



shíshálh Nation Heritage Policy

(k' úlhut-tsut ?elh kwiya's)

1.0 Forward

shíshálh swiya (world) comprises 515, 000 hectares stretching from *xwésám* (Roberts Creek) in the southeast to *xeníchen* in the north to *kwékwenis* (Lang Bay) in the southwest (Figure 1). We the *shíshálh* have intensively occupied and utilized our entire territory since time immemorial; a result of this intensive occupation are the heritage properties (Appendix C) left behind by our ancestors.

shíshálh history is both extensive and complex. Our history stems from our occupation and use of *tems swiya* (our world). *tems swiya* includes both spiritual and material realms. Heritage properties located within our territory were used by our ancestors to navigate throughout *tems swiya*. They reflect our history and our land which are inseparable. They also document the continuity of occupation and intensive utilization of *tems swiya* by the *shíshálh* Nation since time immemorial.

The central principle of the *shíshálh* Heritage Policy is that heritage properties (i.e. artifacts, spiritual sites, stories, names and traditions) belong to those who made them regardless of the world within which they live. It is the original owners of these properties, as well as their descendants who are best able to determine how these properties should be treated in the present and future.

Therefore it is the responsibility of the *shíshálh* to manage our history for our ancestors, descendants and our Nation, by doing so we ensure our future for generations to come.

