



The Village of
PORT CLEMENTS
"Gateway to the Wilderness"

36 Cedar Avenue West
PO Box 198
Port Clements, BC
V0T1R0
OFFICE: 250-557-4295
Public Works: 250-557-4295
FAX: 250-557-4568
Email: office@portclements.ca
Web: www.portclements.ca

6:00 PM Regular Meeting of Council, Monday, September 15, 2025

AGENDA

This meeting of the Council of the Village of Port Clements being held on the traditional territory of the Haida People.

- 1. ADOPT AGENDA**
- 2. PETITIONS, DELEGATIONS & OPENING OF SEALED TENDERS**
- 3. MINUTES**
M-1—August 19, 2025, Regular Council Meeting Minutes
M-2—August 28, 2025, Special Council Meeting Minutes
- 4. BUSINESS ARISING FROM THE MINUTES & UNFINISHED BUSINESS**
BA-1—VERBAL—Install Turn Around at End of Yakoun Street – Clarification on Signage
BA-2— Infrastructure Planning Grant –Asbestos Waterline Project Feasibility Study
- 5. ORIGINAL CORRESPONDENCE**
C-1—INFORMATION—Red Tape Review of New Substances Program – Environment and Climate Change Canada
C-2—INFORMATION/INVITATION—Heritage Conservation Act Transformation Project Engagement Opportunities– Ministry of Forests
C-3—INFORMATION/INVITATION—Review of Print Material Ordering Process – Ministry of Emergency Management and Climate Readiness
C-4—INFORMATION/REQUEST—BC Mental Health Act Charter Challenge Concerns—Pathways Serious Mental Illness Society
- 6. FINANCE**
- 7. GOVERNMENT**
G-1—The Village of Port Clements Subdivision Servicing Bylaw No. 487, 2024
Recommended Motion: THAT Council does 2nd reading of "The Village of Port Clements Subdivision Servicing Bylaw No. 487, 2024"
G-2—VERBAL—Council Workshop Follow Up—Mayor Cabcianca
- 8. NEW BUSINESS**
- 9. REPORTS & DISCUSSIONS**
R-1—INFO—Regular Report on Current Operations – CAO Dobson
- 10. ACTION ITEMS**
- 11. QUESTIONS FROM THE PUBLIC & PRESS**

12. IN-CAMERA

90(1) A part of a council meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following:

- (e) the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality
- (g) litigation or potential litigation affecting the municipality;
- (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose

13. RISE AND REPORT

14. ADJOURNMENT



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Minutes of the Regular Meeting of Council, Tuesday, August 19th, 2025

Present:

Mayor Scott Cabianga
Councillor Kazamir Falconbridge
Councillor Wayne Nicol via conferencing
Councillor Dennis Reindl

Not Present: Councillor Brigid Cumming

CAO Marjorie Dobson

Members of the Public: Chantal Wentland (NCRD Delegate), Emma Lore (PCES PAC Delegate)

Meeting Called to order at 6:14 PM

Mayor Cabianga: I call to order this Regular Council Meeting of the Council of the Village of Port Clements being held on the traditional territory of the Haida People.

1. ADOPT AGENDA

2025-08-180—Moved by Councillor Kazamir Falconbridge, seconded by Mayor Scott Cabianga
THAT Council adopts August 19th, 2025, Regular Council Meeting Agenda with the UF1 removed.
CARRIED

2. PETITIONS, DELEGATIONS & OPENING OF SEALED TENDERS

D-1— Official Community Plan Revitalization Presentation – Chantal Wentland, North Coast Regional District
D-2— Vision Zero Grant – Emma Lore, Port Clements Elementary School Parents Advisory Council

2025-08-181—Moved by Councillor Kazamir Falconbridge, seconded by Mayor Scott Cabianga
THAT Councillor Falconbridge does all the necessary preparatory work for the application of the Vision Zero Grant to erect lines on the road at certain intersections, and add more school zone signage at certain locations in proximity to the Port Clements Elementary School and presents a draft package including research, general pricing, legal requirements regarding cross walks, etc to the Council before the application deadline of November 2025.

CARRIED

3. MINUTES

M-1—July 21, 2025, Regular Council Falconbridge Meeting Minutes
2025-08-182—Moved by Councillor Kazamir Falconbridge, seconded by Councillor Dennis Reindl
THAT Council adopts the July 21, 2025, Regular Council Meeting Minutes.

CARRIED

M-2—August 12, 2025, Special Council Meeting Minutes

2025-08-183—Moved by Councillor Kazamir Falconbridge, seconded by Councillor Dennis Reindl
THAT Council adopts the August 12, 2025, Regular Council Meeting Minutes.

CARRIED

4. BUSINESS ARISING FROM THE MINUTES & UNFINISHED BUSINESS

BA-1—CT Scanner Project for Haida Gwaii—Village Contribution Decision—Verbal—Councillor Reindl
2025-08-184—Moved by Councillor Dennis Reindl, seconded by Mayor Scott Cabianga
THAT Council qualifies motion 2025-06-141- to indicate that the offer only exist for the current term of the present council whose term of office ends November 2026.

M-1

CARRIED

5. ORIGINAL CORRESPONDENCE

C-1—INFORMATION/INVITATION—Heritage Conservation Act Transformation Project Update – Ministry of Forests

C-2—INFORMATION/INVITATION—Draft Replacement Forest Stewardship Plan Available—BC Timber Sales

C-3—INVITATION—Northern Angel Summit Finale – Northern Innovation Network

2025-08-185—Moved by Councillor Kazamir Falconbridge, seconded by Mayor Scott Cabianca

THAT Council receives items C-1, C-2, and C-3 for information.

CARRIED

6. FINANCE

7. GOVERNMENT

8. NEW BUSINESS

9. REPORTS & DISCUSSIONS

R-1—INFO—Regular Report on Current Operations – CAO Dobson

R-2—INFO/ACTION—Wastewater Outfall – CAO Dobson

2025-08-186—Moved by Councillor Kazamir Falconbridge, seconded by Councillor Dennis Reindl THAT

Council receives the verbal and written reports from staff and Council.

CARRIED

2025-08-187—Moved by Councillor Reindl, seconded by Councillor Kazamir Falconbridge

THAT Council directs staff to investigate further options for an inspection of the outfall and take results back to Council.

CARRIED

Mayor Cabianca: Attended Regional District meeting on Friday, and Hospital meeting on Saturday, and will send the agenda for these meetings to the other Councillors for their review

Councillor Falconbridge: Attended August 12 Special meeting, unable to attend August 14th due to work in Masset

Councillor Nicol:

Councillor Reindl: Went to the Sewage Lagoon and met with the foreman of the project. Everything is going well and we need to pursue the fencing. We did some paving in town where I worked with Adventure Paving overseeing the work they did which was done well. Some shouldering is needed

10. ACTION ITEMS

11. QUESTIONS FROM THE PUBLIC & PRESS

12. IN-CAMERA

13. RISE AND REPORT

RR—Special In-Camera Meeting August 14th, 2025:

- Council has awarded the contract for the Tingley Street Watermain Improvement Project to Terus Construction.

M-1

- 14. ADJOURNMENT**
2025-08-188—Moved by Councillor Dennis Riendl
THAT Council adjourns this meeting at 8.46PM.
CARRIED

Mayor Scott Cabianca

CAO Marjorie Dobson

M-1



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Minutes of the Special Meeting of Council, Thursday, August 28th, 2025

Present:

Mayor Scott Cabianca
Councillor Kazamir Falconbridge (via conferencing)
Councillor Dennis Reindl

Not Present:

Councillor Wayne Nicol
Councillor Brigid Cumming

CAO Marjorie Dobson
Deputy CAO Elizabeth Cumming

Members of the public: Bill Lore (President, PCHS), Shel Flaajesund (Treasurer, PCHS)

Meeting Called to order at 1:34 PM

Mayor Cabianca: I call to order this Special Council Meeting of the Council of the Village of Port Clements being held on the traditional territory of the Haida People.

1. ADOPT THE AGENDA

2025-08-189—Moved by Councillor Falconbridge, seconded by Councillor Reindl
THAT Council adopts the August 28th, 2025, Special Council Meeting Agenda.

CARRIED

2. GOVERNMENT

G-1—Community Grant Applications – Port Clements Historical Society

2025-08-190—Moved by Councillor Falconbridge

THAT Council awards a grant of \$3,000 for Museum Operations for 2025 and a grant of \$2,600 for Visitor Information Centre Operations for 2025 to the Port Clements Historical Society per the conditions of the Village's Community Grants Policy.

MOTION DIED DUE TO LACK OF SECONDER

2025-08-191—Moved by Mayor Cabianca, seconded by Councillor Reindl

THAT Council receives the report and grant applications.

CARRIED

2025-08-192—Moved by Councillor Falconbridge, seconded by Mayor Cabianca

THAT Council awards a grant of \$5,000 for Museum Operations for 2025 and a grant of \$3,500 for Visitor Information Centre Operations for 2025 to the Port Clements Historical Society per the conditions of the Village's Community Grants Policy with the requirement that they will provide the Village with information by the Village's January Council outlining their plan for 2026.

