

I would like to clarify some of the many inaccuracies and falsehoods being perpetuated by the various government agencies and their misguided followers and bring to your attention the serious consequences that repealing the Nova Scotia Treasure Trove Act will have on Nova Scotians and the entire recreational dive industry in Nova Scotia.

The most recent inaccuracies and false statements made in the local press:

October 13, 2009

The Chronicle Herald Newspaper article

Murky Waters and a Creaky Law

by Beverley Ware (a registered member of Citizens against the Treasure Trove Act)

Quote: Mr. Rob Rondeau said. "There's very little marine archeological work being done in Nova Scotia because of treasure trove licenses."

Quote: Mr. Darryl Kelman, president of the Nova Scotia Archaeology Society said "It's an archaic piece of legislation and needs to be abolished," he said of the act. "It's bad legislation that's impeding the protection and interpretation of Nova Scotia's maritime culture history." "from the society's point of view, we'd prefer to see all archeological sites treated the same, whether they're on land or under water."

Fact: In actuality, the *only* marine archaeological work being done to date in Nova Scotia is being done by private shipwreck exploration companies holding treasure trove licenses. If the Treasure Trove Act were repealed, there would be no marine archaeology being conducted at all. Furthermore simply repealing the act would do a serious dis-service to the province, for many reasons. First, the locations of most wrecks are well known. If privately funded commercial archaeology is made illegal in Nova Scotia, the wreck sites will be left to souvenir-hunting recreational divers, and the activity will simply go underground. The archaeological reports, artifacts, and treasure trove that the act currently provides to the Province will be lost. There would be no division of treasure with the province; the treasure hunters and the souvenir-hunting recreational divers would keep it all. And there will certainly be no research done or reports written. The Province at present has NO marine archaeologists in its employ, and the only archaeologists working for the Nova Scotia museum are terrestrial (land) archaeologists.

The UNESCO Convention

Many of the bureaucrats including the Parks Canada Underwater Archaeology Unit in Ottawa do have a solution for the shipwrecks here in Nova Scotia, repeal the Treasure Trove Act and try to gain control by promoting and endorsing the UNESCO convention on the Protection of Underwater Cultural Heritage. UNESCO stands for the United Nations Education, Scientific and Cultural Organization. Back in 2001 the academics, together with the various Government and University marine archaeologists around the world got together and crafted a document called the UNESCO Convention on the Underwater Cultural Heritage to prohibit the buying and selling of underwater "treasure trove" and artifacts and to forbid any private shipwreck exploration companies to conduct for –profit commercial or contract marine archaeology and underwater exploration of any type on shipwreck sites. While the academic world has embraced the UNESCO Convention, the nations of the world have been less enthusiastic and with good reason.

The convention is flawed. To begin with it is written so that it is practically incomprehensible to the layperson. If it were to be adopted by Canada, it would become a legal instrument so blunt, so indiscriminate and draconian that its adoption will be a gift to the black market and would truly place what is left of our marine heritage in even greater danger. If they applied this convention to heritage artifacts and treasure trove on land, nobody could sell a house over 100 years old. Auctioneer and liquidators who handle estate sales, antique collectors and dealers, coin collectors and dealers would become criminals and Museums could not pay to acquire artifacts or specimens. Where do you think the TITANIC artifacts came from that are on display at the Maritime Museum of the Atlantic?

Many nations including Canada, the United Kingdom, the United States, France, Germany, Norway, Turkey, Venezuela, China and Russia have found its definition of underwater cultural heritage too ludicrous to stomach, including, as it states, "*all traces of human existence having a cultural historical or archaeological character which have been partially or totally underwater periodically or continuously for at least 100 years*" (in due course, your kids toys and you're your submerged sewer pipes and septic tank). If anyone takes the time to actually read the document in its entirety, you will see that it clearly and deliberately favors Government funded and sponsored marine archaeologists only and does not allow any place or provision for involvement from the private sector. It reads like an academic dictator's wish list and should be renamed the micro management convention. It is one of the most ill conceived and arrogant documents ever written and it pretends that archaeology is the one and only thing that matters. It only serves its creators and it speaks volumes about the people that support it and their intentions for the thousands of shipwrecks that lie off the coast of Nova Scotia. Canada is not a signatory on the UNESCO Convention on Marine Cultural Heritage.

Shipwrecks will last forever if left undisturbed by divers.

There is a misconception that the shipwrecks in Nova Scotia are intact and will be preserved forever if left alone. This statement could not be further from the truth. By their own admission the academics would rather let the artifacts rot and be destroyed by the sea than see private shipwreck exploration companies recover them. Sooner or later the sea will eat up every bit of the past. Who do they think they are fooling, when they talk about future generations? There won't be anything left for future generations to find. The tremendous force of the ocean, the tides and the weather seasons all conspire to destroy shipwrecks here in Nova Scotia. Most of the sites affected by the Treasure Trove Act are barely recognizable only because of the large, durable, metal artifacts, such as cannon. The ships themselves are long gone. Their wooden hulls and all organic materials have long since disappeared, destroyed by the action of the sea, winter ice, and eaten by microbes. In many cases the activities of "scrappers" in the 1960's and 70's removed the majority of copper alloy materials which were sold for scrap. Coupled with the fact that the ships usually wrecked on rocky shores and were subject to tremendous destruction by the sea, the result is that most of the sites contain only large iron cannon and small metallic objects. From the standpoint of pure archaeology, this type of site is usually worth very little. However, the collections of artifacts that have been recovered, conserved, and deposited with the Nova Scotia Museum, together with the historical and archaeological data that has been collected by commercial marine archaeologists working with the private shipwreck exploration companies, have made them very worthwhile to the province.

