

IN-SHUCK-CH NATION
HERITAGE POLICY

UPDATED AS OF MAY 9, 2007

WITHOUT PREJUDICE

1.0 Preamble

We, the In-SHUCK-ch people, through this document, are stating our intentions with regard to the protection, management, and development of our culture and heritage within our traditional territory. We have three communities within In-SHUCK-ch- the Samahquam, Skatin and Douglas First Nations. Heritage conservation involves each community directly, as well as collectively through the In-SHUCK-ch Nation.

In-SHUCK-ch heritage is complex and dynamic. We, the In-SHUCK-ch people, continue to carry out and express our traditions in the face of an ever-changing world in which we are a part. This policy manual is a living document and is subject to change and revision.

1.1 In-SHUCK-ch Nation

We, the In-SHUCK-ch Nation, assert our sovereignty over the entire traditional territory of the Douglas, Skatin and Samahquam peoples. Therefore, all development and alteration of our territory must consider the impact of said development on the culture and heritage of the In-SHUCK-ch people.

In-SHUCK-ch traditional territory is centered around the lower Lillooet River Valley and upper Harrison Lake in southwestern British Columbia. It is bounded in the west by the headwaters of the Mamquam River, in the south by the heads of Pitt and Stave Lakes, and in the east as far as the headwaters of the tributaries draining into the Fraser Canyon. The cities closest to our traditional territory are Pemberton and Mt. Currie in the north, and Harrison Hot Springs and Agassiz to the south (see Map in Appendix A).

The Douglas, Skatin and Samahquam people are related through familial ties as well as culturally and linguistically. We are the southernmost of the four divisions making up the Lillooet ethnographic group. Our language, *Ucwalmícwts*, is one of many making up the Interior Salish language family.

The Lillooet River/ Harrison Lake corridor has been the lifeblood of the In-SHUCK-ch people since time immemorial, and our connection to the land remains an important factor in our cultural identity. We continue to make use of the salmon, the various freshwater fish, the black-tailed deer and other animals, the berry patches and root gathering areas on which we have subsisted for thousands of years. The red cedar tree played an important role in our clothing, basketry, and other manufactures, and still is an integral part of our rituals and ceremonies.

In-SHUCK-ch traditional territory was an important locus of activity in the colonial history of British Columbia, since it was the earliest route of travel to the Cariboo Gold Fields. Later the area was visited by Roman Catholic missionaries, who converted the communities to Christianity; and the Department of Indian Affairs, who allotted the Indian Reserves on which the communities are located today. All of these factors have influenced the culture and heritage of In-SHUCK-ch.

2.0 Purpose

The purpose of this Policy is to allow In-SHUCK-ch Nation to:

- Protect, preserve and manage In-SHUCK-ch heritage, in all its forms, in a manner consistent with In-SHUCK-ch values, beliefs and traditions;
- Cooperate with other organizations- both In-SHUCK-ch and non-In-SHUCK-ch- in the protection, preservation and management of In-SHUCK-ch heritage;
- Maintain the integrity of In-SHUCK-ch history and heritage through the respectful treatment of In-SHUCK-ch traditional knowledge, heritage objects and sites;
- Advance knowledge and understanding of In-SHUCK-ch heritage;
- Maintain continuity in In-SHUCK-ch heritage and the practice of cultural traditions in forms both old and new;
- Advance In-SHUCK-ch cultural revival, including the knowledge of *Ucwalmícwts*.

2.1 Continuity with other Plans

The *In-SHUCK-ch Heritage Policy* has been written in compliance with the In-SHUCK-ch Nation *Consultation and Referral Protocol*, and the In-SHUCK-ch Nation *Land Stewardship Plan*, which are offshoots of In-SHUCK-ch Nation's *Seven Generations Plan*.

2.2 Compliance with Provincial Legislation

The In-SHUCK-ch Heritage Policy assumes protective and conservative measures over and above the current *Heritage Conservation Act* of the Province of British Columbia.

3.0 Ownership of Heritage Sites and Objects

In-SHUCK-ch Nation maintains the ownership and jurisdiction of all In-SHUCK-ch heritage sites and objects. In-SHUCK-ch Nation may develop heritage-related Protocol Agreements with non-aboriginal governments, universities or post-secondary institutions, and resource management agencies.

