



# **Archaeological Reports**

**An Administrative Bulletin for Archaeologists in Ontario**

**Ministry of Tourism, Culture and Sport  
2017**

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ISBN 978-1-4435-6874-6 (HTML)  
ISBN 978-1-4435-6875-3 (PDF)

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# 1 Overview

This bulletin contains information about archaeological reports. The information in this bulletin is to help support a high-quality public record of archaeology in Ontario, promote government transparency by clarifying ministry requirements and operational processes, and provide licensed archaeologists with good customer service

The bulletin will help you, as a licensed archaeologist working in Ontario, meet the terms and conditions of your licence by clarifying the report requirements for your archaeological work. You are responsible for filing a project report package with the Ministry of Tourism, Culture and Sport (ministry) to document each archaeological project carried out under your licence. All reports must be filed using Ontario's Past Portal (PastPort) by the ministry-assigned deadline.

PastPort is the ministry's secure online archaeology licensing portal. All licensed archaeologists must have a PastPort account. For information about PastPort accounts see our [website](#).

## Information for consultant archaeologists

Throughout this bulletin, blue sections like this one contain information about archaeological assessment reports for consulting projects.

**Contact us:** if you have any questions or concerns about the information in this document, please email us at [archaeology@ontario.ca](mailto:archaeology@ontario.ca).

## 2 Archaeological reports and the public record of archaeology in Ontario

Archaeological reports filed with the ministry document the archaeological projects carried out in the province. The information they contain forms part of the public record of archaeology in Ontario.

All licensed archaeologists are responsible for ensuring that each report that they file with the ministry includes a complete record of the archaeological project that it documents. This is important both for the people of Ontario and for other archaeologists who will rely on those reports when carrying out future archaeological research.

### 2.1 The Ontario Public Register of Archaeological Reports

Section 65.1 of the *Ontario Heritage Act* provides for a register of archaeological reports. Archaeological reports filed with the ministry after April 28, 2005 (the date the most recent version of the act was proclaimed in force) are entered into the *Ontario Public Register of Archaeological Reports* (the register).

Reports in the register are available to any member of the public upon request. In order to protect personal privacy and sensitive archaeological sites, the ministry removes the following information from the report before releasing it to the public:

- personal and sensitive information
- the locations of archaeological sites for which there are still concerns
- cover letters and any supplementary documentation filed with the report

### 2.2 Accessing and searching the register

You can search the register through the Report module in Ontario's Past Portal (PastPort). PastPort provides detailed information about each report. You will find PDF copies of many of the reports in the register in the Attachment section of the report record in PastPort. If a copy of the report is not available in PastPort, please email [Archaeology@ontario.ca](mailto:Archaeology@ontario.ca) to request one. In addition to the report, unlike members of the public, you have access to all supplementary documents.

The ministry does not guarantee the accuracy, completeness or quality of reports in the register. It is your responsibility to prepare a report that is complete, accurate and meets ministry requirements for fieldwork and reporting.

## 3 Filing archaeological reports as a licence condition

As a licensed archaeologist, you must file an archaeological report with the ministry upon completion of each archaeological project that you undertake. This is required under the terms and conditions of your licence. All reports must be filed through PastPort by their ministry-assigned deadline.

### 3.1 How the ministry uses the information in archaeological reports

The ministry uses the information that you provide in your archaeological reports to:

- ensure that your licence was in good standing when fieldwork began,
- confirm that the field director for the project had an Applied Research or Professional licence that was in good standing when fieldwork began,
- ensure that the report fully documents the archaeological project to inform the public record,
- provide proponents and approval authorities of development applications with information for the development approvals process (archaeological assessment reports only), and
- gather data about archaeological projects in the province.

### 3.2 Archaeological reports and your record of licence compliance

The ministry undertakes the technical review of select archaeological reports as part of its regulatory oversight of licensed archaeologists.