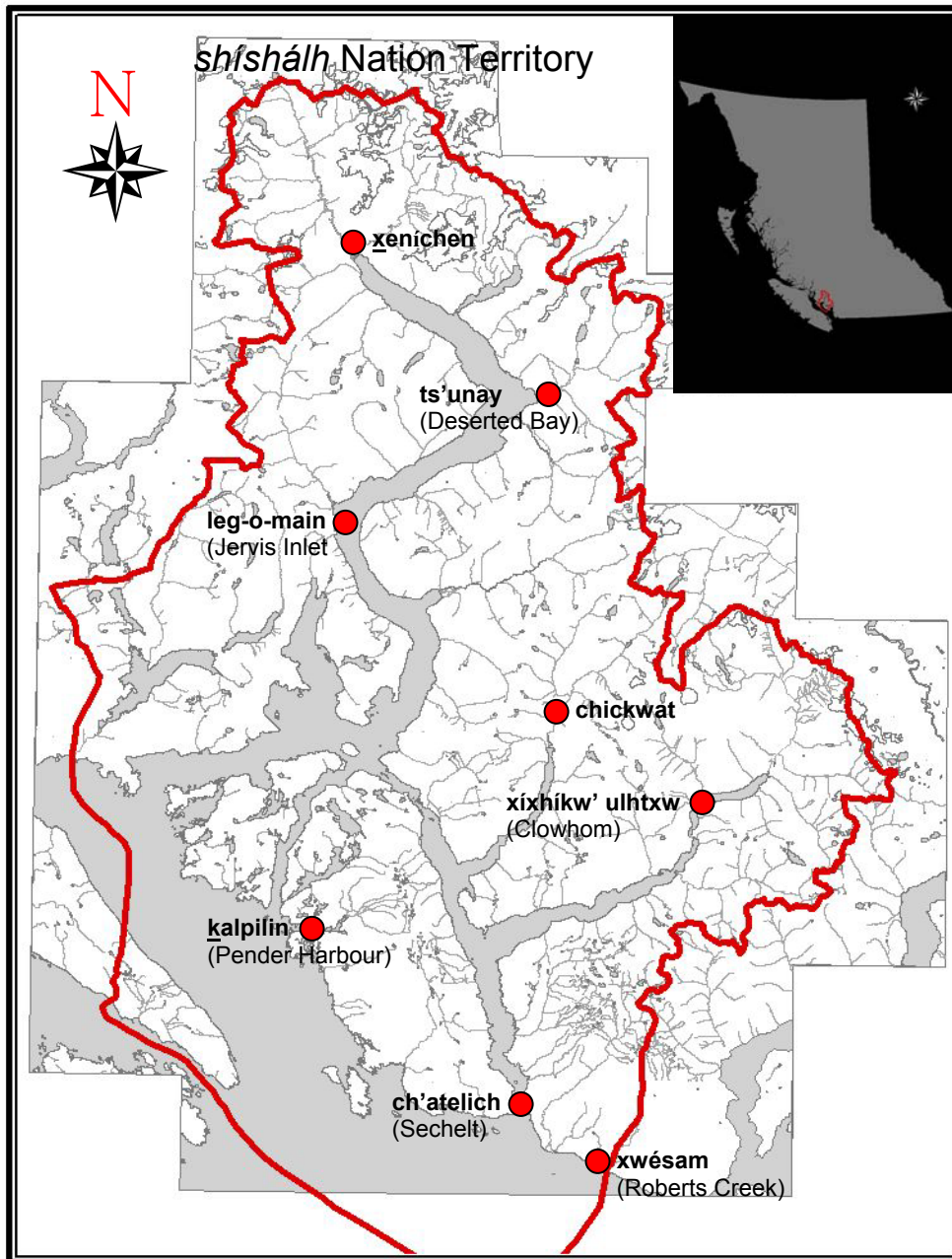


Figure 1. Map of *shishálh* territory indicating location of major village sites.

2.0 Jurisdiction

Since time immemorial we the *shíshálh* People have a historical, cultural, social, spiritual, economic and political connection to our territory.

The graves of our ancestors document the truth, our roots go deep into the earth. Therefore we the *shíshálh* Nation have the primary jurisdiction to manage, protect and preserve the history of the *shíshálh* Nation throughout our entire territory through the protection of our heritage.

3.0 Objective

Management of *shíshálh* heritage must reflect *shíshálh* values for the purpose of preserving and protecting our heritage for the betterment of the *shíshálh* Nation, and to ensure that our traditions and way of life live on.

4.0 Development

For over two hundred years the needs of settlers and development have super-ceded the protection of *shíshálh* heritage, this has resulted in the destruction of our history. Such development continues today and threatens the existence of our heritage.

The necessity to protect our Heritage should be primary over the needs of external development. Therefore all land use within our territory must be planned so as to result in as little conflict as possible with *shíshálh* heritage. Mitigation and/or compensation is required where impacts to *shíshálh* heritage is unavoidable.

4.1 Enforcement and Protection

It is primarily the responsibility of the *shíshálh* Nation to enforce all protection measures relating to our heritage. Non-*shíshálh* (i.e. settler governments of all jurisdiction, private citizens and industry) also have a responsibility as guests within our territory to treat our heritage with respect and manage it according to the traditions of the *shíshálh*.

4.1.2 Site Specific Management

All management recommendations pertaining to *shíshálh* heritage properties must be formulated according to the *shíshálh* heritage policy. Developments which may impact upon *shíshálh* heritage properties must be assessed on an individual case by case basis. However, we will not allow certain heritage properties to be impacted regardless of the needs of proponents. These heritage properties include but are not limited to:

- Graves of our ancestors
- Sacred and Spiritual Places
- House sites
- Battle areas
- Wood and stone fish traps
- Works of art

5.0 Curation and Preservation of Cultural Properties

All *shíshálh* heritage properties shall remain within *shíshálh* territory and will be stored in the *tems swiya* Museum where they will be held in trust for their owners.

Heritage properties being loaned to non-*shíshálh* parties or leaving the territory to facilitate scientific study or artistic display may only leave the territory by the authority of the *shíshálh* Nation as expressed through Council Resolution and *tems swiya* Museum policy.

All *shíshálh* Heritage properties which have been removed from the territory for any purpose without the consent of the *shíshálh* Nation must be repatriated to the *shíshálh* Nation immediately where they will be held in trust at the *tems swiya* Museum until the rightful owner is identified.

