



ARCHAEOLOGICAL SOCIETY
of BRITISH COLUMBIA

ASBC
c/o Archaeology Unit, Royal BC Museum
675 Belleville Street, Victoria BC V8W 9W2
asbcpresident@gmail.com
asbcvictoria@gmail.com

January 23, 2020

Archaeological Society of British Columbia Submission to the Old Growth Strategic Review.

The Archaeological Society of British Columbia (ASBC) is a 53 year old organization comprised of academic and consulting archaeologists, students, First Nation community members and the public, formed to advocate for the protection of archaeological sites within this province. Our Board of Directors would like to contribute the following letter to the panel to support new management strategies for old-growth forests in light of their unique and critical importance to the archaeology of British Columbia. It has been reviewed and signed in support by the province's professional organization, the British Columbia Association of Professional Archaeologists (BCAPA) Executive, and the Kamloops ASBC Chapter.

We are aware of the complexity of this issue and the effect any decision will have on B.C. communities and forestry workers. While being cognizant of jobs and the economy, we also recognize that the current process of old-growth logging is rapidly erasing what is left of a globally significant cultural heritage landscape; the visible remnant of a substantial Indigenous forest management system dating back thousands of years. Our Executive Members have observed the effects of old-growth logging on specific archaeological sites and broader cultural heritage landscapes during our combined decades of archaeological research and assessment within the forestry industry. This includes documenting site impacts before, during, and after harvesting. Two issues affecting cultural heritage and old-growth in B.C. are evident through our collective experience:

1. Old-growth logging can directly impact archaeological sites, such as culturally modified trees (CMTs), rockshelters and caves, burial sites, trails, shell midden habitation and camp sites. Despite the best efforts put forward by Provincial and consulting archaeologists to document and protect archaeological sites within forestry cutblocks, impacts associated with incomplete survey, direct logging, exposure caused windfall and road building activities can contribute to the loss of archaeological sites. Beyond specific loss of archaeological sites, the cultural landscape immediately surrounding identified sites are often irreparably impacted or destroyed. These spaces contain knowledge and history beyond the scientific record of the archaeological site. For example, they may host ancient resource gathering areas, trail routes, seasonally visited camping and hunting locations and named oral history sites. Such locations may not be protected on their own merit by Provincial standards and are often positively associated with individually protected archaeological remains.

2. The continued destruction of archaeological sites and cultural landscapes during the harvesting of old-growth forests without consent and co-management of First Nations is inconsistent with the recently adopted articles of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) in British Columbia. Two articles within UNDRIP, 8:2 and 11:1, support the protection of archaeological sites within old-growth areas:

Article 8:2 reads, “States shall provide effective mechanisms for prevention of, and redress for: ...*(b) Any action which has the aim or effect of dispossessing them of their lands, territories or resources.*”

Article 11:1 reads, “Indigenous peoples have the right to practice and revitalize their cultural traditions and customs. This includes the right to maintain, protect and develop the past, present and future manifestations of their cultures, such as archaeological and historical sites, artefacts...”



Figure 1: Examples of CMT features (left to right): tapered bark strip, rectangular bark strip, undercut, and an historical image of the creation of four canoes which has left a stepped top Aboriginally logged stump in the background (B.C. Archives).

These two issues affect many types of archaeological and cultural sites. However, culturally modified trees, or CMTs, are consistently the most threatened features. A CMT is any tree within a forest that has been modified by Indigenous peoples as part of a traditional use of the land and are often datable to precise years of harvest. CMTs are created through the extraction of bark, wood or cambium. They may have been bark stripped, chopped, undercut, planked, or burned while others exist as remnant stumps, log sections, or canoe blanks (Figure 1). Occasionally features are found with carved faces (arborglyphs) or blazes for trails. These features exist throughout the Province, although a great many were lost in early clearcutting prior to the establishment of specific archaeological recognition and protections in the mid-1990s (B.C. Government 1995; 1996). Taken together, these features represent a province-wide pulse of sustainable human management of forests through the last several centuries. As such, these features are valuable and, in some cases, the sole tool for First Nations to establish title to the traditional forests, by proving a group’s sufficiency, continuity, and exclusivity of occupation to their traditional

territories (see *Tsilhqot'in Nation v British Columbia* 2014). Historic losses to these features have increased their importance (Angelbeck 2008). Several issues specifically threaten CMT sites during old-growth logging:

