

**District Policy
Quesnel Forest District
Qualifications for Persons Conducting
Culturally Modified Tree Assessments
January 4, 2002**

The Culturally Modified Tree (CMT) Management Advice for the Cariboo Forest Region provides advice on the management of CMTs during operational planning. The advice states that a licensee may conduct a CMT assessment when it is likely that only post-1846 CMTs exist in the proposed development area. I may accept a CMT assessment as an alternative or partial alternative to an AIA process where I have not already directed the completion of an AIA.

A CMT assessment identifies and records CMTs within a proposed development area. CMT assessments can be conducted by qualified individuals with training in CMT identification and recording. The purpose of this policy is to describe the qualifications I will expect a person conducting a CMT Assessment (CMT Assessor) to possess.

CMT Assessors must be able to demonstrate adequate knowledge of the identification and recording of culturally modified trees, appropriate field experience as a CMT inventory crew member, and experience in completing CMT Site Recording Forms. The required skills may be obtained in a variety of different ways. Acceptable qualifications may include a combination of education and work experience not limited to:

- university degree in anthropology, archaeology, sociology, or resource management with appropriate specialisation
 - demonstrable field experience in identification and recording of CMTs as a member of a crew led by an archaeologist or recognised authority on CMT identification
 - successful completion of CMT Inventory Training Course (see attached)
 - successful competency challenge of CMT Inventory Training Course
- completion of course work that demonstrably satisfies the objectives of the CMT Inventory Training Course (see attached)
- practice as a consulting archaeologist

CMT Assessors must be able to provide satisfactory evidence of adequate training in CMT identification and recording upon my request.



Gerry Grant, R.P.F.



Culturally Modified Tree Inventory Training

— Identification and Recording

What is a competency challenge

Competency challenge is a process that enables a person to demonstrate his or her knowledge, skills, and abilities about a subject. Throughout the process the person is evaluated compared to a predetermined set of standards of achievement. At the end of the process a decision using a pass/fail rating will be awarded. This process does not include any training or coaching.

In the case of Culturally Modified Tree Inventory Training the competency challenge confirms a person's ability to identify, record and date CMTs and understand the value, protocols and regulations that are involved when conducting CMT inventories. It will also verify a person's ability to conduct a CMT inventory and complete key components of the B.C. Archaeological Site Inventory Form (Level II CMT Site Recording Form).

Who should take the culturally modified tree inventory competency challenge

Anyone who believes that they have adequate knowledge about identifying and recording culturally modified trees (CMTs) **AND** appropriate experience working as an inventory crew member **AND** appropriate experience in completing the B.C. Archaeological Site Inventory Form (Level II CMT Site Recording Form). Also the person should feel capable of meeting all course objectives listed on the following pages.

Note: Anyone considering taking the competency challenge must have successfully completed the RIC –Resource Inventory Skills Training or possess equivalent demonstrated skills (navigating and surveying skills).

What is the process and passing standard

The challenge process takes 1-day to complete and consists of the two components described below:

Component	Description
Practical Exercises (worth 80% of total mark)	Working in a team the field assistant will demonstrate his or her ability to: <ol style="list-style-type: none"> 1. Walk a transect along a compass bearing, 2. Identify and record CMTs in the field, 3. Map CMT locations on a 1: 5 000 scale development map, 4. Complete the key components of the BC Archaeological Site Inventory Form (Level II CMT Site Recording Form and Features Form).

<p>Written test</p> <p>(worth 20% of total mark)</p>	<p>1-hour written test (10 questions/exercises) covers the course content:</p> <ul style="list-style-type: none"> - Module 1: Introduction to CMTs - Module 2: Values and Protocols - Module 3: CMT Regulations - Module 4: Identifying, Recording and Dating CMTs - Module 5: Reports and Management Operations
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Course objectives:

- ✓ Define CMTs and cultural heritage values.
- ✓ Recognize the difference between archaeological and traditional use sites.
- ✓ Recognize the difference between historic and pre-contact sites.
- ✓ Identify First Nations concerns relating to CMTs.
- ✓ Identify First Nations uses of CMT information.
- ✓ Describe some uses of CMTs and CMT sites.
- ✓ Identify who field assistants are responsible to and why.
- ✓ Acknowledge the need to recognize other people's values and ethics.
- ✓ Identify ethical protocols and legal requirements to follow when human burial remains are found.
- ✓ Identify BC government legislation and policies that affect the management of cultural heritage resources, including CMTs.
- ✓ Recognize that there may be differences between the BC government and First Nations' views of aboriginal rights.
- ✓ Describe CMT classifications and typologies.
- ✓ Identify CMT types in the field.
- ✓ Distinguish cultural tree modification from natural tress modifications.