In order to help ensure the good standing of your licence:

- make sure that all reports meet the terms and conditions of your licence,
- ensure that fieldwork and reporting is compliant with ministry requirements,
- fully address all concerns that the ministry raises as a result of its review of a report by filing a revised report that is fully compliant with ministry requirements, and
- file all reports and revised reports by their deadlines.

Repeated failure to meet the requirements listed above may trigger a ministry review of your licence compliance.

#### Information for consultant archaeologist

Consultant archaeologists must follow the *Standards and Guidelines for Consultant Archaeologists* (Standards and Guidelines) in order to meet the terms and conditions of their licence. The standards for preparing reports and filing them with the ministry can be found in Section 7.

## 4 When to file an archaeological report

### 4.1 Report filing deadlines

A Project Information Form (PIF) provides the ministry with information about archaeological projects planned in Ontario. When submitted, if the information on your PIF is complete, accurate and meets the licensing requirements above, the ministry will assign a tracking number (called a “PIF number”) to your project and set a filing deadline for the report. You will receive an email containing both the PIF number and the report filing deadline from [PastPort@ontario.ca](mailto:PastPort@ontario.ca). You **must** obtain the PIF number before you begin work.

For information about how to submit a PIF, see the [Project Information Forms](#) bulletin, which can be found in PastPort’s Resource Centre.

#### 4.1.1 Deadlines for consulting projects

For all Stage 1, 2 and 3 archaeological assessments, the report deadline is **12 months** from the project start date.

For a Stage 4 archaeological assessment, the report deadline is **18 months** from the project start date.

#### 4.1.2 Deadlines for research projects

The report filing deadline for research projects is **12 months** from the project start date if the project involves any of the following fieldwork activities:

- site condition inspection
- pedestrian survey
- test pit survey
- controlled surface pick-up
- test unit excavation

The deadline is **18 months** from the project start date if the project involves any of the following fieldwork activities:

- archaeological site mitigation
- field school
- public archaeology

#### 4.1.3 Deadlines for revised reports

If the ministry’s review of a report determines that requirements for fieldwork or reporting have not been met, you will receive a letter outlining the matters that are of concern. This letter will instruct you to submit a revised report and will include a filing deadline for the revised report ([Section 7.5.3](#)).

### 4.2 Meeting report filing deadlines: report package completeness

A report filing deadline is only considered met when all fieldwork for the project is completed and a complete project report package has been ‘filed’ with the ministry.

‘Filed’ means that the report package has successfully passed the ministry’s completeness check ([Section 5.3](#)). You will receive an email confirmation from [PastPort@ontario.ca](mailto:PastPort@ontario.ca) when your report package has passed the check and been filed. If your report package does not pass the completeness check, you will receive an email requesting further information.

### 4.3 Keeping track of your report filing deadlines

PastPort helps you to track and manage your report filing deadlines. The “Items Requiring Attention” section on your PastPort Home screen lists all of your reports that are due, along with their deadlines.

### 4.4 Extensions to report filing deadlines

The ministry recognizes that from time to time extenuating circumstances may arise that will interfere with your ability to file a report by the assigned deadline. In these cases, the ministry may grant an extension to the deadline.

#### 4.4.1 How to request a deadline extension

All extension requests (for original and revised reports) **must** be submitted through PastPort before the report filing deadline has passed. All archaeological site forms related to the project **must** be submitted before an extension will be considered.

PastPort has the command to request an extension for an original report in the PIF module and the command to request an extension for a revised report in the Report module.

When making an extension request you must provide:

- a statement of the proposed date by which the report will be filed
- any relevant documentation to support the request

#### Information for consultant archaeologists: Deadline extensions for Stage 4 excavation projects

If you are requesting an extension for a Stage 4 excavation project you must file a preliminary excavation report with the ministry before an extension will be considered. See section 7.11.8 in the Standards and Guidelines for details.

For other stages of work, the ministry may require an interim report.