6.0 Heritage Investigations

The *shíshálh* Nation requires that all forestry developments which may include but not necessarily limited to: **(1)** timber harvesting blocks, **(2)** roads, **(3)** landings, **(4)** sorts, **(5)** dumps, and **(6)** heli-drops be subject to preliminary field reconnaissance (PFR). The PFR must be conducted by an archaeologist and a member of the *shíshálh* Nation. The PFR should also be conducted under permit to allow for a more detailed archaeological impact assessment (AIA) if it is determined that and AIA is required.

All residential and commercial developments and private moorages must also be subject to a PFR prior to the initiation of land-altering activities. The results and recommendations of the PFR must be presented in a “interim archaeological report” which must be provided to the *shíshálh* Nation within five working days of completion of the fieldwork.

All archaeological investigations conducted within *shíshálh* territory excluding PFR’s must be conducted under a *shíshálh* Nation Heritage Investigation Permit (see Appendix A and B) as well as any other permits deemed necessary by settler governments. *shíshálh* permits will only be issued once all the conditions of a *shíshálh* Heritage Investigation permit application have been met to the satisfaction of the *shíshálh* Nation.

shíshálh Nation requires that impacts to *shíshálh* heritage properties be considered, assessed, and mitigated from all development-related disturbances and impacts.

shíshálh Nation recognizes seven types of heritage investigations; **(1)** preliminary field reconnaissance (no permit required), **(2)** archaeological impact assessments, **(3)** archaeological inventory, **(4)** mitigative excavation, **(5)** archaeological monitoring **(6)** traditional use assessment and **(7)** scientific investigation. Archaeological overview assessments are not recognized by the *shíshálh* Nation.

6.1 Requirements of Heritage Investigators

All persons conducting investigations into any aspect of *shíshálh* Heritage must obtain a *shíshálh* Nation Heritage Investigation Permit prior to the initiation of the study. Heritage investigations must be conducted according to the terms and conditions of the *shíshálh* Nation as defined by the *shíshálh* Nation Heritage Investigation Permit. The application

for a *shishalh* Nation Heritage Investigation Permit can be obtained from the *shishalh* Rights and Title Department (604.885-2273 or email: arc@sechelnation.net). A \$300.00 application fee is levied on all permit applications.

6.1.1 Heritage Investigation Terms and Conditions

1. This Heritage Investigation Permit is valid for the period indicated. The duration of the permit may be extended for a specific period by the *shishálh* Nation upon receipt from the permit-holder of a written application for an extension.
2. The permit-holder shall provide the *shishálh* Nation with two (2) bound copies and one digital copy of a written report, in accordance with the standards established and maintained by Archaeology Planning and Assessment of the Ministry of Sustainable Resource Management.
3. A person designated by the *shishálh* Nation may at any time inspect a project being conducted under the terms and conditions of the permit, including projects, records and materials recovered under authority of the permit.
4. Upon completion of any inspection or investigation involving excavations, the permit-holder shall make reasonable efforts to ensure all sites are restored as nearly as practicle to their former condition.
5. All cultural materials recovered during the course of the study shall be deposited prior to the expiry of the permit to the *shishálh* Nation *tems swiya* Museum (P.O. Box 740, Sechelt B.C. VON 3AO) by the permit holder.
6. The permit-holder must be present “on site” for at least 80% of all fieldwork undertaken under this Permit.
7. In the event that human remains are identified during the course of the study covered under this permit, the permit holder must contact the *shishálh* Nation immediately and must not disturb the remains unless or until authorized by the *shishálh* Nation.
8. A member of the *shishálh* Nation Rights and Title Department will be retained as an assistant during the duration of the fieldwork component of the study.
9. Prior to the completion of the written report the permit-holder must contact the *shishálh* Nation regarding the “ethnic significance” (see British Columbia Archaeological Impact Assessment Guidelines, Section 3.5.2.2) of any heritage materials found.
10. The *shishálh* Nation be given the opportunity to review and comment on the recommendations of the subsequent permit report prior to report finalization.
11. The permit holder will supply the *shishálh* Nation with a copy of the final permit report in both digital (pdf) and hard copy formats.

