

# Heritage Impact Assessments in British Columbia – Terms of Reference

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## Introduction

These terms of reference outline the purpose and process for undertaking a heritage impact assessment (HIA) on sites identified as having heritage value potential. They provide the legislative reference for such assessments, the methodology for conducting HIAs, and suggest content to be included in an HIA report.

## Legislation

Section 14 of the *Heritage Conservation Act* empowers the Minister to order a "heritage inspection" or a "heritage investigation" where, in the minister's opinion, land may have heritage value or contain heritage property, and may be subject to alteration by natural or human causes. The purpose of a heritage inspection is to assess the heritage significance of land or other property. In this regard, the inspection determines the presence of heritage sites which warrant protection, or are already protected, under the Act. A heritage investigation is undertaken in order to inform mitigation strategies or recover information which might otherwise be lost as a result of site alteration or destruction.

## Heritage Impact Assessments

Heritage impact assessment studies are initiated in response to development proposals which will potentially disturb or alter property that may have heritage value, thereby endangering heritage sites. The heritage assessment process is composed of two principal components: assessment of heritage values and resources and impact management. Assessment is primarily concerned with understanding the historic place and the evaluation and inventory of heritage values and resources located on the site, and the assessment of impacts that might ensue from the development proposed.

Impact management follows directly from assessment and is primarily concerned with managing unavoidable adverse impacts as well as unanticipated impacts. It is important to recognize that the assessment and impact management stages are approached sequentially, and that impact mitigation recommendations are highly dependent upon results and recommendations made in the evaluation and inventory stage. The success of this process is also dependent upon effective communication and cooperation between project proponents and the Heritage Branch, and their mutual respect for development and heritage resource management objectives.

A heritage impact assessment is designed to gain the fullest possible understanding of heritage resources which would be affected by the project.

The primary objectives of the impact assessment are to:

- evaluate and understand the heritage values and significance of the site;
- identify and evaluate heritage resources within the project area;
- identify and assess all impacts on heritage resources which might result from the project; and
- recommend conservation strategies and viable alternatives for managing unavoidable adverse impacts on character-defining elements, including a preliminary program for implementing and scheduling impact management actions and, where necessary, conducting surveillance and/or monitoring.

Information provided by the impact assessment is intended to assist the proponent in choosing a suitable approach to designing, planning and implementing the proposed project while giving consideration to heritage resources. In the course of fulfilling these basic objectives, it is often possible to conduct problem-oriented research aimed at enhancing knowledge and public appreciation of British Columbia's heritage resources. The effective integration of management and research is a desirable quality of impact assessment studies and should be recognized as an integral part of such assessments.

## Administration

Sections of the *Heritage Conservation Act* pertaining to non-archaeological heritage resources are administered by the Heritage Branch. The role of the Branch is not to prohibit or impede land use and development, but rather to guide the Provincial Government in making decisions which will ensure optimal land use. When the benefits of a project are sufficient to outweigh the benefits of heritage conservation, the Branch's primary concern is to work with the proponent in determining how the project may be implemented with minimal loss to heritage values. If appropriate impact management practices are adopted, it is usually possible to minimize the loss of heritage values in a cost-effective manner.

The following objectives reflect heritage resource management policy in British Columbia:

- to ensure that development proponents consider heritage values and concerns in the course of project planning; and
- to ensure where decisions are made to develop land, the proponents implement measures which will mitigate project impacts on heritage values.

In managing heritage resources, the Heritage Branch endeavors to develop a cooperative relationship with project proponents.

## Roles and Responsibilities

The main participants in the heritage impact assessment process usually include: project proponents, heritage consultants, and Heritage Branch and potentially Archaeology Branch staff.

## Heritage Branch

The Branch exercises various responsibilities that include:

- establishing impact assessment and management guidelines, study standards, and reporting requirements;
- reviewing development proposals to determine the proponent's level of involvement in the heritage resource assessment process;
- preparation of orders and permits pursuant to the *Heritage Conservation Act* in assistance to the Minister;
- providing guidance or direction to the proponent throughout the heritage assessment process;

- ensuring that First Nations who could be affected by decisions are given an opportunity to have their concerns considered prior to making decisions;
- providing consultants with access to heritage site files, maps, and other documentary materials maintained within the Ministry;
- monitoring field aspects of heritage impact assessment and management studies for compliance with terms and conditions of orders and permits;
- reviewing reports and research proposals for relevance, completeness and objectivity; and
- establishing terms and conditions for project approval.