1. Individual CMT features that are shown to post-date 1846 are not protected under the B.C. Heritage Conservation Act (HCA; B.C. Archaeology Branch 1996) and are often harvested, which effectively erases evidence of continued First Nations forest use from pre-contact times to the twentieth century (evidence of 'continuity' is a required proof of aboriginal title in *Tsilhqot'in Nation v. British Columbia*).
2. Research suggests that over half of all bark harvested CMTs on western red-cedar (both the most common species harvested and CMT type in the province) are overlooked in archaeological impact assessments (AIAs) and logged without record, due to embedded scarring and misidentification of older features (Earnshaw 2019, also Eldridge 1997 and Ramsay 2013). This suggests that there are at least twice as many CMTs in landscapes that have already been surveyed (and possibly logged).
3. Areas that are considered 'low' potential for CMTs are often logged without archaeological survey by foresters who have not been trained to identify CMTs or other archaeological features. Existing models of archaeological potential are often incorrect, excluding many areas with CMTs and archaeological sites.
4. CMTs that are identified as protected archaeological sites may still be logged following successful application of a Site Alteration Permit to the B.C. Archaeology Branch under the *Heritage Conservation Act*. These are very rarely rejected. (see Figures 2-8 in the appendix which show the harvesting of eight of the ten largest CMT sites in Nuu-chah-nulth territory).
5. "Protection boundaries" around CMTs within and adjacent to clearcuts are often insufficient to shield trees from the exposure to winds. Minimal 10 metre "protection boundaries" are regularly chosen instead of appropriate windfirm buffers that would preserve the features within the stand from storms and exposure.

We are concerned that the continued destruction of CMTs prevents communities from revisiting and learning from cultural sites, continuing traditional economies, conserving cultural heritage for future generations and proving title to ancestral lands. As such, we believe this is running contrary to the commitments of UNDRIP (B.C. Government n.d.). More generally the destruction of these forests reduces the potential for future economies in local and First Nations run tourism.

Recommendations

We feel that current protections afforded to archaeological and cultural heritage sites under the *Heritage Conservation Act* (HCA) are inadequate in old growth forests. We suggest greater protections generally for at risk old-growth forests and more specifically special protections for remaining intact cultural forests surrounding recorded archaeological sites. Please consider the following recommendations:

1. A cessation of logging in particular regions when a 30% threshold of remaining intact forests is passed would align itself with the ecological conservation targets outlined in the 2050 Convention on Biological Diversity Vision (<https://presspage-production-content.s3.amazonaws.com/uploads/1763/jointstatement-905923.pdf?10000>) and would grant protections to highly fragmentary old growth remaining in various areas on Vancouver Island and elsewhere in the province.
2. Enact Ecosystem-based Management for old-growth forests in the province in close consultation and co-management with regional First Nations, as was done in the lead up to the 2016 Great Bear Rainforest Land Use Order (B.C. Government 2016).
3. Create a cultural heritage protection designation for “Cultural Forests” with notable archaeological site networks and definable cultural heritage landscapes (e.g., associated archaeological sites, higher than normal density of sites or features, areas of special cultural importance to First Nations, or stands of monumental cedar). We feel that such culturally designated forests could both protect heritage features, preserve monumental cedars and/or other species for future use, and encourage continued traditional management of forests for local First Nation communities.
4. Expand protection boundaries for these sites beyond the 10 metres required for individual CMTs and 5 metres for archaeological sites (HCA protections). While any recommendations would be contingent on input by regional First Nations, we point to Haida Gwaii Land Use Objectives Order which outlines clear objectives for protecting cultural features that is locally suitable and structured (Haida Gwaii Management Council 2017). In this order both CMTs and monumental cedars are protected by a reserve boundary of 0.5 the tree length and a management buffer of 1.0 tree length beyond that (further details in subsection 9: Objectives for culturally modified trees and monumental cedar).