#### **4.4.2 Ministry responses to extension requests**

Extensions are granted at the discretion of the ministry. Within five business days of submission you will receive an email from [PastPort@ontario.ca](mailto:PastPort@ontario.ca) providing you with one of the following responses:

- The request is being considered (this email may include a request for more information)
- The extension has been granted (a new report filing deadline will be included in the email)
- The extension has not been granted (the reasons for the decision will be included in the email)

#### **4.5 Missing a report filing deadline**

If you miss a report filing deadline and your report becomes overdue, you will become ineligible to begin new fieldwork projects, act as a field director or renew your licence until the report has been filed.

## 5 How to file an archaeological report

### 5.1 Project report package (PRP)

You must file archaeological reports with the ministry as part of a PRP through PastPort. In addition to entering information about the report into PastPort, you must also attach electronic copies of the following items related to the project:

- the report
- a record of Aboriginal Engagement (if applicable)
- development map (for consulting projects)
- all relevant supplementary documentation

Before you can submit your report, you must file any site record or site update forms associated with the project through PastPort's "Archaeological Site" module. For information about site forms see the [Archaeological Site Forms](#) bulletin. You can also find this document in PastPort's Resource Centre.

### 5.2 Reports on previous stages must have been filed first

The ministry requires that PRPs for all previous stage assessments are filed before allowing you to submit PRPs for subsequent stages.

This helps to ensure that reports are reviewed sequentially by the stage of assessment and in a timely manner.

For Stage 4 preliminary excavation reports, all previous stage reports must be filed and entered into the register. Please see [section 6.3](#) for more information.

#### 5.2.1 Confidential information and supplementary documentation

You are responsible for ensuring that all of the reports that you file with the ministry contain no confidential or sensitive information as defined in the *Freedom of Information and Protection of Privacy Act* (FIPPA). Confidential and sensitive information should only be included in supplementary documentation.

Supplementary documentation is not entered into the *Ontario Public Register of Archaeological Reports* ([Section 2.2](#)). However, it may include information that is required for the complete documentation of an archaeological project. It must be filed in a format that allows it to be separated from the report (i.e., as separate attachments in PastPort).

The following information belongs in supplementary documentation:

- Maps that pinpoint the locations of archaeological sites within the property or within 1km if they are of further concern

- Coordinates of the locations of archaeological sites if they are of further concern
- Correspondence with approval authority re: protected lands
- Any technical advice received from the ministry
- Documentation of Aboriginal engagement
- Any confidential or sensitive information

As this documentation will be kept on file with the ministry, it may be subject to provisions under FIPPA that provide a right of access to certain ministry records.

#### Information for consultant archaeologists

Section 7.6 of the Standards and Guidelines includes standards for submitting supplementary documentation to the ministry as well as information on FIPPA (Sections 7.3.3 and 7.3.4).

### 5.3 How to submit the project report package

All PRPs must be submitted through PastPort. The ministry will not process report packages received by mail or email. Instructions for how to submit PRPs can be found in PastPort.

Once a PRP is submitted, you will receive an email from [PastPort@ontario.ca](mailto:PastPort@ontario.ca) confirming the ministry has received it.

### 5.4 Ministry check for project report package completeness

The ministry screens all PRPs for completeness (i.e., all required parts of the report package are present and accurate) within 10 business days of receipt.

#### Information for consultant archaeologists

See Section 7.8.5 of the Standards and Guidelines for the required components of a project report package.

If the report package is complete, the ministry will:

- send you a notification email from [PastPort@ontario.ca](mailto:PastPort@ontario.ca)
- file the report
- place it in the queue of reports awaiting review or enter it into the register with no technical review

If the report package is missing information, we will:

- send you an email from [PastPort@ontario.ca](mailto:PastPort@ontario.ca) that lists the missing information
- set the PRP status in PastPort to ‘Pending additional information’

## **5.5 How to file a revised report**

If you receive a report review letter from the ministry that outlines concerns with a report, you must file a revised report that addresses all of the concerns by the deadline specified in the letter (Section 7.5.3).