CARRIED

3. ADJOURNMENT

2025-08-193—Moved by Mayor Cabianca,

THAT Council adjourns this meeting at 2:25 PM

CARRIED

Mayor Scott Cabianca

CAO Marjorie Dobson

M-2



The Village of
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REPORT TO COUNCIL

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Author: Elizabeth Cumming, Deputy CAO
Date: September 15th, 2025
RE: Infrastructure Planning Grant – Potential Scope Revision

BACKGROUND:

At the end of 2024 Council endorsed staff's submission of an application to the provincial Infrastructure Planning Grant program for a feasibility study of the asbestos waterline replacement project. The program provides up to \$10,000 in funding for projects that are at least \$15,000 in value (the Village contributed the remaining \$5,000). The province approved the application on March 31, 2025. In the meantime, Council moved in a different direction with the asbestos waterline replacement project and did not pursue a feasibility study.

DISCUSSION:

Staff inquired with the grant program, and they are open to considering switching the feasibility study to a different infrastructure-related project. While they could not guarantee that it would be permitted, from initial discussions they did not see a particular problem with it either – especially given that the reason the original feasibility study is not proceeding is because the Asbestos Waterline Replacement Project went ahead and is actively underway (to be completed shortly).

In the meeting it was discussed what other projects may be potentially eligible (staff identified that Council was interested in a variety of projects – sewer line extension, development of roads (excluding laneways), boat launch, infrastructure in parks, campground, etc). Out of what was discussed with them, they identified that a feasibility study of currently undeveloped or underdeveloped roads, may be eligible – especially if it was looking at existing dirt roads, or areas that people are currently even if they have not been developed as a road, but we may be also able to include road right-of-ways that have not seen any previous development. Other projects that staff identified did not seem eligible under their parameters.

They identified that the Village could include a prioritized list and brief discussion of what other projects the Village may be interested in switching the feasibility study project to for consideration and review against their eligibility.

CONCLUSION:

Staff need guidance from Council on what projects to list to the grant program, and their prioritization to the Village, for their consideration. In particular, a feasibility study for the development of roads seems to be in line with the grant program, however, it would need to be confirmed by Council if it would like to pursue a feasibility study for it at this time, what underdeveloped and undeveloped roads it would like to include in its scope, and what priority they feel the project has for them.

STRATEGIC

(Documents Relevancy – Grant Applications, long term planning)

Feasibility studies are more as useful supporting documentation for grant applications with large capital projects and can provide more detailed information and analysis. They also can assist with asset management and long-term planning considerations.

FINANCIAL

(Corporate Budget Impact)

If the Village does not find a different eligible infrastructure project it can undertake a feasibility study for, then the grant project would be decommissioned. The Village would lose out on the value of the \$10,000 the grant provided, but would not have spent the \$5,000 from its own sources.

ADMINISTRATIVE

(Workload Impact and Consequence)

Administrative time was spent developing and submitting the grant application, and has been spent further spent inquiring with the grant program about possible scope revision.

Recommended Motion:

THAT Council directs staff to identify the development of roads in the community to the Infrastructure Planning Grant program's consideration for a scope revision of the grant the Village has received to undertake a feasibility study.

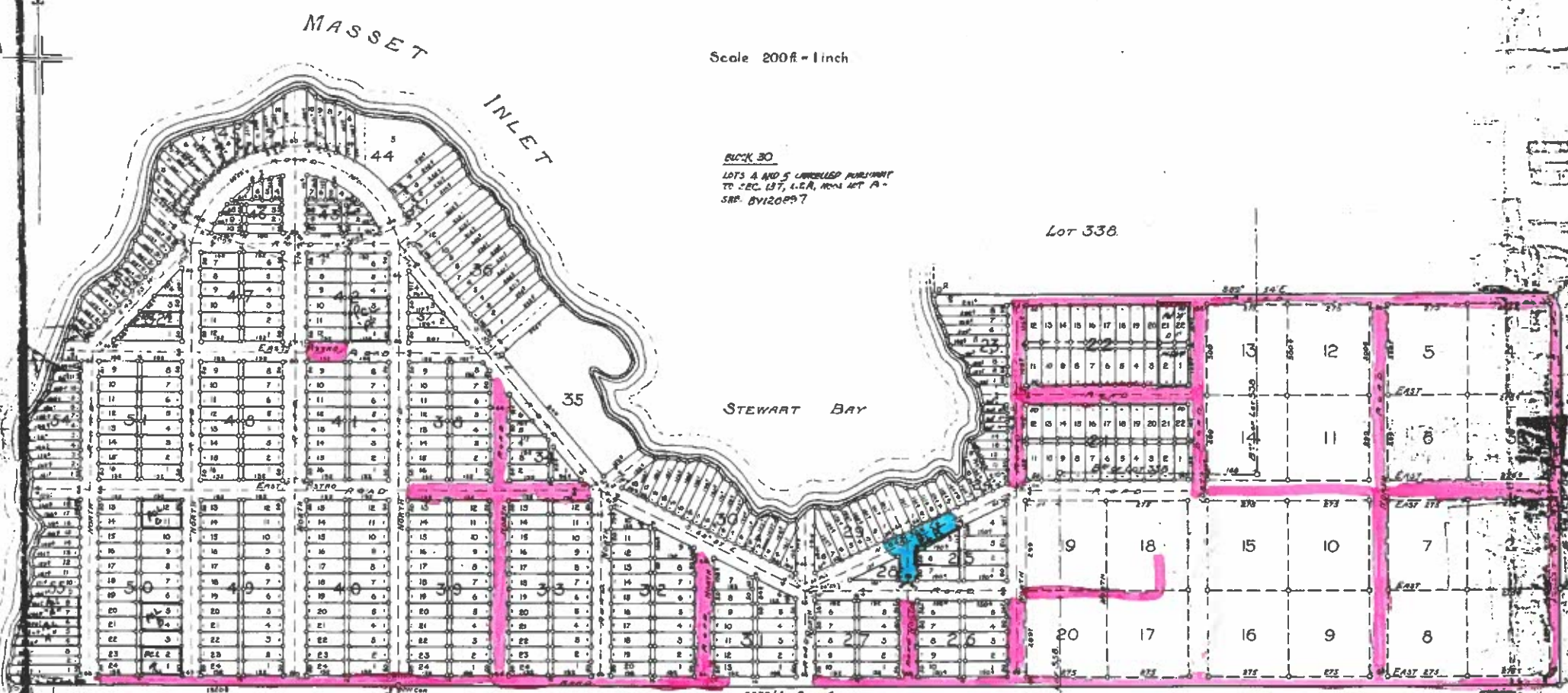
undeveloped road right of way or dirt roads.

undeveloped but not recommended to include.

Plan No. 1079 PLAN No. 1079
Deposited this 19th day of March 1914
H. M. Nash
District Registrar

SUBDIVISION OF PORTION OF LOT 746, QUEEN CHARLOTTE ISLANDS DISTRICT.

Scale 200ft = 1inch



BLK 30
LOTS 4 AND 5 CANCELLED PURSUANT
TO SEC. 137, L.C.A. NOW LOT A -
SEE B.V.120297

LOTS 1, 2 & 3, BLK 42 CANCELLED UNDER
SEC. 131, L.C.A. - NOW PARCEL A (SEE T.B. 11210)

N.B.
Let Grants and Maps be made out
and then
the same to be done from the original
Dimensions shown on this Survey
and the same to be done from the original

LOT 4, 6, 8, 10, 12
CANCELLED UNDER SEC. 131,
L.C.A. - SEE P. 11229, NOW
PARCEL A

LOT 7 & 8, BLK 55
CANCELLED UNDER SEC. 131,
L.C.A. - SEE P. 11229, NOW
PARCEL A

LOTS 1 AND 2, BLK 50 CANCELLED
PURSUANT TO SEC. 131, L.C.A.
NOW PARCEL A (SEE T.B. 11278)

THE W. 1/2 OF LOT 2, BLK 52 AND
THE S. 1/2 OF LOT 2, BLK 52 CANCELLED
PURSUANT TO SEC. 131, L.C.A.
- NOW PARCEL A (SEE T.B. 11255)

LOTS 4 & 5, BLK 50 CANCELLED
PURSUANT TO SEC. 131, L.C.A.
NOW PARCEL B (SEE T.B. 11271)

LOTS 12 & 14, BLK 50 CANCELLED
PURSUANT TO SEC. 131, L.C.A. - NOW
PARCEL C (SEE T.B. 11271)

Owner's Signature _____
Witness _____

LOTS 1, 2, 21, 22, BLK 22, AND
INTERVENING LOTS CANCELLED
UNDER THIS CANCELLATION
ACT. SEC. 14664

I, Fred Nash, of the City of New Westminster, B.C., British Columbia
Land Surveyor, make oath and say that I was present at Lot 746
Q.C.I. Dist. and did personally superintend the survey represented by
this plan, and that the survey and plan are correct. The said survey was
completed on the 25th day of April 1913.

Sworn before me this
25th day of April 1913
Fred Nash
C. Harrison S.M.

BROWNE NASH & DAVIDSON
B.C. LAND SURVEYORS
325 HOMER STREET
VANCOUVER B.C.

