

Revisions to the Conditions of Bulletin 17

Since its publication, Bulletin 17 has inspired many questions and much apparent uncertainty. The present revisions to the *Conditions* of Bulletin 17 are intended to clarify those questions and uncertainties.

The intent of the Bulletin is to ensure that personnel with demonstrated qualifications will be present in the field to make key methodological decisions.

Historically, and specifically prior to the introduction of blanket permits, it was generally expected that the permit holder would be present wherever and whenever fieldwork was being conducted under a permit. An authorized field director, with demonstrated qualifications equivalent to those of the permit holder, could replace the permit holder, if necessary, but one or the other was expected to be always present.

Ideally, we would prefer that this expectation would continue to be realized. However, following the introduction of blanket permits, it was agreed that a permit holder or field director working at one location could direct crews working at other locations, provided that he or she could easily reach the other crews to make key methodological decisions when necessary. We consider that it was intended that the permit holder and/or authorized field directors would be in the field, if not always, then at least most of the time.

In some cases, recent practice has diverged widely from this expectation, in that, under some permits (especially blanket permits), field locations were rarely, or never, visited by a permit holder or authorized field director. Generally, this practice has been justified on the grounds that the permit holder and/or a field director could have reached any of the field locations from a centrally located office, if necessary, to make key methodological decisions.

Bulletin 17 attempted to clarify this misconception by indicating that a permit holder or authorized field director must be in the field on every day on which fieldwork is conducted under a permit, and that a permit holder or field director must be able to reach every field location, on the day on which the work is being done. A requirement that these locations be within reach by surface transportation was added to reasonably restrict the geographic scope within which a permit holder or field director might attempt to 'direct' work locations at which they were not present. The latter requirement is replaced, in this supplemental bulletin, by the requirement that a field director, working in the field, be able to reach every one of the locations he or she is directing, on the day the work is being done. Field directors and the crews they are directing must also, of course, be equipped so as to be able to effectively communicate with each other.

Concerns have also been raised regarding the fairness of Bulletin 17, in that a permit holder or field director working under a blanket permit may direct fieldwork at several locations each day, without being required to visit them all, while a permit holder or field director directing several projects, on the same day, under several single project permits must visit every one. To address this concern, the Archaeology Branch will consider exceptions that would allow a permit holder or field director to direct work at more than one location under more than one permit, if the permit holder can demonstrate that adequate

direction will be provided (for example because the project locations are close together and/or because key methodological decisions are not likely to be required at some locations).