3.1 Respect for Heritage Sites and Objects

In-SHUCK-ch heritage sites and objects must be treated with respect. The management of heritage sites, objects, and information must reflect In-SHUCK-ch values and be carried out for the purpose of protection, preservation and future use. Resource and land use must be planned such that they conflict as little as possible with In-SHUCK-ch heritage interests. Mitigation and/or compensation is required where impacts on In-SHUCK-ch heritage are unavoidable or otherwise occur.

4.0 In-SHUCK-ch Heritage

In-SHUCK-ch Heritage sites and objects consist of but are not limited to:

4.1 Transformer Sites

These are features on the landscape created by the transformations of *utszím'alh* (a figure composed of four brothers, a sister, and a mink) sent by the Creator to punish evildoers and make corrective alterations to the land.

4.2 Spiritual Sites

These are places in the territory with significant spiritual value such as pictographs, natural springs, spirit questing areas, cultural landmarks, Indian doctor training areas, places inhabited by spiritual beings, puberty ritual or seclusion areas, and areas for quarrying nephrite and stone for ceremonial bowls and other objects.

4.3 Burial Sites/Cemeteries

These include all graveyards and places of interment in In-SHUCK-ch territory.

4.4 Traditional Use Sites

These include all places in the territory used for past and present resource acquisition activities, including fishing, hunting, berry and root gathering, cedar root and bark gathering (sometimes evidenced by Culturally Modified Trees), and trapline sites. This would also include all past trails and travel corridors.

4.5 Habitation Sites

These include all past and present villages and seasonal resource camps. Past habitations are generally evidenced by cultural depressions, whether house or cache pit features.

4.6 Archaeological Sites

This may include any of the above sites that have been formally recorded and have Borden numbers registered with Archaeology Branch, Province of British Columbia. This also includes all historic sites in the territory related to the colonial gold rush period in British Columbia, and the Harrison-Lillooet Gold Rush Trail.

4.7 Material Culture

This includes all moveable objects of In-SHUCK-ch manufacture, past and present. This also includes all historic artifacts found within In-SHUCK-ch traditional territory.

4.8 Intellectual Property

Knowledge, the nature of which has been transmitted from generation to generation, which is regarded as In-SHUCK-ch and belonging to In-SHUCK-ch Nation, or its families or communities. This includes *Ucwalmícwts* place names, oral history, family names, songs, dances, art, crafts, designs, images, and the *Ucwalmícwts* language.

5.0 Heritage Site Management Policy

The following chart outlines the level of cultural significance of In-SHUCK-ch Heritage Sites, and the preferred management options when facing development or other forms of impact. These options range from total avoidance of the site, to the collection or removal of objects from the site in order to avoid future disturbance. Researchers and Heritage Investigators should refer to the *British Columbia Archaeological Impact Assessment Guidelines* for further information.

Site Type	Significance Level	Preferred Management Measure	Secondary Option(s)	Comments
Transformer Sites	High	Avoidance/No Impact	Protection	These sites will be protected over and above any development.
Burial Sites/ Cemeteries	High	Avoidance/No Impact	Protection	No development will be allowed within 50m of these sites, except to prevent further degradation.
Spiritual Sites	High	Avoidance/No Impact	Minimize and Mitigate Impact	Where the boundaries are clearly defined, development will be kept to a minimum in strict consultation with In-SHUCK-ch elders and community members.
Habitation Sites	Medium	Present communities- enhancement; Past communities- avoidance/no impact	Past communities- minimize and mitigate impact	Past communities are usually recorded archaeological sites and development should not occur within the prescribed 50m buffer.
Traditional Use Sites	Medium	Minimize and mitigate impact	Enhancement	Make efforts in development to enhance the traditional use activity potential of the area.
Archaeological Sites	Dependent on Site Type	Avoidance/No Impact	Minimize and Mitigate Impact	If development cannot be kept 50 m away, take steps to collect or preserve evidence.

6.0 Process for Conducting Archaeological Work in In-SHUCK-ch Traditional Territory

All plans for development within In-SHUCK-ch traditional territory must include the opportunity for review of its impact to In-SHUCK-ch cultural heritage as defined in 4.0. The checklist for ensuring proper consultation in this process is as follows:

