaeological potential of the land in question and, if necessary,

to make recommendations as to appropriate mitigation measures (archaeological inventory, project modifications, etc.).

Environmental Services has access to the same mapped information, and considers the potential impact of an activity on archaeological resources as part of its management of environmental assessments within the NCC. When a potential impact exists, Environmental Services contacts the Heritage Program manager to obtain the manager's recommendations, and to establish appropriate mitigation measures.



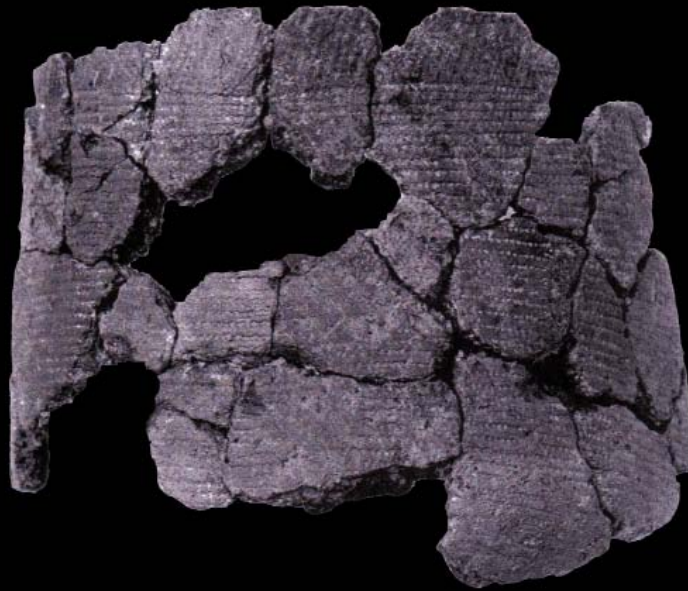
△ Assorted glass bottles, LeBreton Flats, McGovern Heritage Archaeological Associates, 2002

## What Measures Can Be Taken to Mitigate the Impact on Archaeological Resources?

Mitigation measures are aimed at ensuring the best possible protection for archaeological resources that may be put at risk by a project. Possible measures to mitigate the impact on archaeological resources vary from project modification to a complete archaeological dig on the site. Mitigation measures are developed on an individual basis, depending on the archaeological nature of the site, its cultural significance and the nature of the project. The most common mitigation measures are the following:

- modification of the initial project to avoid the known archaeological site or an area of archaeological potential;
- modification of the initial project to avoid the most significant areas of the archaeological site, combined with an inventory or an excavation;
- if no modification of the initial project is possible, a complete excavation (or dig) on the archaeological site, before the work begins, may be required to allow adequate archaeological research, a site survey and recovery of the artifacts.

In an ideal situation, the areas of archaeological potential and known archaeological sites should be left intact. This is known as in situ conservation. However, as a general rule, the option chosen should be a reasonable compromise between the need to protect potential or known archaeological resources on NCC lands and project-related operational and economic constraints.



△ Ceramic vase, 2050–1800 BP, Leamy Lake Park, Marcel Laliberté



△ Projectile points, 3500–1000 BP, Deschênes Rapids, Marcel Laliberté, 1998



△ End scraper, 3500–2500 BP, Deschênes Rapids, Marcel Laliberté, 1998



△ Utilized flake, 3500–1000 BP, Deschênes Rapids, Marcel Laliberté, 1998

## What Is an Archaeological Inventory?

An archaeological inventory consists of conducting archival research and/or excavations to determine the presence of archaeological resources, assess their heritage importance, and make recommendations for the protection of the site and its artifacts, if necessary. There are several types of inventories, depending on the objective (obtaining more information about the site's potential, verifying the presence or absence of resources, conducting a comprehensive survey of the entire site, and collecting the site's artifacts). These types of inventories are usually conducted in a logical sequence, first of all, to obtain preliminary information about the site and, if necessary, to make a comprehensive survey.

**The Ontario Ministry of Culture defines the following four types of archaeological inventories.**

### Stage 1

Preliminary phase of an inventory, during which the archaeologist reviews the available historical and/or pre-contact documentation pertaining to the sector surrounding the site, without intervention on the site itself. This stage may also include oral inquiry.

### Stage 2

Preliminary field examination, which is used to verify if the resources identified in Stage 1 are actually present on the site.