Conclusion

We as archaeologists have the unique position of studying many cultural sites in the short time period between scientific identification or revisitation and industrial impact. Our experience tells us that substantial changes must be made to the management of old-growth forest in order to preserve our

province's heritage for future generations and to live up to our agreements to uphold the rights of B.C. Indigenous peoples (B.C. Government n.d.).

Sincerely,

The Archaeological Society of British Columbia

Board of Directors including,

Jacob Earnshaw, M.A. (ASBC President)

Ian Sellers, M.A. (ASBC Vice President)

Seonaid Duffield, M.A.

Raini Johnson, M.A.

Nicole Wester, M.A.

Tom Bown, BSc

Angela Dyck, B.A.

Meaghan Efford, M.A.

Alex Johnson, M.A. (Society Journal manager)

Robin Smith, B.A. (Society manager)

Signed in support by,

The British Columbia Association of Professional Archaeologists

Cameron Robertson, M.A. (BCAPA President)

and Board of Directors

The Kamloops ASBC Regional Chapter

Phoebe Murphy, M.A. (Kamloops ASBC Regional Director)

and Board of Directors

References:

Angelbeck, Bill

2008 Archaeological heritage and traditional forests within the logging economy of British Columbia: An Opportunity for Corporate Social Responsibility. In *Earth Matters: Indigenous Peoples, the Extractive Industries and Corporate Social Responsibility*, Eds by Ciaran O’Faircheallaigh and Saleem H. Ali, pp. 123-142. Greenleaf Publishing, Sheffield.

B.C. Archaeology Branch

1996 Heritage Conservation Act, c. 187. [RSBC 1996] Electronic document.

http://www.bclaws.ca/civix/document/id/complete/statreg/96187_01. Accessed April 1, 2019.

B.C. Government

1995 Forest Practices Code of British Columbia: Regulations. British Columbia. Environment. Electronic document, <http://www.fao.org/3/W3646E/w3646e0a.htm>, accessed April 2, 2019.

1996 Forest Act, c.157. [RSBC 1996]. Electronic document,

http://www.bclaws.ca/civix/document/id/consol17/consol17/96157_00, accessed April 2, 2019.

2016 Great Bear Rainforest Order. British Columbia. Electronic document.

https://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/forestry/timber-pricing/coast-timber-pricing/maps-and-graphics/great_bear_rainforest_order_-_jan_21_2016.pdf, accessed January 1, 2020.

n.d. Draft Principles that Guide the Province of British Columbia’s Relationship with Indigenous Peoples.

Electronic document. https://www2.gov.bc.ca/assets/gov/careers/about-the-bc-public-service/diversity-inclusion-respect/draft_principles.pdf, accessed January 15, 2020.

Earnshaw, Jacob K.

2019 Cultural Forests in Cross Section: Clear-cuts Reveal 1,100 Years of Bark Harvesting on Vancouver Island, British Columbia. *American Antiquity* 84(3), pp 516-530.

Eldridge, Morley

1997 Julia Passage CMTs: Dendrochronology Dating Analysis. Report on file in the culture library of the BC Archaeology Branch.

Haida Gwaii Management Council

2017 Haida Gwaii Management Council Land Use Objectives Order. Haida Gwaii. Electronic document. <http://www.haidagwaiimanagementcouncil.ca/wp-content/uploads/2019/03/HGLUOO-Consolidated-Order-2017-Final-Signed.pdf>, accessed Jan 1, 2020.

Ramsay, Phoebe

2013 Port Renfrew Three Point Properties Development: HCA Site Alteration Permit 2012-0345 Report. Report on file in the cultural library at the BC Archaeology Branch.

Tsilhqot’in Nation v. British Columbia

2014 2 SCR 257, 2014 SCC 44 (CanLII),

<https://www.canlii.org/en/ca/scc/doc/2014/2014scc44/2014scc44.html> retrieved on January 1, 2020.