BA-2



COPY

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Author: Elizabeth Cumming, Deputy CAO
Date: December 18, 2024
RE: Infrastructure Planning Grant Application

BACKGROUND:

Staff have submitted an application to the provincial Infrastructure Planning Grant program for a feasibility study of the asbestos waterline replacement project. The program provides up to \$10,000 in funding for projects that are at least \$15,000 in value. Feasibility studies and asset management planning activities are some of the eligible projects, with the feasibility study being the easiest project that the staff could assemble together given the limited time frame.

DISCUSSION:

Staff became aware of this funding source shortly before its submission deadline of December 11th, 2024. The next intake for this grant funding is not until June 2025. Given this, and that the project amounts are within staff's spending authority, as a \$15,000 project, an application was submitted. However, one of the requirements is a resolution of support from Council be provided, though it was permitted to submit the application with this pending.

Feasibility studies are often more thorough and can be better utilized in grant applications than options analysis or quotes, giving more potential to access funding for the capital project. The feasibility study could also potentially explore alternative materials or project add-ons such as monitoring equipment within the pipes that may better assist with leak detection. Additionally, the information from a feasibility study can be better utilized in asset management plans. While the asbestos waterline on Tingley Street is part of, if not is, the oldest part of the Village's water system being installed in the 1970s, other parts of the system were installed in the 1980s and 1990s and are similarly aging. The information from this feasibility study could potentially benefit the planning for those future projects.

CONCLUSION:

A Council resolution supporting the application to the *Infrastructure Planning Grant Program* for the Asbestos Waterline Replacement Project Feasibility Study is needed for the application to proceed. Passing such a resolution would additionally commit \$5,000 in the Village's own funding to the project.

STRATEGIC

(Documents Relevancy – Grant Applications, long term planning)

Feasibility studies are more as useful supporting documentation for grant applications with large capital projects and can provide more detailed information and analysis. They also can assist with asset management and long-term planning considerations.

COPY

FINANCIAL

(Corporate Budget Impact)

\$5,000 of own source funding would be contributed to the project.

ADMINISTRATIVE

(Workload Impact and Consequence)

Administrative time has been spent developing and submitting the grant application.

Recommended Resolution:

THAT Council supports the application to the Infrastructure Planning Grant program for the Asbestos Waterline Replacement Project Feasibility Study.

Respectfully submitted: Elizabeth Cumming, Deputy CAO



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Environment and Climate Change Canada

Environnement et Changement climatique Canada

[Cliquez ici pour la version française](#)

On July 9, 2025, the Government of Canada launched a Red Tape Review across the federal regulatory system.

Today, those [reports](#) were tabled. Health Canada's and Environment and Climate Change Canada (ECCC)'s review identifies opportunities to reduce red tape without compromising health and safety. This includes regulatory reform for new substances regulated under the Canadian Environmental Protection Act, 1999. These Regulations are administered jointly by Health Canada and Environment and Climate Change Canada through the New Substances program.

In Canada, industry must follow regulatory requirements before bringing new substances to market, such as chemicals, polymers and genetically modified or other living organisms. Some of these requirements do not reflect more recent advances in science and technology. This can create barriers to innovation.

The Departments plan to amend the New Substances Notification Regulations to help Canadians access safe products, such as innovative medicines, more quickly, and to provide industry with the regulatory flexibility to provide non-animal test data. This builds on work already completed as part of [ECCC's regulatory stock review](#) process and the program's commitment to keep pace with science and technology, reduce burden and maintain a competitive Canadian marketplace while still protecting human health and the environment.

The Departments will continue to engage with its partners and stakeholders on regulatory modernization for new substances. Interested parties will have another opportunity to provide formal comments on the proposed regulatory amendments as part of the Canada Gazette public consultation process. This is expected to take place by 2026.

For any inquiries, please contact the Substances Management Information Line by email at substances@ec.gc.ca or by telephone at 1-800-567-1999 (within Canada) or 819-938-3232 (international).

Kind regards,

Thomas Kruidenier
Executive Director
Substance Prioritization, Assessment and Coordination Division
Environment and Climate Change Canada



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Elizabeth Cumming

From: Engage HCA FOR:EX <EngageHCA@gov.bc.ca>
Sent: September 4, 2025 2:51 PM
Subject: Heritage Conservation Act Transformation Project - Engagement Opportunities
Attachments: HCATP Phase 3 Session Primer for Engagement with Local Governments and Stakeholders - Aug.pdf; HCATP Phase 3 Backgrounder for Engagement with Local Governments and Stakeholders - Aug.pdf

Hello,

Thank you for your continued interest and contributions in the Heritage Conservation Act Transformation Project. There are various opportunities available for local governments to participate and contribute to this initiative.

Engagement Sessions

The local government and first stakeholder engagement session were held on August 12 and August 20. A second offering of the broader stakeholder session is being held on September 17 from 1-4pm PDT. The content presented at the September 17 session will be the same, but discussion may vary depending on participants.

To register for the September 17 session, please click on the link: [HCATP Stakeholder Engagement Session #2](#)

Written Feedback

The Heritage Conservation Act Transformation Project has developed feedback forms to support submissions of written feedback on proposed changes to the *Heritage Conservation Act*. This includes a survey about how local governments currently manage heritage resources. Links to the forms are shared below. We have also reattached the Project Backgrounder and Session Primer to support your feedback.

Each form corresponds to a section in the Primer. Submissions are welcomed until end of day October 1.

- Local Government Survey - <https://submit.digital.gov.bc.ca/app/form/submit?f=deb818dd-59c8-499b-a495-ac4a1eca56d6>
- Making Permitting Faster and Easier and Helping People and Communities Rebuild Quicker After Disasters - <https://submit.digital.gov.bc.ca/app/form/submit?f=257ec9a4-bd74-4c30-99ca-ee2e6b83003e>
- Strengthening the Role of First Nations in the Management of their Cultural Heritage - <https://submit.digital.gov.bc.ca/app/form/submit?f=12b7fe18-3960-4c02-b8b5-c86072343874>
- Protecting Heritage More Effectively, Protection Framework - <https://submit.digital.gov.bc.ca/app/form/submit?f=d89d0369-d74a-4660-a266-765b490f20b4>
- Protecting Heritage More Effectively, Due Diligence - <https://submit.digital.gov.bc.ca/app/form/submit?f=6959b9e4-f159-4f38-aa8f-77732d5dfe83>
- Protecting Heritage More Effectively, Compliance and Enforcement - <https://submit.digital.gov.bc.ca/app/form/submit?f=71517910-4132-4e4a-9b1d-7b798d87cba3>

Your participation in the feedback form is voluntary. Written input on the project in other formats is also welcome. Please direct written feedback by October 1, to EngageHCA@gov.bc.ca.

Support Public Engagement

We have recently launched a new public survey to provide an opportunity for the general public to submit feedback on proposed changes to the *Heritage Conservation Act*. We encourage you to share the link to the survey with your community, neighbours, and contacts, so we can hear from diverse perspectives: [Heritage Conservation Act Survey](#).

New information is available on the project website to support a greater understanding of the project. This includes:

- [Intended outcomes](#) – to learn more about what this project aims to achieve through modernizing the Heritage Conservation Act (HCA) ([Intended outcomes - Heritage Conservation Act Transformation Project](#))
- [Practical Examples](#) – to see how proposed changes could look in real-world scenarios ([Practical examples - Heritage Conservation Act Transformation Project](#))

Thank you once again for your participation in this important project. We look forward to continuing to work with you.