It can include either a visual field inspection to look for artifacts on the surface, or a series of test pit surveys at fixed intervals and sifting of the soil to look for artifacts.

### Stage 3

Detailed inventory, which is conducted when artifacts or structures are identified during the Stage 2 inventory. The purpose of the Stage 3 inventory is to gather information required to assess the heritage value of an archaeological site, and its degree of preservation, in order to determine appropriate mitigation measures. The archaeologist will require sufficient information about the age, size, and density or frequency of the artifacts to determine the value of the archaeological site. This stage usually includes mapping the area of artifact concentration or positive surveys and, possibly, digging a certain number of additional trial excavations (approximately one square metre each).

### Stage 4

Full excavation or dig, which is conducted in cases where an archaeological site of significant heritage value has been identified in Stage 3, but cannot be preserved in situ. This phase involves an archaeological excavation (or dig) of the whole site to document the archaeological site, and retrieve the artifacts that would otherwise be lost forever.

Quebec's Ministère de la Culture, des Communications et de la Condition féminine also defines stages in an archaeological research, integrating elements similar to those of Ontario: the need to conduct a study of the site potential; a preliminary inventory by

means of exploratory trial excavations; detailed digs, if necessary; laboratory analysis of discoveries (artifacts); and interpreting the archaeological data, which includes writing a report, as well as conserving and storing the collections in an appropriate place.

Archaeological inventories must be conducted according to the provincial standards of the area in question, and by an archaeologist who holds a permit from the province in which the site is located. The archaeologist must also comply with provincial regulations concerning inventory methodology, site protection, artifact conservation, site documentation (inventory report) and the required recommendations for impact mitigation measures.

▷  
Kaolin smoking pipe  
bowl, Moore Farm  
Estate, Marcel Laliberté,  
2006





△ Glass syringes, LeBreton Flats, McGovern Heritage Archaeological Associates, 2002



## What Follows the Inventory?

There is still more work to be done. A few days following the inventory, the archaeologist must provide a brief preliminary report, presenting the main results of the inventory and recommendations regarding impact mitigation measures for the archaeological site, if applicable. This preliminary report must be submitted to the project manager and the manager of the NCC's Heritage Program, as soon as possible and, if necessary, to Environmental Services, as well. The project manager and Heritage Program manager will jointly review the preliminary report and together decide on the mitigation measures to be implemented that will achieve the project objectives, while meeting the current standards for archaeological resource protection. It is essential that the Heritage Program manager be consulted at this stage.

A final report is normally completed weeks or months after the inventory. The project manager and Heritage Program manager will also jointly review the final report to ensure that its content complies with the archaeologist's mandate within the project; that it meets existing provincial standards; and that it presents clear recommendations to be implemented by the project manager.

## What Happens to the Artifacts That Are Discovered?

Once they have been catalogued and packed by a professional archaeologist, the artifacts must be handed over to the manager of the NCC's Heritage Program, Planning, Design and Land Use Division.

The NCC is responsible for the protection and conservation of all artifacts discovered on its lands. However, the NCC has neither the expertise nor the facilities required for the long-term preservation of these artifacts. It therefore actively seeks permanent repositories for the majority of its collections.

Agreements are made with local and national museums, archives, or municipalities to transfer collections of local and national interest to permanent repositories that have the expertise, equipment and premises necessary to conserve archaeological collections.



◁  
Ironstone dog  
figurine, LeBreton  
Flats, McGovern  
Heritage  
Archaeological  
Associates, 2002

For example, for the artifacts uncovered at LeBreton Flats, an agreement was signed between the NCC and the City of Ottawa, whereby these artifacts must be sent directly by the archaeologist to the City's Program Manager, Heritage Development.

