

# TERMS OF REFERENCE FOR A SPECIAL REPORT

## Indigenous Cultural Resources and Values Under FRPA

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### BACKGROUND

Cultural Heritage Resources (CHRs) are recognized under the *Forest Act* as “an object, a site or the location of a traditional societal practice that is of historical, cultural or archaeological significance to British Columbia, a community or an Aboriginal people.” CHRs reflect a wide range of cultural relationships with the land, both past and present, including values such as travel routes, harvesting areas, wildlife features, and places of archaeological, historical or spiritual significance. Their nature and meaning are as diverse as BC’s Indigenous cultural landscape, varying across Indigenous Nations.

Under the *Forest and Range Practices Act* (FRPA), licensees are required to conserve or, if necessary, protect CHRs<sup>1</sup>; however, Indigenous groups have raised persistent concerns—supported by monitoring results and legal decisions—about how CHRs are identified and managed in practice.

Previous Board work<sup>2</sup> found that many CHR strategies did not clearly identify values or commit to their protection despite earlier recommendations to improve legal compliance. Forest and Range Evaluation Program (FREP) evaluations have identified issues, with many CHRs affected by forest practices.<sup>3</sup> Indigenous groups have raised questions about the clarity, enforceability, and appropriateness of planning approaches—particularly where deterministic, site-specific methods may not align with a Nation’s more holistic, relational understandings of land and culture.

As government shifts toward forest landscape planning (FLP) and modernizes legislation—guided in part by the *Declaration on the Rights of Indigenous Peoples Act* (DRIPA)—there is an opportunity to highlight practical solutions, reflect Indigenous perspectives, and share best practices. Amendments introduced under Bill 23 (2021) support this shift<sup>4</sup>, requiring the chief forester to consider objectives for “managing the values placed on forest ecosystems by Indigenous communities.” These values may overlap with or complement CHR management, reinforcing the need to understand how they are identified and stewarded.

Consistent with the Board’s mission to serve the public interest as the independent watchdog for sound forest and range practices, effective management of CHRs and values is paramount. This report seeks to document what’s working, what’s not, and what’s possible.

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<sup>1</sup> Section 10 of the *Forest Planning and Practices Regulation* specifies management of CHRs not regulated under the *Heritage Conservation Act*.

<sup>2</sup> [Forest Practices Board. 2019. Follow-up report on forest stewardship plans: are they meeting expectations? Special Report 57. Victoria \(BC\): Forest Practices Board.](#)

<sup>3</sup> Approximately 30 percent of CHR sites monitored by FREP between 2018 and 2022 were rated as having moderate to high impacts from forest practices.

<sup>4</sup> Section 2.22(c) of FRPA.

## OBJECTIVE

Assess the effectiveness of current practices for managing CHRs under FRPA by examining how well policies and practices conserve or protect CHRs, identifying key challenges, and highlighting successes that may serve as practical models.

The report will share insights from practitioners and communities to support Indigenous and BC government planners, licensees, and land managers. These insights will help inform strategies to strengthen cultural resource stewardship under FRPA, including measures to address gaps in legislation, policy, or practice.

## SCOPE

The project will involve collaboration with Indigenous groups and seek input from licensees, government staff, and other practitioners. It will include examples from each of BC's natural resource regions to reflect the legal, social, and cultural diversity of BC's landscapes.

The Board may consider compliance issues where relevant, including whether holders of *Forest Act* agreements are preparing results and/or strategies consistent with the government's CHR objective<sup>5</sup>, and whether those intended results are being achieved.<sup>6</sup> The Board may also examine policies, guidance, and planning tools that influence how cultural resources and values are addressed in forest and range practices.

Although the report will reference past practices to understand longstanding challenges, its emphasis is on identifying forward-looking approaches that support improved stewardship under FRPA.

## APPROACH

Board staff will engage and collaborate with Indigenous groups across all eight natural resource regions. Input will be gathered through interviews, document reviews and site visits, including:

- Examining examples of CHR planning and protection in FSPs and site-level practices;
- Review FREP data, legal precedents, and other government monitoring (including Natural Resource Officer data);
- Interviewing Indigenous knowledge holders, planners, government staff, and licensees;

Contributors may choose to remain anonymous or be attributed with explicit consent. Findings will be fact-checked and reviewed with contributors ahead of publication.

## REPORTING

Under section 135 of FRPA, the Board will publicly release its findings. The report may include recommendations to improve the management of Indigenous cultural resources and values in BC's public forests, with a focus on supporting lasting stewardship, accountability, and reconciliation.

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<sup>5</sup> Section 5 (1.1) of FRPA and section 10 of the *Forest Planning and Practices Regulation*.

<sup>6</sup> Section 21 (1) of FRPA.