

**TABLE OF CONTENTS**

- [DEFINITIONS](#)
- [PERMIT CATEGORIES](#)
- [APPLICANT QUALIFICATIONS](#)
- [APPLICATION PROCEDURES AND GENERAL CONDITIONS](#)
  - I. Permit Application
  - II. General Conditions
- [DESCRIPTION OF PROJECT](#)
- [INVESTIGATIVE PROCEDURES](#)
- [REPORTING PROCEDURES](#)
- [COLLECTIONS AND RECORDS: STANDARDS AND DISPOSITION](#)
  - I. Collections
  - II. Site Records
  - III. Supporting Documentation
- [GENERAL CONSIDERATIONS](#)

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**DEFINITIONS [R.S., c. 438, s.3]**

**Act** - means the [Special Places Protection Act](#)

**Archaeological excavation** - means a specific field research program carried out for the purpose of locating, systematically recovering by controlled excavation techniques, analyzing, and interpreting archaeological resources;

**Archaeological reconnaissance** - means an examination of a defined area to locate archaeological resources using methods that do not include disturbance of subsurface deposits, but may involve limited surface collection;

**Archaeological survey** - means an examination of a defined area, including subsurface deposits, for the purpose of obtaining information on the archaeological resources located on, in or under the land, or underwater;

**Archaeological resource impact assessment** - means an inventory and evaluation of archaeological resources and the assessment of impacts in connection with development proposals which will potentially disturb or alter the landscape, thereby endangering archaeological sites;

**Archaeological resource** - means a work of past human activity, or zoological, botanical, geological or other natural materials found in association with such activity that:

(i) is primarily of value for its prehistoric, historic, cultural or scientific significance; and

(ii) lay on, or was buried or partially buried in land in the province, including land covered by water.

**Burial** - means human remains and objects placed with human remains either at the time of burial or later;

**Excavate** - means to employ standard archaeological techniques to explore for, locate or recover archaeological resources;

**Permit Period** - means the period specified on the archaeological research permit for which the permit is valid;

**Artifact** - means an object, or any part of an object, that was made or used by human beings and that has been deposited, discarded, lost or abandoned in or on the land, including land covered with water;

**Specimen** - means a sample of organic or inorganic matter, whether modified or not by cultural activity, collected for scientific analysis in conjunction with archaeological research;

**Wreck** - means a land vehicle, a water vessel or an aircraft, any part of a land vehicle, a water vessel or an aircraft, or any object that is found in, or in conjunction with a land vehicle, a water vessel or an aircraft that has been discarded, lost or abandoned;

**Site** - means land, including land covered by water, that contains an artifact, a structure, a burial, a wreck, a specimen, or a combination thereof associated with past cultural activities;

**Overview** - means an identification and assessment of archaeological resource potential or sensitivity within a specific area;

**Minister** - means the Minister of Communities, Culture and Heritage;

**Museum** - means the Nova Scotia Museum as established by the *Nova Scotia Museum Act* (Chapter 211 of the Revised Statutes of Nova Scotia 1967)

**Resources Archaeologist** - means the Curator of Archaeology of the Nova Scotia Museum;

**Conservator** - means conservator as defined in the *Code of Ethics and Guidance for Practice for Those Involved in the Conservation of Cultural Property in Canada*; and who is experienced in the field of archaeological conservation;

**Examination Records** - means examination records as defined in the *Code of Ethics and Guidance for Practice for Those Involved in the Conservation of Cultural Property in Canada*.

### PERMIT CATEGORIES

Heritage Research Permits (Archaeology) may be granted by the Minister for:

- (A) Archaeological reconnaissance;
- (B) Archaeological research;
- (C) Archaeological resource impact assessment;

A Category A permit may be issued to an individual who will be responsible for the conduct of a reconnaissance project, the communication of its results and the performance of project assistants. Persons who intend to examine an area on land or underwater with the objective of recording site or artifact locations without causing any disturbance to archaeological resources, other than a properly recorded, systematic and limited collection of resources exposed on the surface of the ground (Surface Collection), should complete a Category A permit application. Sites and artifact locations noted opportunistically do not require the submission of a permit application form, although a report should still be filed with the Culture and Heritage Development. Category A permits are issued only for field reconnaissance and are primarily designed to accommodate the activities of avocational archaeologists.

