

To the HCATP Project Team,

RE: Heritage Conservation Act Transformation Project Response to March 2026 Technical Policy Paper

The Waterfront Protection Coalition (WPC) represents a broad range of British Columbians, from individual homeowners to yacht clubs, group and community moorage associations, stratas with group moorage, and marinas.

We strongly support the protection of physical heritage - however, we have concerns that the Phase 3 Technical Policy Paper lacks the necessary safeguards to protect shared community infrastructure and private property from indefinite delays and unreasonable costs.

Our feedback on the technical proposals is as follows:

- **Province to assume heritage costs:** Our research indicates that the Province of BC is a global outlier by requiring landowners to pay all costs related to heritage investigations. Such costs regularly add up to tens or even hundreds of thousands of dollars – an unreasonable burden to be placed upon innocent landowners ([Kamloops Example](#)). In Australia the government provides direct grants to landowners to manage Indigenous sites and recently [repealed](#) a law that was deemed to be putting too much administrative and financial burden on small landowners and farmers. In [Norway](#), the state pays 100% of excavation costs for private homeowners and small projects. Heritage conservation is a public mandate, and forcing homeowners to pay for expensive studies to maintain these assets is an unjust "heritage tax". It also causes tension between indigenous and non-indigenous communities. We recommend the Province pay all costs related to heritage investigation and conservation.
- **Enforceable Timelines (Deemed Approval):** The [technical paper](#) promises "process certainty" but offers no protection against bureaucratic gridlock. We propose a "**Deemed Approval**" clause: if the Branch fails to respond to a permit application within 30 days, the permit must be automatically granted. Homeowners and land occupiers cannot manage "start and stop" timelines that stretch into years, especially for minor works.
- **Fact-Based Regulation (Removing "Intangibles"):** We support the proposal to remove "intangible heritage" from the HCA. Regulatory decisions affecting private and shared land must be based on tangible, physical evidence. Relying on invisible or spiritual values creates a vacuum of legal uncertainty, subject to abuse and litigation.
- **Eliminating Consultant Conflicts of Interest:** The "proponent-pays" model allows independent archaeologists to profit from the scope of their own recommendations. This is a clear conflict of interest. The Province must fund and manage these professionals directly to ensure that assessments are objective and not driven by "scope creep."

- **Automatic Exemption for "Small Works" and Maintenance:** The Act must include a De Minimis threshold. Routine maintenance, such as replacing dock pilings, fixing fences, or minor landscaping must be explicitly exempt. Without a clear "floor," any minor repair becomes a potential six-figure financial liability.
- **Accountability for Government Data:** If a site is found after a landowner receives clearance from a government "free information check", the Province must assume 100% of the financial risk. Landowners should not be penalized for inaccurate or incomplete government data.

## Conclusion

The WPC believes that heritage conservation only works when it is fair, fast, and funded by the public, like other jurisdictions. We cannot support a system that uses private negotiations to offload public costs onto private citizens, clubs, and non-profits. By assuming the financial burden and relying on physical, verifiable facts and accurate data, the Province can protect history without bankrupting innocent citizens. Any alternative system will be unreasonably onerous and contrary to the goals of heritage conservation and reconciliation.

Sincerely,

*Board of Directors*

The Waterfront Protection Coalition  
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Cc

Hon. David Eby, Premier of British Columbia

Lori Halls, Deputy Minister of Water, Land and Resource Stewardship

Hon. Randene Neill, Minister of Water, Land and Resource Stewardship

Hon. Ravi Parmar, Minister of Forests