Appendix A. *shishálh* Nation Heritage Investigation Permit application.

App No.	0	5		
RAT No.	SNR05			
ARC No.	SNA			
Fee Paid	\$			



***shishálh* Nation Rights and Title Department - Archaeology**

5555 Highway 101, P.O. Box 740 Sechelt, B.C. VON-3A0
Tel: 604.885.2274/Toll Free: 1.866.885.2275/Fax: 604.885.3490

shishálh Nation Heritage Investigation Permit Application
(Sechelt Indian Band)

All heritage investigations conducted within *shishálh* Nation (Sechelt Indian Band) territory involving or potentially involving *shishálh* Nation Heritage properties as defined by the *shishálh* Nation Heritage Policy must be conducted under a *shishálh* Nation Heritage Investigation Permit issued by the *shishálh* Nation.

Section 1.0 Applicant information

Applicant/Archaeologist in charge:	
Agency Affiliation:	
Office Address: _____ _____	
Telephone No: _____	Fax No: _____
Email address: _____	

Section 2.0 Project Area Description

Borden Number and general site type:	
Legal Description: _____	
PID: _____	PIN: _____
General Location:	
NTS map sheet:	

Section 3.0 Investigation Type

Type of Investigation:	PFR ()	Inventory ()	AIA ()	Monitoring ()
Mitigative excavation ()		Other (describe) _____ _____		
Proponent:				
Estimated duration of project (field and report preparation):				
Begin:				
End:				
Number of <i>shishálh</i> assistants required:				

Section 4.0 Information to be Submitted with Application

1. Provide copies of all permit applications submitted for this investigation
2. Identify permit/project number(s) and issuing agency for any other permits issued for this investigation.

Permit No.	Issuing Agency:

3. If not included in 1. above, please provide the following information:
 - 3.1 Investigation objectives
 - 3.2 Investigation methods
 - 3.3 Schedule of fieldwork, analyses and reporting
 - 3.4 Personnel to be involved in all phases of investigation
 - 3.5 Other *shishálh* Nation Heritage Investigation Permits applied for and/or held by applicant, and
 - 3.6 Name of project proponent
4. Provide a current curriculum vitae for all senior investigation personnel, if not already provided.

Hereby applies for a *shishálh* Nation Heritage Investigation Permit and agrees to adhere to the terms and conditions listed on this application, and other further conditions attached to the application.

Applicants signature: _____ **Date:** ___/___/___ **Location:** _____

(see terms and conditions on reverse)

TERMS AND CONDITIONS

1. This Heritage Investigation Permit is valid for the period indicated. The duration of the permit may be extended for a specific period by the *shishálh* Nation upon receipt from the permit-holder of a written application for an extension.
2. The permit-holder shall provide the *shishálh* Nation with two (2) bound copies and one digital copy of a written report, in accordance with the standards established and maintained by Archaeology Planning and Assessment of the Ministry of Sustainable Resource Management.
3. A person designated by the *shishálh* Nation may at any time inspect a project being conducted under the terms and conditions of the permit, including projects, records and materials recovered under authority of the permit.
4. Upon completion of any inspection or investigation involving excavations, the permit-holder shall make reasonable efforts to ensure all sites are restored as nearly as practicable to their former condition.
5. All cultural materials recovered during the course of the study shall be deposited prior to the expiry of the permit to the Sechelt Indian Bands *tem̓s swiya* Museum (P.O. Box 740, Sechelt B.C. V0N 3A0) by the permit holder.
6. The permit-holder must be present "on site" for at least 80% of all fieldwork undertaken under this Permit.
7. In the event that human remains are identified during the course of the study covered under this permit, the permit holder must contact the *shishálh* Nation immediately and must not disturb the remains unless or until authorized by the *shishálh* Nation.
8. A member of the *shishálh* Nation Resource Management Department will be retained as an assistant during the duration of the fieldwork component of the study.
9. Prior to the completion of the written report the permit-holder must contact the *shishálh* Nation regarding the "ethnic significance" (see British Columbia Archaeological Impact Assessment Guidelines, Section 3.5.2.2) of any heritage materials found.
10. The Sechelt Indian be given the opportunity to review and comment on the recommendations of the subsequent permit report prior to report finalization.
11. The permit holder will supply the *shishálh* Nation with a copy of the final permit report in both digital (pdf) and hard copy formats.