- 1) All proposals for development, whether they are cutblocks, mineral claims, road construction, housing construction, or other forest land alteration, or any action that would involve soil disturbance, will be submitted to In-SHUCK-ch Nation in accordance with our *Consultation and Referral Protocol*.
- 2) The developer will hire and pay the archaeological consultant or consulting company to undertake the archaeological work that is required. In most instances, In-SHUCK-ch Nation reserves the right to have the archaeological work completed by the In-SHUCK-ch archaeologist. If said archaeologist is unavailable, In-SHUCK-ch Nation can recommend an alternative archaeological consultant or consulting company.
- 3) In-SHUCK-ch Nation reserves the right to have the In-SHUCK-ch archaeologist placed on the field crew of any or all archaeological work performed in In-SHUCK-ch traditional territory. The developer will pay the archaeologist's fees as part of the contract with any other consultant or consulting company.
- 4) Whichever consultant or consulting company is hired to undertake the work, must apply for, in addition to the Provincial Heritage Investigation Permit, an In-SHUCK-ch Heritage Investigation Permit. This permit must be approved prior to any work done in In-SHUCK-ch traditional territory (see Appendix B).
- 5) The permit holder must abide by the terms and conditions set out in the In-SHUCK-ch Heritage Investigation Permit.
- 6) An In-SHUCK-ch Heritage Investigation Permit number will be assigned and communicated to the permit holder upon approval of the permit application.
- 7) A report of results will be submitted with In-SHUCK-ch Nation prior to its submission to Archaeology Branch. In-SHUCK-ch Nation reserves the right to challenge results and provide input prior to the final report being submitted.
- 8) A \$100 processing fee will be charged for all permit applications. The developer will be responsible for payment of this fee. This fee will be recovered through the applicant. Permit applications will not be approved until the fee has been paid.
- 9) Conducting archaeological/cultural resource work without an In-SHUCK-ch Nation permit, or failure to comply with the permit terms and conditions, constitutes a violation of this Policy, can result in the immediate cessation of the work covered in the permit, and may result in the exclusion of the consultant or consulting company from future In-SHUCK-ch permit holding capacity.
- 10) Investigators/applicants are responsible for acquiring all other applicable permits- including those of First Nations with shared interests (as defined by mapped or stated territorial boundaries)- prior to commencing work under the In-SHUCK-ch Nation Heritage Permit.

- 11) This permit is not to be construed as a statement of title exclusive of other First Nations' interests.
- 12) The issuance of an In-SHUCK-ch Nation Heritage Investigation Permit does not constitute consultation on or participation in any project for which the work proposed in the permit application is a part. The issuance of the Permit is separate and apart from the consultation process associated with any development proposal(s) to which the permitted project is linked, and in no way contributes to or in any way relieves the project proponent's consultative duties with In-SHUCK-ch Nation, or any other First Nations. This permit will be issued to the permit applicant only as a result of having satisfied the process of technical review associated with the proposed program of archaeological investigation.
- 13) Nothing in the issuance of the In-SHUCK-ch Nation Heritage Investigation Permit is intended to affect the exercise or scope of, or justify any infringement of any In-SHUCK-ch aboriginal right or title.

6.1 Policy Regarding the Level of Archaeological Work within In-SHUCK-ch Traditional Territory

Areas in In-SHUCK-ch territory are assigned levels of archaeological potential in accordance with the Overview Assessment provisions in the current version of the *British Columbia Archaeological Impact Assessment Guidelines*, depending on an established set of different factors. The policy of In-SHUCK-ch Nation is that:

- 1) Sites and areas modified by the Transformers, and cemeteries within a fenced boundary, cannot be altered in any way, therefore no development will be approved in these instances, except when said development is used to save the site or area from further degradation.
- 2) Areas of high archaeological potential require Archaeological Impact Assessments (AIA's) unconditionally.
- 3) Areas of medium or low archaeological potential require at least a Preliminary Field Reconnaissance (PFR) to determine whether further archaeological work is needed. This judgment is the permit holder's to make, but will be based partly on the input of the In-SHUCK-ch Heritage Advisor or the In-SHUCK-ch archaeologist.

6.2 Incidental Discovery of In-SHUCK-ch Ancestral Human Remains

The In-SHUCK-ch Nation archaeologist and Heritage Advisor should be immediately notified of the identification and/or recovery of any human remains either known to be or potentially of In-SHUCK-ch ancestry.

In cases where the ancestry of the remains is uncertain, appropriate analysis should be conducted to determine, with as much certainty as possible, the ancestry, sex, age, and any other pertinent information about the individual(s). Prior to the removal of the

remains from its provenance, the appropriate police authority should be contacted to ensure the remains are not recent or the result of criminal activity.

In cases where the ancestry of the remains is determined to be Aboriginal, the remains should be turned over to In-SHUCK-ch Nation in a timely fashion. If familial relations can be determined, the associated family should be consulted regarding the further care and treatment of the remains.