In order to be filed, a report must pass the completeness check. Submitting a report does not mean the report has been filed, so it is best to submit your report a minimum of 10 days before the deadline in order to ensure that it is filed in time. Failure to do so can impact your ability to begin new fieldwork.

If the ministry has requested changes to maps, site forms or other supplementary documentation, you must submit revised versions of these as well.

## 6 Consulting archaeological assessment reports

The information in this section applies to only archaeological assessment projects carried out by consultant archaeologists.

### 6.1 Combinations of assessment stages allowed in reports

Consultant archaeologists may include documentation of Stage 1, 2 and 3 assessments in a single report. Stage 4 mitigation must be documented by a separate report for each archaeological site. You may report on work done under multiple PIF numbers in a single report, but the same PIF number may not be applied to more than one report. If you encounter issues with submitting a single report completed under multiple PIF numbers, please contact us at [Archaeology@ontario.ca](mailto:Archaeology@ontario.ca) to ensure there are no delays with submission.

Because you are responsible for the work carried out under your licence, Stages 1, 2 and 3 may be combined into a single report **only if** all three stages were completed with PIFs associated with your licence. The work of different licensees cannot be combined in a single report.

Although you may report on multiple sites within one report, the ministry will not be able to issue a letter stating that a report is compliant until concerns for all sites documented therein have been addressed. Concerns over one site can delay development in all areas of a property or an entire project corridor, even if the site occupies only a tiny part of the project area and concerns for all other sites in the project area have been addressed. One way to reduce the chances of this is to file Stage 3 reports for individual sites or report on small groups of sites that are in close physical proximity to each other.

### 6.2 Reporting on assessments that involve the work of more than one licensee

Development proponents may hire several licensed archaeologists to complete a single stage of archaeological assessment. For example, you may be hired to survey certain areas of a large property, while another licensee is hired to survey the rest.

Licensees who submitted a PIF for the assessment are responsible for filing a report on their own work. This also applies to work by different licensees employed by the same archaeological consulting company.

### 6.3 Preliminary excavation reports

You may submit preliminary excavation reports to the ministry in cases where your client needs to proceed with their development project and the final Stage 4 report, including artifact analysis, is not yet finished. To be able to do so, make sure the Stage 4 project meets all of the following criteria:

- The site is large
- Stage 2 and 3 reports have already been filed and entered into the register
- Excavation of the archaeological site has been completed in its entirety
- The related site update form has been filed

The ministry gives priority review status to all preliminary excavation reports. If the preliminary excavation report meets the Standards and Guidelines, the ministry may issue a letter including the recommendation that there are no further concerns for the archaeological site that was excavated.

A preliminary excavation report will not fulfil your obligation to file a final Stage 4 excavation report. You must file a final Stage 4 report by the report filing deadline in order to meet your obligations under the terms and conditions of your licence.

### **6.3.1 How to file a preliminary excavation report**

Preliminary excavation reports must be filed with the ministry through PastPort.

See Sections 7.11.7 and 7.11.8 of the Standards and Guidelines for more information on filing preliminary excavation reports and their required content.

## 7 How the ministry reviews archaeological reports

The ministry undertakes the technical review of select archaeological reports as part of its regulatory oversight of licensed archaeologists. Report review is also part of the ministry's mandate to promote the conservation, protection, and preservation of Ontario's archaeological sites.

Reports are reviewed to confirm that the archaeologists who have prepared them have met the terms and condition of their licence, including ministry requirements for fieldwork and reporting, when carrying out archaeological projects.

Reports are also reviewed to ensure that they are clear in their documentation of fieldwork, including field conditions, survey and excavation activities, artifacts, and cultural features.

The report review process emphasizes consistency and transparency. To ensure the consistency of ministry reviews, ministry reviewers adhere to standardized procedures for reviewing reports and providing comments to the licensed archaeologists who prepared them.

### Information for consultant archaeologists

As a condition of their licence, consultant archaeologists must meet or exceed the standards for fieldwork and reporting set out in the Standards and Guidelines.