## **APPLICANT QUALIFICATIONS [R.S., c. 438, s. 8.3.(b)]**

An applicant for a Category A permit must be able to execute all aspects of the project described in the application, including the preparation of a report and supporting documents. The provision of three references that have knowledge of the applicant's skills and experience may be accepted as documentation.

## **APPLICATION PROCEDURES AND GENERAL CONDITIONS**

### **I. Permit Application**

A person who applies for a Category A Heritage Research Permit (Archaeology) shall submit to the Minister through the Manager, Special Places, an application form obtainable from the Culture and Heritage Development.

A permit application must be submitted by the individual who will assume responsibility for all aspects of the project, in the field and in the laboratory.

An application for a Category A permit must be received by the Manager, Special Places, Culture and Heritage Development no later than one week (5 working days) prior to the commencement of the reconnaissance project.

Exceptions to submission deadlines will be considered only under unusual circumstances.

The application form for a Category A permit shall be accompanied by documentation evidencing that the applicant for the permit has the ability, to design, execute all aspects of the project described in the application, including the preparation of a report and supporting documents or can provide three references who have knowledge of the applicant's skills and experience.

## **II. General Conditions**

1. If a Heritage Research Permit (Archaeology) is issued, the *Description of Project* shall be considered to form part of the permit.
2. A permit is valid only for the permit period, which is restricted to the calendar year of issue. Any work planned for subsequent calendar years will require separate permits for each calendar year involved.
3. Permits must be produced for inspection in the field upon request.
4. The Minister may cancel a permit at any time and the permit shall, upon cancellation, cease to be in force. R.S., c. 438, s. 10.
5. A permit application may be made for an archaeological project involving several locations; however, if another project is initiated even in the same location, another application must be submitted.
6. A permit holder may apply to the Minister through the Manager, Special Places, Culture and Heritage Development to amend the permit and the Minister may refuse, allow or vary the amendment in whole or in part and alter the permit accordingly.
7. A permit holder shall be involved personally in the field investigations by carrying out the work required or by directly supervising the individual conducting the investigation for at least 75% of the time necessary to complete the project.
8. The permit holder shall obtain all necessary approvals to conduct research on private or public lands. R.S., c. 438, s. 9.(a).
9. The permit holder is bound by all municipal, provincial and federal legislation and regulations as they are applicable. R.S., c. 438, s. 9.(b).

## **DESCRIPTION OF PROJECT**

All applications for a Heritage Research Permit (Archaeology) must be accompanied by a complete 'Description of Project'. The information should be provided in the format given below. Failure to submit a complete application will delay approval of the permit until such time as all requirements are fulfilled.

1. Name:
2. Address:
3. Occupation:
4. Employer/Agency:
5. Date of Commencement of Field Investigations:
6. Date of Termination of Field Investigations:
7. Summary of Project:
8. Location of Project (Attach a 1:50000 map or larger scale indicating the location):
9. Project Description:
  - (a) scope and objectives of the proposed reconnaissance;
  - (b) potential contribution to knowledge and relation to existing site inventories;
  - (c) research plans, methods (indicate how field documentation is to be kept).

