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Attention:

**Jill Salus, TC Energy
Tiffany Murray, Ecofor
Tim Turner, BC Archaeology Branch**

September 22, 2021

We, the undersigned professional archaeologists of British Columbia, urge Coastal GasLink to stop the impending alteration of GbSs-8, otherwise known as Ts'elkay Kwe Ceek.

We are aware that a Site Alteration Permit was issued by the BC Oil and Gas Commission for project activities related to the Coastal GasLink pipeline. However, it has also been made clear that neither CGL nor the BCOGC undertook any consultation (never mind consent) with Cas Yikh or the Office of the Wet'suwet'en for the permit, which is in breach of your legal duty to consult. Consultation is not only a legal requirement, but also a regulatory mandate which allows custodians of the archaeological heritage in question, to work with a proponent on meaningful mitigation outcomes.

Had consultation been undertaken with Cas Yikh or the Office of the Wet'suwet'en, you would have realized that the destruction of archaeological resources — non-renewable resources — in Ts'elkay Kwe Ceek will result in the erasure of much of the context associated with Ts'elkay Kwe Ceek cultural landscape. The site in question (GbSs-8) is not merely a single or discrete component of the archaeological record, it has broader and nested cultural heritage values outside of the lines of its polygon. A concerted effort to systematically study the site is essential — the accompanying data would be critical for understanding the cultural history of the region, for constructing territorial identities (expert witness evidence for Rights and Title claims), and for fostering connectivity across the entire Wet'suwet'en cultural heritage landscape.

Indigenous peoples have a legal and moral right to stop the destruction of their cultural heritage sites, including archaeological resources. Under the United Nations Declaration of the Rights of Indigenous Peoples, recently adopted by the BC government, Article 11(1) states:

1. Indigenous peoples have the right to practise and revitalize their cultural traditions and customs. This includes the right to maintain, protect and develop the past, present and future manifestations of their cultures, such as archaeological and historical sites, artefacts, designs, ceremonies, technologies and visual and performing arts and literature.

A site alteration permit issued without meaningful consultation does not provide the legal grounds to forcibly remove Indigenous peoples from protecting their archaeological heritage from imminent destruction. Next week, on September 30th, the country will mourn the atrocious acts which resulted in the removal of children from their land and heritage. We urge you to reconsider compounding this loss by removing heritage and land from future generations of Wet'suwet'en people. All clearing activities associated with GbSs-8 should cease immediately. If the site has already been altered, we will take further action and pursue reparations and restitution where necessary. A copy of this letter will also be sent to media and other relevant institutions.

Signed here, September 22, 2021

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Adjunct Professor, Institute for the Oceans and Fisheries, University of British Columbia

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