



March 10, 2021

Hon. Katrine Conroy
Minister of Forests, Lands, Natural Resource
Operations and Rural Development
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Hon. Murray Rankin
Minister of Indigenous Relations and
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Dear Honorable Ministers,

Follow-up Urgent Request to Enter into Section 4 Agreement to Protect Tla'amin Heritage Sites; Further Site Desecrations; Demand for Full Participation in Investigations

I am writing to you on behalf of the Tla'amin Nation to request a response to our February 1, 2021 letter, to advise you of serious further desecrations, and to demand that B.C. work with us to take action to jointly investigate and prosecute these offenses.

The Tla'amin Nation is a Treaty First Nation. Our Final Agreement came into effect on April 5, 2016. The Tla'amin Nation expects to be treated as a government and Treaty Nation in a respectful, co-operative relationship by the Province. Despite this, the provincial Archaeology Branch and FLNRO continue to allow the desecration of our ancestral and sacred sites and to exclude us from investigations.

This has been ongoing for many years and must stop. Here are some issues over the past two years:

- On December 19, 2019 we wrote to the Minister regarding destruction and looting of sacred sites in Desolation Sound Marine Park. The Minister replied on February 18, 2020. It was a polite letter that spoke of 'strengthening relations' but we have not seen much concrete action.
- During 2020 homeowners dug up sacred sites on Thormanby Island. We have still received no reports of any investigations or prosecutions from the Arch Branch or provincial enforcement.
- On December 10, 2020 we had a call with provincial Treaty implementation staff and some staff from the Arch Branch and FLNRO enforcement. We stated our serious concerns about ongoing desecrations including the City's recent dumping of 4 whole dump truck loads of fill on top of a known and registered sacred burial site. We were told that any investigations were 'confidential' and that Tla'amin could not participate in or be informed about any aspect of the negotiations. We have heard nothing since.

- On February 1, 2021, we wrote a letter to you to inform you of the ongoing desecrations and to request a meeting and negotiations for an agreement under section 4 of the Heritage Conservation Act. Over a month has passed and we have received no response.
- On February 25, 2021 we received notice of major desecration of one of our large burial sites at šεʔaystən (Emmonds Beach). The developer had requested permission to disturb the site in October, 2020 and we strongly objected. In the absence of a permit, the developer and land-owner proceeded to cut down trees, blast rocks and bulldoze the site, causing massive devastation and desecration to the resting place of many of our ancestors. We are attaching an initial report from Colleen Parsley of Aquilla Archaeology documenting some of the desecrations.

We are very concerned about the lack of investigation and enforcement. The Arch Branch and provincial enforcement officers and prosecutors have a long history of catering to land owners, developers and forest companies and ignoring violations of the Heritage Conservation Act. In addition, your enforcement officers have somehow been given improper legal and policy advice and told that they cannot share information or work with us on investigations and prosecutions.

This makes zero sense. These are Tla'amin ancestors and Tla'amin sacred sites. We have aboriginal rights, Treaty authority and international human rights under the United Nation Declaration of the Rights of Indigenous Peoples.

We are repeating our urgent request from our February 1, 2021 letter that the Province enter a formal government-to-government agreement in good faith under section 4 of the Heritage Conservation Act with the Tla'amin Nation. In the spirit of reconciliation, the DRIPA legislation and our Treaty, we call on the Province to make real and meaningful change to ensure that our Nation has decision-making authority for heritage conservation and protection in our Territory.

In addition, we are demanding full access to all reports, investigations, and recommendations or lack of recommendations for charges in relation to recent desecrations and violations of the Heritage Conservation Act in our Territory. If the Arch Branch and FLNRO integrated enforcement fail to provide these within two weeks, we will file a Freedom of Information Request and prepare for legal action against the Province as well as private prosecutions against the land-owners and developers who continue to desecrate our sacred sites.

We would prefer to resolve these issues through collaboration and negotiation if the will and commitment are there on the provincial side. We request you to please contact our Lands Manager, Denise Smith, to arrange a meeting.

Sincerely,



Hegus John Hackett

Enc: Media Release – March 10, 2021

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