Sincerely,



HCA Transformation Project Team

Ministry of Forests

Email: EngageHCA@gov.bc.ca

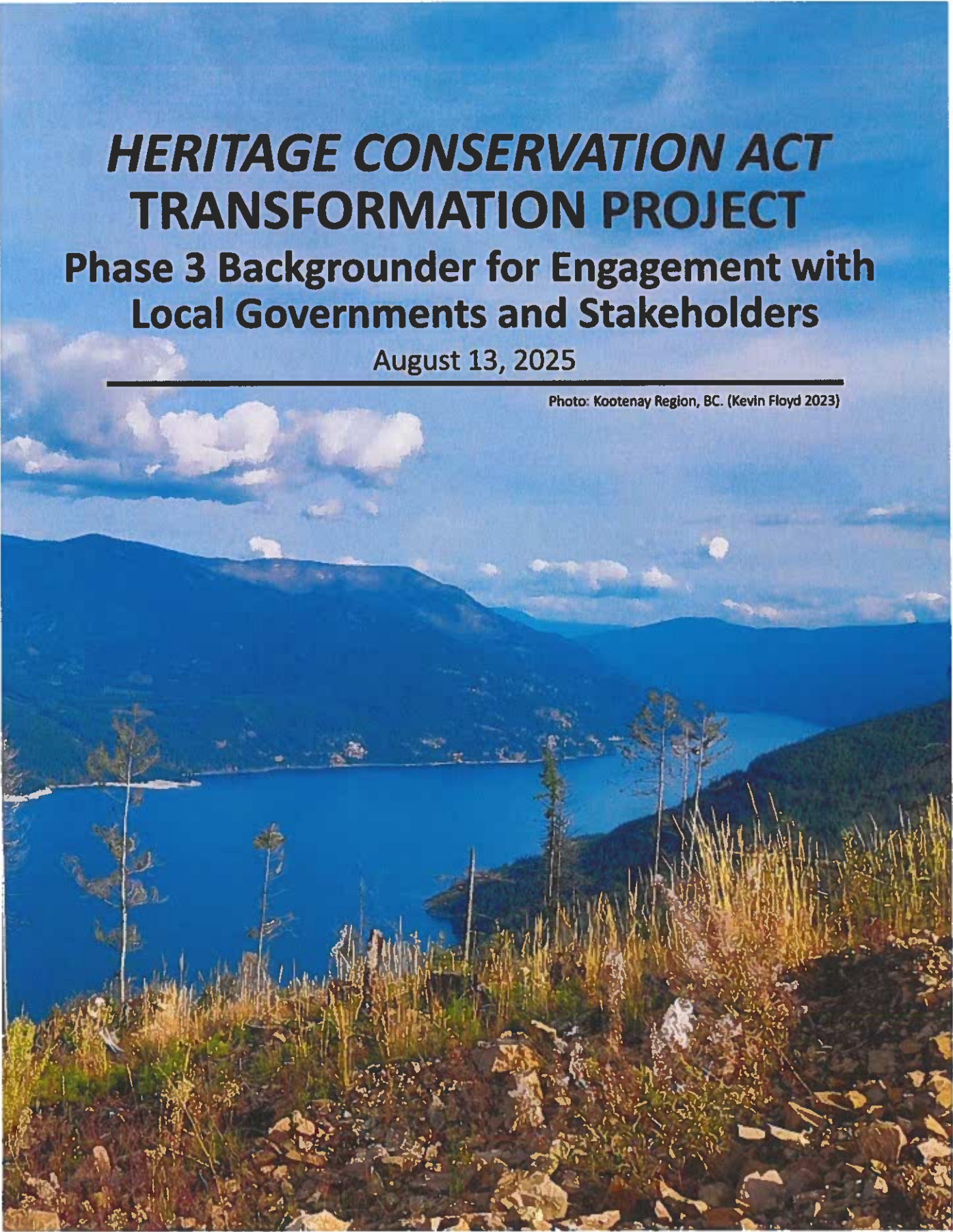
Project Website: [HCATP Webpage](#)

Collection Notice

Your personal information is collected under section 26(c) and (e) of the Freedom of Information and Protection of Privacy Act for the purposes of contacting you and collecting information for the Heritage Conservation Act Transformation Project (HCATP). If you have any questions about the collection of your information, please contact HCATP Team Staff at EngageHCA@gov.bc.ca.

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1-2



HERITAGE CONSERVATION ACT
TRANSFORMATION PROJECT
**Phase 3 Backgrounder for Engagement with
Local Governments and Stakeholders**

August 13, 2025

Photo: Kootenay Region, BC. (Kevin Floyd 2023)

INTRODUCTION

The [Declaration on the Rights of Indigenous Peoples Act](#) (Declaration Act) requires that the Province, in consultation and cooperation with Indigenous peoples, take all measures necessary to ensure consistency between the [United Nations Declaration on the Rights of Indigenous Peoples](#) (UN Declaration) and the laws of British Columbia (B.C.).

The [Heritage Conservation Act](#) (HCA) has been identified as a priority for change to achieve consistency between provincial laws and the UN Declaration. [The Declaration Act Action Plan](#) commits the Province to “work with First Nations to reform the HCA to align with the UN Declaration, including shared decision-making and the protection of First Nations cultural, spiritual, and heritage sites and objects.”

The **Heritage Conservation Act Transformation Project (HCATP)** was launched to reform the HCA for consistency with the UN Declaration and improve its administration for all people in B.C. Intended outcomes of the HCATP include:

- strengthening the role of First Nations in decision-making about their own heritage and ancestors, in alignment with the Declaration on the Rights of Indigenous Peoples Act;
- protecting heritage more effectively, reducing the risk of accidental damage to sacred or other significant sites;
- making permitting faster and easier, to avoid waiting for multiple permits and navigating unclear rules and processes; and
- helping people and communities rebuild quicker after disasters such as wildfires and floods.

SECTION 1: HERITAGE CONSERVATION ACT TRANSFORMATION PROJECT PROCESS

The HCATP is being led by the Joint Working Group on First Nations Heritage Conservation (JWGFNHC), and in collaboration with the Alliance of BC Modern Treaty Nations. The JWGFNHC was formed in 2007 through resolutions of the British Columbia Assembly of First Nations, First Nations Summit, and Union of British Columbia Indian Chiefs, and includes members appointed by the First Nations Leadership Council (FNLC) and the Province.

Declaration on the Rights of Indigenous Peoples Act

The Declaration Act establishes the UN Declaration as the Province’s framework for reconciliation. It aims to create a path forward that respects the human rights of Indigenous Peoples while introducing better transparency and predictability in the work we do together.

There are four key areas of the legislation: 1) Section 3 requires the Province to align all laws with the UN Declaration in consultation and cooperation with Indigenous Peoples in B.C., 2) Section 4 requires the Province to develop and implement an action plan, in consultation and cooperation with Indigenous Peoples, to meet the objectives of the UN Declaration, 3) Section 5 requires regular reporting to the provincial legislature to monitor progress on the alignment of laws and implementation of the action plan, including tabling annual reports by June 30th of each year, and 4) Sections 6 and 7 enable forms of agreements with Indigenous governing bodies, including to implement free, prior, and informed consent.

Heritage Conservation Act

The purpose of the HCA is to encourage and facilitate the protection and conservation of heritage within B.C. Sites and objects relating to past human habitation and activity (known and unknown) are protected under the HCA and recorded in the Provincial Heritage Register. There are over 64,000 sites recorded to date, and these may only be investigated or altered by authorization under the HCA. The HCA also contains provisions that authorize various compliance and enforcement actions that may be taken against persons who damage or alter sites or objects without authorization.

The Act provides the authority for the Minister, under prescribed conditions, to enter into agreements with Nations (i.e., section 4 and section 20).

6-2

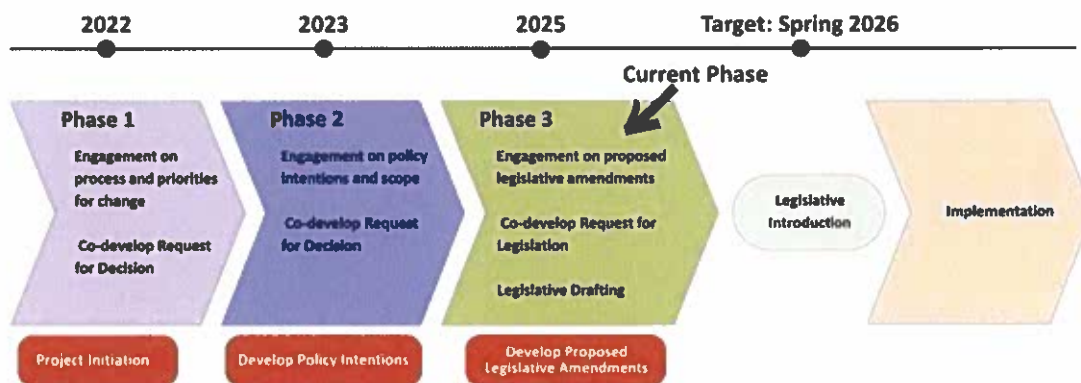
Consultation and cooperation with First Nations, including Modern Treaty Nations, is foundational to the HCATP and a requirement of the Province under the Declaration Act. The Province additionally acknowledges its distinct relationship with, and obligations to, Modern Treaty Nations.

The HCATP process has followed the [Interim Approach to Implementing the Requirements of Section 3 of the Declaration on the Rights of Indigenous Peoples Act](#) and included co-developing a Request for Decision for provincial government of B.C. direction through the JWGFNHC, with input from the Alliance of BC Modern Treaty Nations.

As part of the HCATP, the Province is also engaging with local governments, stakeholders, and the public about potential changes to the HCA.

SECTION 2: PHASES OF ENGAGEMENT WITH FIRST NATIONS, LOCAL GOVERNMENTS AND STAKEHOLDERS

Given the need for broad and meaningful engagement with First Nations, local governments, and stakeholders, the HCATP is a multi-year process being undertaken in three phases. Mandated in 2021, it has involved two phases of consultation and cooperation to date with First Nations across B.C. and more than 300 organizations representing local governments and key stakeholders, such as the heritage and archaeology sector.



Phase 1 – Engagement on the HCATP Process and Priorities for Change (Summer-Fall 2022):

- From July to October 2022, three in-person and nine virtual engagement sessions with local governments and stakeholders were undertaken along with five in-person and two virtual engagement sessions with First Nations
- Engagement focused on receiving feedback on the HCA and its administration, alignment with the UN Declaration, and the proposed engagement approach for future phases of the HCATP.
- The outcomes of Phase 1 engagement are summarized in “What We Heard” reports: [What we’ve heard to date - Heritage Conservation Act Transformation Project](#)
- In July 2023, the Ministry of Forests received direction to advance to Phase 2 of the HCATP.