Standards set out the basic technical, process, and reporting requirements for archaeological assessments. Standards may be any or all of the following:

- specific to a particular stage of archaeological assessment
- general in nature and related to any stage of fieldwork and reporting
- specific to the type of archaeological site being assessed
- requirements for carrying out alternative strategies under special conditions.

For advice on how to best approach situations not covered by standards, please email us at [Archaeology@ontario.ca](mailto:Archaeology@ontario.ca).

### 7.1 The ministry's streamlined approach to report review

The ministry recognizes the importance of short report review turnaround times for:

- ensuring the conservation of archaeological resources
- providing archaeologists feedback on their compliance with ministry requirements for fieldwork and reporting
- providing good customer service to consultant archaeologists and their clients

The ministry's streamlined approach to report review helps to facilitate these objectives.

### 7.1.1 Strategic selection of reports for technical review

When selecting reports for technical review, the ministry takes into account the potential risk of impacts to archaeological sites. Lower risk reports may be entered directly into the register without review, however the ministry reserves the right to review any report and may audit lower risk reports to ensure compliance with the *Terms and Conditions for Archaeological Licences*, including requirements for fieldwork and reporting.

### 7.1.2 Detailed and focussed reviews

#### Information for consultant archaeologists

Your archaeological assessment reports may receive either detailed or focussed reviews.

**Detailed reviews** involve the review of the report against all applicable standards in the Standards and Guidelines.

**Focussed reviews** concentrate on a selection of applicable standards.

Regardless of the type of review that your report receives, as a consultant archaeologist you are required to comply with both the terms and conditions of your licence and the Standards and Guidelines.

## 7.2 Your role in the report review process

You can help create efficiencies in the report review process by:

- ensuring that you provide a sufficient level of detail in your reports, including complete explanations for the rationale behind any decisions based on professional judgment
- consulting the ministry for advice when uncertainties arise over a project
- consulting the ministry for advice if there are difficult decisions to be made, before or during fieldwork

For information on how to obtain advice from the ministry, see the *Project Information Forms* bulletin.

#### Information for consultant archaeologists

You can help to ensure that your client's development schedules are met by:

- filing report packages as quickly as possible after fieldwork is complete
- filing report packages with enough lead time to accommodate both the ministry's completeness check and technical report review within your client's schedules
- informing clients about report filing deadlines and the ministry's review process, including associated timelines

## 7.3 Priority of ministry report reviews



The ministry's system for prioritizing report reviews helps to ensure that archaeological assessment reports associated with government priorities and tight development timelines are reviewed as quickly as possible. When determining which reports to review first, the ministry considers both the risk to archaeological sites as well as pressures on proponents to obtain development approvals.

The ministry's priority (from highest to lowest) for reviewing both original and revised reports is as follows:

1. Archaeological projects considered part of broader Government of Ontario priorities. This includes proposed renewable energy projects (e.g., those subject to either the Renewable Energy Approvals regulation, or the Class Environmental Assessment for Waterpower Projects) and Provincial infrastructure projects (e.g., transit projects, highways, pipelines).
2. Stage 4 preliminary excavation reports.
3. Stage 3 archaeological assessment reports.
4. All revised reports.
5. All other reports.

In addition, as part of the ministry's commitment to good customer service, expedited reviews of archaeological assessment reports may be granted.

## **7.4 Requests for expedited report reviews**

Expedited reviews of archaeological assessment reports help ensure that reports for development projects with tight timelines are addressed quickly. In most cases ministry comments on reports are not required for development approvals. However, approval authorities often use ministry review letters as part of their due diligence in determining that a development application is complete and meets provincial expectations for the protection and conservation of archaeological resources.

Expedited reviews are granted at the discretion of the ministry. You must submit a request for an expedited review through PastPort. The request must demonstrate that your client or the approval authority for the development project is facing a critical impending deadline. The request will only be considered once the PRP has successfully passed the ministry's completeness check.