## **Project Proponents and Consultants**

Development proponents are encouraged to consider heritage resource concerns in their project planning and design from the outset. As participants in the heritage assessment process, proponents and heritage/heritage consultants who represent them are responsible for:

- complying with all orders and permits issued under the *Heritage Conservation Act*;
- implementing assessment and impact management studies; and
- reporting the results and recommendations of heritage impact studies to the Heritage Branch for review.

Consultants should be concerned with designing research strategies, conducting heritage impact assessment and management studies, and recommending courses of action. The responsibility for final decisions concerning the management of heritage resources is vested with the Heritage Branch.

## **Time Frame**

The heritage impact assessment must be completed and submitted to the satisfaction of the Heritage Branch prior to the proposed project work commencing.

## **Ministry Contact Person (Contract Manager)**

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## Consultant Team Requirements

It is especially important to utilize specialists for the heritage impact assessment. The evaluation of any heritage resource should be performed by professionally qualified individuals. The involvement of researchers with varied expertise throughout will help ensure that heritage values and character-defining elements are not inadvertently overlooked.

The following recommended provisions are intended to ensure the professional treatment of heritage resources. These provisions apply to all persons responsible for coordinating, directing or reporting heritage impact assessments. The consultant team must include:

- **A heritage conservation professional(s)** experienced in the preparation of heritage impact assessments. This person must be experienced in assessing and articulating heritage values, with experience in working on cultural landscapes with multiple layers of values. This person must be a member of the BC Association of Heritage Professionals (BCAHP).

The proponents must also have:

- demonstrated knowledge of Provincial heritage conservation policies and practices related to Crown property.
- significant community consultation experience.
- demonstrated ability to design and conduct heritage research, and to complete a final report in a timely manner.

## Methods/Procedures to be Used in Performance of Contract

The development of the heritage impact assessment should follow these five steps:

1. Understand the Historic Place
2. Evaluate Significance
3. Identify Character-Defining Elements
4. Identify Impacts
5. Develop Conservation Strategies

These steps are outlined in further detail below:

### Understand Historic Place

#### Physical Boundaries, Site History, and Planning Context

The first element of the heritage impact assessment is developing an understanding of the physical and spatial extent of the historic site, and must include all relevant legal and planning regulations. A basic understanding of the historic evolution of the site is also critical to this part of the assessment.

This aspect of the overview study should involve a thorough review of library and archival literature as well as other relevant data sources. The research should include, but need not be limited to:

- a check of extant records and resources including the B.C. Archives, legal land survey records, and other pertinent records and inventory files;
- a review of all previous historic and heritage investigations in the study area or in immediately adjacent areas;
- a review of relevant information from published and unpublished sources such as local and regional history, prehistory and ethnography,
- a review of relevant legal and planning documents with applicability on land use planning on the site.

Understanding the historic place includes the complete documentation of the as-found physical aspects of the site. This documentation should include a description of site characteristics, along with a map of the site drawn to scale. The map should illustrate the arrangement of site features, as well as the location of the site relative to the nearest recognizable and permanent landmark. Since these sites are often situated in remote areas, the map must be drawn in sufficient detail to allow easy relocation in the field. Legal descriptions should be provided wherever possible.

## Site Integrity

Site integrity, or the degree to which a site has been impaired or disturbed as a result of past land alteration, is an important consideration in evaluating site significance. In this regard, it is important to recognize that although a site has been disturbed, it may still contain important heritage values. The following questions should be addressed in this initial phase of the impact assessment:

- Does the site occupy its original location? How is location integral to heritage values?
- Has the site undergone alterations? If so, to what degree has heritage value been negatively impacted?
- Has the site been disturbed by either natural or artificial means?
- Does the site retain most of its character-defining elements?