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Phase 2 – Policy Development (Spring 2023-Spring 2025):

- In the Fall of 2023, two virtual engagement sessions with local governments and stakeholders and two virtual engagement sessions with First Nations took place focusing on sharing findings from Phase 1 engagement and seeking feedback and discussion on proposed short-term changes to the HCA.
- Outcomes from Phase 2 engagement with First Nations, local governments and stakeholders are outlined in a “What We Heard” Report: [What we’ve heard to date - Heritage Conservation Act Transformation Project](#)
- Engagement indicated that the proposed changes were in the right areas, but First Nations, local governments and stakeholders desired more robust, longer-term changes.
- In January 2024, a decision was made to not bring forward a package of legislative reforms in Spring 2024, in line with the original project timelines, but to instead develop a broader scope of proposed changes for future legislative session(s).
- In Spring 2025, the JWGFNHC, with input from the Alliance of BC Modern Treaty Nations, sought policy direction from the provincial government in B.C. on a broadened scope for the project, based on feedback received during previous consultation and engagement processes, and received direction to advance to Phase 3 of the HCATP. The broadened scope and policy direction received from the provincial government for Phase 3 are detailed in a separate document: HCATP Phase 3 Session Primer for Engagement with Local Governments and Stakeholders. To view a simplified list of the proposed changes, please see Appendix A “Proposed Changes at a Glance”.

Phase 3 – Developing Proposed Legislative Amendments (for Spring 2026):

- During this phase of the project, consultation and cooperation with First Nations and engagement with local governments, stakeholders and the public will seek input on how the policy intentions informed by previous engagement will be implemented through legislative, regulatory and policy changes.

SECTION 3: HCATP PHASE 3 – THE LEGISLATIVE PROCESS

The outcome of Phase 3 of the HCATP will be draft legislative amendments. This phase will involve three steps.

Request for Legislation

Before legislative amendments can be drafted, a Request for Legislation (RFL) must be drafted. An RFL is a proposal that lays out all potential changes for consideration by the provincial government in B.C. A central element of the RFL is the 3 Column Document, which outlines the current legislation (if applicable), the proposed changes, and the reasons for changes.

Throughout Summer and Fall of 2025, the JWGFNHC, with input from the Alliance of BC Modern Treaty Nations, will be developing the RFL for proposed amendments to the HCA. Feedback from First Nations, local governments, stakeholders, and the public will inform the submission. Work at this stage will focus on determining the most appropriate mechanisms for implementing changes.

Local governments and stakeholders will have multiple avenues available to provide feedback into this submission. This includes an engagement session for local governments and two engagement sessions for stakeholders. There will also be opportunities to request additional meetings and provide feedback through an online survey and written submissions.

Legislative Drafting

Pending direction from the provincial government in B.C. on the RFL, draft legislation will be prepared.

Legislative Introduction

Draft amendments become a bill, which is introduced into, and considered by, the legislative assembly. Following consideration by the legislative assembly, a bill may become law.

In many cases, bills contemplate the creation of regulations. Development of regulations also occurs in consultation and cooperation with First Nations and includes engagement with local governments and stakeholders when they are impacted by the proposed regulations.

NEXT STEPS

Consultation and cooperation with First Nations and engagement with local governments and stakeholders throughout the Summer and Fall of 2025 will inform the development of a Request for Legislation for submission to the provincial government of B.C. in late Fall. Local governments and stakeholders will be notified of the provincial government's decision and the next steps on the project.

Please reach out to EngageHCA@gov.bc.ca for any questions.

Appendix A:

PROPOSED CHANGES AT A GLANCE

MAKING PERMITTING FASTER AND EASIER

- Increase transparency about how permit decisions are made, including formalizing a process for seeking First Nations' consent on permitting decisions
- Replace the HCA's current three permit structure with a single project-based permit model. New permitting processes will not compromise or reduce opportunities for meaningful consultation with First Nations at key project junctures.
- Create fit-for-use permit types for multi-assessment permits, disaster permits, and conservation and research permits
- Encourage proponents to engage early with First Nations on project scope and proposed mitigations for potential impacts. Require proponents to submit a record of engagement as part of a permit application
- Greater regulation of the archaeology profession

HELPING PEOPLE AND COMMUNITIES REBUILD QUICKER AFTER DISASTERS

- Create a fit-for-use disaster permit to streamline archaeological work that must occur in various stages following a natural disaster
- Allow for flexibility in the permitting structure in disaster situations

STRENGTHENING THE ROLE OF FIRST NATIONS IN THE MANAGEMENT OF THEIR CULTURAL HERITAGE

- Affirm First Nations' rights in relation to their cultural heritage. The interpretation and administration of the HCA is guided by statements affirming First Nations' rights.
- Embed additional principles related to First Nations' data sovereignty, use of First Nations' place names, repatriation/rematriation, and conservation of cultural heritage through avoidance and non-disturbance
- Ensure that Modern Treaty Nations have similar powers and rights under the reformed HCA as non-treaty First Nations
- Expand the definition of heritage to include a broader spectrum of First Nations values, including intangible heritage values (e.g., mortuary landscapes, transformer stones, oral traditions, etc.)
- Create an opt-in process for First Nations to be the decision-makers regarding where ancestors and belongings collected under permits are held and cared for
- Protect the confidentiality of First Nations' information and knowledge shared with the Province
- Remove barriers for First Nations when maintaining and accessing heritage sites on Crown land in certain circumstances (e.g., clam garden use, trail maintenance) and to collect objects at imminent risk of loss or destruction
- Enable a suite of decision-making agreement types:

- Joint and/or consent-based decision-making agreements for Crown land, ensuring that First Nations are involved in HCA decisions
- Jurisdictional agreements for Crown land that recognize a First Nations' heritage law
- Operational agreements that expand the scope of s. 4 agreements to cover more aspects of operational matters related to First Nations' heritage on Crown/private land
- Joint or consent-based decision-making agreements and jurisdictional agreements are not being considered for private land
- Reduce procedural barriers to access and enter into agreements

PROTECTING HERITAGE MORE EFFECTIVELY

MODERNIZING THE PROTECTION FRAMEWORK

- Maintain automatic protection for ancestral remains, burial places, and rock art, regardless of age. Retain 1846 as a baseline for age-based automatic protections for other site types
- Recognizing that First Nations have called for extending the protection of heritage sites which post-date 1846, create clearer and easier pathways for protecting sites that do not receive automatic protection, including sites of intangible heritage
- Clarify and broaden processes for the recognition and promotion of diverse cultural heritage.
- Explore mechanisms for distinct protections based on heritage value
- Clarify how the presence of sites and site boundaries are determined, including how Indigenous knowledge and other reported information is considered
- Enable a framework for the development of “heritage management plans” to proactively manage heritage among multiple parties (e.g., First Nations, local governments, the Province)
- Clarify the scope of tools to support reporting and conservation of fossil finds

DUE DILIGENCE AND GREATER AWARENESS OF HCA REQUIREMENTS EARLY IN THE PROCESS

- Introduce requirements to ensure people making land use decisions and project investments (e.g., local governments, Crown corporations, realtors, developers) are made aware early about the presence of, or potential for, heritage sites, and their responsibilities under the HCA (through compulsory archaeological data checks)
- Explore opportunities to enhance access to some archaeological data to a broader set of user groups, without compromising data confidentiality requirements

ENHANCING THE COMPLIANCE AND ENFORCEMENT TOOLKIT

- Enhance the role of First Nations in compliance and enforcement activities
- Create the ability to issue violation tickets and administrative monetary penalties for contraventions to the HCA
- Explore opportunities to direct fine and penalty revenue to support remediation of impacted heritage sites
- Implement a duty to report heritage finds
- Prohibit possession, sale, and trade of heritage objects
- Enhance permit enforcement and auditing measures

HERITAGE CONSERVATION ACT TRANSFORMATION PROJECT

PHASE 3 SESSION PRIMER FOR ENGAGEMENT WITH LOCAL GOVERNMENTS AND STAKEHOLDERS

This document provides details on the proposed changes to the Heritage Conservation Act. This session primer is designed to prepare registrants for engagement sessions. The consultation and cooperation process with First Nations and engagement with local governments and stakeholders in earlier phases of the HCATP identified priority areas for change (Phase 1) and defined the scope of reform (Phase 2). Feedback from these earlier phases has informed the proposed changes, categorized into four core outcomes, that are detailed below.

Phase 3 of engagement will focus on determining how these proposals can be implemented through legislation, regulations, or policy. Questions are posed throughout the document to guide feedback and discussion at the upcoming sessions and each session will cover the proposed changes under each of the four core outcomes identified below. Feedback will be used to translate proposals into a Request for Legislation.

Written feedback is also welcome until October 1, 2025.



Photo: Kootenay Region, BC.
(Kevin Floyd 2023)

KEY ENGAGEMENT QUESTIONS

The following questions will be asked during this phase of engagement:

- How does the policy direction support or impact your local government's/ organization's/sector's/interests?
- Are there possible unintended consequences of the proposals? How can these be addressed?
- What kinds of guidance, education, or outreach would be needed to support implementation?
- Are there any alternatives we should consider to achieve these outcomes? Is there anyone else we should talk to?

In addition to these broad questions, specific questions and considerations are posed in the right-hand column of the detailed policy proposal table.

