

Issues and Discussion Topics

Draft *Standards and Guidelines for Consultant Archaeologists* (2009)

The Ministry of Culture received many comments on the 2006 draft *Standards and Guidelines for Consultant Archaeologists* (S&G). Some of these comments were very specific in regard to wording or the need for clarification of certain requirements; other comments were more general. We believe we have addressed many of these comments in the 2009 draft S&G, but we are seeking advice from the broader archaeological community on some outstanding issues. This document presents those issues, as well as additional questions about the 2009 draft S&G we feel would benefit from further input.

Please feel free to provide comments on these or other themes. If responding to a specific question posed below, please provide a rationale for your response.

1. Distinction between *Standards* and *Guidelines*

Is there a clear distinction between the standards and the guidelines? Are the standards and guidelines clearly written such that it is understood which requirements are mandatory, and which are intended to be addressed through the exercise of professional judgement?

Should the S&G include discretionary guidelines, or should it only include 'guidelines' that constitute acceptable alternatives to standards with requirements that must be met if those alternatives are to be followed? If discretionary guidelines should not be included in the S&G, what is the most appropriate vehicle for providing this advice to the community (e.g., technical bulletin, OAS or APA publication, etc.)?

The most noted and apparently most contentious discretionary guideline that is currently present in the S&G is the Stage 4 guideline for the excavation of middles and ends of longhouses. Is it clear that this is an entirely voluntary and optional guideline, to be exercised entirely at the discretion and based on the professional judgment of the consultant archaeologist? Is this good advice and a recommendation to be made to the community generally?

2. Report review process

Is the ministry's report review process clearly explained in the S&G? Are there clearer and more explicit statements that could be made on the matter?

3. Regional differences

Different regions of Ontario may not only have differences in archaeological cultures and local history, but may also have differences in such practical areas as mapping availability and access issues. Do the 2009 draft S&G meet the needs and properly address the different conditions that consultant archaeologists encounter in carrying out fieldwork in these different areas?

Some questions about regional differences that might be addressed include:

How should we define different regions? Where are the boundaries? Do those boundaries vary over time? Should we use county and district borders to establish boundaries? Should we use cultural-historical and/or physiographic characteristics to establish those boundaries? If we use cultural-historical and/or physiographic characteristics, should we establish fixed maps of the regions with those characteristics, or should we require that the consultant archaeologist provide a rationale for the inclusion of their study area within a given region?

For a given region, there may be differences in how potential is evaluated based on differences in where sites are believed to be located. For example, most sites would appear to be located at distances of 250-300 metres from water in south-western Ontario while sites are generally held to not be located nearly as far from water in northern Ontario. Does potential evaluation need to be adjusted to reflect the experience in different regions? Is it enough to consider these differences validated through experience or should we require more data-based statistical demonstrations of site distributions and potential criteria?

In the same vein, to what degree do Stage 2 survey requirements need to be adjusted to reflect regional differences? Is there a data-based rationale for doing so (e.g., no site has ever been found more than so many metres from water, therefore...)? In the case of northern Ontario, a Special Condition for test pitting in northern and eastern Ontario has been included in the draft S&G. Is this special condition an accurate reflection of the reality of northern and eastern Ontario?

4. Determining and documenting potential

Are the potential criteria generally applicable and generally acceptable? Is there a way to allow a greater degree of professional judgment while still ensuring consistency of practice?

How much documentation is required in a determination of potential? Is it sufficient to document example areas where multiple instances of a particular potential zone occur on a property?

5. Using artifact frequencies to determine whether to go to the next stage

Are there other means for making this determination? Are there classes of sites that are not specifically identified as such and should be included in a list of sites that automatically go to the next stage? Should finding *isolated* diagnostic Paleo-Indian or Early Archaic artifacts (i.e., diagnostics) in Stage 2 cause a requirement for Stage 3 assessment?

6. Defining large versus small sites

There are several places in the 2009 draft S&G where the terms 'large' and 'small' are used in terms of making decisions about archaeological sites. Should these terms be more precisely defined or should this decision be left to the professional judgment of the consultant archaeologist?

7. Urban/deeply buried archaeological sites

Is there sufficient and clear guidance for these sites? Are all aspects of this subject dealt with? In particular, is there adequate guidance for projects with the possibility of

encountering very deeply buried deposits? Is there adequate guidance for complex situations?

8. Historic Euro-Canadian archaeological sites

Is there sufficient and clear guidance for these sites? Is the guidance that is provided clear and unambiguous? Are all aspects of this subject dealt with? In particular, is there adequate guidance for site types other than 19th century domestic sites?

9. Multi-component sites

Is there sufficient guidance for these sites?

10. Paleo-Indian sites

Should Stage 4 excavation be required for all Paleo-Indian sites? Should Stage 4 excavation be required for very small Paleo-Indian Sites, (e.g., composed of only a single diagnostic, or two artifacts).

11. Stage 3 for small sites

On small sites, is it sufficient for the Stage 3 to consist of a single test unit placed above the original findspot? Is there a minimum number of test units (e.g., nine) that should be required to form the grid over a small site?

12. Combining Stage 3 and Stage 4

While this has become an established practice, its use has largely been focused on 19th century domestic sites.

Given that: (1) protection is the preferred option on the part of MCL, (2) Aboriginal engagement is a required standard for several types of sites at Stage 3, and (3) recommendations for Stage 4 are based on several categories of information acquired during Stage 3, is it in the best interests of the archaeological site to allow for a combined Stage 3-4?

Is combining Stage 3 and Stage 4 a process that serves only to expedite the mitigation of impacts to 19th century Euro-Canadian domestic sites? If so, why should these sites be treated any differently than any other type of site?

13. Stage 4: Avoidance and Protection

Is the role of the consultant archaeologist appropriate in terms of the process described? Is it workable? Will the process described provide an adequate level of avoidance for the short term and protection for the long term?

14. Determining extent of hand excavation in Stage 4

Comments on all aspects of this section would be appreciated but, in particular, we welcome comments on determining the extent of hand excavation of middens. The extent of middens will in some instances be obvious from soil composition and stratigraphy. However, in other instances it may be necessary to use artifact counts. One possibility would be to use the same approach as is currently required for large, dense lithic scatters. Determining the limits of middens may also vary by different site types.

15. Soil sampling

We have had numerous comments regarding this subject. The comments largely focus on the amount of soil to be sampled. Are the required amounts excessive in some or all instances? Is it also possible that soil samples simply are not necessary in some instances?

16. Artifact documentation and analysis

There have been numerous concerns expressed regarding this section. We would like to receive broad, general comment on the acceptability of the statements in this section. Also, we would appreciate comment on any of the specific categories of analysis, such as whether radiocarbon dates should be a standard. Is an artifact catalogue necessary for very small collections (e.g., 10 or fewer artifacts)?

17. Use of the GPS

We would appreciate comment in every respect on the practical elements of using GPS. In particular, what is the reasonable level of mapping accuracy that can be expected from GPS recordings?