

**TRADITIONAL KNOWLEDGE IN A MODERN CONTEXT:  
SQUAMISH, MUSQUEAM, AND TSLEIL-WAUTUTH  
COLLABORATION IN LAND DEVELOPMENT**

by

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## **Abstract**

The Squamish, Musqueam, and Tsleil-Waututh Nations are in an unprecedented position to maximize benefits derived from the creation of Limited Partnerships and Joint Ventures in land development projects within their shared territories.

The opportunities of this new era demand the development of leadership within each Nation's membership to provide management directives that maximize community involvement throughout the development processes. Determining how they will structure their corporate governance and management practices are critical next steps in planning for growth and prosperity.

Strong partnerships have the ability to create world-class development projects that celebrate history and culture, while significantly increasing the value of the properties. Branding the rich history and spirit of the West coast will produce value-infused, cutting edge projects that are commercially appealing while facilitating positive, cross-cultural relationships that inspire.

**Keywords:** Squamish Nation; Musqueam; Tsleil-Waututh; Coast Salish; First Nations; Aboriginal; Limited Partnerships; Joint Ventures; Land Development; Corporate Governance; Cultural Enhancement.

## Dedication

Chenkwenmantumiyap i7xw ti ha7lh nexwneweyelh iy ustsan ti snewayelh tl'a siiyuxwa7 chet. Huychexwa kwen si7l tkwetsi Xalek-t/Sekyu-t Siyam iy lhen si7l Ts'its'ayxemaat, ha7lh nexwniw chet lhen kwupits iy ta ens. Haw' kwet maynexw ti snewayelh iy chiyaxw tkwi kwekwin stelmexw, Skwenmay chewan i7xw swat ti men men chet iy ti sta7exwlh chet. Men wa7ew chet nexws kwayatsut iy nsiiyxnitem ti xay temixw iy kwelhaynexw ti stekwtakw, ti eslhelhekwhiws i7xw stam ti Xexe7enek. Kayachtn.

I give thanks to my Grandparents, the late Chief Lawrence Baker-Xalek-t/Sekyu-t Siyam and June Baker-Tsitsayxemaat, and my parents Susan Baker-Pelakwiya and Wayne Campbell-Miyelxten for sharing our rich culture and spirituality with a strong connection to our territories. I also want to recognize my mentors: Dominic Point-Tiyaxwthet-t Siyam; Lena Jacobs-Kwitelut-t; Yvonne Joseph-Sxenenalh-t; Doris Williams-Skwetsatenat-t; and Lillian Pitiwanekwat for their support and guidance. I am inspired by their tenacity and resilience in keeping our languages and cultures alive in the face of adversity.

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## Glossary

- Coast Salish A group of linguistically and ethnically related Indigenous peoples of the Pacific Northwest Coast, living in British Columbia, Canada and the states of Washington and Oregon in the United States.
- Squamish Nation A First Nation whose homelands include Vancouver, West Vancouver, North Vancouver, Squamish, Whistler, and Gibson's Landing. The Squamish Nation Amalgamated on July 23, 1923. They continue to maintain a traditional governance system comprised of sixteen hereditary Chiefs along with an elected government comprised of sixteen elected councillors serving four-year terms. Their territory encompasses 6,732km<sup>2</sup> including height of land of all tributaries that flow into Howe Sound, Burrard Inlet, and English Bay. They are members of the Coast Salish language family.
- Musqueam Indian Band A First Nation whose homelands include Greater Vancouver Regional District. Their governance structure is comprised of eight elected councillors and one elected Chief who serve two-year terms. They are members of the Coast Salish language family.
- Tsleil-Waututh Nation A First Nation whose homelands encompass 1,865km<sup>2</sup> and extend from Mt. Garibaldi to the north, Coquitlam Lake to the east, Howe Sound to the west, and the Fraser River to the south. Their governance is comprised of five elected councillors and one elected Chief who serve two-year terms. They are members of the Coast Salish language family.



# **1: Introduction**

## **1.1 The Need To Restructure**

Squamish Nation, Musqueam Indian Band, and Tsleil-Waututh Nation are currently moving forward in partnership with impressive urban land development opportunities. The problem this paper will address is how the three Nations will establish effective corporate governance based in tradition, while engaging Nation members, and advancing public relations through cultural enhancements and branding. By exploring and articulating these complex relationships, informed recommendations can be made for the Nations to succeed together.

The Nations are at the cusp of restructuring their decision-making mechanisms to meet the demands of business development but they are not yet fully functioning as a cohesive business unit. How can their historic economic structures be applied as a tool for advancing their collective vision? The membership of the Nations have experienced intergenerational trauma from centuries of colonization, which necessitates a strong emphasis on capacity building. Cross-cultural relationships are also impacted by negative histories. Can sharing First Nations history and culture as a way of advancing their presence through branding contribute to shaping successful development projects?

The Squamish Nation, Musqueam Indian Band, and Tsleil-Waututh Nation are in an unprecedented era in their relationship, one that redefines their ability to draw on traditional values and customs in advancing their collective political, legal, and economic interests. The Greater Vancouver area is the homeland of these three Coast Salish speaking families who have co-existed for countless generations. They have historical social, economic, and political ties in generating wealth and prosperity amongst each other. These Nations have experienced many chapters of change and transformation and have continued to adhere to ancient laws and protocols in reaffirming their connections.

First Nations relationships are unique within business partnership norms. More than just another land development deal, these opportunities are historic within the trajectory of Canada. Nations were severely limited in past and are effecting positive change. Honouring the history of the Nations will allow for appropriate visions and recommendations to be implemented.

## **1.2 Assessing History To Inform The Future**

A closer look at the historic relationships among the three Nations can yield greater insight into their ability to structure their corporate governance to redefine their relationships as leaders in land development. I will analyse how the three Nations have moved beyond competition to form joint negotiations with the Crown to improve their leverage in re-acquiring significant land holdings within their shared territories. Recognition of one another's legitimacy has reaffirmed ancient familial ties invoked in resolving territorial disputes, while focussing on business principles. I will examine how the Nations formalized their commitment to work together by signing a Protocol Agreement to share equally in benefits derived from joint negotiations. This commitment was not intended to resolve all issues between the three Nations, but is a conduit to bring the parties together to realize value through cooperation in land development projects.