## Evaluate Significance

### Determining Heritage Values and Significance

There are several kinds of heritage values that need to be taken into account when evaluating heritage resources. Heritage values can be defined as the historic, aesthetic, social, spiritual, scientific, cultural significance or importance of a historic place for past, present or future generations. Furthermore, the public, ethnic and economic values are important in developing an understanding of the significance of a site. Suggestions for identifying values in each of these categories are found below. This list is not intended to be exhaustive or inflexible, and should be added to and revised as necessary. Innovative approaches to site evaluation which emphasize broad analysis and objectivity are encouraged.

## Historic Significance

Historic heritage sites may relate to individuals or events that made an important, lasting contribution to the development of a particular locality or the province. Historically important sites also reflect or commemorate the historic socioeconomic character of an area. Sites having high historical value will also usually have high public value.

- Is the site associated with the early exploration, settlement, land use, or other aspect of British Columbia's cultural development?
- Is the site associated with the life or activities of a particular historic figure, group, organization, or institution that has made a significant contribution to, or impact on, the community, province or nation?
- Is the site associated with a particular historic event whether cultural, economic, military, religious, social or political that has made a significant contribution to, or impact on, the community, province or nation?
- Is the site associated with a traditional recurring event in the history of the community, province, or nation, such as an annual celebration?

## Scientific Significance

Heritage resources may be of scientific value in two respects. The potential to yield information which, if properly recovered, will enhance understanding of British Columbia's history is one appropriate measure of scientific significance. Scientific significance also refers to the potential for relevant contributions to other academic disciplines or to industry.

- Does the site contain evidence which may substantively enhance understanding of historic patterns of settlement and land use in a particular locality, regional or larger area?
- Does the site contain evidence which can make important contributions to other scientific disciplines or industry?

## Public Significance

Public significance refers to the potential a site has for enhancing the public's understanding and appreciation of the past. The interpretive, educational and recreational potential of a site are valid indications of public value. Public significance criteria such as ease of access, land ownership, or scenic setting are often external to the site itself. The relevance of heritage resource data to private industry may also be interpreted as a particular kind of public significance. The heritage impact assessment should report on the site's:

- potential for public use in an interpretive, educational or recreational capacity.
- visibility and accessibility to the public.
- ability to be easily interpreted.
- opportunities for protection against vandalism.

- economic and engineering feasibility of conservation and maintenance.
- representativeness and uniqueness of the site.
- proximity to established recreation areas.
- compatibility with surrounding zoning regulations or land use.
- land ownership and administration.
- local community attitude toward site preservation, development or destruction.
- present use of site.
- potential visitation or use by tourists, local residents or school groups.

### **Ethnic Significance**

Ethnic significance applies to heritage sites which have value to an ethnically distinct community or group of people. Determining the ethnic significance of a heritage site may require consultation with persons having special knowledge of a particular site. It is essential that ethnic significance be assessed by someone properly trained in obtaining and evaluating such data (i.e. ethnologists, behavioral scientists, etc.).

- Does the site presently have traditional, social or religious importance to a particular group or community?

### **Economic Significance**

The economic or monetary value of a heritage site, where calculable, is also an important indication of significance. In some cases, it may be possible to project monetary benefits derived from the public's use of a heritage site as an educational or recreational facility. This may be accomplished by employing established economic evaluation methods, most of which have been developed for valuating outdoor recreation. The objective is to determine the willingness of users, including local residents and tourists, to pay for the experiences or services the site provides even though no payment is presently being made. Calculation of user benefits will normally require some study of the visitor population. The HIA should identify:

- What value of user-benefits may be placed on the site?
- Visitors' willingness-to-pay.
- Visitors' travel costs.

### **Other Values**

The following types of questions should also be considered when determining the heritage significance of the site:

- Is the site a commonly acknowledged landmark?
- Does, or could, the site contribute to a sense of continuity or identity either alone or in conjunction with similar sites in the vicinity?

- Is the site a good typical example of an early structure or device commonly used for a specific purpose throughout an area or period of time?
- Is the site representative of a particular architectural style or pattern?

## Direct Consultation

The determination of heritage values will be done through both research and direct consultation with individuals in the community.

