

Squamish Nation INDIVIDUAL AGREEMENT

SUMMARY

The Squamish Nation is a First Nation in Canada who is party to a *Framework Agreement on First Nation Land Management*. The federal government is also a party to the agreement and ratified it through the *First Nation Lands Management Act* on June 17, 1999.

The Agreement and legislation enable these First Nations to take over management and administration of their reserve lands from the Department of Indian Affairs. In order to do this each First Nation must enter into an Individual Agreement with the Department of Indian Affairs. This Individual Agreement sets out the specifics of the transfer of management of reserve lands from Canada to the Squamish Nation.

The Individual Agreement for the Squamish Nation is summarized as follows:

Section 1- Interpretation

This section defines the terms that are used in the Agreement, including identifying the reserve land that will be transferred in Annex A and lands that will be excluded in Annex B.

Section 2- Information Provided by Canada

This section confirms that Canada has provided the Squamish Nation with all the information in its possession regarding dispositions of reserve lands, environmental issues on reserve lands and any similar information.

Land interests and licenses that are recorded in the Indian Land Registry are set out in Annex C-1 and interests and licenses that are not recorded in the Indian Land Registry are set out in Annex C-2.

A list of all Phase I and Phase II Environmental Site Assessments (ESAs), risk assessment and other reports and studies that were conducted with respect to the Nation's reserve lands is set out in Annex D.

Section 3- Transfer of Rights

This section transfers all of Canada's rights, obligations, powers and authorities in or under all previous interests or licenses affecting reserve lands to the Squamish Nation. This section also includes reference to an environmental action plan attached as Annex E that describes actions to be taken by Canada in connection with areas of potential

environmental concern and areas of environmental concern that have been identified on Squamish Nation reserve land.

Section 4- Transfer of Land Administration

This section confirms that the Agreement is made in accordance with the *Framework Agreement on First Nations Land Management*. It also provides that Canada will transfer the management and control of Squamish Nation reserve lands to the Squamish Nation on the effective date of the Agreement. The Squamish Nation will then begin managing and controlling its lands and natural resources under its Land Code. This section also acknowledges that the registered voters of the Squamish Nation must approve the agreement before it becomes effective.

Section 5- Operational Funding

This section obligates Canada to provide the Squamish Nation with funding and resources for managing its reserve lands. Operational funding will commence the month after the Nation's Land Code comes into force and will be calculated in accordance with the operational funding formula in place at that time.

Section 6- Transfer of Revenues

This section obligates Canada to transfer to the Squamish Nation any moneys it holds in trust for the use and benefit of the Squamish Nation after the Squamish Land Code comes into force.

Section 7- Notice to Other Persons

This section requires the Squamish Nation to notify any non-members who hold an interest in reserve land that management of reserve lands will be transferred to First Nation and that the Squamish Nation will collect the revenues from those interests in the future. This notice must be given within thirty days of ratification of the Land Code.

Section 8- Interim Environmental Assessment Process

This section provides that until a Squamish Nation law on environmental assessment is enacted the environmental assessment of projects on Squamish Nation reserve lands shall be conducted as set out in Annex F.

Section 9- Amendments

This section provides that the Agreement may only be amended by agreement of the parties and any amendment must in writing and executed by authorized representatives of the parties.

Section 10- Notices

This section provides that any notice or other official communication under the Agreement must be in writing addressed to the party for whom it is intended and the specified methods, i.e., personal delivery, registered mail or courier, facsimile or electronic mail. This section also contains the addresses of the parties to the Agreement.

Section 11- Dispute Resolution

This section provides that the dispute resolution provisions of the *Framework Agreement on First Nation Land Management* apply to any disputes between Canada and the Squamish Nation regarding the Individual Agreement.

Section 12- Date of Coming into Force

This section provides that the Individual Agreement comes into force at the same time as the Land Code.

Annex A – The legal descriptions of Squamish Nation Land

Annex B – List of Excluded Lands

Annex C-1- List of all interests and licenses granted by Canada

Annex C-2- List of all interests granted by Canada not recorded in the ILRS

Annex D – List of all information provided by Canada relating to environmental conditions

Annex E – Environmental Action Plan

Annex F – Interim environmental assessment process