This approach taken by the Nations has yielded positive results with momentous land deals being achieved, allowing the Nations to form a Limited Partnership to manage and develop the land holdings together. Through the Limited Partnership, the Nations will determine the corporate governance structures need to prepare for growth in managing wealth and long-term benefits derived from a collective vision.

The Nations will need to consider how they will develop capacity of their members to engage in the operations and management of the development projects. A look at the scope of professional opportunities resulting from the projects can inspire Nation members to pursue high paying careers that develop transferable skills that ensure continued growth for the Nations. Grooming skilled individuals will require a concerted effort to promote the projects and share the vision with membership. Each Nation has independent development strategies for their separate land holdings, while the Limited Partnership has the potential to expand its land portfolio and continue to acquire more lands for future development, creating long-term cash flows and asset holdings.

The use of effective branding can allow the Nations to showcase their history and create a sense of inclusiveness by welcoming people to the shared territories. This branding can add value to the properties to foster a sense of pride in the west coast, the connection to the environment, and the future growth of this region. Building ancient stories into the developments can create a sense of wonder and awe through authenticity, giving the Limited Partnership a competitive advantage in the competitive marketplace.

### **1.3 Recommendations for Creating A Roadmap**

Through sound management of business opportunities, the Nations are in an unprecedented position to develop solid corporate governance that can establish management structures, build capacity in individuals, and generate significant wealth. These can be achieved through a professional and principled approach to land development projects that add significant value to communities by increasing desirability and strengthening cross-cultural relationships.

This paper will be structured as follows:

First, I will articulate a management formula based on historic economic models between the three Nations by asking: How historic economic models generated cooperation in wealth creation? And, how can those frameworks be applied to important business decision-making processes today? Using that information, I will then provide recommendations on how the Nations can generate a management strategy based on structured corporate governance increased capacity building, and impactful branding as guiding principles of a collective vision.

Second, I will explore models that were used by Coast Salish in governing their lands and resources and their complex trade and commerce relationships. These historical, culturally grounded approaches can yield greater insight into the values and principles of business traditionally shared amongst the three Nations. Those foundations can then be used in making recommendations on how the three Nations will establish a corporate governance structure.

The ability for the Nations to build capacity within their communities will be considered as part of the vision to maximize value from the Limited Partnership and land development projects. Historic models of knowledge transfer; succession planning, and development of specialists will be explored in order to seek ways of building a strong work force within each Nation.

I will also look at historic aspects of cultural enhancement and branding, and how the three Nations maintained their own aspects of branding of their culture both internally and externally, as seen by the outside world. The rich stories, art, and culture will be studied for ways to add value to the projects through the use of branding.

To conclude, I will summarize the recommendations that I outline throughout the paper. The use of historic examinations will inform contemporary opportunities and direct the partnership in creating their shared vision to establish a solid corporate governance structure, build capacity, and utilize cultural enhancement to add value to the projects.

## **2: A Shared Vision**

Why is it important for the three Nations to formulate a shared vision? With land development opportunities in highly attractive locations, the potential offered is great. Success with these projects could be a means for First Nations people and culture to flourish once again, but it will require a clear vision to articulate this message and get buy in. The three Nations will receive positive and negative feedback, which can be addressed with a clear vision that is broadly communicated to indicate how they will achieve the vision.

This chapter will look at the main challenges faced by the Limited Partnership in developing a guiding vision that takes a big picture approach to achieving goals and objectives. These partnerships are newly created in modern times with elements of concern exhibited by leadership from each Nation, staff within those Nations, and membership from each Nation. The need for a vision will further focus these parties to work together toward common aspirations focussing primarily on joint land developments. The Nations are becoming accustomed to working together, after decades of independently protecting their own interests. Each of the territories have been heavily impacted since arrival of settlers, often pitting the Nations against each other in their effort to secure rights and opportunities for their own membership.

The recent transactions in land holding have significantly increased the workload for staff within each of the Nations. The ability to establish separate corporate structures will provide a clear separation of business from other administrative services of each Nation. The vision must address how the Nations establish this separation in a timely manner to ensure they are supporting staff and providing appropriate plans to define roles and responsibilities that are supported with policies and procedures between the Nations and the businesses. The magnitude of land developments will require a separation from politics and business to eliminate the potential for projects to be stalled due to political processes that are not equipped to make full business and operational decisions associated with the land development projects. The vision will also need to analyse how this separation can be introduced and developed to define the relationship between the Limited Partnership and the Chiefs and Councils from each Nation partner.

In this chapter, I will address the challenges identified above through careful analysis of historic factors that have challenged the Nations as well as triggered the Nations in responding to

their challenges. How do the historic relationships demonstrate that working together is not a foreign concept, and how can that reassure the Nations that a shared vision can be based on shared values? I will also look at how European arrival into the shared territories has adversely impacted the continuation of cooperation, and what steps the Nations have made independently and together to correct this trend. Looking at where the Nations have come from is a good starting point in determining a vision for where the Nations are going.

This chapter will also examine the actions taken by the Nations to challenge the Crown through legal and political efforts of seeking honour in the Crown. This will be done through analysis of the progression of steps taken to date in asserting title to territories, restructuring governance models, developing business entities, and utilization of the legal system. This will help identify how the Nations came to the conclusion to work together, which has produced results in acquiring valuable real estate.