Appendix: Nuu-chah-nulth CMT images:

The following aerial images are used to illustrate a regional example of the destruction of CMT sites during old-growth logging operations despite the protections afforded by the HCA. The region (Nuu-chah-nulth territory, west coast of Vancouver Island) is known to have some of the highest densities of CMTs within B.C. However, it has also experienced some of the most widespread clearcut logging.

The overview map (Figure 2) shows the 10 largest CMT sites within Nuu-chah-nulth territories. These are remarkably significant landscapes where archaeologists have counted between 830 and 3100 CMTs within the proposed block boundaries. All sites are likely larger beyond these boundaries. Eight of these ten sites (in figures 3-8) have been either directly impacted or completely removed by recent old-growth logging through Site Alteration Permits that were accepted at the provincial Archaeology Branch. Please note the minimal date sampling taken at most sites, and the unusual lack of any CMTs in nearby clearcuts.

We believe this one example indicates a broader insufficiency in CMT site protections throughout the province. All site data below has been collected from the B.C. Archaeology Branch Remote Access to Archaeological Data (RAAD) database and is not to be distributed publicly.

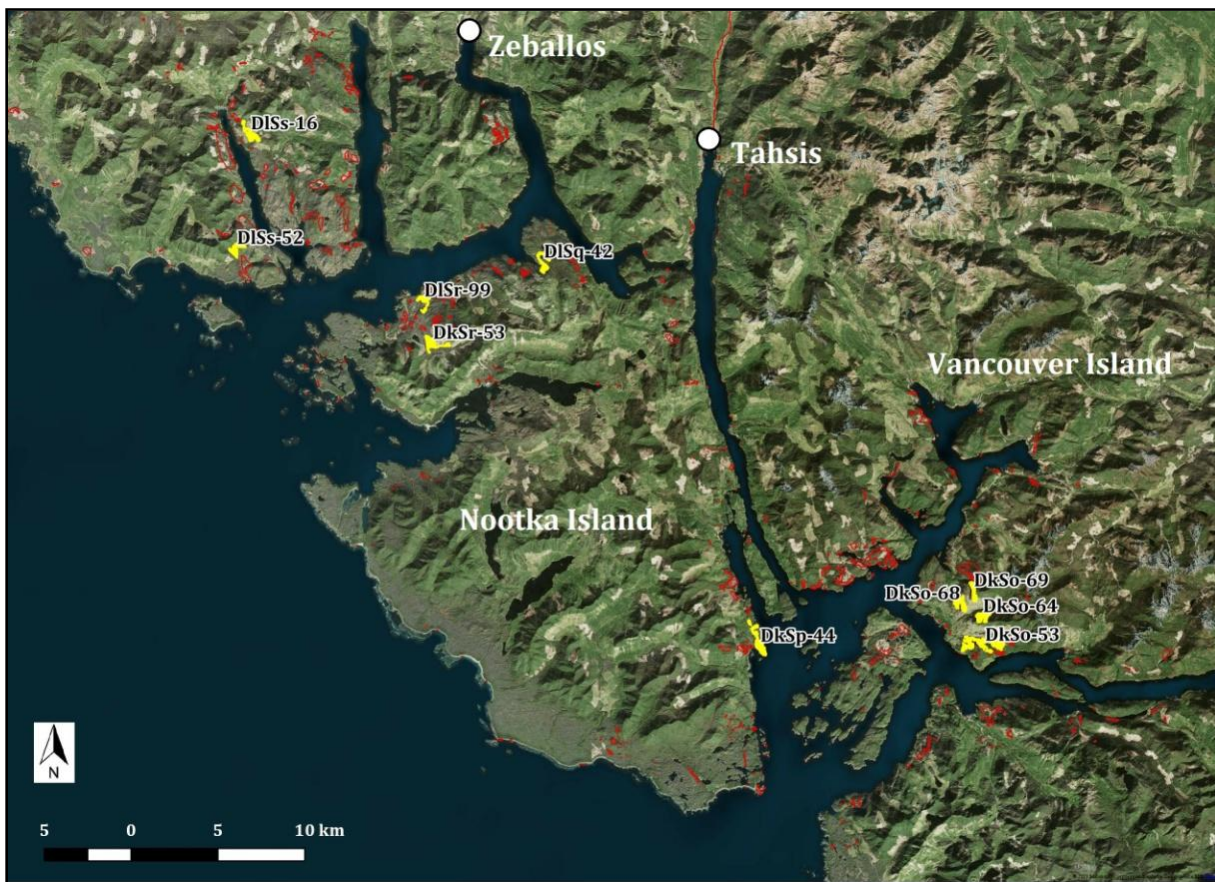


Figure 2 Overview map: Ten largest CMT sites (by number) in Nuu-chah-nulth territories shown in yellow, other archaeological sites shown in red (same for other images).

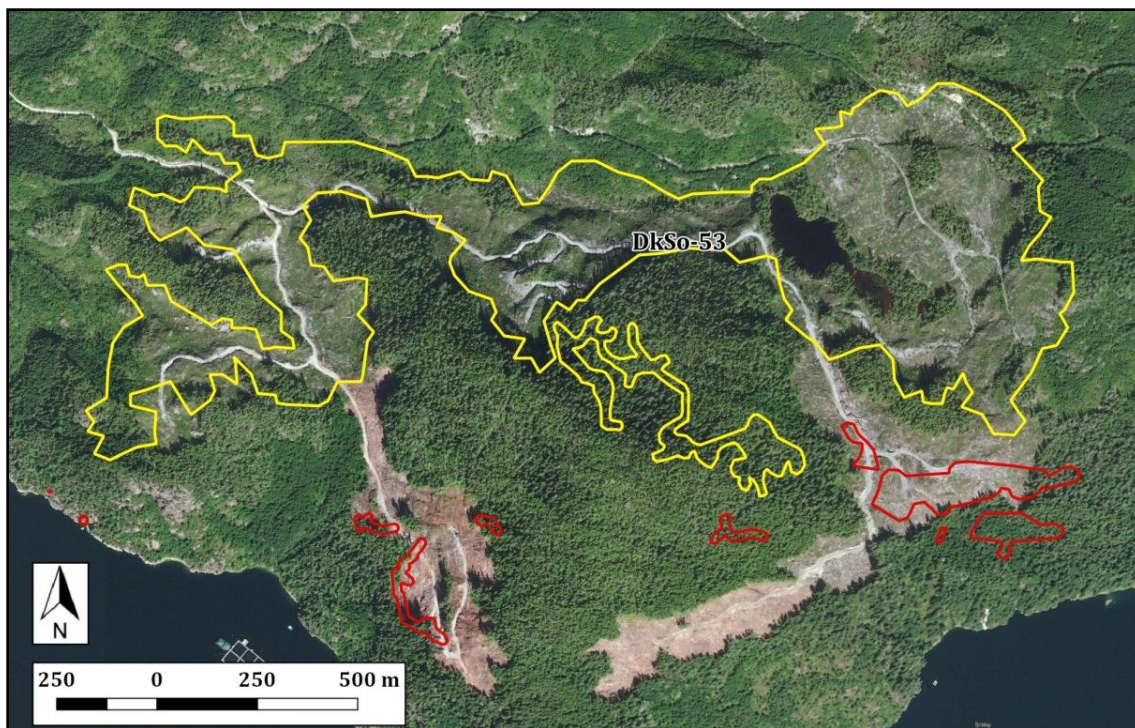


Figure 3: Site DkSo-53, 2391 CMTs recorded (2121 removed CMTs, 23 date samples taken, **1%**)