MAKING PERMITTING FASTER AND EASIER

The current HCA permitting regime is administratively burdensome and complex—projects require up to three different permits, resulting in long wait-times. These issues have created difficulties for all British Columbians in navigating the permitting process. The objectives of the policy proposals under this core outcome are to make permitting more transparent and efficient for all parties, including enhancing and clarifying First Nations’ role in permitting decisions.

Detailed Policy Direction/Mechanisms	Specific Questions and Considerations
<p>What is intended to be achieved: Reduce administrative burden and complexity of permit process</p>	
<p>How this can be achieved:</p> <ul style="list-style-type: none"> • Replace the HCA’s current three permit structure with a single project-based permit model • New permitting processes will not compromise or reduce opportunities for meaningful consultation with First Nations at key project junctures. • Create several fit-for-use permit types: <ul style="list-style-type: none"> ◦ A conservation and research permit ◦ A multi-assessment permit framework with enhanced notice of intent process ◦ A disaster response and recovery permit (this proposed change also supports a core outcome “Helping people and communities rebuild quicker after disasters” described below) 	<p><i>What benefits and/or risks can you identify with a single project-based permit model?</i></p> <p><i>The conservation and research permit is primarily intended to advance First Nations’ interests to investigate and conserve their own sites. Are there other activities that this permit type could support?</i></p> <p><i>How should the permitting process for these types of permits be different?</i></p> <p><i>What steps can be taken to improve the use of multi-assessment permits (e.g., notice of intent process)?</i></p>

How this can be achieved:

Create a regulation-making authority to allow for modified permitting requirements for specific or specified circumstances (e.g., low impact activities such as small footprint developments or rebuilding within the same footprint, where First Nations are seeking modified permitting requirements, etc.)

* This proposed change also supports a core outcome “Helping people and communities rebuild quicker after disasters” described below.

What circumstances could you imagine needing modified permitting requirements?

What is intended to be achieved: Enhance First Nations’ influence in permitting decisions and enhance transparency about how permit decisions are made

How this can be achieved:

Bolster HCA permit decision-making criteria:

- Include a process for seeking consent on statutory decisions
- Decision-making criteria could include consideration of:
 - First Nations information, knowledge, policies and/or laws
 - Statements of site significance and heritage value
Whether principles of site avoidance/non-disturbance/minimizing disturbance of cultural heritage have been followed
 - Cumulative impacts to affected sites
 - Whether or not affected First Nations have provided their consent
 - Negotiated mitigations/accommodations
 - Any existing agreements and/or heritage management plans
 - Public interest
 - Proponent performance history

Decision-making criteria would be considered by decision-makers when deciding whether or not to issue a permit.

What items would you like to see included as criteria?

How this can be achieved:

Create a legislative requirement to submit a record of engagement conducted by proponents as part of a permit application

*This process will not replace existing consultation requirements.

How have you seen early engagement with First Nations support timely permitting decisions?

Do you already create a record of engagement for some projects?

Should a record of engagement be required for all projects or only certain types of projects?

What items/considerations should be included in a record of engagement?

How this can be achieved:

Where impacts to sites are unavoidable, bolster the provincial government's ability to issue permits that include terms and conditions surrounding compensatory conservation work (e.g., enhanced site recording, sampling and analyses, monitoring, other measures to address loss of heritage).

What compensatory conservation work is already being negotiated between your local government/organization/sector and First Nations?

How would a legislative provision support those negotiations?

What is intended to be achieved: Ensure greater regulation of the archaeology profession

How this can be achieved:

- Clarify authorities in the HCA to regulate the archaeology sector.
- Enable the charging of fees for registered archaeologists.

Further engagement on regulation of the archaeology profession will take place in early 2026.

What should be considered regarding the regulation of the archaeology profession in B.C.?

HELPING PEOPLE AND COMMUNITIES REBUILD QUICKER AFTER DISASTERS

HCA requirements have created challenges during disaster response and recovery. In the current state, when a homeowner needs to rebuild their home (located on a known or potential heritage site) after a disaster, they often have to get multiple HCA permits and hire an archaeologist, even when rebuilding occurs within existing footprints and/or is considered to minimally impact a heritage site. The objective of the policy proposals under this core outcome is to support disaster-impacted communities by providing greater flexibility to respond and recover from disasters such as wildfires and floods and allow people impacted by disasters to return home faster.

Detailed Policy Direction/Mechanisms	Specific Questions and Considerations
<p>What is intended to be achieved: Allow for flexibility in the permitting structure in disaster situations</p>	
<p>How this can be achieved: Create an authority allowing the minister to make exemptions to the permitting regime (e.g., where there is an imminent threat to life or public health) to support urgent emergency/disaster response and recovery activities, with circumstances to be prescribed</p>	<p><i>What types of situations do you think warrant an exception from permitting?</i></p> <p><i>What mechanisms should be put in place to ensure this authority is used appropriately?</i></p>
<p>How this can be achieved: Create a disaster response and recovery permit For more information see “Making Permitting Faster and Easier” above.</p>	
<p>How this can be achieved: Create a regulation-making authority to allow for modified permitting requirements for specific or specified circumstances For more information see “Making Permitting Faster and Easier” above.</p>	

STRENGTHENING THE ROLE OF FIRST NATIONS IN MANAGEMENT OF THEIR CULTURAL HERITAGE

The current HCA does not expressly acknowledge or respect First Nations' rights to maintain, control, protect, and develop their heritage, traditional knowledge, and traditional cultural expressions. Recognition and affirmation of First Nations' values and rights in the transformed HCA is a key objective of the HCATP to support consistency with the UN Declaration.

Additionally, the current HCA has limited mechanisms to recognize First Nations' authority and jurisdiction as decision-makers regarding the care and management of their heritage. The HCA currently includes the ability to enter into s. 4 agreements for the purposes of shared decision-making and the protection of sites not otherwise automatically protected. These agreement types have been underutilized and do not sufficiently address the broader interests of First Nations.

The objectives of the policy proposals under this core outcome are:

- To recognize and affirm First Nations' rights regarding their heritage in the HCA, which will guide how the HCA should be interpreted and administered.
- To create a framework that acknowledges multiple legal orders and is grounded in respect for the authority of First Nations to self-determine and self-govern.
- Ensure First Nations values are embedded throughout the Act, including how heritage is defined and the various pathways to protect and conserve it.
- Affirm First Nations as decision-makers regarding the care and management of their heritage and to formalize and address First Nations' unique and distinct interests under the HCA.

Detailed Policy Direction/Mechanisms

Specific Questions and Considerations

What is intended to be achieved: Affirm First Nations' rights in relation to their cultural heritage. The interpretation and administration of the HCA is guided by statements affirming First Nations' rights.

Embed additional principles related to First Nations data sovereignty, use of First Nations place names, repatriation/rematriation, and conservation of cultural heritage through avoidance and non-disturbance.

<p>How this can be achieved: Amend the HCA to affirm First Nations’ inherent right to self-determination, including self-government, recognized and affirmed by section 35 of the Constitution Act, 1982 and the UN Declaration, which include jurisdiction/law-making authority/responsibility in relation to the protection, management, and development of their heritage</p> <p>Include in the HCA principles related to First Nations’ data sovereignty, place names, repatriation/rematriation, avoidance/non-disturbance/minimizing disturbance of cultural heritage</p>	
<p>What is intended to be achieved: Expand the definition of heritage to include a broader spectrum of First Nations values, including intangible heritage values</p>	
<p>Examples are included within the “Protecting Heritage More Effectively” core outcome.</p>	<p>This item is discussed in more detail within the “Protecting Heritage More Effectively” core outcome.</p>
<p>What is intended to be achieved: Affirm First Nations as decision-makers regarding where ancestors and heritage belongings that are collected under permits are held and cared for</p>	
<p>How this can be achieved: Create an opt-in process for First Nations to be the decision-makers regarding where ancestors and belongings collected under permits are held and cared for</p>	<p><i>What should be considered to support successful implementation of this opt-in process?</i></p>

What is intended to be achieved: Protect confidentiality of Indigenous knowledge and heritage data that is provided in confidence by ensuring that it is only used for the purposes for which it was shared and identifying a limited suite of circumstances in which it may be disclosed

How this can be achieved: The suite of circumstances could include:

- Information that is already publicly available
- With written consent of the First Nation
- Exercise of a power or duty under the HCA if the information is required
- To support investigation of a contravention
- To legal counsel to support obtaining legal advice
- If required by court order
- Circumstances to be prescribed in regulation

What should be considered regarding the circumstances where the Province may need to disclose First Nations' heritage data?

What is intended to be achieved: Remove barriers for First Nations when maintaining and accessing heritage sites on Crown land in certain circumstances (e.g., clam garden use, trail maintenance) and to collect objects at imminent risk of loss or destruction

How this can be achieved: In legislation, clarify that certain heritage-related activities conducted by First Nations on Crown land do not constitute an offence or require a permit:

- Clam garden maintenance
- Heritage trail maintenance
- Collection of objects at imminent risk of loss or destruction

What should be considered in the implementation of this proposed change?