## **2.1 History Inspires Vision of Next Steps**

Coast Salish is a term used to describe a collective group of First Nations and Native Americans associated under the same linguistic family sharing dialects that span throughout most of Washington State and Oregon State in the USA, as well as significant portions of South Western British Columbia. The term Coast Salish will be used to describe broadly the relationship amongst those tribes that are categorized under the Salish speaking language family. The Squamish, Musqueam, and Tsleil-Waututh are members of this language family, sharing an ancient history endowed with intricate kinship ties. It is important to understand the historic context of their relationship as a means to better determine the steps they will require to prosper and benefit from a collective effort in wealth creation and management. Examining their historic relationship will demonstrate how these Nations cooperated to sustain a diverse economy, and how their traditional relationships continue to be a powerful tool that informs their ability to succeed in contemporary business structures.

The Coast Salish people prospered and flourished for millennia in a land of bounty with a mild climate, rich marine resources and access to vast trade networks. Coast Salish lands have always been prime real estate, generating prosperity through sustainable Indigenous management structures of lands and resources. Cooperation among tribes has been demonstrated through political alliances as well as war coalitions in defending the homelands in and around the Salish Sea. Large cedar post and beam longhouses allowed thousands of people to live in permanent villages, creating kinship ties, and social structures, connecting lineages throughout Coast Salish

territories. These connections were honoured through marriage unions that granted access to resources and broadened economic opportunities. The obligations between families and villages were maintained and demonstrated through protocols of reciprocation and cooperation in wealth generation and distribution. These traditional models are the foundations of governance structures and corporate structures that facilitated many specialized professions amongst the Coast Salish.

Reaffirmation of these ancient ties can move the three Nations into successful business ventures based on a shared history and the desire for a better future. The three Nations can build on this collaborative approach with a strategy that increases the likelihood of success based on solid structures and frameworks that generate value through cooperation and common objectives. The Nations are discovering new ways to work with government in creating meaningful economic opportunities based in traditional Coast Salish historic ties. Through their combined strength, they must seek ways to commercialize this relationship and elevate their Nations to new heights to regain recognition and power in their territories. They must articulate this vision to their citizens to build skilled people to initiate and implement the business opportunities.

### **2.1.1 Historic Coalitions**

The intricate and complex relationships amongst the Coast Salish were based on social, political, and economic ties that also included military alliances. The spirit of cooperation became fragmented once federal policies forced Natives onto reserves and issued native status identities that segregated First Nations from each other. Legislative instruments were used to prohibit the potlatch and other native gatherings that maintained relationships. This alienation from traditional social and economic ties altered the manner in which tribes interacted, leading them to seek other remedies in dealing with conflict over control of lands and resources. There is value in examining historic coalitions amongst the Coast Salish people to ascertain how their historic relationships can gain support for one another in efforts to defend lands and territories.

War coalitions are renowned amongst Coast Salish groups who recount stories of inter-tribal warfare. Alliances were formed among tribes to compel warriors to take to battle, to repel or avenge those that waged war against them. Many battles ensued on the Salish Sea with fast and nimble sprinter canoes dispatched to investigate any unknown intruders. War formations would be deployed with the large *witex*-Command vessels marshalling orders for the various lines of defence and attack. There was a high cost of war as people could be captured and sold into slavery, to be used as labour forces for wealthy families.

Eventually, peace treaties were achieved between the Coast Salish and warring Nations such as the Kwakwaka'wakw, and Haida to the north and the Tsilqotin in the interior. The treaties were often represented through marriage between nobility of each Nation. Their offspring would belong to both tribal lineages, creating unions to prevent further bloodshed, while creating greater trade networks and access to wealth. The Squamish, Musqueam, and Tsleil-Waututh have always remembered these alliances. They recount the stories, honouring those that fought to protect the lands and resources. The stories are also spoken of between tribes that once fought, but today there is a strong sense of cooperation and unity in the resurgence of First Nations culture and strength, maintaining the effectiveness of historic peace treaties.

### **2.1.2 Catalyst of Change: European Arrival**

It is important for the business partnership to be cognisant of how their relationship with European settlers has shifted and how the attitudes of the early pioneers fettered the ability for the three Nations to maintain their authority and control of their asset base. This is also important in considering how relations with the Crown can improve in balancing economic and environmental interests, while building a new framework for engagement. In what ways has this relationship changed? Has this change stemmed from moral good will or from exercising leverage in holding governments accountable for their overbearing methods toward Aboriginal people of Canada? Part of the answer to these questions can be found in examining the early interactions between white settlers and Coast Salish peoples.

The arrival of Europeans into the shared territories of the Squamish, Musqueam, and Tsleil-Waututh, marks a significant catalyst of change. The Spaniards were the first to arrive with Captain Jose Maria Narvaez in 1791, followed by British naval Captain George Vancouver in 1792. When the three Nations discovered these newcomers in their waters, they immediately deployed an envoy to investigate. The warriors were stocked with an arsenal of weaponry in their canoes along with a supply of furs and other trade items as they were prepared for a variety of situations to engage with the new and strange people.

Captain George Vancouver wrote on June 13, 1792, while travelling east of the first narrows:

“Here we met about fifty Indians in their canoes... We stood on under an easy sail, which encouraged them to attend us some little way up the arm... The major part of the canoes twice paddled forward, assembled before us and each time a conference was held... This sort of conduct always created a degree of suspicion and should ever be

regarded with a watchful eye. ... In the morning we were visited by nearly forty of the Natives, on whose approach, from the very material alteration that had now taken place in the face of the country, we expected to find some difference in their general character. The conjecture was however premature, as they varied in no respect whatever, but in possessing a more ardent desire for commercial transactions; into the spirit of which they entered with infinitely more avidity than any of our former acquaintances, not only in bartering amongst themselves the different valuables they had obtained from us, but when that grade became slack, in exchanging those articles again with our people, in which traffic they always took care to gain some advantage, and would frequently exult on the occasion. Some fish, their garments, spears, bows, and arrows, to which these people wisely added their copper ornaments, comprised their general stock in trade. Iron, in all its forms, they judiciously preferred to any other article we had to offer” (Drake, 1998).