PastPort requires that your request include the following:

- a detailed statement regarding the need for an expedited review
- documentation from your client, the approval authority or other concerned parties regarding the need to meet a development project deadline
- the date by which a review is needed (allow a minimum of 20 business days for an expedited review to be completed)

When deciding whether or not to grant the request, the ministry may consider:

- the rationale for the request provided
- the supporting documentation provided
- the nature of the critical deadline being faced by the proponent or approval authority

The ministry will review each request and respond within five business days. You will receive an email from [PastPort@ontario.ca](mailto:PastPort@ontario.ca). The email will state whether the request has been granted and, if so, the estimated date by which the ministry will review the report.

If a revised report is filed and the original report received an expedited review, the ministry will automatically expedite the review of the revised report. There is no need to submit an expedited review request for the revised report.

## 7.5 Report-related letters issued by the ministry

The ministry issues five standard letters regarding filed reports:

1. No technical review letter (7.5.1)
2. Compliant letter (7.5.2)
3. Revision request letter (7.5.3)
4. Incomplete letter (7.5.4)
5. Non-compliant letter (7.5.5)

### 7.5.1 No technical review letter

If the ministry determines that the project documented in the report is low risk for impacts to archaeological sites, the ministry will issue a letter stating that the report has been entered into the register without technical review.

#### Information for consultant archaeologists

##### Who will receive this letter?

No technical review letters are emailed to the licensed archaeologist and copied to both the proponent and approval authority for the development project.

Because the report has not been reviewed, the letter will not indicate whether or not the report and its recommendations meet the Standards and Guidelines. The recommendations made in the report will not be quoted in the letter.

### 7.5.2 Compliant letter

If the ministry review determines that requirements for fieldwork and reporting have been met, a compliant letter will be issued to the licensed archaeologist. The letter will state that the report has been entered into the register and will quote the recommendations contained in the report.

## Information for consultant archaeologists

### Who will receive this letter?

**Compliant letters** are emailed to the licensed archaeologist and copied to both the proponent and approval authority for the development project. The letter will state that the report is compliant with the Standards and Guidelines. It will also quote the recommendations made in the report with regard to:

- whether or not further archaeological assessment is required
- the details of any further work required for a specified archaeological site(s)
- whether or not there is further cultural heritage value or interest for a specified archaeological site(s), as per Section 48(3) of the *Ontario Heritage Act*

Because the recommendations made in the report are quoted directly in the letter, you must ensure that the recommendations are complete, appropriate and detailed. This is critical for minimizing the risk of negative alterations or impacts to archaeological sites.

### Projects subject to Ontario Regulation 359/09 Renewable Energy Approvals

The ministry does not issue separate ‘written comments’ letters to proponents of Renewable Energy Approvals (REA).

For these projects, the compliant letter includes a statement noting that the letter constitutes the ministry’s written comments in accordance with O. Reg. 359/09. Your client, as the proponent, must submit the compliant letter to the Ministry of the Environment as part of a complete REA application.

Each report will result in a separate letter. If a REA project involves more than one archaeological assessment report, all final reports along with their corresponding letters (one for each report) must be included in your client’s REA application.

A REA project may involve more than one archaeological assessment report because:

- archaeological site(s) documented during the assessment require additional stages of work
- there have been changes in project layout
- new lands, not previously assessed, have been added to the project area

You may need to provide your client with a copy of the final review letter for each report related to the REA project. Your client must include all related letters in their REA application.

#### 7.5.3 Revision request letter

If the ministry’s review of a report determines that requirements for fieldwork or reporting have not been met, the ministry will issue a revision request letter to the licensed

archaeologist. The letter will list the ministry's concerns and include a deadline by which a revised report must be filed. It will also identify any other supplementary documentation required (Section 5.1.1).

In order to address the concerns you may be required to:

- carry out additional fieldwork
- provide additional documentation
- clarify the information provided in the report

A revised report that fully addresses all of the concerns raised in the letter must be filed by the deadline. The ministry will then review the revised report and may enter the report into the register if all concerns are found to be addressed. Subsequent stages of assessment that have already been filed will not be reviewed until this has occurred.