The recovered human remains (if they must be removed from their original resting place) may be stored in an appropriate storage facility (museum or university laboratory) while analyses- if any- are carried out and reburial plans are made.

Acceptable analyses may include sampling for radiocarbon dating, dietary analysis, and DNA analysis. Collected remains should be described and analyzed by a professional physical anthropologist. Analyses should be overseen by the In-SHUCK-ch archaeologist or Heritage Advisor to ensure maximum analytic accuracy and to ensure that cultural protocols are followed. Such analyses and/or sampling should be completed prior to reburial.

The In-SHUCK-ch Nation Heritage Advisor and the Elders Committee, if necessary, may facilitate reburial plans. In cases of family jurisdiction, the assistance of the In-SHUCK-ch Nation Heritage Advisor and/or Elders Committee is available upon request.

Reburial should be conducted as soon as possible following the receipt and analysis of any ancestral human remains. A cemetery will be identified for the reburial event. The reburial proceedings should include the appropriate ceremonies according to In-SHUCK-ch tradition.

Records of all found ancestral human remains and their disposition will be maintained by the In-SHUCK-ch Heritage Advisor.

6.0 In-SHUCK-ch Intellectual Property

In-SHUCK-ch Nation asserts that they hold Aboriginal rights in and ownership of intellectual properties that are derived from and/or are integral to In-SHUCK-ch culture.

Informed consent from the owner of In-SHUCK-ch intellectual property must be obtained from In-SHUCK-ch Nation before the use of In-SHUCK-ch knowledge, except in situations of 'fair use'.

All In-SHUCK-ch intellectual property must be properly credited when used, quoted or referred to.

Excerpts from In-SHUCK-ch intellectual property, except property that is confidential, secret, or private, may be used for educational, informational, commentary, or purposes

other than profit, as long as the In-SHUCK-ch owner is properly referenced. Prior consent is still encouraged for this use, but is not required.

6.1 *Ucwalmícwts* Place Names

In-SHUCK-ch Nation encourages the contemporary re-application of known *Ucwalmícwts* place names to otherwise alienated or re-named places within In-SHUCK-ch traditional territory, provided their accurate and appropriate use, as evaluated and approved of by the In-SHUCK-ch Nation Heritage Advisor, and the In-SHUCK-ch Nation Elders Committee.

6.2 *Ucwalmícwts*

In-SHUCK-ch Nation encourages the general contemporary use of *Ucwalmícwts*, provided its consistent and accurate application.

7.0 Theft/Sale/Trade/Exchange of Cultural Artifacts

In-SHUCK-ch Nation prohibits the theft and/or sale, and the not permitted trade or exchange of all commonly held cultural artifacts, including- in part- archaeological artifacts, ceremonial regalia, etc.

8.0 Collection of In-SHUCK-ch Heritage Artifacts

8.1 Incidental Finding and Collection

Incidental finds (i.e. surface finds without an associated In-SHUCK-ch Nation Heritage Investigation Permit) are encouraged to be left in place, unless in immediate threat of being destroyed or lost due to natural causes (e.g. erosion). It is recommended that, whether collected or left in place, the In-SHUCK-ch Heritage Advisor and/or the In-SHUCK-ch archaeologist be contacted and informed of the nature and location of the find.

8.2 Investigation Project-Related Collection

Regarding initial heritage site inventory/impact assessment studies in which the primary objective is to define site presence or absence in a given area using a shovel testing (or alternate sub-surface testing) strategy, investigators are *encouraged* to record, describe, and analyze all found artifacts while ‘in field’ and re-inter (if found below the surface) – or replace (if found on the surface) - such artifacts in the location(s) where they were originally found. A re-interred artifact should be placed in a labeled bag (include date, investigator, In-SHUCK-ch Heritage Investigation Permit number, test number/provenience, contents- use indelible marker) and placed at the base of the test pit in

which they were found. All artifact locations are to be plotted on appropriately-scaled site maps.

Collection may occur in the following circumstances:

- When a significant object is identified (i.e. rare, diagnostic, can provide information not recoverable through in-field documentation, etc.);
- When the artifacts are in danger of being destroyed;
- When the artifacts are in danger of being lost to natural causes (e.g. erosion);
- When the initial heritage project is known to be preliminary to a more intensive research/data collection/mitigation project (see below)

8.3 Research/Data Collection/Mitigation (Major Testing)

Regarding these kinds of projects which involve intensive and controlled excavation (or recovery) of heritage artifacts, all recovered artifacts are to be collected.