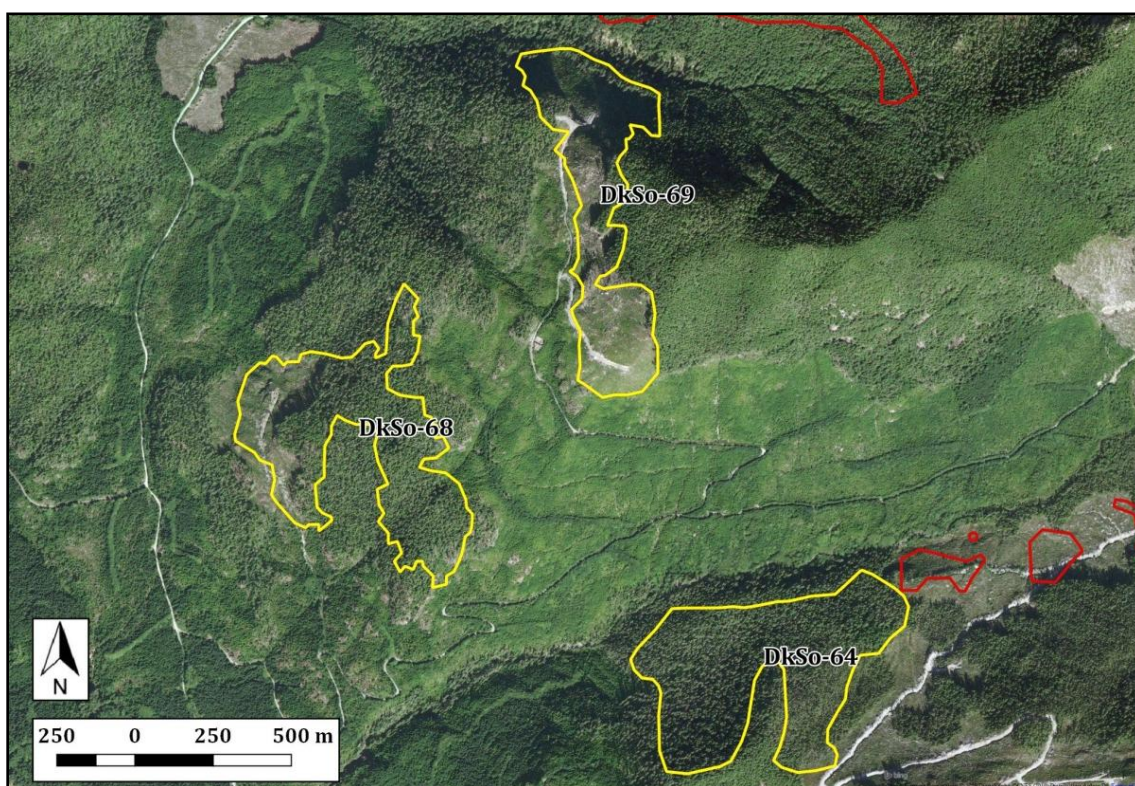


Figure 4: Site DkSo-68, 1508 CMTs recorded (747 CMTs removed, 5 date samples taken, **<1%**)

Site DkSo-69, 903 CMTs recorded (903 CMTs removed, 8 date samples taken, **<1%**)

Site DkSo-64, 3106 CMTs recorded (252 CMTs removed, 37 date samples taken, **15%**)

