
Culturally Modified Trees of British Columbia

A Handbook for the Identification and
Recording of Culturally Modified Trees

Prepared by
Archaeology Branch
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for the
Resources Inventory Committee

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Bark-stripped western redcedar with large rectangular bark-strip scar. Note erosion of scar base and some bark loss at top of scar.



Standing western redcedar with multiple plank scars.

CMT PROTECTION, MANAGEMENT, PERMITS AND ABORIGINAL RIGHTS

CMT Protection

The *Heritage Conservation Act* protects many of British Columbia's archaeological sites from development related disturbance by requiring specific alteration permits before site alterations may proceed. These provisions of the Act apply whether archaeological sites are located on public or private land. CMTs, whether they occur singly or in a group, are subject to potential protection under the *Heritage Conservation Act*. There are several sections of the Act which can apply to the protection of CMTs, however the central provisions are found under Heritage protection. Within this section a CMT may not be damaged, altered or removed without an alteration permit if:

- the CMT was, or, in the case of a CMT site, some of the CMTs were modified before 1846, or
- it is reasonable to assume, in the absence of absolute (calendar) dates, that the CMT (s) was modified before 1846, or
- the CMT is a feature within a protected archaeological site.

CMT Management

Responsibility for the integration of CMTs and other archaeological resources into Ministry of Forest operations is shared by the Ministry of Small Business, Tourism and Culture, and the Ministry of Forests.

The roles and responsibilities of both parties are defined in the Protocol Agreement on the Management of Cultural Heritage Resources. CMTs are managed in accordance with the following policies, operational procedures, and agreements:

- The Ministry of Small Business, Tourism and Culture and Ministry of Forests *Protocol Agreement on the Management of Cultural Heritage Resources* (revised October 1996)

- *British Columbia Archaeological Impact Assessment Guidelines*
- *British Columbia Archaeological Resource Management Handbook*
- *Procedures for Culturally Modified Trees* (Ministry of Forests)
- *Provincial Heritage Register Access and Security* (Archaeology Branch Operational Procedure)
- *Recording Culturally Modified Trees* (Archaeology Branch Operational Procedure)

These documents are available through the Archaeology Branch and Ministry of Forests websites. They are subject to periodic change.

Ministry of Small Business, Tourism and Culture

The Archaeology Branch of the Ministry of Small Business, Tourism and Culture encourages and facilitates the protection and conservation of the province's archaeological resources through the Archaeological Impact Assessment and Review Process. This is a three-stage review process consisting of:

- archaeological overview assessment (AOA)
- archaeological impact assessment (AIA)
- archaeological impact management (AIM)

The archaeological impact assessment section contains introduction to assessing site significance.

AOA: In a forestry context, an AOA determines the potential for archaeological sites in an area proposed for forest management activities, whether that area be as large as an entire Forest District or as small as a proposed harvesting block. The AOA is intended to predict archaeological site locations and guide subsequent impact assessment studies.

AIA: An AIA involves an inventory and impact assessment of a proposed development area. It is usually required where the need for one has been identified in an AOA. An AIA usually

addresses the full range of archaeological site types possible in a development area, and normally is not restricted to an assessment of CMTs unless that is the only site type expected. An AIA includes a field inventory, an evaluation of the significance of any sites present, an assessment of potential impacts to sites present by proposed development, and the recommendation of measures to manage adverse impacts. The field survey can involve ground alteration (testing with a shovel to determine if buried archaeological remains are present, or removing the forest litter mat in search of CMT logging detritus), or the alteration of CMTs (collecting wood samples for dating purposes). Often dating samples are removed after completion of the AIA by fallers during harvesting or other operational development.

CMT significance

The evaluation of CMT significance is an important component of the AIA process, since recommendations for the management of CMT sites are based on their assessed significance. Several types of significance (scientific, ethnic or cultural, historic, public, economic) may be taken into account when evaluating CMTs or CMT sites, but scientific and cultural significance generally have the most important implications for management recommendations.

Scientific significance

CMTs have the potential to shed light on many aspects of aboriginal culture, such as the history and nature of traditional forest use, and the ways in which society was organized at the social, economic and political levels. They also have the potential to corroborate oral histories and identify the locations of traditional use areas, trails, and other less visible types of sites that sometimes occur in association with CMTs in inland areas. Because of their ability to provide precise dates, CMTs can establish when specific lands were occupied and used,

demonstrate changing demographic and settlement patterns, and identify technological innovations.