### **INVESTIGATIVE PROCEDURES**

In designing an archaeological reconnaissance project, the following components should be addressed:

- (a) Background research of the study area, including but not limited to:  
Documentary Research: the Culture and Heritage Development  
Archaeological Site File, and other published and unpublished sources as appropriate to the proposed project;  
Direct Consultation as appropriate;  
Field Reconnaissance: preliminary field visit to assess on site conditions and facilitate plans for further action.
- (b) A clearly defined statement of the goals and objectives of the project;
- (c) A clearly defined strategy for the reconnaissance. Activities are to be restricted to surface inspection, surface collection and other non-intrusive survey techniques. Proposed techniques should be specified;
- (d) All sites discovered or visited during the course of the reconnaissance must be recorded on the Maritime Archaeological Resource Inventory Site Survey Form. An attempt should be made to evaluate the significance of each site. Evidence of site looting, severe erosion problems, etc. should be

brought to the attention of the Resources Archaeologist; and

(e) Reporting of the project must be carried out as specified under Reporting Procedures below.

### **REPORTING PROCEDURES [R.S., c. 438, s. 8(3)(c)]**

If, during the course of carrying out work under a permit, the permit holder:

(a) discovers a new site, he/she shall report the discovery to the Manager, Special Places, Culture and Heritage Development within 30 days; or

(b) discovers that the integrity of a site is threatened, he/she shall report the discovery to the Manager, Special Places, Culture and Heritage Development within 48 hours.

The Executive Director, Culture and Heritage Development may require a permit holder to inspect sites identified by the Resources Archaeologist that are situated in the area described in the permit and to report any changes in the status of the sites to him in writing:

(a) within 90 days of the commencement of the permit period; or

(b) within 48 hours if the integrity of the site is threatened by any means.

A permit holder shall, within 30 days after the expiration of the permit, or within such further period specified in the permit, submit to the Manager, Special Places, Culture and Heritage Development

(a) Maritime Archaeological Resource Inventory (MARI), Site Survey Forms for all newly discovered sites;

(b) 1:50,000 National Topographic Series (NTS) maps showing areas investigated, procedures and sites recorded.

A permit holder shall, by the end of the calendar year in which the permit was issued, or by March 31 of the following year when the permit is issued within 90 days of the end of the year of issue, or within such further period specified in the permit, submit to the Director, Culture and Heritage Development:

(a) complete Maritime Archaeological Resource Inventory (MARI), Site

Survey Forms for all sites investigated under authority of the permit project;

(b) copies of project notes, catalogues, records and photographs as described under Collections and Records; and

(c) A typewritten **preliminary report** outlining activities carried out under permit for potential publication in the Archaeology in Nova Scotia review.

The permit holder shall, within 365 days from the expiration of the permit or within such further period specified in the permit, submit a **project report** to the Manager, Special Places, Culture and Heritage Development.

The **project report** shall be typewritten and shall:

(a) describe the field work undertaken and the locations and extent of investigations including:

- (i) accurately scaled maps, plans and sections showing the location of all sites and surveyed areas ;
- (ii) representative site photographs;
- (iii) details of all surface collection undertaken including methodology;
- (iv) a description of all artifacts and natural specimens collected including details and appropriate illustrations of diagnostic artifacts and other cultural and natural materials significant to the research objective stated in the permit application.

(b) describe the methodologies used in data acquisition, recording and analysis, including field, archival and laboratory investigations;

(c) describe the environmental and cultural factors relevant to the investigations;

(d) assess the current physical status of the site and any present or potential factors which could alter the current status;

(e) interpret the significance of sites investigated based on a summary examination of the findings, and;

(f) assess the results of the investigation in relation to the scope and objectives of the project as stated in the permit.

Where a **project report** is submitted within the calendar year in which the permit was issued, the requirement for a **preliminary report** shall be



waived.

Where a research project is continued for two or more seasons in addition to individual permit **project reports**, a permit holder shall submit a **final report** to the Manager, Special Places, Culture and Heritage Development within two years from the expiration of the final permit. A **final report** shall be typewritten and shall include a summary of the research project in its entirety including information as outlined for the permit **project report**.

A permit holder shall submit copies of all publications and/or theses produced, which contain reference to the archaeological research conducted under permit, to the Museum.

Publications and/or thesis may be submitted to the Minister for consideration as fulfillment of the **final report** requirement.