8.4 Artifact Collector Protocol

All collectors of artifacts are to follow the curatorial procedures outlined in section 9.0.

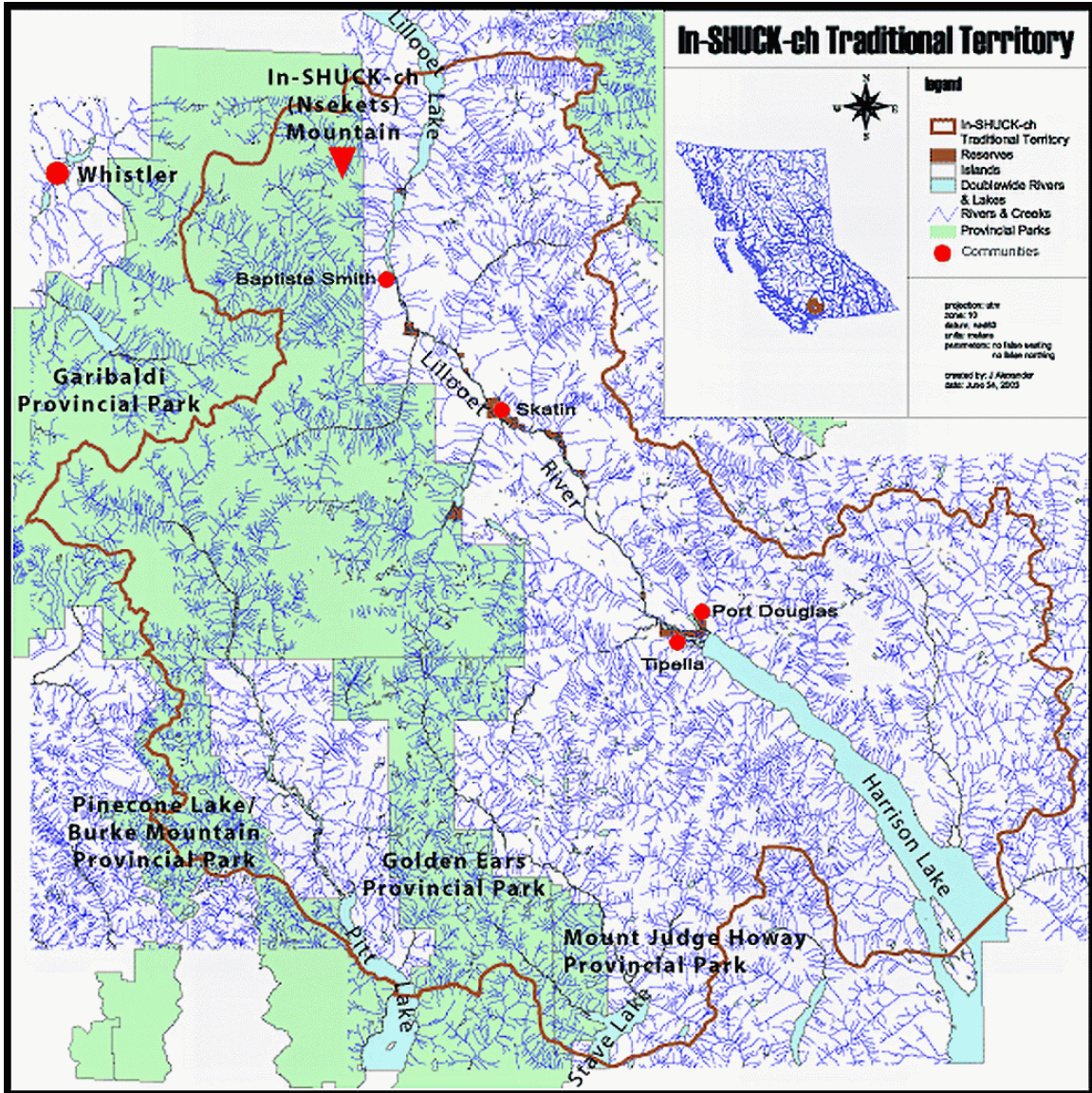
9.0 Curation of Artifacts

Artifacts collected in any instance from In-SHUCK-ch traditional territory must be housed in an appropriate curatorial facility. In the event that there are existing collections from the same site at the Royal British Columbia Museum in Victoria, then the artifacts may be stored there so long as In-SHUCK-ch Nation is notified. This will be on an 'in trust' basis between the museum and In-SHUCK-ch Nation until the appropriate curatorial facilities can be erected in In-SHUCK-ch traditional territory. A written agreement will be negotiated and signed by the appropriate authorities from In-SHUCK-ch Nation and the museum respectively.

