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[['kitsilano' agreement](#)]



Information Letter **July 11, 2000**

To: Squamish Nation Membership
RE: Kitsilano, Bouillon and Omnibus Trust Actions

Proposed Settlement Agreement - \$92.5Million

Dear Members:

In our communication to membership on the details of the "Proposed Settlement Agreement", there has been one main question or concern expressed by a number of our people. It is as follows:

Why is the Squamish Nation giving up land, in order, to settle the Kitsilano, Bouillon and Omnibus Trust Actions.?

Many members believe that the requirement for an Absolute surrender@ in the Settlement Agreement means that we are selling or giving up land.

It is critical to understand that this is **Not** the case.

The Squamish Nation is **NOT SELLING** or **GIVING UP LAND**, because we don't presently have it to sell or give up.

We could only be giving up or selling these lands if they were currently Indian Reserve lands. However, a close examination of the lands shows that it would be very difficult to make out a case that most of these are Reserve lands as per the reasons outlined in Items 1 & 2 following:

1. *"Third Party"* Ownership of Lands:

- Much of these lands are presently owned by individuals and companies. Their ownership is registered in the Provincial Land Registry system. The Bouillon land is primarily registered to *"third party"* owners.
- As a result, it is highly unlikely that a court would declare that the Squamish Nation owns the land under the homes and businesses of these people. Nor would a court require these people to vacate these lands in our favour.

2. Lands Were Previously *"Surrendered"* by Our Ancestors:

- In other instances, lands that were made part of the 1977 Omnibus Trust Action were sold by our ancestors many years ago. Surrenders were provided at that time. For example, this was the case for the six Reserves in the Squamish Valley. [Refer to [Bulletin No. 7](#) for details]
- In this situation, there is a strong possibility that a court would say that the Squamish Nation gave up its rights to these lands in 1914-15.
- It should also be understood that the Government of Canada with whom we have negotiated, does not have the land to give.

If the membership rejects the settlement, we will have to continue with

our court case for many years. Our lawyers do not believe that a court would award these lands to the Squamish Nation in the end.

However, from the government's perspective, in order to have certainty and ensure that the Omnibus Trust Action, Kitsilano and Bouillon Actions are settled once and for all, they are requiring an "absolute surrender".

We hope this letter has helped to resolve your concerns and doubts on this matter.

Yours sincerely,

Squamish Nation

Chief Gibby Jacob

KáKeltn Siyám

For further details on this matter, you may refer to [Bulletin No. 9](#) & [Bulletin No. 10](#).

However, if you require further information please do not hesitate in calling Our Office

Tel. No. (604) 980-4553

or

Message Centre

Local Tel No. [980-8521](#) -- Toll Free No. [1-877-980-8521](#)



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