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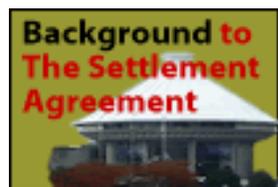
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BULLETIN No. 6 | November 19, 1999

Squamish Nation 1977 Omnibus Trust Action

Trust Action Claims Settled by Negotiation

To: Members of the Squamish Nation
From: Chief Joe Mathias
Re: **Trust Action Claims Settled by Negotiation**

Since filing the 1977 Omnibus Trust Action, we have worked hard to pursue and settle the outstanding claims of the Squamish Nation.

These claims involve specific acres of reserve lands that were wrongfully taken from the Squamish Nation. Usually, these specific claims are against the Federal government. In some cases, these claims can be settled by negotiations with the Federal government. In other cases, the specific claim must be resolved in the courts because the Federal government denies any legal wrongdoing and will not negotiate a settlement. *(for example, the Kitsilano Court Action.)*

Since filing the original 1977 Omnibus Trust Action, the Squamish Nation has successfully negotiated the return of certain parcels of land. This report is to inform you as to what lands we have had returned to us. We have provided you with a brief description of where the lands are and how much acreage was involved.

Introduction

Since the Squamish Nation Omnibus Trust Action was filed in 1977, we have been successful in resolving several of the claims in this lawsuit. This includes having land returned to reserve status and eliminating

leases to third parties on existing reserves.

A total of 153.54 acres has been returned to reserve status. Another 25.08 acres has come under our control by eliminating poor historic leases on Seymour IR No. 2.

Summary of Lands returned to Reserve Status
(lands originally claimed in 1977 Omnibus Trust Action)

RESERVE AREA	ACREAGE
Mission IR No. 1 (Foreshore & Horne's Mills Site)	10.79 acres
Capilano IR No. 5 (Cut-off Lands)	115.29 acres
Stawamus IR No. 24 (Stawamus Island)	12.06 acres
Kwum Kwum IR no. 28A (Reserve created at Defence Island)	15.4 acres
TOTAL	153.54 acres

Mission IR No. 1

1. Horne Mill Property

- This claim arises from the transfer of a portion of Mission IR No. 1 to the Vancouver Harbours Board.
- In settlement of this portion of the Trust Action, an agreement was

reached with the Federal Crown and the Port of Vancouver, to return the former site of the Horne Mill, just east of the Mosquito Creek Marina property, to reserve status. In addition, a substantial water lot was established as reserve. Together, they comprise 4.28 hectares (10.79 acres).

- This land was established as an addition to Mission IR No. 1 on June 19, 1986.

2. Foreshore

- The Mission IR No. 1 foreshore claim was resolved through negotiations between the squamish Nation, the Port of vancouver, and the Department of Indian Affairs. These negotiations resulted in the setting apart of a water lot fronting Mision IR No. 1 as a reserve of the Nation.
- This was concluded by Order-inCouncil PC 1981-467, dated February 19, 1981.

Capilano IR No. 5

3. Cut-off Lands

As a consequence of recommendations made by the McKenna-McBride Commission in 1914, approximately 130 acres of Capilano IR No. 5 was "cut off" the reserve.

The value of the "cut-off" lands returned to Squamish Nation reserve status has been estimated in excess of \$100 million

After the Nation secured greater control over the administration of its land in the late 1960's, the circumstances in which the cut-off lad was taken from the reserve became fully known.

In December, 1983, an agreement was entered between the Nation, Canada, and BC, providing for the return of 115.29 acres of the 130 acre parcel. This agreement took 16 years to conclude.

A portion of the land to be returned as a result of the 1983 agreement is the land on which the sewage treatment plant is located. The return of this parcel of land to reserve from the Greater Vancouver Sewage and Drainage District is in progress. In the meantime, the GVSD have been paying rent to the nation for the continued use of the property. This rent, established on the basis of industrial land values, will continue to be paid for the

duration of the lease.

Stawamus IR No. 24

4. "Island Property" on Foreshore of Howe Sound

- In 1958 Council granted a right-of-way to the P.G.E. Railway through Stawamus IR No. 24
- At that time, the railway agreed that, if in the future it had no further use for a 12.6 acre parcel of land situated on the foreshore adjacent to IR No. 24, it would transfer that land to the Nation
- Despite the fact that the Railway discontinued its use of the land that transfer did not take place.
- A claim against the Federal government for its failure to enforce the agreement was made in the 1977 Trust Action.
- In 1983, in response to a direct demand from the Nation's representative, British Columbia Railway, the successor to the P.G. E. railway, agreed to transfer the land to Canada as a Reserve for the Nation.

Kwum Kwum IR No. 28A

5. Defence Island (located in Howe Sound)

- In its 1977 Trust Action, the Nation asserted a claim arising from the failure of the Federal government to establish 'Defence Island' as a reserve.
- On April 22, 1982 the matter was resolved with Canada formally establishing the land (15.4 acres) as a reserve of the Squamish Nation.
- The reserve is known as the 'Kwum Kwum Indian Reserve'
- Kwum Kwum or Defence Islands are 2 islands located off the western shore in Howe Sound, northeast of Anvil Island. Kwum Kwum lies within the Sunshine Coast Regional District.
- Kwum Kwum is the site of 'Discovery Camp', a retreat for community use by members of the Squamish Nation. A cedar shake longhouse and a smaller, A-frame structure are located at the Camp.

Seymour IR No. 2

6. Various Leasehold Properties

- Part of the Trust Action in Federal Court is a claim against the Federal Crown for mismanagement in leasing various parcels of land within Seymour Creek IR No. 2
- The Squamish Nation has succeeded, in direct negotiations with several of the lessees, to regain the control of the leases.
- These properties include:

the site of the Squamish Nation Administration Offices (6.34 acres)

the site of the Social Development Offices (5.0 acres)

the site of the Seymour Golf Driving Range (7.33 acres); and

the site of the old Smithrite properties (6.41 acres)



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