If a revised report is not filed by the deadline, or if the revised report does not address all of the concerns identified in the letter to the ministry's satisfaction, the report may be considered incomplete and the review of the report may be terminated (Section 7.5.4).

#### **Information for consultant archaeologists**

##### **Who will receive this letter?**

**Revision request letters** are emailed to the licensed archaeologist only. They are not copied to the proponent or approval authority for the development project.

#### **7.5.4 Revision requests: effects on your licence**

If a high percentage of your reports filed during the current term of your licence require revision, this may impact your record of licence compliance and your ability to renew your licence when it expires. It may also trigger an immediate review of your overall record of licence compliance.

#### **7.5.5 Incomplete letter**

Incomplete letters are issued in cases where the ministry has identified concerns with a report (through a revision request letter) and a revised report either

- is not filed with the ministry before the assigned deadline; or,
- has been filed, but does not fully address all of the concerns identified in the revision request letter to the ministry's satisfaction.

The letter will indicate that the ministry's review of the report has been terminated.

If the review of your report is terminated, you may at any later date submit a further revised PRP that fully addresses the concerns identified in the revision request letter.

## Information for consultant archaeologists

### Who will receive this letter?

**Incomplete letters** are emailed to the licensed archaeologist only. They are not copied to the proponent or approval authority for the development project.

A brief email will be sent to both the proponent and approval authority. This email will notify them that the ministry's review of the report has been terminated because the report is incomplete. The email will indicate that there are outstanding concerns for the property or archaeological site(s) that was assessed.

### Incomplete reports: effects on your licence

If a report is deemed incomplete and the ministry's review of the report has been terminated, you will become ineligible to begin new fieldwork projects or act as a field director on any archaeological project until a revised report that fully addresses all of the ministry's concerns has been filed.

Repeated instances of reports being deemed incomplete during the current term of your licence may impact your record of licence compliance and your ability to renew your licence when it expires. They may also trigger an immediate review of your overall record of licence compliance.

### 7.5.6 Non-compliant letter

Non-compliant letters are issued in cases where the ministry has identified concerns with a report (through a revision request letter) and upon reviewing a revised report the ministry continues to have concerns with its content.

In these cases, the ministry may consult the licensed archaeologist in order to determine if the concerns can be resolved through one further round of report revisions. If the concerns cannot be resolved, the ministry may deem that the report is non-compliant.

A report will only be deemed non-compliant when:

- the ministry has determined that incompetent or destructive fieldwork has occurred and there is no possibility that additional fieldwork, reporting or other revisions can resolve the concerns that have been identified
- when the ministry has discovered other violations of the *Terms and Conditions for Archaeological Licences*

Violations of the *Terms and Conditions for Archaeological Licences* can include:

- carrying out fieldwork without a valid licence
- carrying out fieldwork without a PIF number
- delegating field director responsibility to someone who does not hold a valid licence

The ministry will deem a report non-compliant only as a last resort. If a report is deemed non-compliant the ministry will not accept further revised reports submitted under the associated PIF number.

If you have filed a preliminary excavation report with the ministry, a full Stage 4 report under the same PIF must be filed by the report filing deadline. This is the case no matter the outcome of the review of the preliminary excavation report.

Non-compliant reports may be entered into the register if there is no basis for further archaeological assessment or the site has no further cultural heritage value or interest. The non-compliant letter will indicate whether or not the report has been entered into the register.

### **Information for consultant archaeologists**

#### **Who will receive this letter?**

**Non-compliant letters** are emailed to the licensed archaeologist only. They are not copied to the proponent or approval authority for the development project.

A brief email will be sent to both the proponent and approval authority. The email will state that the report has not met the Standards and Guidelines. The email will direct them to the licensed archaeologist should they have any questions or concerns about the results of the ministry's review.

### **Non-compliant reports: effects on your licence**

If a report is deemed non-compliant during the current term of your licence it will impact your record of licence compliance and your ability to renew your licence when it expires. It may also trigger an immediate review of your overall record of licence compliance.

