Ancestral Remains
2275 Upper Bench Rd Cawston BC

Presented by Lower Similkameen Indian Band
2275 Upper Bench RD Cawston BC
Top soil was scraped off and stacked to side to be replaced after. Remains were discovered in these piles.
A look from east side of the site shows the depth of the work going to be required. Remains were found where the two are standing at bottom.
All Bones were marked and collected. To date we have collected 2 adult skulls, 1 youth skull and what we believe is two smaller, possible infants. We have not had any testing done or analysis done to officially determine how many ancestors were uncovered.
You can see clearly the top soil piles to the left and size of area.
All of the flags on the ground were remains or artifacts collected. This picture was the second day on site. We changed color of flags for everyday on site.
This is one of the two boxes being used to hold the remains. We started off with just one and filled it up quickly. Now we have had to build another to hold all the remains collected to date. Just a reminder we have only taken the remains that were on the surface. No digging has occurred. This box is now full and we will be having to build another.
Volume of remains recovered about 398 skeletal remains recovered to date.

<table>
<thead>
<tr>
<th>Mar 1 - 7</th>
<th>Mar 8-14</th>
<th>Mar 15-21</th>
<th>Mar 22-28</th>
<th>Mar 29-31</th>
<th>Artifacts only</th>
</tr>
</thead>
<tbody>
<tr>
<td>50</td>
<td>27</td>
<td>0</td>
<td>0-conflict</td>
<td>10</td>
<td>0</td>
</tr>
<tr>
<td>10</td>
<td>12</td>
<td>3</td>
<td>0-extend tape</td>
<td>2</td>
<td>0</td>
</tr>
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<td>54</td>
<td>5</td>
<td>6</td>
<td>0</td>
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<td>25</td>
<td>20</td>
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Note: the Human body has 270 bones at birth decreasing to 206 as bones fuse together when people age.
May 11, 2016 meeting with MARR, Arch Branch, LSiB and Celentano’s
HCA is binding on the Government

- The Arch Branch has not acknowledged their part in this situation and failed to mention that Section 21(1) of the Heritage Conservation Act (HCA) states: If the minister considers that property protected under section 13(2) is subject to damage or deterioration, the minister may order the owner, on terms and conditions that the minister considers appropriate, to preserve the property at the expenses of the government. Section 21(2) goes on to say security can be at the expense of the owner or at the expense of the owner and the government on a cost sharing basis.

- **Act is binding on the government** Despite section 14 (2) of the Interpretation Act, this Act and the regulations and orders made under it are binding on the government.
Issue: Recovery and repatriation of remains

• the Arch Branch is pushing to radically reduce scope of work and the cost associated with LSIB doing recovery and repatriation. *The HCA* states the minister may do one or more of the following under *Powers of the minister 20 (1)* (a) *acquire, manage and conserve property* or acquire an interest in property and/or (g) *provide grants, advice and services to other parties having aims and objectives consistent with the purposes of this Act*. Obviously LSIB has objectives consistent with the Act.

• The Celentano’s have consistently said the government can buy this land on numerous occasions
Long term issues

• **Legal battle:** BC is negligent in protecting sacred burials they have known about this site since mid 50’s. Burial grounds represent one of the most important components of Sməłqmix culture as well as proving title and rights through long term occupation. In the history of Canada most conflicts or stand-offs occurred in disputes over burial grounds located on expropriated and un-ceded FN lands

• **Jody Wilson-Raybould, Justice Department:** [Jody.Wilson-Raybould@parl.gc.ca](mailto:Jody.Wilson-Raybould@parl.gc.ca). Mandated to “Work in collaboration with the Minister of Indigenous and Northern Affairs to provide new funding to promote, preserve and enhance Indigenous languages and cultures
Getting property converted to reserve land

• An addition to reserve is a parcel of land that is added to the existing land base of a First Nation or is used to create a new reserve. The legal title to the land is set apart for the use and benefit of the First Nation making the application. Land can be added to reserve in rural or urban settings.

• LSIB Lands department indicates a step by step process is in place.
• Community wishes to proceed with initial budget provided by archeologists to ensure complete archeological assessment is complete.
• Total cost for technical Archeological project $94,285
• Additional costs for site boundary and property inventory $24-30,000
• These costs do NOT include repatriation, security, TEKK, community engagement, or having the land purchased and reverted to Reserve lands. A budget is being developed for this additional work.
LimLəmt
Thank you

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