

Nova Scotia Law Amendments Committee Meeting
Citizen Presentation Re: Bill No. 81
The repeal of the Treasure Trove Act, the creation of the Oak Island
Treasure Act and amendments to the Special Places Protection Act
November 16, 2010

The repeal of the Treasure Trove Act is the result of a discussion that has been ongoing in Nova Scotia for a generation and I believe we have now reached a happy consensus. I support the repeal of the Treasure Trove Act (TTA) and the amendments to the Special Places Protection Act.

From here we can now make a coordinated effort with all the stakeholders interested to find the best practices and best methods for exploring, protecting and sharing our shipwreck and treasure stories with the citizens of Nova Scotia and the rest of the world.

I'm convinced the value of all our marine cultural heritage is in the stories. From the Titanic to Oak Island I don't think many Nova Scotians miss this important point. Taking this view gives a much different perspective than either the take-it-away-for-profit treasure hunters or the don't-touch-it archeologists would have on their own but it is that best way to consider the larger interests of Nova Scotia.

My work with National Geographic as had me on the frontline of shipwreck exploration world-wide for over a dozen years so I am very familiar with the players and what the world has been doing with their marine cultural heritage. It's taken a long time to get the Nova Scotia government to address the issue but now we can begin to find the best way to explore this important "un-natural" resource.

The TTA was a redundant piece of old legislation being desperately misused. It has been in conflict with the Special Places Act, the laws of Canada and international best practices for a long time. The separation of these acts has long pitted treasure hunters against archeologists when in fact everyone has the same passions and concerns just different ways of going about their work. It's like having two sets of traffic laws, two courts and two police forces in the same jurisdiction. Putting the TTA aside allows us to move forward together under one legislation to find the very best ways to explore, protect and share our vast marine cultural heritage... shipwrecks and stuff.

Though it is not all treasure, we have the lamentable distinction of having more shipwrecks than any other place in North America and they tell not just our story but important parts of world history. It is our duty to continuously try and improve the way we look after this hidden part of Nova Scotia.

In my view the key feature lacking in the TTA was independent oversight of the larger public interest. Sixty years since scuba came to Nova Scotia we really don't know what has been discovered, what's been taken away or what's been lost. My experience is that water seems to confuse issues that on land would be straightforward. Nova Scotia wealth, history and future lies as much in our foreshores as our back forties. We have to think of our seas as part of our province and protect them as we would our backyards.

Once the TTA is removed and its key elements are vested under the Special Places Act we can move forward together. It won't be easy to find the right balance of interests; all shipwrecks are different - some will need to be protected in situ, some will only be able to be explored using the big budgets that treasure hunting can bring to the table, some will be opened up finally for all kinds of divers and sonar operators to explore. And of course new wrecks will continue to be discovered by design and by chance as new technology and our never dimming curiosity leads us ever into the sea. The most important thing is preserving and sharing the stories that have been entrusted by fate to our waters.

New low priced sonar systems and remotely operated vehicles (ROV's) can make everyone an ocean explorer. They reveal images from deeper, darker and farther than even the most high-tech divers could endure. As these systems and the popularity of scuba adventure reveal more and more ocean we need to inculcate in all the would-be Jacques Cousteaus of the 21st century a sense of shared responsibility for our ocean treasures in whatever form they may take.

Public awareness, partnering in research and exploration, and the organized support and employment of marine archeologists will bring stories from the sea that will be worth many times their weight in gold to Nova Scotia.

My hope is that we also begin to share stories to help the ocean. Stories that will focus our minds so that our conscience will never free us from concern for the problems the ocean faces today.

The past generation's unwillingness to act and accept responsibility for the ocean and the things it contained was a symptom of their lack of understanding of the sea. Today we have no such excuse. Though treasures remain lost and hidden - waiting and whispering to explorers - we know they exist in a troubled and tormented sea.

Going forward one thing is clear; our waters are still a deep mystery with huge rewards waiting for those curious to explore. Let's study and explore and research to learn more about our hidden Marine Cultural Heritage. As humans have through all of history, we will get out of this what we put in to it - the more we work together, the more we invest, the more we innovate, the more we build awareness and community, the more we find ways to share our stories, the more value all the artifacts and treasure will have to all citizens of Nova Scotia and to all the world.

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John Wesley Chisholm – President of Arcadia Entertainment has produced, written or directed over 200 hours of popular international documentary series and specials over the last 12 years for National Geographic and Discovery channels, many on ocean related themes, including Go Deep, Marine Machines, Aquateam, Buried at Sea and the festival winning Chasing Wild Horses. The Templar's Last Stand for National Geographic, Hope For Wildlife and TV with TV's Jonathan Torrens are the latest projects.

Based in Halifax, Nova Scotia, Chisholm has a degree in International Finance and believes the ocean is the Wild West of the modern age. Often traveling with his family, Chisholm's life is a story of adventure. In 1994 he was commended by the US Navy for hazardous ordinance disposal.

Chisholm is an avid diver, surfer and sailor, a Scottish Rite Freemason and a Juno (Canadian Grammy) award-winning musician and composer who has also appeared recently as a character in Clive Cussler's New York Times best-selling Dirk Pitt series of novels and participated in discovering famous shipwrecks.

He's a 2010 Earnst Young Canadian Entrepreneur of the Year nominee and has recently opened a Bike Gallery to manufacture European-style city bikes in Halifax. He's the leader of a 15 piece traditional swing band – The Jubilee Swing Orchestra.

The Chisholm family is currently restoring historic homes in Musquodoboit Harbour and on the Jubilee Road in Halifax while working on ocean documentary projects from Egypt to the Arctic including a new survey of ancient sunken cities.