Individuals and organizations with knowledge of heritage resources in the study area should be contacted where appropriate. Consultation should be designed to elicit information which may facilitate understanding of heritage values and identification of character-defining elements on the site. Among those who should be consulted are aboriginal groups, local museums, heritage or historical societies, long-time residents, and specialists having local or regional expertise in the area. Specialists may include archaeologists, historians and ethnohistorians, among others.

Local perceptions and attitudes may have a significant bearing on resource management decision-making, and therefore should be reported. This is especially true when there is strong local interest and concern regarding the safety of a particular heritage site or a group of such sites. Interviews with various persons can provide the researcher with an opportunity to document public or community attitudes toward impacts which a proposed development may have on local heritage resources. However, particularly in the early project planning phases where speculation may be a concern, these interviews must be conducted only with the approval of the proponent, and must be handled very objectively.

## Identify Character-Defining Elements

Once heritage values and significance are understood and recorded, the historic site can be surveyed to identify the physical aspects (character-defining elements (CDEs), or contributing resources) of the place in which these values reside. Identifying CDEs involves the in-field survey and recording of physical elements within the proposed development area.

Site recording should include a thorough description of all observed character-defining elements. It is recommended that character-defining elements be drawn to scale or photographed in situ. Drawings and photographs should be included with the heritage impact assessment.

## Identify Impacts

A heritage resource impact may be broadly defined as the net change between the integrity of a heritage site with and without the proposed development. This change may be either beneficial or adverse.

Beneficial impacts occur wherever a proposed development actively protects, preserves, or enhances a heritage resource. For example, development may have a beneficial effect by preventing or lessening natural site erosion or deterioration of character-defining elements. In other cases, the public or economic significance of a heritage site may be enhanced by actions which facilitate non-destructive

public use. Although beneficial impacts are unlikely to occur frequently, they should be included in the assessment.

More commonly, the effects of a project on heritage sites are of an adverse nature. Adverse impacts occur under conditions that include:

- destruction or alteration of all or part of an heritage site;
- introduction of physical, chemical or visual elements that are out-of-character with the heritage resource and its setting.

Adverse effects can be more specifically defined as direct or indirect impacts. Direct impacts are the immediately demonstrable effects of a project which can be attributed to particular land modifying actions. They are directly caused by a project or its ancillary facilities and occur at the same time and place.

Indirect impacts result from activities other than actual project actions. Nevertheless, they are clearly induced by a project and would not occur without it. For example, project development may induce changes in land use or population density, such as increased urban and recreational development, which may indirectly impact upon heritage sites. Increased vandalism of heritage sites, resulting from improved or newly introduced access, is also considered an indirect impact. Indirect impacts are much more difficult to assess and quantify than impacts of a direct nature.

Once all project-related impacts are identified, it is necessary to determine their individual level of effect on heritage resources. This assessment is aimed at determining the extent or degree to which future opportunities for conservation or public appreciation are foreclosed or otherwise adversely affected by a proposed action. Therefore, the assessment provides a reasonable indication of the relative severity of a particular impact. Normally, the assessment should follow site evaluation since it is important to know what heritage values and character-defining elements may be adversely affected.

The assessment should include careful consideration of the following level-of-effect indicators:

### **Magnitude**

- The amount of physical alteration or destruction which can be expected. The resultant loss of heritage value is measured either in amount or degree of disturbance.

### **Severity**

- The irreversibility of an impact. Adverse impacts which result in a totally irreversible and irretrievable loss of heritage value are of the highest severity.

### **Duration**

- The length of time an adverse impact persists. Impacts may have short-term or temporary effects, or conversely, more persistent, long-term effects on heritage sites.

## Range

- The spatial distribution, whether widespread or site-specific, of an adverse impact.

## Frequency

- The number of times an impact can be expected. For example, an adverse impact of variable magnitude and severity may occur only once. An impact such as that resulting from cultivation may be of recurring or ongoing nature.

## Diversity

- The number of different kinds of project-related actions expected to affect a heritage site.

## Cumulative Effect

- A progressive alteration or destruction of a site owing to the repetitive nature of one or more impacts.