Many Coast Salish elders speak of this first encounter, and of early relations with traders, with great humour, and describe the foreigners as odd and greedy. One oral account from a Squamish elder speaks of the European custom of shaking hands being seen as a challenge called *kelex*, known as Indian finger wrestling. They spoke of trade goods such as molasses and how confused they were when it became hard and tacky after they applied it to their hair as though it was bear grease or mountain goat grease used in styling hair. At first sight, many Squamish people thought the sailors were animated corpses wrapped in burial blankets after being surprised by how pale the newcomer’s skin was.

There was evidence early on of the white man’s desire to strip the land of its riches for their personal gain with very little regard shown toward sustainability, or for the Indigenous owners of the land. Squamish Chief Joe Capilano characterized this sentiment in 1910 when he said “White men go about with a veil over their eyes and do not think as we think.” This lament was stated after many years of seeking honour from the Crown in addressing the behaviour of settlers taking land and marginalizing First Nations people. This attitude will be explored in greater detail as it underpins the significance of modern negotiations that have taken a different approach in resolving these centuries old colonial attitudes and practices that have displaced the three Nations from much of their territories.

A look at the implications of British Columbia joining the Confederacy of Canada in 1871 lends understanding to the legal underpinning’s of how the Nations are gaining traction in their negotiations with Canada and British Columbia.



The move toward territorial expansion by Canada in the creation of the Province of British Columbia was a deliberate attempt to allocate all jurisdictions to the Provincial and Federal Governments, without the participation, recognition, or consent of First Nations. This began with the *British North American Act* granting control of lands to the Province in 1870 (sec. 92). This equates to an illegal confiscation of all assets from First Nations, without compensation. This act was followed by the granting of free land to any white settlers between 1875 and 1879 based on the notion that these lands were free and vacant, as justification for seizure and possession. Although Aboriginal title and rights to land was recognized by King Edward III in the Royal Proclamation of 1763, the Crown continues to take a position of denial of Aboriginal title and rights, which has been the source for innumerable court rulings that have reaffirmed title was not extinguished with British Columbia joining Confederation including *Taku River Tlingit First Nation v. British Columbia, 2004* and *Tsilhqot'in Nation v. British Columbia, 2014*.

The federal government passed the *Indian Act* in 1876 consolidating all previous legislation concerning Indians. It was an effort to subjugate all Indigenous Nations with one generic set of laws. Through the act, they banned the potlatch in an attempt to sever the economic might of Coast Salish Nations, and other Coastal First Nations. In 1880, the act was amended to prohibit Indian people from gathering, which remained in effect through to 1927. Many of the Coast Salish people maintained their connections regardless of this oppressive rule over their lives and mobility. From 1871 to present, the First Nations continue to seek ways to implement new frameworks to settle claims made by the Crown within their homelands.

As early as 1858, lands were being set aside as reserves for Indians by Governor James Douglas and upon his retirement in 1864 Indian matters were passed into the hands of the Chief Commissioner of Lands and Works, Joseph Trutch. By 1867, Trutch had reduced the Coast Salish reserves by 92%. Natives regularly protested this injustice as earlier promises made by white settlers on behalf of the Crown were revoked without fair compensation in any land dealings. In 1920, the *BC Lands Settlement Act sc 1920-c.51* cut off an additional 36,000 acres of land from existing reserves, which was the intent of the Crown as early as 1866 Legislation barring Indians from pre-empting lands, which remained in effect until 1953. The dispossession was exacerbated with the *Indian Act* prohibiting Indians from raising money or hiring lawyers to protect their lands and waters from 1927 through to 1951.

### **2.1.3 Seeking Honour in the Crown - Chiefs Delegation to England**

Coast Salish Chiefs responded to encroachment of settlers by sending a Chiefs delegation to England in 1906 to seek Royal audience at Buckingham Palace with Edward VII, King of the United Kingdom of Ireland and Britain. Issues of land rights and ownership were foremost in the hearts and minds of the representatives who had first hand experience of broken promises and deception in how their homelands were being overrun by settlers. The First Nations delegation was comprised of:

- Chief Joe Capilano of the Squamish Nation
- Chief Basil David of the Bonaparte Reserve, Nlhkapmuxw Nation
- Chief Charlie Isipaymilt of the Cowichan Tribes, and
- Simon Pierre of the Katzie Tribe, who acted as translator.

Although the delegation did not achieve the desired outcome of changing the power dynamics between the Crown and the Nations, they demonstrated the ability for chiefs to cooperate and take action against the oppressive actions of the Crown that were impeding the Nations.

## **2.2 Incremental Growth**

### **2.2.1 Setting the Framework for Negotiations (Squamish)**

After an unsuccessful mission to England in 1906, the Squamish Chiefs returned home to face eviction and forcible removal from many of their villages in and around Vancouver. In 1913, Squamish people were removed from areas such as False Creek in Vancouver and villages in Stanley Park. These actions inflamed animosity and resentment toward the colonial government, which continued confiscating lands without consent or compensation. For ten years, the Squamish strategized to unify their voice and create stability in their governance structure. This was achieved through an *Amalgamation* signed on July 23, 1923, effectively consolidating all territorial assets to collectively form the Squamish Nation. Sixteen Hereditary Chiefs signed the agreement, representing vast tracks of lands throughout Squamish territory.

The Squamish continued to follow a hereditary system of governance through to 1981 when a referendum was passed by membership to adopt a custom election of four-year terms. Prior to 1981, the Chiefs held a lifetime appointment to the Council with designates replacing them upon retirement. Post referendum, sixteen elected members were voted in each term to serve

in place of the traditional governance structure. Hereditary Chiefs continue to play key leadership roles within the community, as ambassadors and keepers of traditional knowledge.

Citizenship was denied to First Nations people throughout Canada until 1960. First Nations people were prohibited from voting in mainstream politics and were not recognized as citizens in their own lands until amendments to the *Citizenship Act* in March 1960. Prime Minister John Diefenbaker pushed for changes to legislation through the Parliament, which lifted previous policy from 1867 that required Natives to give up their Indian status and treaty rights in order to vote (CBC, 2010).