## **COLLECTIONS AND RECORDS: STANDARDS AND DISPOSITION**

### **I. Collections**

Collections consist of the artifacts, natural specimens and artifact catalogues from projects authorized by Heritage Research Permits (Archaeology).

In the case of Category A permits (reconnaissance):

- (a) collecting should be restricted to the minimum necessary to identify and evaluate the resource, and must also be restricted to surface collection;
- (b) quantities of detritus, fire-cracked rock, structural debris, etc. should not be collected;
- (c) provision must be made for artifact conservation if required, but collection of material requiring conservation should be avoided unless significant resources would otherwise be lost.

A person who conducts an archaeological project pursuant to a Heritage Research Permit (Archaeology) shall clean, number and catalogue all artifacts and specimens collected in the course of the project.

Each artifact or specimen must have an individual catalogue number assigned to it. Objects amenable to numbering are to be labeled with the correct Borden number and a consecutive artifact number. Group numbering for small artifacts is permitted but in all cases a sequential number should be assigned to each artifact (not necessarily written on the artifact itself). The use of a single catalogue number for groups of items is not permitted.

Collections must be catalogued on original Nova Scotia Museum Archaeological Specimen Record forms, or comparable forms approved by the Nova Scotia Museum. The permit and site number must appear at the head of each sheet, and only one site per catalogue sheet or sheets is allowed. Each item is to be identified using Canadian Heritage Information Network (CHIN) Object Name terminology, and its provenience recorded according to the form specifications.

A permit holder shall be responsible for ensuring that necessary changes are made to correct any errors found in the cataloguing of archaeological collections submitted to the Nova Scotia Museum.

Conservation of all archaeological objects recovered under permit is the responsibility of the permit holder, who shall:

- (a) ensure that the conservator assesses all archaeological objects recovered under permit in terms of conservation requirements;
- (b) provide the Museum with all examination records; and
- (c) provide the Museum with detailed treatment records.

Treatment records shall be signed and dated by the conservator and shall include the following information:

- (a) site name and Borden designation;
- (b) permit and specimen numbers;
- (c) name, description, material(s) and condition of the archaeological object;
- (d) details of treatment including treatment proposal, materials used, and methods and techniques employed during treatment; and
- (e) future conservation requirements.

Collections and catalogues are to be delivered to the Museum within a period of two years from the expiration of the permit, with two weeks' notice to the Manager of Collections, Culture and Heritage Development.

Collection submissions are to be made in strong, medium sized cardboard boxes. Each box should be labeled with the permit number(s) and the sites(s) contained therein, as well as the address and name of the sender. Artifacts are to be protected from damage by separate bagging, placement in vials with cotton, or the use of cushioning material as deemed appropriate to ensure their safe arrival at the Museum. Each bag should be labeled with the permit number and site number written in indelible felt pen or ordinary pencil. The bags should be of heavy hardware-type paper, or of a heavyweight plastic. All bags should be closed.

Faunal material must be boxed and labeled separately as faunal material, as well as with permit and site numbers. It must be packaged with sufficient, cushioning material to prevent breakage and abrasion. Bone must not be placed loose in a box and transported. Special care is to be accorded fragile or degradable material.

Oversized objects or very small collections are to be treated in a manner commensurate with their safe arrival at the Museum.

Each submission must be accompanied by a letter of transmittal showing the date of transfer and a complete list of permit numbers and sites included in the shipment, and a brief statement describing the submission. This should include the identification of objects requiring continuing conservation or other special care as priority items.

Under the provisions of the *Act*, collections recovered under the authority of a Heritage Research Permit (Archaeology) become the property of the Province, and may be assigned by the Minister to the Museum or to any other public institution. R.S., C. 438, s. 11.

When an artifact has been recovered from any site in the Province by a person who is not a permit holder or by a permit holder in contravention of his permit, the Minister may authorize that the artifact be seized and delivered to the Museum. R.S., c. 438, s. 11.