In a 1997 report entitled *The Significance and Management of Culturally Modified Trees*, Morley Eldridge presents a scheme for rating the scientific significance of CMT sites and individual CMTs. Variety, number, condition, and context of CMTs are considered as well as the suitability for detailed investigation. This article is available on the Archaeology Branch website (www.archaeology.gov.bc.ca).

Cultural significance

Cultural significance is the importance placed on CMTs by the indigenous community. It may include scientific and spiritual values, as well as values that derive from aboriginal rights. One reason that CMTs are considered to be important is the link that they provide between aboriginal people and their ancestors, and the connection to the land that they symbolize. CMT sites are also important for educational purposes: they demonstrate the cultural achievements of the ancestors, and they are a source of knowledge of specific woodworking procedures and techniques. The time depth of CMTs can provide information about aboriginal society, and their ability to provide precise dates can provide information about historical events and may help establish claims to Aboriginal Rights and Title.

Cultural significance of CMTs is pursued through consultation with aboriginal representatives; not independently assessed by the investigating archaeologists. Appropriate questions used to help evaluate the relative cultural significance of the CMTs are detailed in *The Significance and Management of Culturally Modified Trees* (ibid.).

AIM: AIM involves the implementation of measures to manage adverse impacts to archaeological sites. Usually these measures are intended to avoid or reduce impacts. Mitigation also provides for emergency impacts (those not identified in the AIA). For CMT sites, both site avoidance through project redesign (e.g., road

realignment or block boundary adjustment) and data recovery through tree-ring dating are impact management options.

Ministry of Forests

Archaeological sites, including CMT sites, are considered to be cultural heritage resources for the purpose of forest planning and management. The *Forest Act* defines a cultural heritage resource as "...an object, a site or the location of a traditional societal practise that is of historical, cultural or archaeological significance to the province, a community or an aboriginal people."

The need to address the management of cultural heritage resources, including archaeological sites, in forestry operations is clearly stated in the *Forest Act*. The *Forest Practices Code of British Columbia Act* requires the inclusion of cultural heritage resources in operational planning. The *Operational Planning Regulation* and *Forest Road Regulation* of the *Forest Practices Code of British Columbia Act* state that an AIA must be carried out for an area where timber harvesting or road construction is planned "if the district manager is satisfied that the assessment is necessary to adequately manage and conserve archaeological sites in the area." However, in matters of heritage conservation where the *Heritage Conservation Act* applies, the *Heritage Conservation Act* prevails over other legislation. Therefore, the Minister responsible for this act can require an AIA where a district manager does not consider one necessary.

For previously unidentified cultural heritage resources, the *Forest Practices Code of British Columbia Act* states that "if a person carrying out a forest practice, other than fire control or suppression, finds a [cultural heritage] resource feature that was not identified on an approved operational plan or permit, the person carrying out the forest practise must (a) modify or stop any forest practise that is in the immediate vicinity of the previously unidentified resource feature to the extent necessary to refrain from threatening it, and (b) promptly advise the district manager of the existence and location of the resource feature."

Permits to alter a CMT

The *Heritage Conservation Act* contains three main sections which apply to the management of CMTs. The heritage protection section defines the types of sites which are automatically protected by this legislation. CMT sites are usually captured by the subsection which states:

Except as authorized by a permit...a person must not do any of the following:

damage, excavate, dig in or alter, or remove any heritage object from, a site that contains artifacts, features, materials or other physical evidence of human habitation or use before 1846.

Two other *Heritage Conservation Act* sections, heritage inspection and heritage investigation, and permits, determine the permitting conditions to alter these protected sites.

Inspection and alteration permits are the two types of *Heritage Conservation Act* permits which apply to CMT management. Inspection permits are issued to the archaeological researcher to allow site alterations which may take place during an inventory or impact assessment. Alteration permits are issued to the project proponent to allow resource extraction related alterations of protected sites. Work permitted may be specific to each situation, and is therefore outlined in an associated permit methodology.

CMTs as Evidence of an Aboriginal Right

In addition to being an archaeological resource, a CMT may constitute evidence regarding the practise of a potential aboriginal right. A proposed development that may affect a CMT could constitute an infringement of a potential aboriginal right where the forest development activity will preclude the continued practice of that activity. Consultation with the First Nation in whose asserted traditional territory a CMT is located should occur to determine whether a potential aboriginal right exists

and whether or not a proposed forest development constitutes an infringement. Consultation should follow the Ministry of Forests *Aboriginal Rights and Title Policy and Consultation Guidelines*.