SQUAMISH NATION

Skwxwú7mesh Úxwumíxw
INTERGOVERNMENTAL RELATIONS,
NATURAL RESOURCES & REVENUE
WHERE WE COME FROM — Skwxwú7mesh People

“The Squamish Nation have lived in this area for innumerable generations. Certainly we go back to our stories of creation when the universe was in darkness. Some of the primary values that the Squamish Nation have to share are the relationship and the interconnectedness to all of the natural world and the natural rhythms of the land. My passion every day is our mountains, climbing peaks and traversing alpine meadows, swimming in those alpine lakes to strengthen our bodies and purify ourselves and have a strong mind, and just to enjoy the beauty of creation in those realms, and I take that home with me each and every day.”

Chief Ian Campbell

Kayachtn (WELCOME), we are the Squamish Nation department of Intergovernmental Relations, Natural Resources & Revenue. Our mandate is to protect and enhance aboriginal rights and title within our traditional territory. Our Nation is connected through name, tradition, culture, and spirit, just as we are connected to this land that has been our home since time immemorial. It is through these connections that we celebrate who we are and where we come from.

As a Nation we have never ceded our lands and it is through the strength of our Ancestors that we walk in their footsteps to create a legacy for future generations. We look to the past to guide our future recognizing the respect and unity that comes from our teachings. Our connection to the land is strong, coming from our spirit and traditions and we can never be separated from this connection. The Squamish Nation will protect and enhance the Unxwumixw cultural values through respect, equality, and harmony for all.
Skwxwú7mesh Úxwumixw

The traditional territory comprises 6,732 square kilometers and ranges from the western boundary of Stelkaya (Robert’s Creek, on the Sunshine Coast), north along the height of land to Teltiwet Shewalh (Western Door, Raccoon Pass, Upper Elaho headwaters) including all waters draining into Howe Sound, then south east to Titemtsn (Port Moody), and then south to Elksen (Point Grey, Vancouver).

From the mountain ranges through the watersheds to the ocean the Squamish Nation has lived and prospered. The knowledge and teachings of our lands recount many chapters of change and transformation.

ABORIGINAL RIGHTS AND TITLE

Assertion of Aboriginal Title

“We, the people of the Squamish Nation, by this document, assert our aboriginal title to those lands and waters that constitute our traditional territory, our rights to the resources of our traditional lands and waters, and our inherent right to self-determination. The Squamish Nation has existed and prospered within our traditional territory since time immemorial. Our society is, and always has been, organized and sophisticated, with complex laws and rules governing all forms of social relations, economic rights and relations with other First Nations. We have never ceded or surrendered title to our lands, rights to our resources or the power to make decisions within our territory.”

Chief Joe Mathias, T’echuxam t siyam
INTERGOVERNMENTAL DEPARTMENT MANDATE

The department of Intergovernmental Relations, Natural Resources & Revenue works on behalf of the Squamish membership receiving our mandate from Chiefs & Council. The department is the first point of contact for all outside governments in regard to intergovernmental affairs. Interactions include: negotiations, legislation, relationship building, agreements, accommodation, rights and title, policy, and consultation. The department also develops the necessary paths for the generation of revenue to support the Nation programs and services. This includes forestry, leasing, permits, and accommodation agreements.

The Nation ensures that natural resources both renewable and non-renewable are sustained and protected. This is done through our Land Use Plan, conservation areas, TFL 38, Xay Temixw, and the Wild Spirit Places.

THE ACTIVITIES OF THE DEPARTMENT INCLUDE:

The first point of contact for all outside governments in regard to intergovernmental affairs, natural resources and revenue generation.

Engage with the federal government and provincial government (“Crown”) in consultation processes to assess and make decisions on applications for Crown land and water tenures that may impact on the Nation’s aboriginal rights and title interests.

Negotiate accommodation agreements, impacts & benefits agreements and government to government agreements.

Develop land and resource management plans and marine use management plans throughout our Territory.