- ✓ Know what to do about uncertain modifications.
- ✓ Complete CMT survey transects.
- ✓ Follow survey methodology.
- ✓ Complete Level I CMT Recording Forms.
- ✓ Complete Archaeology Branch Standard Recording Form for Level II CMT recording.
- ✓ Photograph CMTs to report quality standards.
- ✓ Map CMT survey transects.
- ✓ Complete CMT survey transects.
- ✓ Map individual CMTs and CMT sites.
- ✓ Recognize archaeological potential of landscapes.
- ✓ Recognize other archaeological site types and artifacts.
- ✓ Locate archaeological sites relative to other mapped features.
- ✓ Distinguish between natural and cultural materials.
- ✓ Explain key concepts in dendrochronology.
- ✓ Correctly collect disc, wedge and increment core samples.
- ✓ Explain what happens to the CMT information collected.

What equipment is needed

Each person is expected to supply the following personal equipment/supplies:

- ✓ Field note book with waterproof paper
- ✓ Pencil and pen
 - ✓ *Culturally Modified Trees of British Columbia, A Handbook for the Identification and Recording of Culturally Modified Trees*, Ministry of Forests
- ✓ Appropriate bush clothing
- ✓ Work boots (caulk boots on coast)
- ✓ Rain gear

- ✓ Backpack or field vest (if available)
- ✓ Whistle
- ✓ Lunch & snacks
- ✓ Water bottle
- ✓ Bear spray (optional)
- ✓ Insect repellent (optional)
- ✓ Sun screen (optional)



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March 21, 2000

Timber Harvesting Development Committee
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Cariboo Lumber Manufacturers' Association
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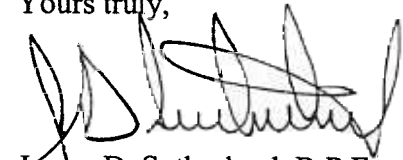
Dear Sirs:

Thank for your letter of January 5, 2000 regarding the Culturally Modified Trees (CMT) management advice developed by the Timber Harvesting Development Committee's Aboriginal Issues Working Group. The Statutory Decision Makers (SDM) reviewed this document at our March 1, 2000 meeting and agreed to adopt it for implementation in the Cariboo Forest Region.



District managers will be forwarding the document to Small Business Forest Enterprise Program staff but we request that THDC distribute the document to major licensees. Please express our appreciation to those involved in preparing this useful document.

Yours truly,


James D. Sutherland, R.P.F.
District Manager

pc: SDMs *Merry Grant*

Mark Hamm, Cariboo Forest Region

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Forests

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10355-05/Culturally Modified Trees

July 24, 2001

To: Mike Gatenby and Ray Zimmerman, Co-Chairpersons
Timber Harvesting Development Committee
Cariboo Forest Region

Mark Hamm, Facilitator
Aboriginal Issues Sub-Committee
Cariboo Forest Region

Culturally Modified Tree [CMT] management advice for the Cariboo Forest Region

Attached is advice for management of CMTs during operational planning. It has been prepared by the Aboriginal Issues Sub-Committee to the Timber Harvesting Development Committee, in consultation with Archaeology Branch of the Ministry of Small Business, Tourism and Culture. The advice is intended to provide a degree of consistency in managing CMTs in the Cariboo Forest Region.

This advice is provided to the district manager in his/her role as statutory decision maker. The information includes

- background on CMTs, archaeological sites and traditional use considerations;
- a process for assessment and management of CMTs in the context of operational planning;
- advice for managing CMTs outside of operational planning;
- advice for managing CMTs discovered during forest operations; and
- a flowchart summary.