## What Should Be Done in Cases of Accidental Discovery of Archaeological Resources?

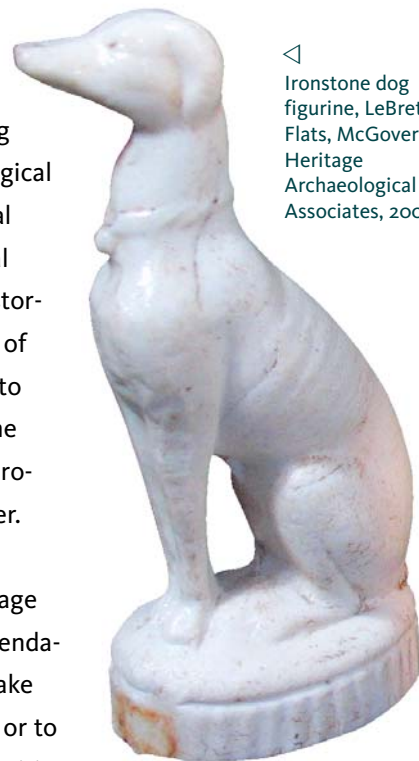
When no impact on potential or known archaeological resources has been identified at the project planning and analysis stage, but the contractor or the project manager accidentally discovers archaeological resources during construction, such a discovery must be reported as soon as possible to the Heritage Program manager, and work must be suspended immediately. A professional archaeologist must be called to the site to make recommendations for appropriate mitigation measures. The project manager, the archaeologist and the Heritage Program manager then decide jointly on the measures to be taken and on the resumption of work.

If human remains are discovered, the work must be suspended, and the coroner and police contacted immediately. Following their investigation, the results of which must be transmitted to the Heritage Program manager, an archaeologist may also have to be called to the site.

## Summary of Steps to Be Taken

It is important to integrate archaeological resource protection as early as possible into project planning, and to ensure that these considerations are also integrated into environmental assessments, and the federal land use and design approvals process. The following key steps need to be taken.

1. Identify the pre-contact archaeological potential of the project site by consulting the map entitled “Archaeological Resource Potential — Federal Lands in the National Capital Region,” and identify the historical archaeological potential of the project site by referring to the archival documents at the library or consulting the appropriate NCC portfolio manager.
2. Consult and follow the Heritage Program manager’s recommendations on any need to undertake an archaeological inventory, or to apply any other measure to mitigate the impact on known and potential archaeological resources.



◁  
Ironstone dog  
figurine, LeBreton  
Flats, McGovern  
Heritage  
Archaeological  
Associates, 2002

3. Ensure that these recommendations are communicated to Environmental Services for the purposes of the environmental assessment, and to the senior planner or the architect responsible for analyzing the project (Planning, Design and Land Use Division) for the purposes of federal land use or design approval.
4. If necessary, arrange for an inventory by a professional archaeologist, with the assistance of the Heritage Program manager.
5. Communicate the preliminary and final results, as well as any discovery made during the inventory, to the Heritage Program manager as soon as possible, and obtain the manager's advice with respect to the mitigation measures recommended by the archaeologist.
6. Ensure that the Heritage Program manager's recommendations regarding mitigation measures are applied throughout the various stages of the project.
7. Ensure that documentation pertaining to the inventory, including photographs and field notes, and any artifacts discovered (if applicable) are provided to the Heritage Program manager, who is responsible for their protection and conservation.

## For More Information

For more information about the NCC, or to receive a copy of this brochure, please contact the NCC at [info@ncc-ccn.ca](mailto:info@ncc-ccn.ca), at 613-239-5555 or 1-800-704-8277 (toll-free) or 1-866-661-3530 (TTY) or visit [www.canadascapital.gc.ca](http://www.canadascapital.gc.ca).

### NCC Contact Person

Manager, Heritage Program  
Planning, Design and Land Use Division  
Capital Planning and Real Asset Management

### For more information about federal and provincial policies and legislation:

Parks Canada  
Archaeological Services Branch  
25 Eddy Street  
Gatineau QC K1A 0M5  
Website: [www.pc.gc.ca](http://www.pc.gc.ca)  
Email: [information@pc.gc.ca](mailto:information@pc.gc.ca)

Ministère de la Culture, des Communications  
et de la Condition féminine  
Direction de l'Outaouais  
170 Hôtel-de-Ville Street  
Gatineau QC J8X 4C2  
Website: [www.mcc.gouv.qc.ca](http://www.mcc.gouv.qc.ca)  
Email: [dro@mcccf.gouv.qc.ca](mailto:dro@mcccf.gouv.qc.ca)

Ministry of Culture  
Heritage and Libraries Branch  
400 University Avenue, 4th Floor  
Toronto ON M7A 2R9  
Tel.: 416-314-7148  
Website: [www.culture.gov.on.ca](http://www.culture.gov.on.ca)  
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