Throughout the 1960's, the Squamish worked diligently to break free from the rule of Indian Agents who were assigned to oversee the business and administration of reserve lands. As soon as oppressive laws were lifted, there was a strong effort to preserve the *Skwxwu7mesh snichim*-Squamish language, and conduct ethnographic research in compiling and correlating Squamish history, use, and occupation of their homelands and waters. The *Assertion of Aboriginal Title* was an important document that was used by the Squamish to put the Crown on notice of their rights and title to their lands and waters. This report and others were commissioned shortly after the right to legal council was granted to First Nations, with legal mechanisms being utilized to trigger the BC treaty process and subsequent court rulings pertaining to Crown/First Nations land issues.

Another important document produced by the Squamish was the *Land Use and Occupancy Report*, which identifies place names, lineages, mythology, spirituality, and customs throughout the territory. This was used in conjunction with a number of other reports such as ethno-botany and marine resource uses as a means to preserve, protect, and teach the ancient Squamish culture. These documents represent a suite of studies that clearly spell out the Squamish Nation's history of governance and authority over their homelands. These reports have been integral in allowing the Nations to gain traction and greater authority, leading to a significant increase in land acquisitions being achieved by the Nations.

### **2.2.2 A Succession of Court Rulings**

First Nations across Canada continue to address the Crowns unilateral approach in dictating the lives of status Indians in Canada through four general approaches including: negotiate, litigate, pursue treaty, or accept the status quo. The *1991 Report of the BC Claims Task Force* identified a process for modern treaty making in BC, which was established in 1992 with the Treaty Commission and treaty negotiations commencing. This process has been glacial in

producing results with a few treaties being actualized in BC since its inception. Many First Nations have become frustrated at the lack of political will by Canada to meaningfully resolve outstanding issues and have resorted to seeking alternative remedies through the legal court system in Canada.

The Squamish launched legal actions in 1977 to challenge previous reductions of reserve lands by the McKenna McBride Commission over fifty years ago. The reductions in reserve sizes resulted in net land holdings comprised of 0.3% of the traditional territory allocated as reserve to the Squamish Nation. This represents a very small pittance of land in comparison to their vast territory, which is approximately 6,732km<sup>2</sup> in area. In just over 150 years of colonial expansion, six municipalities and three regional districts have been established throughout Squamish lands, crowding out the Squamish from the enjoyment of their autonomy and jurisdiction.

Great strides have been made with over two hundred court rulings in favour of Aboriginal peoples, forcing Canada and First Nations to redefine their relationship. The strengthened position of First Nations was affirmed in 1997, when the Supreme Court of Canada confirmed that Aboriginal title to the land does exist beyond the right to hunt and fish and conduct cultural practices in *Delgamuukw v British Columbia [1997] 3 S.C.R. 1010*.

This duty of consultation was further defined and affirmed on November 18, 2004 when the Supreme Court of Canada released two landmark decisions on Aboriginal consultation: *Haida Nation v. British Columbia (Minister of Forests) and Weyerhaeuser Company Limited*, and the *Taku River Tlingit First Nation v. British Columbia (Project Assessment Director)*. These rulings stated that when the Crown has knowledge of asserted Aboriginal rights, they must contemplate decisions that may adversely affect those rights and title and must consult and where appropriate accommodate. These rulings helped develop tools for engagement between Crown and First Nations but many grey areas remain that have lead to continued court action.

In May 2014, First Nations authority was furthered with a watershed decision announced by the Supreme Court of Canada in *Tsilhqot'in Nation v. British Columbia*. This was the first time in Canadian history that courts granted and declared Aboriginal title. The court confirmed that *terra nullius* has never applied to Canada, and dismissed Canada's position that Aboriginal rights and title were site specific and not blanket areas over territories. This case significantly altered the legal landscape in Canada regarding lands and resources and entitlement of governments (Pinder, 2014). These legal landscapes also demonstrate the on going frustration and incremental progress being made between First Nations and colonial governments. They are a catalyst for the three Nations to reframe negotiations in a manner that recognizes greater negotiating leverage as a

cohort, with a stronger emphasis on developing guiding business principles rather than resolving which Nation has a stronger title claim.

## **2.3 From Competition to Collaboration**

Reaffirming familial ties has been one of the greatest steps taken by the three Nations in regaining greater control of their lives and destiny. This has helped foster a greater sense of Nationhood as Coast Salish tribes, unifying under historic linguistic, kinship, political, spiritual, and economic ties. The ability to circumvent contemporary strains in relationships has been achieved through a shared vision based on a shared past. This cooperative spirit was not intended to resolve all matters between the three Nations, but rather to develop and implement a collaborative approach based on business principles and shared values.

The goodwill between the three Nations has rekindled relationships that have expanded in scope to include other tribes. The Coast Salish Gathering has created a forum for Coast Salish tribes from both Canada and the USA to regularly meet and discuss issues pertaining to the Salish Sea. This has also included the involvement and participation from the Canadian and US governments through their Crown agencies Environment Canada and Environmental Protection Agency. There has also been support through the signing of declarations such as the *Save the Fraser Declaration*, and *Save the Salish Sea Declaration* in support of other First Nations in their efforts to protect their territories from the siege of development and contamination.

### **2.3.1 Joint Negotiating Table**

The three Nations set up a joint negotiating table to respond to dispositions of lands claimed by the Province of British Columbia. In an effort to balance budgets, the Province set forth to dispose of 26 parcels of land, many of which were located within the shared territory. The Nations ultimately settled on a benefit agreement with the Province and exercised an option to purchase certain parcels at fair market value. The three Nations entered into a Limited Partnership Agreement, which was used to enter into Joint Venture Agreements on behalf of the First Nations to limit liability. The Limited Partnership is designed to carry out the business as set out in the Limited Partnership Agreement, as well as providing the capital for the purchase of properties. The Limited Partnership is managed through a General Partner represented by a Board of Directors with two representatives per shareholder of the General Partnership totalling six appointees. The General Partnership manages the partnership and assumes liability risks for the

partnership. They also appoint six individuals to the Operations Committee as well as the Joint Venture Management Committee.