WHAT is intended to be achieved:

Enable a suite of agreement types in the HCA:

- Joint or consent-based decision-making agreements for Crown land
- Jurisdictional agreements for Crown land
- Operational agreements that expand the scope of s. 4 agreements on Crown/private land

*Joint or consent-based decision-making agreements and jurisdictional agreements are not being considered for private land.

How this can be achieved:

Joint or consent-based decision-making (Declaration Act) Agreements:

- Enable the implementation of Declaration Act agreements to ensure that First Nations are involved in a range of cultural heritage decisions made under the HCA
 - Broadly enabled, could include delegation of certain compliance and enforcement powers, permitting decisions, etc.
 - Negotiating a Declaration Act agreement will require a mandate from Cabinet.

Jurisdictional Agreements:

- Enable agreements recognizing jurisdictional authority of First Nations, where a First Nation's cultural heritage law would vary application of the HCA in certain circumstances.
 - Negotiating a jurisdictional agreement will require a mandate from Cabinet.
 - Through regulation, the circumstances in which a jurisdictional agreement can be negotiated will be laid out.

Operational Agreements:

- Expand the scope of the existing HCA s.4 agreements to cover more operational matters related to a First Nations' heritage
- Apply to Crown and/or private lands
- Seeking to change provincial approval level from Cabinet to Minister (depending on scope)

- Items that could be included in operational agreements:
 - Heritage sites and objects to receive protections (current s. 4(a) and (b))
 - Additional/alternative permitting requirements for protected heritage sites and objects (current s. 4(d))
 - Actions that would damage or take away from the value of those sites and objects (current s. 4(5))
 - Decision-making criteria
 - Information sharing protocols
 - Cultural protocols
 - Provisions around the collection, care, and management of heritage objects and ancestral remains
 - Archaeological methods for identifying and recording sites
 - Continued use of sites
 - Certain aspects of heritage management plans
 - Public engagement agreements

What should be considered regarding implementation of this agreements framework?

What is intended to be achieved: Reduce procedural barriers to access and enter into agreements

How this can be achieved:

- Operational agreements will not require a Cabinet mandate and can be approved more easily.
- Simplify procedural requirements for agreement extensions (to be approved by the minister instead of Cabinet)
- Explore what potential pre-conditions, such as mutual readiness, could be for entering into s.6 and s.7 agreements

PROTECTING HERITAGE MORE EFFECTIVELY

There are three key themes under this core outcome: modernizing the protection framework, due diligence and greater awareness of HCA requirements early in the process, and enhancing the compliance and enforcement toolkit.

Modernizing the Protection Framework

The HCA currently contains several pathways toward recognition and protection of heritage values, including automatic protections, Order-in-Council designations, and agreements with First Nations. However, these pathways are not always clearly understood and have been underutilized. The objective is to provide greater protection of First Nations' values, rather than just scientific values, and enhance the clarity on the range of heritage values protected under the HCA and the pathways for seeking protections, including for intangible heritage.

Detailed Policy Direction/Mechanisms	Specific Questions and Considerations
<p>What is intended to be achieved: Ensure greater protection of First Nations' values, rather than just scientific values.</p> <p>Create greater clarity on the range of heritage values under the HCA and the pathways for seeking protections, including for intangible heritage.</p>	
<p>How this can be achieved:</p> <ul style="list-style-type: none"> • Enhance the definition of heritage (and related definitions) to include a broader suite of First Nations values (tangible and intangible). • Examples include: cultural landscapes, mortuary landscapes, intangible cultural heritage including oral histories, place names, language, knowledge, objects and places within Indigenous worldview. Include recognition of fossils. • Reorganize the Act to clarify what is recognized and/or protected, what the pathways are, and what actions are prohibited without authorizations. 	<p><i>What should be considered regarding how heritage-related definitions are worded in the HCA?</i></p> <p><i>Which heritage-related definitions need refinement?</i></p>

What is intended to be achieved: Maintain automatic protection for ancestral remains, burial places, and rock art, regardless of age, and clarify automatic protection criteria for certain site types.

How this can be achieved:

- Ancestral remains, burial places, and rock art are automatically protected, regardless of their age.
- Retain 1846 as a baseline for age-based automatic protections for other site types
- Clarify the automatic protection criteria for certain site types:
 - Culturally modified trees
 - Heritage wrecks that have identified heritage value or may contain human remains

Culturally modified trees are critically important, yet the current protection framework does not align well with their distinct characteristics. How should automatic protection apply to culturally modified trees?

Are there other heritage sites or objects for which the current protection framework doesn't align well?

Protections for heritage wrecks are currently overly broad. What criteria for protecting heritage wrecks is appropriate?

What is intended to be achieved: Recognizing that First Nations have called for extending the protection of heritage sites which post-date 1846, create clearer and easier pathways for protecting sites that do not receive automatic protection, including sites of intangible heritage.

How this can be achieved:

- Clarify criteria, process, and procedures for designation of sites identified by First Nations (including intangible heritage) or other groups with post-1846 heritage in the province, including procedural requirements.
- Reduce administrative barriers to seeking protections via designations (reduce Provincial approval levels).

What kind of process could support seeking protection designations for post-1846, intangible, or other non-automatically protected sites?

What is intended to be achieved: Clarify and broaden processes for the recognition and promotion of diverse cultural heritage in B.C.

How this can be achieved:

Currently, s.18 of the HCA "Promotion of heritage value" is done through certificates and plaques. It is proposed to modernize this provision to create more opportunities for communities to celebrate, commemorate, or mark heritage in an impactful way.

- When signs related to heritage recognitions are erected, clarify that this must be done in consultation and cooperation with First Nations
- Clarify that heritage recognition and promotion goes beyond physical sites, but could include intangible cultural heritage practices (e.g., songs, ceremonies, food, traditions)

What should the Province consider regarding the recognition and promotion of the diversity of cultural heritage in B.C.?

What is intended to be achieved: Explore mechanisms for distinct protections based on heritage value

How this can be achieved:

Explore, via regulation, the ability to vary protection criteria and permitting requirements based on heritage value and conservation goals, in consultation and cooperation with First Nations.

Protection criteria and permitting requirements could include:

- Site criteria (e.g., Indigenous cemeteries) which receive greater protection (enhanced avoidance and mitigation measures)
- Site criteria for sites to be preserved by record (e.g., culturally modified trees impacted by wildfire or pine beetle)

These variations to protections would take place through a regulation. Engagement on this regulation would take place at a future date.

What is intended to be achieved: Clarify how the presence of sites and site boundaries are determined, including how Indigenous knowledge and other reported information is considered.

How this can be achieved:

In legislation, clarify administrative site boundary criteria for entry into the Provincial Heritage Register. These will continue to be based on recorded presence of heritage sites and objects.

To reflect that the presence of heritage sites likely extend beyond areas of recorded evidence, establish “heritage management zones” within the Provincial Heritage Register. These could include areas that are reported to contain heritage value but are not verified.

In regulation, prescribe any additional requirements associated with heritage management zones. This could include the ability to require archaeological data checks, or to compel additional archaeological work within a heritage management zone.

How do you see heritage management zones supporting the conservation of heritage sites?

What else should be considered in the implementation of heritage management zones and potential associated requirements?

What is intended to be achieved: Clarify the scope of tools to support reporting and conservation of fossil finds.

How this can be achieved: Clarify that fossils are included in the definition of heritage object.

Clarify that fossils and fossil sites can be designated as a protected site and can be included in the duty to report.

Is there anything you would like to share about including fossils within the Heritage Conservation Act?

More engagement will take place when the Duty to Report Regulation is being drafted.



Due Diligence and Greater Awareness of HCA Requirements Early in the Process

There is a lack of awareness about the HCA and potential risks to heritage from development activities. Heritage considerations are often identified late in the project planning process, leading to: project delays; cost increases; contraventions of the HCA; and/or damage to, or desecration of, First Nations heritage.

The objective of these policy proposals is to ensure greater awareness of risks to heritage in advance of land use decisions.

Detailed Policy Direction/Mechanisms	Specific Questions and Considerations
<p>What is intended to be achieved: Ensure early awareness about heritage site potential and responsibilities under the HCA for people making land use decisions and project investments.</p>	
<p>How this can be achieved:</p> <ul style="list-style-type: none"> • In legislation, require local governments to see proof of an archaeological data check prior to issuing development and building-related permits and authorizations. • Require subdivision approval authorities to see proof of an archaeological data check prior to subdivision approvals. • Create a regulation-making authority to require mandatory archaeological data checks for prescribed circumstances (e.g., sale of property) and/or entities (e.g., Crown corporations, critical infrastructure operators). 	<p><i>What challenges have you experienced regarding lack of awareness of risks to heritage sites prior to applying for development or building-related permits, or if a local government, issuing a development or building-related permit?</i></p> <p><i>What additional circumstances should require people to conduct an archaeological data check?</i></p> <p><i>What other ideas do you have to enhance due diligence about heritage sites?</i></p>

What is intended to be achieved: Explore opportunities to enhance access to some archaeological data to a broader set of user groups, without compromising data confidentiality requirements

How this can be achieved:

Explore the creation of a specific data layer (that only shares limited details such as presence/absence of recorded sites) that can be checked on a plot-by-plot basis in advance of property sales and ground disturbance.