## Rate of Change

- The rate at which an impact will effectively alter the integrity or physical condition of a heritage site. Although an important level-of-effect indicator, it is often difficult to estimate. Rate of change is normally assessed during or following project construction.

The level-of-effect assessment should be conducted and reported in a quantitative and objective fashion. The methodological approach, particularly the system of ranking level-of-effect indicators, must be rigorously documented and recommendations should be made with respect to managing uncertainties in the assessment.

## Develop Conservation Strategies

The management of unavoidable and unanticipated adverse impacts on heritage resources is achieved through the implementation of conservation strategies. The development of conservation strategies to mitigate the impacts of the development must follow *The Standards and Guidelines for the Conservation of Historic Places in Canada*. Strategies must provide guidance to the proponent for minimizing negative impacts of the proposed development on character-defining elements and heritage values.

These measures are only implemented in situations where unavoidable conflicts are identified between heritage resources and a proposed development. The nature and extent of these conflicts will have been determined in the impact assessment stage.

## Activities/Outputs

The heritage impact assessment must include the following activities and deliver the following outputs:

- A heritage impact assessment report that reflects a broad-based understanding of heritage values and the impacts associated with the proposed development.

- Five copies of a complete heritage impact assessment report that includes content on all five parts of the planning methodology.

Phase	Deliverables
1 – Understanding the Historic Place	Documentary research and potential direct consultation. Report on the physical qualities, historic development, and legal and planning context of the site.
2 – Evaluate Heritage Values and Significance	Documentary research, direct consultation with stakeholders and community members. Creation of a Statement of Significance for the site.
3 – Identify Character-Defining Elements.	Physical survey of the site. Documentation (drawings and/or photographs) of character-defining elements in-situ, including maps of CDEs in context.
4 – Identify Impacts	List of impacts associated with proposed development, including indication of level of impact of each on heritage values and character-defining elements.
5 – Develop conservation strategies	List of conservation strategies to mitigate each impact listed, based on <i>The Standards and Guidelines for the Conservation of Historic Places in Canada</i> .

A detailed description of report deliverables can be found in Appendix A.

## Contract Monitoring

The Heritage Branch may review the progress or process of the heritage impact assessment at any time.

The Branch may request that report deficiencies be rectified during any part of the assessment process. In this regard, the Branch will advise the proponent of the nature of deficiencies and how they may be rectified.

Progress reports should be received by the Branch frequently throughout the assessment process. Early and regular Branch review will provide maximum lead time for correcting report deficiencies and/or augmenting the heritage assessment. This practice will minimize expense and delay to the proponent.

Unless the proponent requests otherwise, final reports received by the Branch are considered public information.

## Selection Criteria

The successful proponent will propose:

- Their objectives for undertaking the project.
- An approach to implementing the heritage impact assessment methodology described above.
- A schedule for undertaking the assessment, including timing for each of the phases of the methodology and progress reporting within the timeline identified above.

# Appendix A: Guidelines for Heritage Impact Assessment Report Content

## Title Page

The title page should include:

- the official project name and location,
- the type of heritage resource assessment,
- the number of the permit or ministerial order under which the research activities were authorized, if applicable,
- the name and address of the agency for which the report was prepared,
- the report date, and
- the author's signature and title.

## Credit Sheet

The credit sheet should contain the names, addresses and professional affiliations of the principal contributors to the overview study including:

- the director or supervisor,
- researchers, and
- report author.

## Summary

The heritage impact assessment summary should contain a brief overview of the study. Important findings and major recommendations should be emphasized.

## Table of Contents

The table of contents should be arranged in accordance with the sequence of topical headings and their corresponding page numbers.

## List of Figures, Tables, Appendices

All figures, tables and appendices should be referenced by title and page number, and listed according to the order in which they appear in the text of the report.

## Introduction

The introduction should include:

- the proponent's name and general nature of the project/proposed development,
- the agency and persons conducting the assessment, as well as the kinds of professional expertise involved,
- the dates and duration of the assessment,
- project planning objectives,
- how the study integrates or coordinates with project planning and scheduling,

- the objective and scope of the heritage impact assessment,
- the organization format of the report.