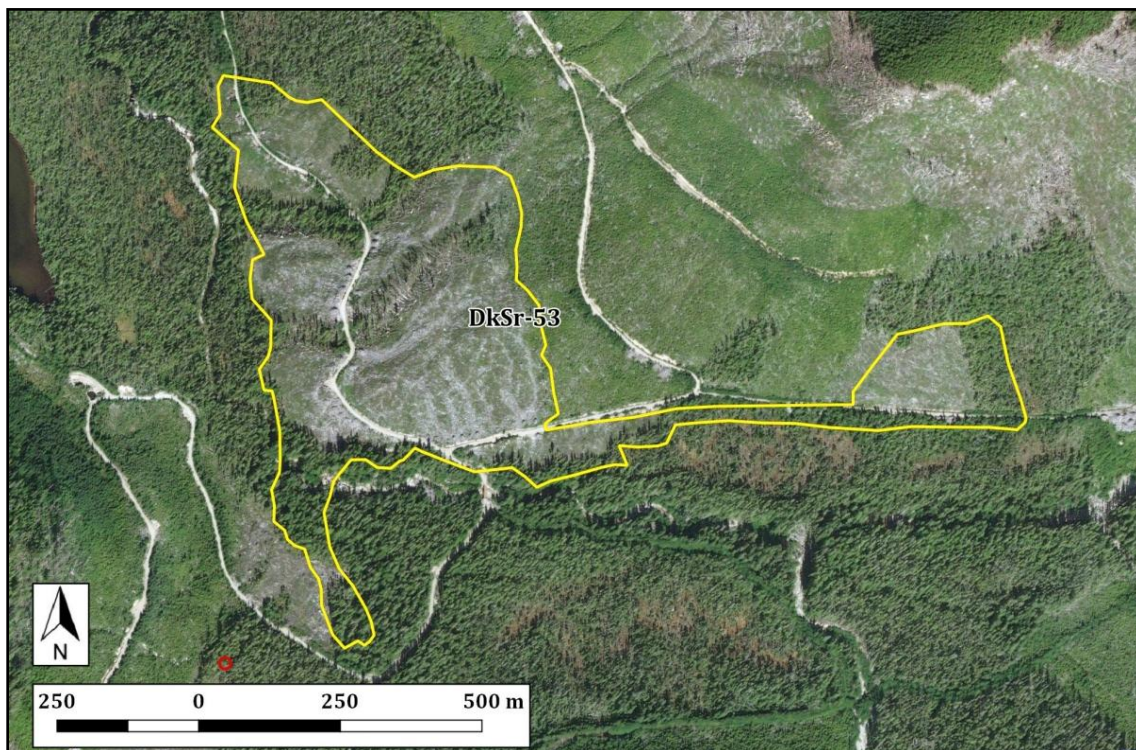


Figure 5: Site DkSr-53, 2538 CMTs recorded (2538 CMTs removed, 112 date samples taken, 4%)



Figure 6: Site DLSq-42, 836 CMTs recorded (missing report on removed or sampled CMTs)