Develop stewardship policies regarding the protection and enhancement of our aboriginal rights and title.

Create opportunities for own-source revenue generation to support the Nations programs and services.

Issue archaeological permits.
OUR PROCESS

In assessing a land or water application, the Squamish Nation will consider all of the potential impacts of the application on its Aboriginal rights and title interests, which may include, but is not limited to, whether the tenure applied for and associated activities will:

- Impact on cultural and spiritual sites and values of an area
- Impact on the ecology and other environmental issues
- Have a cumulative impact on its territory as a whole
- Be compatible with the Nations land/marine use planning interests

ENGAGEMENT STEPS

1 | Contact
2 | Initiation
3 | Consultation
4 | Accommodation
UNDERSTANDING THE CONSULTATION PROCESS

The Crown has a legal duty to consult with the Squamish Nation on land and water decisions that may impact on the Squamish Nation’s Aboriginal rights and title interests, and if required accommodate the Squamish Nation for any potential impacts such decisions would have on those rights and title interests. The Crown may delegate aspects of the consultation process to third-party applicants applying for land and water tenures. Both the Crown and the applicant must engage with the Squamish Nation in a consultation process at the earliest stage of the application to allow the Squamish Nation an opportunity to assess the potential impacts of the application on the Squamish Nation’s aboriginal rights and title interests. The Crown may not approve an application until it has met its legal duty to consult the Squamish Nation.

The level of engagement with the Squamish Nation varies according to the type of application and the activity proposed under that application. Therefore, the scope of the consultation process will range from a paper review of the application and a written response to a full engagement process that will include negotiation of mitigation measures and/or an accommodation/impacts & benefits agreement. In some cases, the Squamish Nation may not approve an application because the impacts are so significant these cannot be adequately mitigated or accommodated.

Complete applications must be directed to the Intergovernmental Relations, Natural Resources & Revenue Department for review and adjudication. The submission of an application and application fee does not automatically result in an approval of an application. All applications will be reviewed thoroughly to determine what potential impacts the proposed tenure and activity will have on the Squamish Nation’s Aboriginal rights and title interests and whether such impacts can be mitigated or accommodated. Applicants should be aware that only the relevant Crown agency can discharge the legal duty to consult with the Squamish Nation, which means that the Squamish Nation must be satisfied that the consultation process has been meaningful and adequate. An applicant’s adherence to the Squamish Nation’s policies and procedures outlined in this brochure will assist in developing an appropriate consultation process.
The Squamish Nation has its own laws regarding the management of its lands and waters. Under Canadian law, the Squamish Nation also has land, resource and governance rights protected by the Constitution Act, 1982. These rights are commonly referred to as Aboriginal rights and title.

Aboriginal Rights are collective rights that flow from continued use and occupation of certain areas. They are inherent rights which Squamish peoples have practiced and enjoyed since before European contact. In general, they include rights to the land, rights to subsistence resources and activities, the right to self-determination and self-government, and the right to practice one’s own culture and customs including language and religion. Aboriginal rights have not been granted from external sources but are a result of Aboriginal peoples’ own occupation of their home territories as well as their ongoing social structures and political and legal systems. As such, Aboriginal rights are separate from rights afforded to non-Aboriginal Canadian citizens under Canadian common law.

Aboriginal Title is the Squamish Nation’s inherent right to its land or its territory. The Canadian legal system recognizes Aboriginal title as a sui generis, or unique collective right to the use of and jurisdiction over a group’s ancestral territories. This right is not granted from an external source but is a result of Squamish peoples’ own occupation of and relationship with their home territories as well as their ongoing social structures and political and legal systems.
The Crown has a legal duty to consult with, and if required, accommodate First Nations on land and water decisions that may impact on a First Nations Aboriginal rights and title interests.
“We are not invisible on our own lands: we are a thriving and vibrant people that have been connected to the land through our spiritual, cultural, and traditional knowledge since time immemorial.”

Chief Ian Campbell