How could increasing access to some archaeological information for property owners/realtors/ developers reduce the risk of unintended damage to heritage sites?

What is intended to be achieved: Clarify tools that enable requiring additional archaeological work.

How this can be achieved:

Clarify and prescribe circumstances in which existing authority to compel archaeological work may be exercised (e.g., heritage management plans, agreements, sites at risk from development activities).

What is intended to be achieved: Enable in legislation a framework for “heritage management plans” to proactively manage heritage.

How this can be achieved:

Heritage management plans could be developed with multiple parties (e.g., First Nations, local governments, the Province, proponents).

Further details to be prescribed in regulation.

How could heritage management plans support consideration of heritage in land use planning and decisions?

How could heritage management plans support your community’s/sector’s interests and processes?

What would you like to see incorporated into, or considered with respect to heritage management plans?

Enhancing the Compliance and Enforcement Toolkit

All parties have identified the need for a more comprehensive compliance and enforcement toolkit in the HCA. The existing toolkit is limited to stop work orders, civil remedies, voluntary restorative justice processes, and prosecuting major offences through the courts. This leaves gaps in enforcement options, resulting in less effective enforcement of contraventions.

Detailed Policy Direction/Mechanisms	Specific Questions and Considerations
<p>What is intended to be achieved: Enhance the role of First Nations in compliance and enforcement activities</p>	
<p>How this can be achieved: Enable First Nations to exercise HCA compliance and enforcement by entering into agreements with the Province</p>	
<p>What is intended to be achieved: Expand the compliance and enforcement toolkit</p>	
<p>How this can be achieved:</p> <ul style="list-style-type: none"> • Create the ability to issue violation tickets for minor contraventions of the HCA (by amending the Violation Tickets and Fine Administration Regulation under the Offence Act). Fines are proposed to be set at a range of up to \$1,000 but could be issued daily if a contravention continues. • In the HCA, create the ability to issue administrative monetary penalties (AMPs) for more severe contraventions to the HCA, with specific amounts and additional details outlined in a future regulation. These fines could be substantial and are proposed to be up to a maximum of \$100,000 for an individual and to a maximum of \$1,000,000 for a corporation. 	<p><i>Based on severity, are there HCA contraventions that should have higher or lower violation ticket and administrative monetary penalty fines than others?</i></p>

What is intended to be achieved: Divert revenue from fines and penalties to a fund to support remediation of heritage sites	
How this can be achieved: Explore opportunities to direct fine and penalty revenue to support remediation of impacted heritage sites, including through First Nations	
What is intended to be achieved: Implement a duty to report heritage finds	
How this can be achieved: Through regulation, implement a legal “duty to report” for archaeological and significant heritage finds and clarify the circumstances and entities to whom it applies	Further engagement will follow when regulation is developed
What is intended to be achieved: Deter commodification and unauthorized private ownership of heritage objects	
How this can be achieved: Prohibit possession, sale, and trade of heritage objects	<p><i>What belongings should be prohibited from possession, sale, and trade?</i></p> <p><i>What unintended consequences can you foresee that should influence how this is drafted?</i></p> <p><i>Who should be exempt from these rules and under what circumstances?</i></p>

What is intended to be achieved: Clarify and enhance the compliance and enforcement regime under the HCA

How this can be achieved:

- Amend and enhance the HCA to address and guide the collection, treatment, care and disposition of collected, seized and forfeited heritage objects to a repository and/or descendent communities
- Enhance permit enforcement and auditing measures, including enabling the minister, in consultation and cooperation with First Nations, to order compensatory conservation work for loss of heritage value and harms to affected First Nations
- Clarify rules for issuance and extension of stop work orders
- Enhance civil remedy orders to include requirements to consult and cooperate with First Nations, without interfering with prosecutorial independence
- Clarify authority to publicly disclose specific information related to contraveners and offenders of the HCA

What should be considered with respect to the implementation of these proposed changes?

Elizabeth Cumming

From: EMCR NWE Admin EMCR:EX <EMBC.NWEAdmin@gov.bc.ca>
Sent: September 8, 2025 8:45 AM
Subject: PreparedBC Print Resources Survey

Hello Community Partners,

We are reaching out to let you know that [PreparedBC](#), British Columbia's emergency preparedness education program, is reviewing its [PreparedBC](#) and [Master of Disaster](#) print material ordering process.

As part of this review, they are seeking input from local governments, Indigenous governments, First Nations and related organizations such as municipal fire departments.

Please take a few minutes to complete PreparedBC's [5-minute online survey](#) to share how these resources are used and distributed by your team. Your feedback is important and will help shape how these materials are accessed in the future.

All responses are anonymous, and no individuals will be identified, and no comments will be attributed to any individual in any reports or summaries resulting from the survey.

Survey deadline: Friday, October 3, 2025, at 11:59 PM [PDT]

If you have any questions or concerns, please feel free to reach out to EMCR's Public Education Team at PreparedBC@gov.bc.ca

Thank you for your continued support!

Christine Roy | Regional Office Administrator Assistant, Northwest Region
Ministry of Emergency Management and Climate Readiness
3rd Floor, 3726 Alfred Avenue
Smithers BC CANADA V0J 2N0

Regional Office: 250 615-4800 Fax: 250 615-4817
24 Hour Emergency Reporting: 1 800 663-3456

Follow us on Twitter [@EmergencyInfoBC](#) and [@PreparedBC](#)

We acknowledge and respect the First Nations people on whose ancestral territories we work and whose relationships with the land continue to this day.

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Elizabeth Cumming

From: Educational Program Coordinator <programs@pathwayssmi.org>
Sent: August 25, 2025 11:12 AM
Subject: Need for Public Statement Regarding Charter Challenge to BC Mental Health Act

On behalf of Pathways Serious Mental Illness Society and our members, we express our concerns to all Mayors across the province regarding the BC Charter Challenge to the Mental Health Act. The Charter Challenge to the Mental Health Act trial phase has concluded; final arguments will begin October 27, 2025. The consequences of untreated mental illness in our communities' effect everyone and we implore you to take action with a public joint statement below.

The BC Mental Health Act provides mentally ill involuntary patients the right to potentially life-saving treatment and care. Of grave concern is that if the Charter Challenge is lost by the Attorney General, patients under the Mental Health Act will be able to refuse medical treatment necessary for recovery and release.

If an involuntary patient refuses treatment and is not deemed to be dangerous, they will be discharged untreated and psychotic, to ill-equipped families or to homelessness in our communities. Doctors don't want to imprison patients they are not allowed to treat, however, if involuntary patients are deemed dangerous, they will be detained in hospital without treatment (imprisoned), ultimately blocking others with serious mental illness to access to treatment.

We urge you, the Mayors of BC, to release a joint statement to Premier Eby and the BC Government affirming your concerns over this threat to our mental health care system, and the negative impacts it will have on the welfare of all residents in your communities.

We have provided the Public Statement template below to use as you see fit. We also encourage you to reach out to Pathways' member, Dr. John Gray, who was an expert witness for the Attorney General in this trial. He is available anytime for more information on this matter, please contact him at 236-562-6740.

Thank you for your attention and assistance in ensuring adequate treatment and resources are available for those experiencing the effects of serious mental illness.

Public Statement regarding BC Charter Challenge to BC Mental Health Act

As mayors across British Columbia, we are increasingly concerned with the growing number of people in our communities living with serious mental illness who are not receiving the treatment they need. We write to express our support for the Attorney General in defending the Charter Challenge to the current Mental Health Act, which rightly ensures treatment is provided to a person who has been admitted involuntarily to receive treatment.

We do not support any change that would allow involuntarily admitted patients to refuse necessary medical treatment. Denial of treatment leads to longer periods of detention, increased use of physical or chemical restraints, violence toward nurses and fellow patients, and great distress for families. These are not outcomes we can accept.

From a municipal perspective, the consequences are also deeply concerning. When individuals are detained but refuse treatment and remain dangerous, they occupy scarce psychiatric beds for extended periods. This blocks access to care for other residents in urgent need. Conversely, if a person is not acutely dangerous but remains

untreated, they may be discharged while still psychotic – leading to homelessness, repeated police involvement, family and community disruption.

If the current Charter challenge succeeds, then the government will be required to detain patients without the ability to treat them. We believe this is illogical and inhumane since patients become prisoners in hospitals. Should changes to the legislation become necessary, we urge the province to adopt the least restrictive and most effective measures to ensure timely treatment, safety and dignity for all.

Sincerely,

Liz Charyna, Executive Director, Pathways SMIS
Don Pavlovich, President, Pathways SMIS
Nancy Ford, Co-Chair Advocacy Committee, Pathways SMIS
Janet Burgess, Co-Chair Advocacy Committee, Pathways SMIS

Pathways Serious Mental Illness Society
604-926-0856 | 101-315 1st Street West, North Vancouver, BC V7M 1B5

[Donate Now!](#) Make a positive impact on families and friends navigating life with a loved one with a serious mental illness.

Pathways Serious Mental Illness Society respectfully acknowledges the unceded traditional territories including, the Skwxwú7mesh Úxwumixw (Squamish), səlilwətał (Tsleil-Waututh) and xʷməθkʷəy̓əm (Musqueam) Nations, on which we live, work and play.



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