This advice is provided to the Timber Harvesting Development Committee, in anticipation of the Committee's review and communication of the same to the Statutory Decision Makers' Committee for the Cariboo Forest Region. It is further hoped that the Statutory Decision Maker's Committee will accept and endorse this advice for application in the Cariboo Forest Region.

I look forward to discussing this information with you at the meeting of the Timber Harvesting Development Committee on September 23, 1999. Please contact me at 398-4794 if you would like to discuss this further.

Mark Hamm
Facilitator, Aboriginal Issues Sub-Committee
Cariboo Forest Region

Attachment

pc: Doug Glaum, Project Officer, Archaeology Branch, Ministry of Small Business, Tourism
and Culture
Heather Moon, H.L. Moon Heritage Consultant, 2012 Romney Road, Victoria, BC
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Shawn Meisner, Forester, Lignum Limited, Williams Lake

Culturally Modified Tree Management Advice

1. Introduction

This advice is for management of culturally modified trees[CMTs] during operational planning. It has been prepared by the Aboriginal Issues Sub-Committee to the Timber Harvesting Development Committee, in consultation with Archaeology Branch of the Ministry of Small Business, Tourism and Culture. The advice is intended to provide a degree of consistency in managing CMTs in the Cariboo Forest Region.

This advice is provided to the district manager in his/her role as statutory decision maker. The information below includes background on CMTs, archaeological sites and traditional use considerations; a process for assessment and management of CMTs in the context of operational planning; advice for managing CMTs outside of operational planning; and advice for managing CMTs discovered during forest operations. A flowchart summary is provided.

2. Background

A Culturally Modified Tree [CMT] is a tree that has been altered by native people as part of their traditional use of the forest. Examples of CMTs include lodgepole pine trees stripped for cambium, trees blazed as trail markers, or bark-stripped cedar trees. Non-aboriginal modifications, such as blazes, trap sets and survey marks, are not included in this definition of cultural modification.

CMTs merit consideration both as indicators of traditional use and as archaeological sites.

All CMTs, regardless of the time they were created, are aboriginal traditional use sites¹. CMTs created prior to 1846 are also considered to be archaeological sites², and are managed under the *Heritage Conservation Act* (1996 RSBC, Chap. 187). A CMT managed under the *Act* can only be altered (i.e. sample taken or harvested) under a heritage permit issued under Section 12 or 14 of the *Act*.

A post-1846 CMT that is not managed under the *Heritage Conservation Act* does not require any special permit to sample or to harvest (it is recommended that it be recorded

¹ Traditional use site means any geographically-defined site that has been traditionally used by a living community of (aboriginal) people for practices of beliefs or customs passed down through the generations, usually orally or through practice. These sites often lack the physical evidence of human-made artifacts or structures. Traditional use sites are usually documented with the assistance of oral, historical and archival sources.

² An archaeological site is any locality, including a tree, that exhibits physical evidence of the past activities of a person or group of people for which the application of scientific methods of inquiry (i.e. survey, excavation, data analysis etc.) are the main source of inquiry information. The key distinctions which set archaeological sites apart from other heritage sites are the presence of physical cultural remains, and the application of archaeological techniques of inquiry. In British Columbia, sites containing archaeological evidence of human use before 1846 receive automatic protection under the *Heritage Conservation Act*.

to Level I standards before sampling or harvesting). Such a site is an indicator that area First Nations should be advised and consulted on traditional uses in the area.

This advice is intended to assist in identifying, assessing and managing CMTs both as traditional use indicators and as archaeological sites.

3. A process for managing culturally modified trees

Information on the identification and recording of CMTs is provided in the CMT Handbook: *Culturally modified trees of British Columbia: a handbook for the identification and recording of culturally modified trees* by Arnoud H. Stryd, 1997, BC Ministry of Forests, Vancouver Forest Region, Nanaimo, BC. The steps below and the accompanying flowchart provide a process for applying this information in an operational planning context for the Cariboo Forest Region.

a) STEP 1: Assessment of potential for CMTs

Where it is possible to do so, the potential for CMTs should be determined prior to any field assessments specific to CMTs.

