

Destroying middens not to be taken lightly

Just a few decades ago there was little consequence for encroaching onto a native site but now it can prove very expensive

Miro Cernetig
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PENDER CANAL -- From the shore, it seems just another sweep of broken white shells, kelp-covered rocks and tidal pools filled with purple starfish.

Yet this secluded beach, holding remnants of an ancient Indian village, is a time capsule of how natives lived more than 5,000 years ago.

Dig within it and you will find shards of old clay pots, human and animal bones, crude stone tools and even the odd piece of ancient jewelry, all clues to how life was lived on the coast long before Europeans arrived.

Known as a midden, it can also offer scientists insights about the level of the sea thousands of years ago, climatic conditions after the ice age and even hints at the DNA of earlier humans.

"It's really something of a natural museum, and we get more knowledge out of this as science gets more advanced," says Eric McLay, an archeological consultant to first nations and president of the Archeological Society of B.C. "That's why we need to protect it."

McLay edges his zodiac to the shallow beachfront, steering away from sharp outcrops, and offers an archeologists' view of this empty beach in an idyllic cove between North and South Pender Islands. He has some advice:

"Use your imagination. If you do, you can begin to see this is really our West Coast version of the pyramids or the Acropolis."

The federal and provincial governments agree. Without fanfare, they transferred this few hundred metres of beach at Pender Canal into the Gulf Islands National Marine Park a few months ago. Part of the reason for no big announcement was to keep looters at bay; as the holes dug into the midden attest, there are still those who come here to pilfer the past.

The governments' idea is to preserve the site for future generations. But it also serves as an unmistakable signal to today's private landowners and developers: Canadian authorities are squarely on the side of first nations who are striving to protect such heritage sites from being robbed or bulldozed out of existence.

"There are more than 1,000 [ancient native] sites in the Gulf Islands alone," says Robert Morales, the chief treaty negotiator for the Hul'qumi'num Treaty Group, which claims the area as part of its traditional territory.

"We're saying these places have to be respected and protected. You can't do archeology with real estate agents and backhoes. But as more and more development is being proposed in British Columbia, there is greater potential for our value systems to clash."

British Columbia's history is full of cases of aboriginal artifacts and native middens being "collected" without consent, sometimes by the province's most respected figures. Few remember it, but one of the most notable examples involves the late legendary Haida carver Bill Reid, often credited with reviving Haida art.

Decades before he became the master carver and creator of the massive bronzes in Canada's embassy in Washington, D.C. and Vancouver's airport, Reid was a journalist who took part in an expedition that travelled to the Queen Charlotte Islands and cut down totem poles that were then shipped to museums for study.

Similar incidents are still occurring today, but now it is the real-estate boom, not academic motives, that are the catalyst. In the last year alone, the B.C. government registered more than 1,800 new native heritage sites, bringing the total in the province to more than 30,000.

While most of the sites are easily handled, with developers voluntarily agreeing to map out native heritage sites to prevent future liability, expensive conflicts still arise.

On Vancouver Island, developers creating the multi-billion-dollar Bear Mountain golf course and housing development are being delayed in their plans to build a road through their land.

The Songhees First Nation has claimed that native heritage sites in the area are being disturbed. The bulldozers now sit silent as archeologists survey the site, as is required by provincial law.

Likewise, a major legal case is brewing a short distance away from where McLay's boat floats in Pender Canal.

Developers of a resort hotel at Poets Cove, on North Pender Island, are going to court, likely in September, after the Crown charged them with disturbing a 5,000-year-old native heritage site. An archeological survey of that area, being paid for by the developer, has recovered human remains, stone tools and other artifacts that were allegedly disturbed by construction.

Just a few decades ago, there was little consequence for encroaching onto an Indian midden. As any Canadian who has picked up forgotten arrowheads as a child knows, there was a time nobody thought much about such pursuits. But today, even pocketing a single arrowhead, or ancient salmon hook, has consequences.

The fine for picking up a piece of the past under the B.C. Heritage Conservation Act? Up to \$50,000 -- and two years in jail -- for an individual and \$1 million for a corporation. Disturbing the past is not to be taken lightly.
