

A Review of Forest Stewardship Plan Results and Strategies for the Cultural Heritage Resource Value

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FREP

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Cultural heritage resources are one of 11 resource values included under the *Forest and Range Practices Act* (FRPA). Under the results-based FRPA framework, forestry proponents must develop forest stewardship plans (FSPs) or woodlot licence plans that consist primarily of management results and (or) strategies for each FRPA resource value. These results and strategies must be consistent with all legal objectives set by government and all applicable requirements set out in the Forest Planning and Practices Regulation (FPPR). The objective set by government for the cultural heritage resource (CHR) value is: "to conserve and where necessary, protect, First Nations cultural heritage resources that are (a) the focus of a traditional use by an aboriginal people that is of continuing importance to that people, and (b) not regulated under the *Heritage Conservation Act*" (FPPR Section 10).

Cultural heritage resources consist of a large and complex spectrum of heritage resources and cultural values, including both archaeological and traditional use sites, the connections between these sites, and a broader, more holistic concept of how First Nations people lived and continue to live on the land. First Nations cultural values are interwoven with other landscape values, such as ecology and geology, as well as language, stories, legends, and spirituality. Each First Nation in British Columbia has a unique interpretation of what cultural heritage values represent.

To provide a sense of how proponents are addressing the CHR value under FRPA, FREP reviewed and analyzed a subset of approved FSP results and strategies. It is important to note that additional tools and approaches may be being used by proponents in the "non-legal" realm to manage CHRs. These were not reviewed in this analysis, and future research will address this issue. FREP report 18 presents the results of this analysis.



Photo: "Bear" by Jim Hart, Haida, 2001. This pole represents the people who once occupied Tanu, an ancient Haida village wiped out by smallpox.

"Are results or strategies for specific CHRs (e.g., cedar, cultural trails, spiritual sites) being developed and approved in FSPs? Why or why not?"

"How frequently do FSPs contain information-sharing strategies? What common elements do these information-sharing results or strategies contain?"

"What other notable trends or similarities are evident in approved results and (or) strategies for the CHR value?"

PROJECT OVERVIEW

This project reviewed a subset of approved FSP results and strategies for the CHR value that have been developed across the province. The primary goals of this review were to:

- develop an understanding of how proponents are addressing the CHR value;
- compile examples of approved results and strategies to serve as a learning tool for forest managers;
- identify trends or similarities in the approved results and strategies; and
- provide some initial critical reflection on the possible implications of these findings.

Three research questions were used to guide this analysis:

1. Are results or strategies for specific CHRs (e.g., cedar, cultural trails, spiritual sites) being developed and approved in FSPs? Why or why not?
2. How frequently do FSPs contain information-sharing strategies? What common elements do these information-sharing results or strategies contain?
3. What other notable trends or similarities are evident in approved results and (or) strategies for the CHR value?

Cultural heritage resource results and strategies were extracted verbatim from approximately 110 FSPs that had been approved and entered into the electronic FSP tracking system as of January 15, 2008. This sample represents approximately 58% of all currently approved FSPs in British Columbia, and includes FSPs from 27 of 29 Ministry of Forests and Range forest districts.

Resource Tenures and Engineering Branch personnel compiled all CHR results and strategies for this analysis. A content analysis was completed to identify trends among all results and strategies. A chi-square statistical analysis was used to identify significant differences between trends observed among First Nations owned or affiliated companies, and those with no apparent First Nations affiliation. Differences may indicate that CHR management priorities exist among First Nations tenure holders that non-aboriginal tenure holders should consider.

RESULTS

A number of example FSP results and strategies are presented verbatim in the report for information purposes, without bias and (or) support for their content or quality. These include management results or strategies for: (a) specific CHRs (i.e., cedar, culturally modified trees, birch, cultural plants, rock art and pit houses); (b) information-sharing; (c) the completion of archaeological or CHR field

assessments; (d) the identification of First Nations affected by a given FSP; (e) access management; (f) herbicide/pesticide management in cultural use areas; and (g) the incorporation of First Nations land use plans in forest management planning.

Content and statistical analyses revealed the following trends:

- Thirty-four percent of the forest stewardship plans under review identified results and strategies for specific CHRs: cedar (22% of all FSPs, or 69% of all FSPs on the Coast), culturally modified trees (10%), birch ecosystems (3%), cultural plants (4%), rock art and pit houses (1%).
- Companies owned by, or affiliated with, coastal First Nations were significantly more likely to include cedar-related strategies than non-aboriginal companies: all First Nations companies (100%) addressed cedar management directly in their FSPs compared to 59% of companies not affiliated with First Nations.
- Approximately half of the plans (49%) were committed to the completion of either archaeological assessments (31%) or “cultural heritage resource” assessments (18%).
- Companies owned by, or affiliated with, First Nations were more likely to include commitments to complete field assessments (archaeological or CHR assessments) compared to companies with no known First Nations affiliation.
- Ten plans (9%) made specific commitments to complete culturally modified tree surveys.
- Three licence holders (3%) made specific commitments to provide CHR-related training or information to field staff or contractors operating within the plan area.

Where “cultural heritage resource assessments” were mentioned, plan preparers did not always include a definition for this term or an explanation of what such assessments would entail; therefore, an opportunity may exist to develop standards or guidelines for these assessments based on work currently under way by First Nations.

- Defined information-sharing strategies were included in 53% of the reviewed plans. The level of detail provided in these strategies varied considerably among plans, although some common elements included:
 - a clear timeline for communication outlining the frequency of communication;
 - a commitment to provide feedback on concerns raised;
 - a commitment to conduct face-to-face meetings to share information;
 - a commitment to provide site-specific information; or
 - a commitment to maintain confidentiality of sensitive information.

- Ten percent of plans contained “explicit” information-sharing strategies (i.e., strategies that included four or more of the elements described above), 43% were moderately to well defined (containing two or three elements).
- Thirteen percent of plans identified all First Nations affected in the plan area or specific forest development unit within the operating area. This approach seems to be used to provide added transparency and clarity for First Nations and others reviewing the plan.
- A few unique examples of strategies designed to address specific First Nations concerns included: restricting or improving access management; effects of pesticide and herbicide application in high-use areas; and the use and valuation of First Nations land use plans in various stages of planning.

Once again, note that while this project examined the legally enforceable commitments contained in FSPs, additional tools and approaches are reportedly being used by proponents to manage CHRs in the non-legal realm.

RECOMMENDATIONS

First Nations, government, industry, and professional associations should work together to implement the following recommendations.

Recommendation 1:

Document the prevalence, content, and effectiveness of strategies or protocols developed by proponents through various “non-legal” mechanisms for CHR management. These mechanisms may include (but are not limited to):

- FSP supporting documents
- Information-sharing agreements or protocols
- Cultural resource management agreements (e.g., cultural cedar management strategies)
- Sustainable forest management plans (or equivalent plans developed for sustainable forest certification purposes)

Recommendation 2:

Assess the effectiveness of information-sharing strategies and protocols.

Recommendation 3:

Develop guidance for professional due diligence in the completion of “pre-harvest cultural heritage resource assessments.” This guidance should identify:

- all appropriate information sources and how to access them (respecting any confidentiality concerns);
- the types of sites, features, and values to record for a given area or region; and
- effective methods of collecting and managing CHR information.



Photo: CHR monitoring training day

VIEW THE FULL REPORT

http://www.for.gov.bc.ca/ftp/hfp/external/!publish/rep/reports/FREP_Report_18.pdf

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