The *Limited Partnership Agreement* begins with a preamble to the *Protocol Agreement* between Musqueam Indian Band, Tsleil-Waututh Nation, and Squamish Nation, which reads:

‘In keeping with our ancestral matrimonial relationship, we agree to continue to protect our home and shared lands for the use of our families and members to live and create the economic benefit of those shared lands and options in homelands in use of the land, water, sea and air and it’s resources, food, water and air space. This is based on an inherent and common respect that has been in place between us for 10,000 years. To instate our collective authority by empowering each branch of our families of the Musqueam, Squamish, and Tsleil-Waututh through trust, understanding and respect.’

### **Liquor Distribution Branch**

The Liquor Distribution Branch is located on a 10-acre property in Vancouver, which conducive to growth in commercial and residential developments that may also include light industrial. The three Nations and a developer partner acquired this property. It is an attractive parcel within 150 meters of rapid transit, as well as being on a major arterial route of Vancouver with close proximity to major highways. The partnership is structured with equal shares of 25% per partner, comprised of the three First Nations and their developer partner. There is a separate working committee comprised of representation from all partners to make critical decisions. The developer partner is retained as the property manager based on competitive rates. This partnership will pursue rezoning from the City of Vancouver, which will entail extensive community engagement. This process will likely take up to two years before plans can proceed for construction. The current lessee on the property may exercise their right to an extension of their term in which case the partnership will have time to navigate the regulatory process and increase property value through rezoning approvals.

The three Nations also considered the acquisition of a property located on Willingdon Avenue in Burnaby, but it was decided that only Musqueam and Tsleil-Waututh would pursue purchase of it along with their development partner. The Squamish opted not to invest in the parcel, leaving the two other partners with the go ahead to proceed with finalizing the acquisition. This was a good exercise for the partnership to pursue parcels and investments in a manner that did not require all partners to invest in the same projects. This partnership affords the ability for

the three First Nations partners to work together in using this model of cooperation in future negotiations.

The three Nations were gaining momentum in their collective efforts, and continued on a path of joint negotiations. They entered a multi party table with the federal government of Canada as represented by Department of Fisheries and Oceans, Department of National Defence, and Department of Public Works and Government Services. These three federal departments had identified lands they wished to dispose of as surplus lands. The federal government has a policy that any and all federal surplus lands must be sold to Canada Lands Company, which is a Crown Corporation of Canada. This sale triggered consultation with First Nations who may be affected, which included the Squamish, Musqueam, and Tsleil-Waututh.

### **Jericho Lands**

One of the premier properties in Vancouver is known as the Jericho Lands, situated on the west side of the city it is a 52.19-acre site. This area is in the vicinity of a former village called *Iyelmexw*. The federal government has occupied these lands for military purposes since 1920, where it began as a flying boat station, and then the Royal Canadian Air Force took over the site in 1924, followed by the Canadian Forces taking over the site in 1947. The area is 52 acres in size and was acquired in 2014 by the three Nations in partnership with Canada Lands Company, who jointly negotiated with the Department of National Defence. The Nations have partnered with Canada Lands Company on a 50/50 joint venture agreement and will jointly seek rezoning of the property in order to begin developing infrastructure such as serviced lots, subdivision and sale or lease of the lands. Major servicing will likely be phased to allow cash flowing and developments to begin, which will all be based according to development plans. This process will entail extensive public engagement to seek input from local communities and interest groups in the development of a vision for the uses of the land.

### **Fairmont Complex Property**

The Fairmont property is a 20-acre site located in South Vancouver near Oak Street and Cambie Street. This site has been used by the Department of Public Works and Government Services Canada as a Royal Canadian Mounted Police Headquarter and forensic lab. It was deemed federal surplus land, triggering consultation with First Nations who jointly acquired the lands through Joint Venture Agreement with Canada Lands Company and the First Nations Limited Partnership. The partnership will also seek rezoning from the City of Vancouver to allow

for development to occur. The property has maintained tenancy with the Royal Canadian Mounted Police for a set term.

### **Department of Fisheries and Oceans site in West Vancouver**

The Department of Fisheries and Oceans has deemed a 4.27-acre site located in West Vancouver as federal surplus property. Under Canadian policy, and federal surplus land must be transferred to Canada Lands Company at fair market value. The Squamish, Musqueam, and Tsleil-Waututh Nations were consulted on this potential disposition, setting forth a negotiating table. The three Nations created a Limited Partnership that then entered into a Joint Venture with Canada Lands Company to jointly acquire this property and seek rezoning to allow for market housing to be developed in accordance with regulatory process as set by the District of West Vancouver.

## **2.4 Recommendations for Creating A Vision**

Why is it important to create a vision? In order to capitalize on success, a strategy with goals and objectives is required to achieve targets and timelines.

The three Nations have demonstrated long-standing structures for working together for profit and benefits. Reaffirmation of kinship ties through protocols, laws, customs, values, along with spiritual connection to the land and history are powerful in creating a new vision. Nation members stand in the middle as relay runners, representing a continuity of tradition, with responsibilities to make improvements for future generations. Long term planning based on the historical practices can replicate powerful aspects of the old models, values, and recreate them with new tools within a modern context. How do we enact these values into a clear vision? How do we remove ambiguity and tell the story about our goals to achieve opportunities for future generations and increase cross-cultural understanding and value within the region?

I recommend the Nations look at their shared history to appreciate their incremental growth and success. By acknowledging that success is built on generations of effort, we have a responsibility to regain control of our lives and future. The vision includes achieving equality under the laws of Canada, and success in righting some of the past wrongs. Getting our people to be successful in business also achieves equality in terms of social outcomes with other Canadians along with proper recognition as original inhabitants and stewards of the land.

