



## **Legislation, Regulations, Policies and Practice Guidelines for Protection and Management of Caves on Private Lands in British Columbia, Canada: The Case of SPAET Cave**

**P. Griffiths, C. Ramsey**

544 Springbok Road, Campbell River, British Columbia, Canada V9W 8A2  
(pgriff@island.net)

SPAET Cave is a very small limestone cave located near the southern tip of Vancouver Island in British Columbia (BC), Canada's westernmost province. Beyond its natural attributes, the cave has considerable historical, cultural, aesthetic, scientific and educational value to all British Columbians and to indigenous people who traditionally practiced ritual bathing in its subterranean pool. SPAET Cave is in conflict with a \$5 billion development project on private land described as the largest of its kind in BC, with two major hotels, two golf courses and plans for 5,500 homes. Land development and archaeological assessment activities authorized by government have had an adverse effect on the cave. BC has a comprehensive set of best practice guidelines for land development that recognizes caves as environmentally valuable and sensitive resources. Government contends that under the Heritage Conservation Act it is powerless, legally, to prevent the destruction of SPAET Cave if physical evidence of past cultural use is not found. The proposed BC Cave Protection Act, conceived in 1975, and first drafted in 1988, and applicable to caves on public or private lands equally, has yet to be passed into law. This paper will examine the application of existing legislation, regulations, policies and practice guidelines in the case of SPAET Cave. Recommendations for achieving higher standards of protection and management of caves on private land in BC are also provided.