Archaeological overview assessments

The general archaeological overview assessments conducted over the Cariboo Forest Region in 1997-1998 describe classes of archaeological potential, based on generally-available records and physiographic information. The first step in refining the general archaeological overview assessment in a specific area (e.g., an area proposed for development) is to carry out a site-specific archaeological overview assessment. This site-specific overview may indicate that archaeological sites (including CMTs) are likely (or not likely) to be present.

First Nations consultation and traditional use studies

Regardless of the assessed archaeological potential of an area, First Nations (within whose asserted traditional territory the area falls) should be contacted to determine if they know of any CMTs in the area. Where traditional use studies have been completed, these may document the presence of CMTs. An efficient and effective way to discuss CMT and archaeology issues with First Nations is through meetings on proposed developments.

Where information indicates the likely presence of CMTs in a proposed development area, the district manager should ensure that CMTs are assessed in the course of the archaeological impact assessment [AIA] process, or with a CMT assessment (post-1846 CMTs): see step 2 below. Where CMTs are discovered in an area, First Nations within whose asserted traditional territory the area is situated should be advised by the district manager.

b) STEP 2: Assessments for CMTs

Identification of any CMTs in the proposed development area is the responsibility of the development proponent. CMTs should be recorded using Level I and Level II recording forms (CMT Handbook).

When to use a CMT assessment

A CMT assessment may be done where it is likely that only post-1846 CMTs exist in the proposed development area. In such a case the district manager may accept a CMT assessment carried out by a licensee, as an alternative to an AIA process. CMT assessments may be carried out without a *Heritage Conservation Act* permit. For example, suppose three cambium-stripped lodgepole pine CMTs are discovered during a cruise of a 100-year old stand, the stand is in a zone of low archaeological potential, and no trails or other archaeological indications are present: a CMT assessment may be carried out by the licensee as a low-cost alternative to a full AIA process.

If pre-1846 modifications or other archaeological evidence are found, an AIA process (under a *Heritage Conservation Act* permit) must be carried out prior to alteration or removal. For example, if the three CMTs referred to above were located along a trail which could be pre-1846, an AIA process would be required by the district manager and by the Archaeology Branch prior to any development activity in the area.

An initial date should be estimated to determine if permits are required. Age estimates can be obtained by sampling trees of similar size, or by otherwise estimating the stand age (refer to the CMT Handbook). If a permit is required (because some CMT(s) are pre-1846), an AIA process should be followed.

CMT assessment

A CMT assessment includes identification and recording of CMTs within a proposed development area. These assessments can be conducted by qualified individuals with training in CMT identification and recording.

CMTs should be reported using the Level I recording form (outlined in the CMT Handbook). The locations of the CMTs should be mapped at an appropriate scale, the significance noted, and a management strategy recommended.

CMT assessment reports, including Level I CMT recording form, map, determination of significance and management recommendations, should be forwarded to the Archaeology Branch, the appropriate First Nation(s) and the district manager.

When to use an AIA process

An AIA process should be carried out where the district manager determines that

- based on the general archaeological overview assessment, an AIA process is necessary;
- other archaeological resources are likely in the area of the CMT(s);
- some CMT(s) are pre-1846; or

- other considerations indicate CMT(s) are of particular significance.

Where the district manager determines that CMTs should be assessed through an AIA process, a permit under the *Heritage Conservation Act* is required. Dating and sampling of pre-1846 CMTs requires a permit under Sec. 14 of the *Act*. Removal of pre-1846 CMTs requires a permit under Section 12 of the *Act*.

Archaeological impact assessment process

Each district manager has the authority to determine where AIA processes are required. The Archaeology Branch publication, *British Columbia archaeological impact assessment guidelines* (Fifth Revised Edition, 1998), provides information on the AIA process. The steps in the process are detailed in the document *Archaeology Overview Assessment Implementation Advice*, 1998, BC Forest Service, Cariboo Forest Region, Williams Lake, BC [AOA Advice].

CMTs assessed during an AIA process should be reported using the Level I and Level II recording forms (outlined in the CMT Handbook). The locations of the CMTs should be mapped at an appropriate scale, the significance noted, and a management strategy recommended. First Nations within whose asserted traditional territory the CMTs are situated should be kept apprised of the AIA process by the district manager.