The vision must invigorate the companies to be leaders in development, attracting the best and brightest workers. This is achievable as the Nations have secured opportunities and do have



partners with the know-how and skills to see these projects through to completion. Will the Nations go for a ride or will they take charge in finding ways to benefit from all aspects of land development? Creating and articulating a vision that is based on principles shared amongst all three Nations can address these questions.

The steps needed to create a vision are:

1. Ensure the Nations are thoroughly aware of the need to establish a shared vision that can direct their business decisions based on cultural values. This can be done through expanding the *Protocol Agreements* and *Joint Venture Agreements* already established. By taking the Nations a step further in making bold statements to be the best and most attractive land developments in their territories, forever changing the social and visual landscape of Vancouver. This will be achieved through creative use of traditions that have stood the test of time.
  - a. The first step is for the working committees to introduce the steps that will be required for the life of the development projects: creation of a vision that is developed by the leadership of each Nation that identifies values, mission, and strategic direction to guide the limited partnership structure. The Nations will want to share this information with their communities through newsletters and information meetings to communicate the story and solicit dialogue and feedback. The shared values can be captured as guiding principles that are adopted and approved by each Nation to be used as official directives. These principles can be built from previous agreements that identify the rationale for a collaborative partnership in reaffirming ancient kinship ties.
  - b. Examples of shared values can centre on traditional teachings that promote respect, honour, dignity, cooperation, patience, and kindness. These can then be built into guiding principles that are derived from cultural understandings to respect the land, water, air, and all living things; to honour our spiritual connection to our homelands and to each other; to exemplify dignity in all relationships as Ambassadors of the Nations; to work together as equal partners through a spirit of cooperation that is founded in ancient connections as Coast Salish people; to recognize the importance of patience and compassion in honouring the impacts that systemic marginalization has had

on our families; and the ability to recreate our relationships through kindness and integrity with professional standards that value and honour tradition and protocols of the Nations, and add value to the developments look and feel.

2. Developing a comprehensive communications strategy to inform membership of the history with regard to how far the Nations have come, celebrating their ability to move beyond the status quo through cooperation, breaking the stale mate with government over sharing of benefits derived from land sales, and promotion of the shared aspiration to build a successful business environment that includes all community members who wish to be associated with the land development projects.
  - a. The Nations will need to find ways to promote their shared vision. Using the tradition of storytelling can be applied to materials that are shared with community members. These can include images of people in regalia, images of landmarks that convey traditional stories and connection such as mountains, the use of traditional words and language that evoke culture. These styles of presentation go beyond simply providing facts, they are a means to connect people from the heart and spirit, in feeling a part of a great cultural renaissance.
  - b. Developing the brand through art, colour, tag lines, can convey a sense of tradition for the Nations to tell the story of their vision. An example could be: The Squamish, Musqueam, and Tsleilwaututh invite you to witness and celebrate the ancient connection to this land, and welcome you to join us in building vibrant communities together. This is one way of bridging a sense of honour and tradition, drawing on cultural connections as a tool for marketing.
3. Demonstrating to the public that it is possible to move beyond legal remedies and archaic legislation by reframing the choke points into an era of shared benefits and added value that brings value to all parties. This can be used in showcasing a success story of governments and First Nations working together in achieving reconciliation.
  - a. The traditional teachings of healing and forgiveness can be maintained through the vision that maintains cultural practices be observed and institutionalized into the operations of the business principles. Gifting of

significant cultural symbols such as woven blankets, welcome figures, traditional bent wood boxes and other items can be used to reinforce tradition and culture. These gestures can be practiced between the Nations on a political and social level as well as within business functions that honour and uphold traditions. The vision can stipulate that these types of practices be maintained as a part of the strategic objectives in advancing the Nations economic development. This would promote and involve traditional practitioners from the Nations to engage and have a continued role in the on going business operations. That in turn would create greater awareness of the traditions of the Nations, and inspire young people to learn those important teachings.

- b. A part of the reconciliation represented in these deals is the ability to move beyond the unhealthy relationships and comfort people in knowing that those days are in the past. It is safe now to practice our traditions without fear of retribution and punishment. The young people in the Nations need to know the recent history to garner value in committing to learn their languages and culture.
4. Establishing professional businesses that develop world-class products that exceed expectations in residential, commercial, and light industrial development, that respect the environment, and are harmonious with the continued values held sacred by the Coast Salish people.
- a. Images can be used to show people dressed in traditional regalia as well as in business suits or trades equipment in demonstrating a continuity of tradition. These images can be used in all promotional materials.
  - b. The Nations vision may also look to long-term sustainability of environmental values, and promote green projects and technology that is cutting edge, yet based in traditional laws and practices. This could be applied in building concepts that use solar power or recapture rainwater for non-consumptive uses such as watering lawns, gardens, and fountains within the development sites. Traditional values can be incorporated to state that water is sacred and is essential to all beings on Earth, reinforcing ancient stories of relationship to salmon, herring, orca, and other beings iconic to the west coast.

These are key areas I recommend for the Nations to further develop into a solid vision that will guide their land developments and enter the their partnerships into a new era of cooperation and prosperity. The vision is an essential step to formulate a foundation of guiding principles and shared values that can be approved by each Nation. This vision will set the standards in which the Nations wish to see the business corporations abide by in upholding the integrity of traditional teachings practiced for many thousands of years.

The vision is a powerful tool that will inspire members of the Nations as well as the general public in recognition that the Nations hold important knowledge that can add great value to the region in sustainable developments that will add more than just monetary value. The vision has the potential to invigorate a sense of pride and accomplishment in the Nations ability to apply their traditional knowledge in a modern context.

### **3: Structuring Good Corporate Governance**

Why is it important to develop a plan for good corporate governance as a mechanism to make good decisions? The need to have a coordinated plan requires a means to develop and implement a shared vision. The unique arrangement of a three Nation Limited Partnership requires a structure informed equally by traditional values and best governance practices. The infusion of cultural values will increase community support and strong corporate governance will bring stability to the Nations that will create a powerful economic engine.