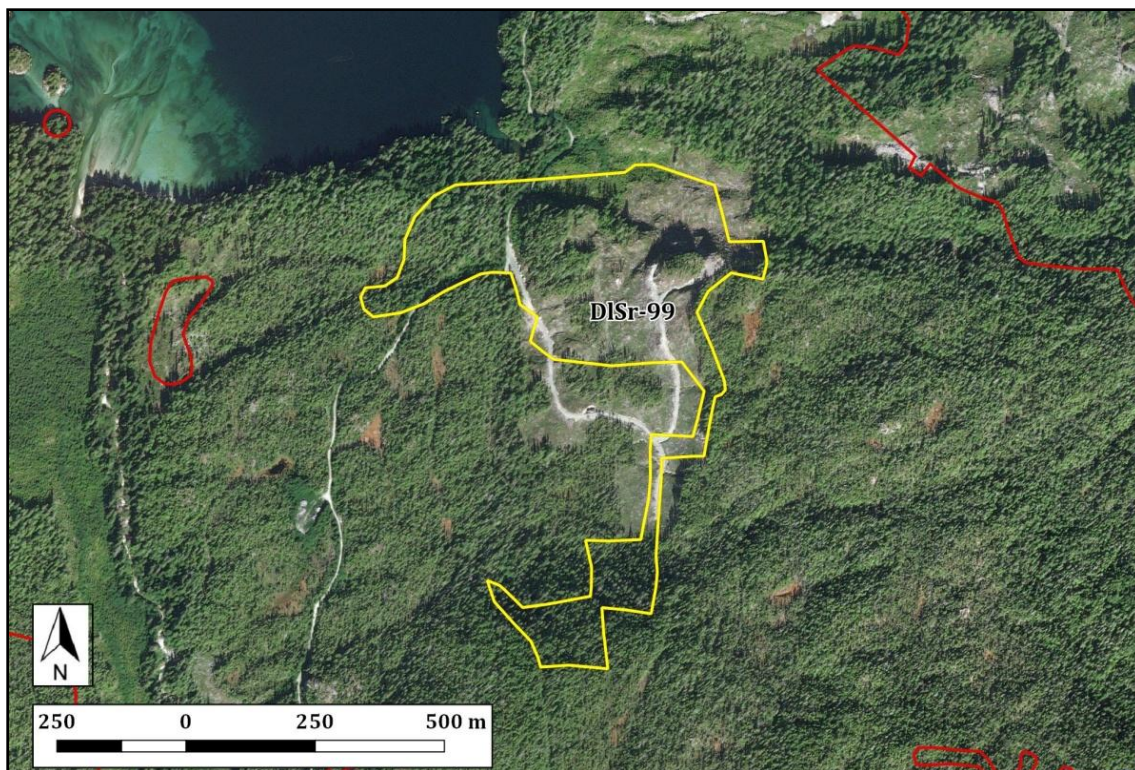


Figure 7: DISr-99, 2744 CMTs recorded (487 CMTs removed, 44 date samples taken, 9%)

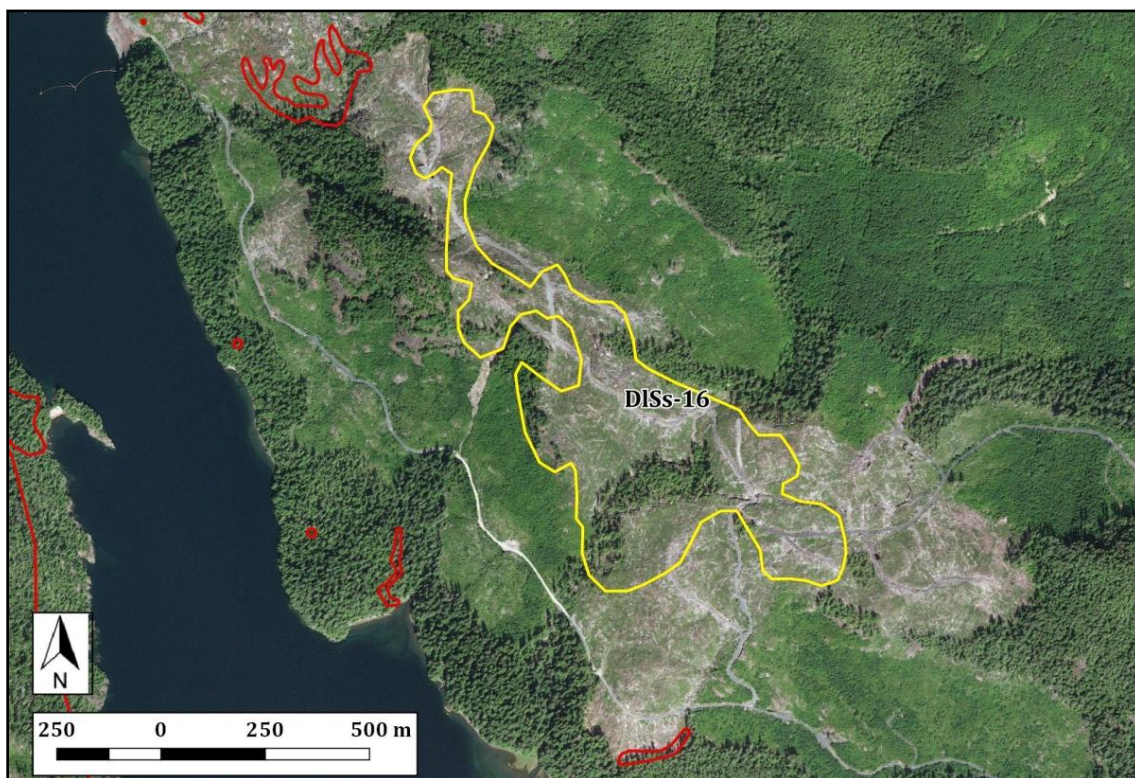


Figure 8: DISs-16, 958 CMTs recorded (895 CMTs removed, 83 date samples taken, 9%).