The benefit to public education and the contributions to our knowledge of Nova Scotia's maritime history have been enormous. The information in these reports is only good if the public has access to it, and the Museum is keeping it under wraps. The only shipwrecks in Nova Scotia that even remotely resemble the ships that they once were are those lying in protected bays and harbours. The French ships that were scuttled at Louisbourg are a prime example. They are in a protected harbour, much of the hull structure has survived, but they can only be viewed by divers under controlled conditions. This is the exception, not the rule. Furthermore, the Louisbourg wrecks are under the control of Federal, not the Provincial authorities, they are poorly promoted to the public or "scuba tourists" and access to them is very limited.

Protection of Shipwreck Sites

The province of Nova Scotia does not have the personnel, the equipment, or the funds to perform underwater archaeological excavations on sites in Nova Scotia; nor does it have the funds to protect them. With the Treasure Trove Act currently in place, the private shipwreck exploration companies provide all that, and the province, as previously mentioned, reaps the rewards. If the law is abolished the province loses all the way around.

Tourism and Economic Potential

Another point often left out of these debates is the unlimited and untapped tourism potential. Shipwreck attractions and traveling shipwreck exhibits are huge tourist draws. The tourism industry in Nova Scotia continues to contribute more than \$1 billion to the economy. Tourism revenues generate millions of tax dollars and tens of thousands of jobs for Nova Scotians. Preliminary estimates for 2009 indicate that the tourism industry in Nova Scotia generated: \$1.3 billion in direct revenues with 64% or \$845 million from non-resident visitors to Nova Scotia, 32,700 direct and indirect jobs, \$ 519 million in direct and indirect wages and salaries and \$204 million in provincial and municipal taxes. The **TITANIC** exhibit held in 2007 at the Royal BC Museum, attracted a record crowd of 45,120 people over six months, and generated more than \$ 30 million dollars in spending by visitors. The **TITANTIC** exhibit in Memphis, Tennessee consisted of just over 300 artifacts and drew in over 90,000 visitors with visitors lining up for six blocks on the opening day. It was so successful it was extended several months. At the National Museum of History in Sofia, Bulgaria, the attendance jumped from 7,000 to 68,000 people in one year (after recovered shipwreck treasure and artifacts were put on display). The Mel Fisher Museum in Key West, Florida has over 200,000 visitors per year at \$10 per admission. Besides that \$2,000,000 per year, just think what the economic spinoff amounts to in the Key West area. There are many other documented examples of shipwreck displays and tourism models and business cases here in North America including the Pirate shipwreck *Whydah* and most recently Odyssey Marines traveling exhibit on the *Republic*. Business and commercial interests of all types across Nova Scotia would benefit immensely from this kind of sustainable economic development; I'm sure the Halifax Regional Municipality, the Cape Breton Regional Municipality and the many coastal communities throughout Nova Scotia would welcome this type of economic benefit. Tourism is big business, grossing over \$1 billion per year according to the latest government's figures. Today the **TITANIC** Exhibits continue to travel the world and has now been seen by more than 20 million visitors worldwide.

The people of Nova Scotia were made the recipients of thousands of artifacts and hundreds of gold and silver coins from such local shipwrecks such as: *Le Chameau*, *L'Auguste*, *HMS Leonidas*, *HMS Feversham* and *HMS Tilbury*.

Where are they these thousands of artifacts and why have they never gone on display? The Maritime Museum of the Atlantic should be required to rotate these artifacts on a regular basis.

Potential Education Component

If the Government agencies utilized even a fraction of their budgets and made public what they currently have in storage in the way of existing shipwreck reports, artifacts, treasure trove, etc., the potential educational benefits would be immense. Think about the history and the stories of shipwrecks, the science and the technology used to locate, document, salvage and conserve artifacts. Keep in mind that 99 % of the general population, including tourists, cannot scuba dive. Government agencies and museums could be reaching out to the 900,000 people who reside here in Nova Scotia as well as the tourists, through mediums like the internet, static and traveling shipwreck display, exhibits, videos, documentaries, publications and presentations. They could also be accessing and encouraging the next generation by publishing materials and implementing more awareness and education through our Universities, Colleges and Schools here in Nova Scotia. All of this would create even more economic and tourism potential as well, thereby benefiting Nova Scotia in a diverse and sustainable way.

The 2009 Nova Scotia “Treasure Hunting” Study

Back in September of 2008 I and many other stakeholders including the various Government agencies, archaeologists and recreational divers were asked to participate in a study being conducted by the Blackstone Corporation, a Toronto, Ontario based resource management and tourism consulting company. This study was initiated by the Department of Natural Resources. They sent me a questionnaire with about 25 questions (which I still have) and I personally met with them for an interview in early October to answer them in great detail. For the record there were some excellent questions, I would like very much to, someday obtain a copy of the study and read it cover to cover.

When the study was finally completed and submitted to the Department of Tourism, Culture and Heritage on February 6th, 2009 it did not receive an enthusiastic reception. According to some Government insiders I spoke with, the report was critical of several Government agencies. It also contradicted the recommendations of the Nova Scotia Voluntary Planning Heritage Task Force. Many Government bureaucrats were shocked and stunned with the results. In an effort to avoid a major embarrassment they refused to make it public.

I tried going through proper channels to obtain a copy of the report, I wrote to the Minister of Tourism, Culture and Heritage, I even filed an official application and request through the Freedom of Information Act.

Sixteen months later, the report and its recommendations are “still being reviewed and studied” by the Department of Tourism, Culture and Heritage and the Department of Natural Resources.

This report should be in the public domain.

Why is the Department of Tourism, Culture and Heritage and the Department of Natural Resources keeping it under wraps?

What possible reasons do they have for not releasing the report paid for by the tax payers?