Archaeology impact assessment process reports, including Level I and Level II CMT recording form (if completed), map, determination of significance and management recommendations, should be forwarded to the Archaeology Branch, the appropriate First Nation(s) and the district manager.

First Nations advice on assessments

When CMTs are located in the field, First Nations (within whose asserted traditional territory the area falls) should be contacted to determine if they have any information on the significance of the trees and whether any other cultural heritage resource features are associated with them. An efficient and effective way to discuss CMT and archaeology issues with First Nations is through meetings on proposed developments.

Once assessments are complete, it is the responsibility of the district manager to determine the significance of any CMTs. Advice from First Nations and the results of proponent assessments should be considered together with any Archaeology Branch advice in determining significance, as detailed in step 3, below.

c) STEP 3: Determine the Significance of CMTs

The management measures for CMTs will depend largely on the significance of the CMT identified. Information on significance will be included in CMT assessment reports and reports from AIA processes. Both scientific and cultural significance must be considered.

Scientific significance

An objective rating system has been developed for determining the scientific significance of CMTs. This rating system usually is used only for rating pre-1846 CMTs and usually is done by a consulting archaeologist in the context of an AIA process. Factors influencing scientific significance include the following. (Significance values for factors in boldface are higher than others.)³

- **Rare form of modification**
- **Variety of feature types**
- **Integrity and context of site**
- Confidence in cultural origin
- Number of CMTs
- Condition of CMT
- Presence of tool marks
- Potential to date modification
- Potential for spatial analysis
- Relation to written and oral history
- Relation to other archaeological remains
- Suitability for public education

Examples of highly significant CMTs include:

- a plank-stripped standing tree in good condition;
- a painted tree;
- a mortuary tree (tree containing burials);
- canoe blanks or logs; and
- a cluster of CMTs (a variety of types or more than 20).

First Nations advice on cultural significance

A CMT is a traditional use site. Local First Nations should be advised of the existence of the CMT(s), and consulted to determine the importance of the CMT(s). The process of consultation should follow the *Ministry of Forests Aboriginal Rights and Title Policy Statement and Consultation Guidelines* (1999). The following questions may assist in discussion with local First Nations to determine cultural significance.

- Are the CMTs associated with ongoing traditional harvesting in the area?
- Does the particular site have cultural significance?
- Are alternative sites available to carry on the traditional activity?
- Are the CMTs associated with oral traditions about use in the area?
- Are the CMTs considered evidence useful for treaty negotiations?
- Are the CMTs useful for educational purposes?
- Do the CMTs have spiritual values?

Pre-1846 CMTs

Both cultural and scientific significance must be considered. Based on the consulting archaeologist's assessed significance of the pre-1846 CMT, Archaeology Branch will advise the district manager on whether the tree should be protected, or whether it may be cut and removed under a Section 12 permit. Once archaeological information and

³ For details on determination of significance, see Appendix 2, *Culturally Modified Trees (CMT) Procedures*, February 1997, BC Forest Service, Aboriginal Affairs Branch, Victoria, BC

advice has been received from First Nations and Archaeology Branch, pre-1846 CMT(s) may be protected, modified or removed as determined by the district manager (step 4 below).

Post-1846 CMTs

Primarily cultural significance must be considered. Once Forest Service obligations for First Nations consultation have been met, post-1846 CMT(s) may be protected, modified or removed as determined by the district manager (step 4 below).

d) STEP 4: Determine the management prescription

The Archaeology Branch will advise the district manager on the appropriate impact management measures for pre-1846 CMTs. Removal or modification of pre-1846 CMTs requires a permit under Section 12 of the *Act*.

The following is intended to advise on determining the appropriate impact management measures for post-1846 CMTs. Management prescriptions should be guided by information on significance provided by the CMT assessment or AIA process. In all cases, a CMT assessment should be completed to an appropriate level of recording.

Protection

Protection should be considered if:

- the CMT features are unique;
- there are significant archaeological sites in the area (e.g. a trail); or
- cultural significance is high.

Protection measures include the following options.

- include CMTs in wildlife corridors, riparian areas and other special management areas
- adjust block boundaries to avoid the CMT
- provide an adequate buffer around single CMTs or CMT clusters, to protect the tree(s) from damage and reduce the probability of wind throw

Mitigation of impact

Mitigation should be considered if:

- worker safety is at risk;
- CMTs do not meet significance criteria for protection;
- CMTs are unlikely to survive to next rotation (e.g. not windfirm); or
- CMTs are infected with dwarf mistletoe.