Note: Additional terms and conditions may be required by the *shishálh* Nation in the Permit.

Appendix B. *shíshálh* Nation Heritage Investigation Permit



shíshálh Nation
(Sechelt Indian Band)

PO Box 740, Sechelt, B.C. V0N 3A0 (Tel: 604-885-2273/Fax: 604-885-3490/Van Direct: 1-866-885-2275)

shíshálh Nation Heritage Investigation Permit

PERMIT NUMBER:

ISSUE DATE:

COPY

EXPIRY DATE:

PROJECT LOCATION:

LEGAL DESCRIPTION:

PROJECT DESCRIPTION:

NAME OF PERMIT HOLDER:

Is hereby authorized to conduct a Heritage Investigation as described in the Application by the permit-holder dated _____ subject to the terms and conditions set out on the reverse of this permit as well as any conditions that have been attached by the Sechelt Indian Band.

(day) (month) (year)

XXXXXXXXXX
shíshálh Nation Rights and Title Department

TERMS AND CONDITIONS

1. This Heritage Investigation Permit is valid for the period indicated. The duration of the permit may be extended for a specific period by the *shíshálh* Nation upon receipt from the permit-holder of a written application for an extension.
2. The permit-holder shall provide the *shíshálh* Nation with two (2) bound copies and one digital copy of a written report, in accordance with the standards established and maintained by Archaeology Planning and Assessment of the Ministry of Sustainable Resource Management.
3. A person designated by the *shíshálh* Nation may at any time inspect a project being conducted under the terms and conditions of the permit, including projects, records and materials recovered under authority of the permit.
4. Upon completion of any inspection or investigation involving excavations, the permit-holder shall make reasonable efforts to ensure all sites are restored as nearly as practicable to their former condition.
5. All cultural materials recovered during the course of the study shall be deposited prior to the expiry of the permit to the Sechelt Indian Bands *tem's swiya* Museum (P.O. Box 740, Sechelt B.C. V0N 3A0) by the permit holder.
6. The permit-holder must be present "on site" for at least 80% of all fieldwork undertaken under this Permit.
7. In the event that human remains are identified during the course of the study covered under this permit, the permit holder must contact the *shíshálh* Nation immediately and must not disturb the remains unless or until authorized by the *shíshálh* Nation.
8. A member of the *shíshálh* Nation Litigation Department will be retained as an assistant during the duration of the fieldwork component of the study.
9. Prior to the completion of the written report the permit-holder must contact the *shíshálh* Nation regarding the "ethnic significance" (see British Columbia Archaeological Impact Assessment Guidelines, Section 3.5.2.2) of any heritage materials found.
10. The Sechelt Indian be given the opportunity to review and comment on the recommendations of the subsequent permit report prior to report finalization.
11. The permit holder will supply the *shíshálh* Nation with a copy of the final permit report in both digital (pdf) and hard copy formats.

Note: Additional terms and conditions may be required by the *shíshálh* Nation in the Permit

Appendix C. List of terms

Heritage Properties: artifacts, spiritual sites, stories, names and traditions created by the *shíshálh* Nation.

shíshálh Nation: Sechelt Indian Band

swiya: world

tems swiya: our world