However, the Museum or other designated public institution may return any artifact received to the person who recovered it, subject to conditions as to care and disposition determined by the Museum. R.S., c. 438, s. 8.(4).

The Museum shall act as central repository for the submission of all collections recovered under the authority of a Heritage Research Permit (Archaeology). Collections may be retained at the Museum as part of a representative provincial collection, or distributed to designated alternate repositories comprising local museums, academic institutions and native or other institutions. Disposition to an alternate repository will be by means of a formal loan agreement with the Museum, renewable on an annual basis. Loans will normally consist only of complete site or project collections, and an alternate repository must be able to demonstrate that it can provide adequate storage, curation, environmental control, security and access. In the case of collections from native sites, disposition shall be subject to consultation with, and approval by, the Micmac Association of Cultural Studies or other responsible native organization.

### II. Site Records

1. All archaeological sites in Nova Scotia must be recorded on the standard Maritime Archaeological Resource Inventory (MARI) Site Survey Form, available from the Culture and Heritage Development. Instructions for completing MARI Site Survey Forms are also available from the Culture and Heritage Development and they must be consulted when recording archaeological sites. They identify the kind of information to record and the format to employ. Photographs, a map (photocopy of the appropriate section of a 1:50,000 NTS map), and a sketch plan are also required.
2. Completed MARI Site Survey Forms must be submitted to the Museum as stipulated under Reporting Procedures. **Borden numbers can only be assigned by Culture and Heritage Development staff.** A temporary site referencing system is available for use in the field prior to receiving Borden numbers, and is outlined in the MARI Site Survey Form instructions.

### III. Supporting Documentation

1. The Culture and Heritage Development requires the submission, as stipulated under Reporting Procedures, of copies of all notes, plans, profiles, maps, drawings, documents, photographs and other records collected or prepared in conjunction with the investigations authorized by a Heritage Research Permit (Archaeology).
2. It is expected that judicious sorting of the material will occur prior to submission, so that only material dealing directly with and relevant to the

project and report will be submitted. The submission should include the original field notes and catalogued photographs and photograph records and catalogues; field maps and drafted copies thereof; director's notes, level records and stratigraphic records. Culture and Heritage Development Archaeological Feature, Archaeological Field Record and Archaeological Photo Record Forms are to be used as appropriate. Alternative field record forms may be used with the approval of the Culture and Heritage Development. Enough concise and organized data must be submitted to enable the report reviewers and future researchers to assess the research conducted under the permit.

### **GENERAL CONSIDERATIONS**

A purpose of the *Special Places Protection Act* is to provide for the preservation, protection, regulation, exploration, excavation, acquisition and study of archaeological remains in Nova Scotia. R.S., c. 438, s. 2.(a)

No person shall carry out explorations or make excavations on any land in the Province, including land covered with water, for the purpose of seeking archaeological resources without a Heritage Research Permit (Archaeology) which may be issued by the Minister or a person authorized by the Minister. R.S., c. 438, s. 8 .1, 8.2

No person shall:

(a) knowingly destroy, desecrate, deface or alter archaeological resources whether designated or not;

(b) excavate or otherwise alter an archaeological site or remove any objects from an archaeological site unless he is the holder of a Heritage Research Permit (Archaeology). R.S., c. 438, s. 12

A permit issued under this Act does not authorize the permit holder to enter upon lands or remove heritage objects therefrom without the consent of the owner or person entitled to grant consent. R.S., c. 438, s. 9.(a)

The permit holder must also comply with any other relevant law or regulation relating to land disturbance. R.S., c. 438, s. 9.(b)

Application for a Heritage Research Permit (Archaeology) shall be made on an appropriate Application Form available from the Culture and Heritage Development. R.S., c. 438, s. 8.3.(a)

Title: Archaeological Reconnaissance (Category A)  
Date: 25 February 2014  
Contact: Communities, Culture and Heritage  
Special Places  
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