## **7.6 Retention of the project report package**

Once a report has been entered into the register, electronic copies of all other parts of the report package, including supplementary documentation and related correspondence, are stored indefinitely in PastPort.

## 8 Glossary

### **Aboriginal engagement**

Involving Aboriginal communities in each stage of an archaeological project, to the extent and in the manner that best suits their interests and the needs of the project.

### **approval authority**

In the land use and development context, this includes any public body (e.g., municipality, conservation authority, provincial agency, ministry) that has the authority to regulate and approve development *projects* that fall under its mandate and jurisdiction (e.g., *Planning Act*, *Environmental Assessment Act*, *Aggregate Resources Act*).

### **archaeological assessment**

For a defined project area or property, a survey undertaken by a licensed archaeologist within those areas determined to have archaeological potential (the possibility that the property contains archaeological resources) in order to identify archaeological sites, evaluate their cultural heritage value or interest, and determine their characteristics. Based on this information, the archaeologist recommends the appropriate means to mitigate impacts to the sites, if any.

### **archaeological project**

Any aspect of the archaeological assessment (Stages 1-4), including background study, property survey, archaeological site assessment, mitigation and reporting.

### **archaeological resources**

In various planning and development contexts, the term may refer to any or all of archaeological potential, artifacts and archaeological sites.

### **archaeological site**

Defined in Ontario regulation 170/04 as “any property that contains an artifact or any other physical evidence of past human use or activity that is of cultural heritage value or interest”.

### **consultant archaeologist**

Defined in Ontario regulation 170/04 as “an archaeologist who enters into an agreement with a client to carry out or supervise archaeological fieldwork on behalf of the client, produce reports for or on behalf of the client and provide technical advice to the client.” In Ontario, these individuals also are required to hold a valid professional archaeological licence issued by the ministry.

### **cultural heritage value or interest**

For the purposes of the *Ontario Heritage Act* and its regulations, locations that possess cultural heritage value or interest are protected as archaeological sites under Section 48 of the act. The presence of cultural heritage value or interest and its degree are determined through archaeological fieldwork carried out by a licensed archaeologist.

### **FIPPA**

Freedom of Information and Protection of Privacy Act

### **guideline**

In the context of the *Standards and Guidelines for Consultant Archaeologists*, an optional instruction or good practice. Consultant archaeologists can carry out the stated activity if they want to or if circumstances indicate the practice is an acceptable alternative to the standard. Generally uses the word “may”.

### **licensee**

A person holding an archaeological licence.

### **Ontario Public Register of Archaeological Reports**

The collection of reports on licensed archaeological fieldwork in Ontario, as prescribed by Section 65 of the *Ontario Heritage Act*.

**PastPort**

Ontario's Past Portal. The ministry's web-based archaeological licensing portal.

**project area**

The lands to be impacted by the project, such as, the area of a development application under the Planning Act, the area to be licensed under the Aggregate Resources Act, or the area that will be physically altered as a result of the activities associated with the project. This may comprise one or several properties, which may or may not be adjoining. However, all the properties must be part of one project that is being undertaken by one proponent.

**Project Information Form (PIF)**

The form archaeological licence-holders must submit to the Ministry of Tourism, Culture and Sport upon deciding to carry out fieldwork.

**Project Report Package (PRP)**

The information package submitted to the Ministry of Tourism, Culture and Sport for each archaeological project undertaken by a licensee. This package includes a copy of the report, and supplementary documentation.

**proponent**

An entity, consisting of individuals, private corporations or government bodies, that is undertaking a development project.

**REA**

Renewable Energy Approvals (Ontario Regulation 359/09 under the Environmental Protection Act).

**standard**

In the context of the *Standards and Guidelines for Consultant Archaeologists*, it describes the mandatory instruction or practice that the archaeologist is required to carry out if doing the stated activity. The mandatory instruction will use the words "must" or "should".