



STAFF REPORT

To: Regional and Corporate Services Committee

Date: 2025-12-04

From: Melissa Geddert, Manager of Integrated Planning and Engagement

Subject: Heritage Conservation Act Transformation Project Update

Reviewed by: David Urban, Deputy Director of Regional Services
Stacey Barker, Director of Regional Services/ Deputy CAO
Jaime Van Nes, Director of Legislative Services
Jennifer Kinneman, Chief Administrative Officer

RECOMMENDATION

This report is being brought forward for the Board's information to report on the Heritage Conservation Act Transformation Project and the engagement activities undertaken. There is no staff recommendation.

BACKGROUND

The *Heritage Conservation Act* (HCA) enables protection and conservation of cultural heritage in BC. There are over 64,000 protected heritage sites in BC, 90% of which are of First Nations origin. The Heritage Conservation Act Transformation Project (HCATP) is updating the HCA. The primary goals of the update are to address longstanding concerns raised by First Nations, local governments, and stakeholders, to promote stronger protection of culturally significant sites, and to bring alignment of the HCA with the *UN Declaration on the Rights of Indigenous Peoples* and the *Declaration on the Rights of Indigenous Peoples Act* (Declaration Act). The Declaration Act Action Plan (Action 4.35) commits the Province to reform the HCA through shared decision-making and better protection of cultural, spiritual, and heritage sites and objects.

The Province also acknowledges the need to improve implementation of the HCA by modernizing permitting processes, supporting faster rebuilding after disasters, improving transparency, enhancing heritage protection, and reducing the risk of accidental damage to important sites. The Province is currently in phase 3 of engagement and has released an Engagement Primer for Local Governments and Stakeholders on the proposed changes to the Act (attached). As part of this phase of engagement, the Province has invited feedback from local governments and stakeholders throughout summer and fall 2025. Fraser Valley Regional District (FVRD) staff participated in the provincial engagement process on the proposed changes to the HCA, including attending webinars and completing the provincial survey. Several FVRD Board Directors, along with senior and technical staff from both the FVRD and member municipalities, also attended the findings presentation hosted by the Union of BC

Municipalities. Following this participation, the FVRD prepared and submitted a formal written response outlining key considerations to the Province.

DISCUSSION

There appears to be broad support for modernizing the HCA and strengthening First Nations leadership in heritage protection. Through the engagement opportunities, several considerations relevant to the FVRD context have been identified and are outlined below:

- 1) Implementation guidance - clear provincial guidance and policy will be required to ensure local governments understand new permitting, reporting, and compliance requirements.
- 2) Permit timelines and project impacts – reducing permitting timeframes is essential to support capital project delivery and maintain budget certainty, particularly in rural Electoral Areas where delays significantly affect capacity and limited funding streams.
- 3) Data access - improvements in access to archaeological data are required as local governments and property owners are expected to demonstrate due diligence in identifying heritage sites prior to development.
- 4) Emergency management coordination - disaster-related permit prioritization should remain tied to the *Emergency and Disaster Management Act*, triggered through local recovery periods or states of local emergency, rather than through the HCA.

Staff note that the proposed legislative changes may affect the FVRD's planning and development processes, emergency management coordination, and access to archaeological data. In addition, there is concern related to capacity limitations in the archaeological consulting sector and the requirements to utilize specific service providers in Stó:lō territory have cost and scheduling implications for infrastructure and land development projects within the region. Further details and context are included in the written submission sent to the Province and attached to this report for reference.

The Province is expected to continue engagement into 2026, with additional clarity anticipated as legislative drafting progresses. Monitoring the HCATP progress will continue and further updates to the Board will be provided as required.

COST

There are no costs associated with this report.

CONCLUSION

The Province is undertaking a significant update to the *Heritage Conservation Act* with the intention of strengthening cultural heritage protection, improving permitting processes, and aligning the legislation with the Declaration Act. Through participation in the most recent engagement process, several considerations relevant to the FVRD context have been identified relating to implementation, data access, and emergency management coordination. The proposed legislative changes may have operational impacts on planning, development, and infrastructure project delivery within the region.