Mitigation measures include the following.

- CMT assessment, including Level I recording prior to impact mitigation
- stub trees or fell above the modification feature

Removal of CMTs

Removal should be considered if:

- worker safety is at risk;
- CMTs do not meet significance criteria for protection;
- CMTs are unlikely to survive to next rotation (e.g. not windfirm);
- CMTs are infested with bark beetles; or
- CMTs are located on a right of way.

4. Management of culturally modified trees outside of operational planning

CMTs discovered and reported in areas where development is not scheduled may be assessed and recorded as described in steps 2 and 3 above. Information on the identification and recording of CMTs is provided in the CMT Handbook.

5. Management of culturally modified trees discovered during operations

CMTs discovered during harvesting or road-building operations are considered resource features under section 51 of the *Forest Practices Code of British Columbia Act*⁴. They must not be modified or removed prior to being reported by the development proponent (licensee) to the district manager. The district manager will work with Archaeology Branch to consider the relevant risks and statutory requirements, and to determine a process to assess and manage the features.

The following procedures should guide operations where an unexpected CMT is found during forest operations, and *Heritage Conservation Act* permits are not in effect.

Step 1: Stop work

Section 51 of the *Forest Practices Code of British Columbia Act* requires that if a previously unidentified resource feature is located during forest operations, work will be stopped to the extent necessary to avoid damaging the resource feature (CMT).

Step 2: Notify district manager/Archaeology Branch/ First Nation

Upon discovery of an unexpected CMT, the development proponent (licensee) must notify the district manager. The district manager will contact local First Nations and the Archaeology Branch.

Step 3: Determine the significance of the CMTs

If the CMT is definitely post-1846, permits are not required to assess or remove it. First Nations should be contacted by the district manager to determine the significance, and to advise on a management prescription. Implement the CMT management procedure above (section 3(c), STEP 3).

⁴ Section 51 of the *Forest Practices Code of British Columbia Act* states that if a person finds a previously unidentified resource feature during operations, the person must modify or stop any operations to avoid threatening the feature, and promptly advise the district manager.

If the CMT is pre-1846 (or date unknown), permits will be required. A Section 14 and Section 12 joint application should be made to the Archaeology Branch by an archaeologist and licensee to assess the CMT, and to determine if the CMT should be protected or removed. The permit processing time is five days, with an additional 15-30 days for referral to the First Nation. Permit processing time can be reduced if :

- An AIA process or CMT assessment has been completed (see the procedure above, section 3(b), STEP 2).; and
- First Nations agreement exists (i.e. a letter).

Step 4: Determine the management prescription

Record and remove or protect the CMT depending on the significance of the CMT, and the potential to adjust the development activity. Implement the CMT management procedure above (section 3(d), STEP 4).

If a CMT has been accidentally cut during forest operations, leave the tree and follow the above four steps. Mitigation measures will be implemented to record, sample and date the CMT. If the CMT is pre-1846, ensure that appropriate permits are in place before any sampling or removal occurs.

A flowchart describing this advice document is on the following page.

6. References

Aboriginal Rights and Title Policy Statement and Consultation Guidelines, 1999, British Columbia Ministry of Forests, Aboriginal Affairs Branch, Victoria, BC

Archaeology Overview Assessment Implementation Advice, 1998, British Columbia Forest Service, Cariboo Forest Region, Williams Lake, BC
(Referred to as “AOA Advice”)

British Columbia archaeological impact assessment guidelines (Fifth Revised Edition, 1998), Ministry of Small Business, Tourism and Culture, Archaeology Branch, Victoria, BC

Culturally modified trees of British Columbia: a handbook for the identification and recording of culturally modified trees by Arnoud H. Stryd, 1997, British Columbia Ministry of Forests, Vancouver Forest Region, Nanaimo, BC.
(Referred to as the “CMT handbook”)

Culturally Modified Trees (CMT) Procedures, February 1997, British Columbia Forest Service, Aboriginal Affairs Branch, Victoria, BC