## Proposed Project

This section should contain a brief summary of all pertinent development aspects of the proposed project. With the aid of maps, engineering plans, photos and other materials, the discussion should include, insofar as possible:

- boundaries of the projected impact zone or study area for each project alternative considered,
- the kinds and anticipated locations of all ancillary facilities,
- aspects of project scheduling, and
- general kinds of impacts the proposed project would likely have on heritage resources in the study area.

## Methodology

The basic research plan and the precise methods and equipment used to implement the plan should be outlined in this section. Each assessment activity (heritage values identification, contributing resource (CDE) inventory, and impact identification and assessment) should be described individually. The discussions should include:

- a description of the proposed research process and resources to be accessed to develop a background understanding of the historic and physical characteristics of the site,
- a thorough account of the evaluation method(s) to be used to determine heritage values and significance,
- process and practices for identifying and recording contributing resources (character-defining elements),
- location of areas exempt from survey, (if any) and
- sources consulted in designing the site assessment strategy.

## Description of Historic Site

This section should contain a brief description of the study area. It should include physical boundaries, landscape features and vegetation, water ways, buildings and other features.

## Legal and Planning Context

This section should contain a description of legislation and planning documents relevant to land-use planning on the site.

## Chronology

This section is a developmental timeline of the historic evolution of the site. It may be illustrated with photographs or other aids to help describe how the place has changed over time.

## Evaluation of Heritage Values and Significance

This section should outline how heritage values were determined through documentary research and direct consultation. The stakeholders consulted should be listed, including their involvement and interest in the site.

The summation of heritage values and significance should be defined in a Statement of Significance, following the standards outlined in the Heritage Branch's *Guidelines for Writing Statements of Significance* found at

<http://www.for.gov.bc.ca/ftp/heritage/external/!publish/web/Guidelines%20for%20Writing%20Statements%20of%20Significance.pdf>.

## Identification of Character-Defining Elements

This section should contain results of the heritage site survey including:

- maps showing area surveyed for contributing resources,
- maps showing all heritage resources in relation to the proposed project,
- the number of contributing resources surveyed and recorded,
- a brief narrative or tabular description of each resource including present condition and use, distinguishing features, and its general relationship to the regional environment and cultural setting,
- a qualitative and quantitative summary of all contributing resources or features observed and recorded, and
- an interpretation of the heritage resource inventory including observed spatial patterning of contributing resources in the project area, including temporal, functional and contextual characteristics.

## Impact Identification and Assessment

This section should contain a comprehensive statement of impacts related to the proposed project/development and a thorough assessment of their level of effect on heritage values and character-defining elements on the site. The impact assessment should include:

- a map of the project delineating areas of direct and indirect impact, and showing all recorded heritage resources,
- impacts which have occurred to date from exploration, engineering and other feasibility studies,
- the level of effect of project impacts on heritage values,
- areas of uncertainty regarding the impact assessment, and
- a schedule relating the timing of impacts to development stages.

## Conservation Strategies

This section should outline a list of strategies designed to mitigate the force of the impacts described in the previous section on heritage values and character-defining elements. The strategies should be tailored to each impact and its effect on values and CDEs, and should be based on *The Standards and Guidelines for the Conservation of Historic Places in Canada*.

## Recommendations

This section should outline a plan for amending the proposed project to integrate conservation strategies and to mitigate the negative impact on heritage values. This section should take into consideration the desired outcomes of both the proponent and the Heritage Branch, and balance development with conservation goals.

## References Cited

A comprehensive list of all literary sources cited in the overview report such as publications, documents and records should be presented in this section. The reference list should also include names and dates of all personal communications.

## Appendices

A variety of items should be appended to the overview report including:

- a bibliography of data sources consulted, but not necessarily cited in the report, which may be useful for future research,
- a copy of the consultant's terms of reference for the heritage impact assessment,
- a list of all recorded heritage resources in the study area, as well as unrecorded features reported in the literature or through informant interviews,
- appropriate tables, charts, graphs, maps, photos and other supportive materials, and
- names and addresses of persons or organizations interviewed during the background research stage of the study.