Where no other collections exist, then the artifacts should be stored with the currently-approved In-SHUCK-ch Nation cultural material repository. Until otherwise notified, this repository is the University College of the Fraser Valley in Abbotsford, BC. Again, this will be on an 'in trust' basis between the museum and In-SHUCK-ch Nation until the appropriate curatorial facilities can be erected in In-SHUCK-ch traditional territory.

It must be re-asserted that In-SHUCK-ch Nation maintains the right of possession over these artifacts, and that In-SHUCK-ch Nation must be notified of their collection, location of storage, use or exhibition.

Appendix A
 In-SHUCK-ch Traditional Territory Map



Appendix B
In-SHUCK-ch Nation Heritage Permit Application



In-SHUCK-ch Nation

Archaeological Permit

Permit No. _____

Date: _____

Chief Investigator: _____

Investigator Company/Institution: _____

Short Name for Project: _____

Location of Project: _____

Nature of Investigations:

Development Related:		Education Related:	
Development Property:		Mining:	
Transportation:		Recreational:	
Forestry:		Other:	

Time Framework (Estimate):

Begin: Day/Mo./Yr. _____ End: Day/Mo./Yr. _____

Nature of Assessment:

1. ARCHAEOLOGY:		2. SPIRITUAL SITES:	
Overview:		Overview:	
Survey:		Survey:	
Minor Archaeological Testing:		Other:	
Archaeological Excavation:			

Do you expect to interview In-SHUCK-ch Elders in the course of this research?

Yes: No:

Other Project Permits pertaining to this Investigation:

First Nations If so, which:

Provincial

Federal

(Please Attach Copies with the Application)

PROJECT DESCRIPTION- Describe the nature of the project:

Chief Investigator's Signature

Date

(Day/Month/Year)

Signatory for In-SHUCK-ch Nation

Title

Date

(Day/Month/Year)

Permit Terms and Conditions:

1. The permit holder is responsible for ensuring that all staff working on this project are familiar with the In-SHUCK-ch Nation Heritage Policy (a copy of this document will be provided upon request).
2. The permit holder will make a concerted effort to hire at least one In-SHUCK-ch individual (with an appropriate level of experience and training) to assist in conducting this project.
3. In the event that human remains are identified at any time during the course of this project, the permit holder must immediately cease and stabilize any disturbance of the remains, inform both the In-SHUCK-ch Nation Heritage Advisor and (if not part of the crew) the In-SHUCK-ch Nation Archaeologist of the nature and location of the remains, and implement any instructions provided by these individuals regarding the treatment of the remains.
4. Prior to the production of the final report, the permit holder will provide the In-SHUCK-ch Nation Heritage Advisor and the In-SHUCK-ch Nation Archaeologist an opportunity to review and comment on proposed management recommendations relating to any cultural heritage sites identified during the course of this project.
5. Implementation and inclusion of editorial comments made by the In-SHUCK-ch Nation with regard to management recommendations and/or any other portion of the project report will be negotiated between the permit holder and the In-SHUCK-ch Nation Archaeologist, prior to report finalization.
6. The permit holder shall provide the In-SHUCK-ch Nation Archaeologist and the In-SHUCK-ch Nation Heritage Advisor with a copy of the final report (including the In-SHUCK-ch Nation permit number on the cover) for this project, prior to the expiration of this permit. All final reports are expected to meet or exceed the reporting standards developed by the provincial Archaeology Branch. In the event that provincial reporting standards and/or guidelines are not applicable to this project, the permit holder is responsible for developing such standards/ guidelines in consultation with the In-SHUCK-ch Nation Archaeologist.
7. The permit holder shall provide the In-SHUCK-ch Nation Archaeologist and the In-SHUCK-ch Nation Heritage Advisor with a copy of any updated or newly recorded British Columbia Archaeological Site Inventory Form(s) resultant from the project, as well as a copy of the final report. Site forms should be submitted with the final report.
8. Any application for extension of this permit must be made at least 30 days prior to the permit expiry date.
9. Reasonable amendments to this permit may be requested in writing on an 'as needed' basis.

10. A representative of the In-SHUCK-ch Nation may at any time inspect any project being conducted under this permit.

Other: (May be specified upon review of application)

In-SHUCK-ch Nation Heritage Advisor

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