

April 1, 2026

To the Ministry of Citizenship and Multiculturalism,

RE: Heritage Framework Transformation: Proposals related to Ontario's Archaeology Program, including targeted changes to the *Standards and Guidelines for Consultant Archaeologists*

The Mississaugas of the Credit First Nation (MCFN) submits the following formal comments regarding the proposed updates to the provincial *Standards and Guidelines for Consultant Archaeologists* and related changes under the Ontario Heritage Framework Transformation (HFT).

MCFN seeks to work collaboratively with the province to create a system that protects cultural heritage while supporting responsible development. MCFN supports efforts to improve clarity and efficiency within the archaeological process; however, these changes must not come at the expense of Indigenous participation, oversight, or the protection of cultural heritage. As Treaty Holders, MCFN exercises cultural stewardship, ensuring that archaeological processes within our territory are conducted in a manner that respects and protects our ancestors and history. The HFT presents an opportunity to integrate Indigenous archaeological stewardship directly into the provincial framework, ensuring that finding efficiencies therein continues to uphold Treaty Rights affirmed under Section 35 of the *Constitution Act* (1982).

[MCFN HFT Consultation Experience:](#)

MCFN begins by addressing our experience with the HFT process to date. Consultation on these proposed changes has thus far felt largely performative, with limited evidence that MCFN-specific concerns and recommendations are being meaningfully incorporated into the framework. The Ministry's high-level HFT consultation summary does not accurately reflect the specificity or substance of the concerns raised by MCFN, and we have not received any direct response to our previous written and/or verbal consultation input. This raises serious concerns regarding how our input is being considered. The HFT continues to rely heavily on a "Pan-





Indigenous” approach to consultation. Despite broader recognition that open information sharing sessions with Indigenous communities cannot be framed as “consultation sessions,” the province’s recent blanket consultation response suffers from the same deficiencies. The Duty to Consult and Accommodate our Nation directly does not expire at any point in this process.

That said, based on the Minister’s letter (February 27, 2026) and the Heritage Framework Transformation Update dated March 6, 2026, it is apparent that MCFN’s concerns will not be meaningfully addressed prior to the planned April 2026 initial changes. MCFN has consistently raised concerns that can only be meaningfully addressed by mandatory Indigenous engagement beginning at or before Stage 1, and the factoring of Treaty Holder engagement/participation into risk-based review processes, e.g., when determining whether archaeological reports are eligible for “streamlined” entry into the Ontario Public Register. The MCM stated that “using the new standards as a basis for expanding the Ministry’s risk-based review process” offers a meaningful response to Indigenous communities’ concerns. Given that none of the proposed changes update standards pertaining to Indigenous engagement (barring revised language), the Ministry’s response is glaringly erroneous.

As such, key elements of the initial proposed framework, namely blanket automatic report entry, without first establishing strong criteria for Indigenous engagement or evaluating Licensed Consultant Archaeologists (LCAs) in “good standing,” are being advanced without sufficient consultation or any meaningful accommodation. There has been no clear explanation of how screening decisions will be made, nor how Indigenous engagement will be factored into those decisions. Similarly, while criteria for evaluating LCA compliance are proposed, there is no indication that Indigenous input will meaningfully inform those evaluations, or whether this compliance measure/mechanism will be sufficiently in place prior to expansion of automatic report entries in April 2026.

[Technical Feedback: Proposed 2026 Standards and Guidelines](#)

MCFN has identified several areas within the proposed 2026 Standards and Guidelines that require clarification or further consideration from a technical and operational perspective. The proposed restriction on the use of “checklists or tools designed for non-specialists” introduces ambiguity that must be addressed. It is unclear who is being defined as a “non-specialist,” and whether this could be interpreted to exclude Indigenous knowledge holders or Indigenous-informed tools such as Archaeological Management Plans. MCFN has invested significantly in the development and use of such tools to support early identification of archaeological potential, and any interpretation that undermines their validity would be of serious concern. Clear direction is required to confirm that Indigenous knowledge systems and planning tools remain recognized and appropriate inputs in Stage 1 assessments.



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Further clarification is also required regarding proposed Stage 2 test pitting direction, that once a site is located that licensed archaeologists are to “not carry out further test pit survey on the site.” As currently written, this creates uncertainty in how sufficient information is to be gathered during Stage 2 to appropriately inform subsequent Stage 3 investigations. While Stage 2 is not intended to fully delineate site limits, it is expected to provide a reasonable understanding of site extent and density in order to guide the placement and scope of Stage 3 test units. Limiting further test pit survey without clear direction may result in insufficient data to properly design Stage 3 work, increasing the risk of underestimating site complexity or extent. MCFN recommends that the standards be clarified to ensure that Stage 2 fieldwork can adequately inform Stage 3 methodologies.

MCFN also notes changes related to the definition of linear corridors and survey approaches, including the introduction of a broader corridor definition. Clarification is required regarding how these changes will affect survey methodologies, including whether wider corridors will continue to require ploughing or whether reduced survey intensity is being contemplated. These changes have the potential to affect the identification of archaeological resources and should be clearly articulated.

The inclusion of requirements related to spatial and geospatial data presents an opportunity to strengthen Indigenous participation in the archaeological process. MCFN supports the use of such data to verify fieldwork and inform decision-making; however, to be meaningful, this information must be shared directly with Treaty Holders. Access to spatial data is essential for independent review, validation of field methods, and informed participation. Without this access, Indigenous communities cannot effectively assess impacts or exercise their responsibilities in relation to cultural heritage.

Conclusion

The majority of archaeological sites in Ontario are Indigenous in origin, and within MCFN Treaty Territory, these sites represent the history, presence, and ancestors of our Nation. Changes to the archaeological framework that reduce Indigenous participation, particularly at early stages of assessment, increase the risk of harm to this heritage. Streamlining measures such as limited assessments, partial clearance approaches, and risk-based review must not proceed without ensuring that Indigenous participation is maintained and strengthened.

These proposed changes must also be considered within the broader historical context in which Indigenous peoples were excluded from the management and protection of their own cultural heritage, including through policies that suppressed cultural practices and disrupted



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connections to the land. Any modernization of the archaeological framework must work to correct, not perpetuate, this legacy.

MCFN remains willing to continue discussions with the Ministry to support the development of an archaeological framework that both improves efficiency and upholds Indigenous rights, responsibilities, and cultural heritage protection.

Thank you,



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