The problem faced by the Nations is determining what steps will be taken to establish a functioning Corporate Governance model that stems from a collective vision to work together in creating success from land development projects within their shared territories. These opportunities came about as a result of political processes and legal avenues in negotiating benefits with the Crown. There is a need to progress this relationship from a political to a business structure that further defines the roles between the two bodies.

How will the Nations define these roles to allow good governance and good corporate structures that set targets, goals and objectives of the Nations, and use the corporate governance structure to carry out the work on behalf of the Nations? This will require regulatory oversight functions, but will also need checks and balances to minimize political interference from the Chiefs and Councils. Part of the problem lies in maintaining the status quo, where Nations staff are expected to advance these development files, while concurrently managing a number of other unrelated files. The Nations will need to create a separation of business through a managing limited partnership with separate staff to oversee the projects (Cornell, 1988). This can be identified as a priority in the vision and directions given from each Nation to establish good corporate governance structures.

How do you develop a good structure? Historical information on corporate models informs current leadership on traditional models that were highly successful in creating a strong economy. I will look at historic institutes of governance and management in determining what aspects of those structures can be of use in a modern corporate governance model that the Nations can establish. In this chapter, I will look at the potlatch model, how it functioned, and what core

values have been maintained. This will assist in determining how this may yield insight into a modern collaborative approach to structure the Nations joint business interests.

I will incorporate the three pillars of sustainability to support the corporations in creating better governance, economic prowess, and environmental stewardship. These fundamental pillars can create a larger vision in recognizing where the corporate structure fits with the broader goals and objectives between the Nations.

This chapter will take a broad look at the steps taken thus far to build the Nations corporate experience and how those steps have incrementally brought the Nations to their current reality through a Limited Partnership. Part of that equation stems from the establishment of protocol agreements that have been stepping stones in building trust and commitment to work together. This will be viewed in contrast with how the Nations entered into joint negotiations to reclaim important parcels of land that will be used for economic purposes.

This chapter will also consider how Canada Lands Company functions as a Crown Corporation and what aspects of their structure the Nations incorporate into their Corporate Governance models.

These aspects will be viewed as progressive steps that have been taken by the Nations in regaining strength, informing them of next steps in structuring their business interests.

### **3.1 The Potlatch Business Model**

*Potlatch* is a term used to describe cultural and ceremonial gatherings that are hosted by families commemorating significant events in their lives. From birth to death, rites and rituals are upheld and displayed before witnesses, where gift giving and a redistribution of wealth is circulated. In historic times, the potlatch business model generated a constant demand for goods imported from distant lands, that weren't readily available, creating value and profit. During those times, gatherings were hosted by wealthy families who demonstrated leadership in the management of lands and resources, and the ability to accrue large quantity of goods. They were nobility who had the means to organize labour forces that were mobilized in extraction and manufacturing of a diversity of products. Oversight of land parcels such as rock quarries, timber stands, aquaculture, fish weirs, and wildlife management are examples of resource management practices throughout Coast Salish homelands, representing organized structures of business and governance. Trade items such as obsidians and other stones, ochre's and clays, tools, blankets, saplings, and fish oils, were transported overland or via the many lakes and rivers used as

highways for thousands of years. This value chain allowed goods to exchange hands and increase in value as the items were extracted, manufactured, and implemented.

Important ceremonies continue to this day throughout Coast Salish speaking communities that preserve frameworks for sharing of wealth. These gatherings have maintained the integrity of traditional laws and customs that have been practiced since time immemorial. These laws and structures are the foundation for business principles and relationships that the three Nations have used to rationalize the benefit of working together in modern day negotiations to yield benefits shared equally amongst all three Nations. These benefits will increase opportunities for members of the Nations to engage in shared initiatives, while creating a scale of economy that can improve the quality of life for the members of the Nations as well as the region. This renewed sense of cooperation can be used as a modern method of implementing a continued business model based on the potlatch system and its values. Moving forward in redefining a contemporary relationship will require further exploration and analysis on ways to become efficient and effective in future business relations through the use of solid corporate governance and management models that are built atop a solid foundation of business practices.

There must be a balance to preserve the integrity of traditional models while at the same time utilizing modern tools to build successful businesses. The two are not always compatible in their priorities or methodologies, but the Nations will need to seek ways to adapt their traditional values into modern business practices. They do not need to assimilate themselves into European based cultural models in order to succeed in business but can look to ways to adapt practices they are comfortable with and that have served them well. Traditional economic structures have also adapted throughout the ages, making this modern chapter of history another milestone in the rich practices of Coast Salish business methodologies.

An example of one of the traditional business models used by the Nations was gathering in the longhouse to discuss their business opportunities, through the use of formal speakers and witnesses. This invoked a sense of integrity and purpose in moving the Nations forward through the use of traditional customs.

### **3.1.1 The New Language of Business**

Economic ties were further enhanced between Coast Salish tribes through the use of Chinook Trade jargon widely spoken across the entire northwest coast from California in the south, to Alaska in the north, and Montana to the west. Vast trade networks extended well into the territories of Interior Salish Nations, with goods exchanging hands among many linguistic groups

connected through trade. The common use of this trade language allowed greater trade and commerce to occur and expand, reaching broad cultural groups and producing a vast array of products from across North America. Historically, the three Nations spoke separate dialects of the Salish languages but often understood and spoke multiple dialects in their interactions with one another. Today, these languages are in peril with a very small percentage of proficient and fluent speakers among the three Nations, but much effort is being made in all three Nations to preserve, protect, and teach their languages.

English has rapidly become the technological standardized language used by the three Nations in recent history. It is the language used in the Canadian legal system, along with French, and is the language shared amongst the three Nations in their negotiations with Canada. A strong command and use of English in the corporate realm represents another example of how adaptive cultural practices can benefit the Nations in structuring successful partnerships. This will allow the Nations to capitalize on a more sophisticated understanding of financial management and business terms related to their land development projects.

### **3.2 Legislative Oppression Impeding First Nations Corporate Governance**

In order for the three Nations to actualize their development plans, there must be recognition of the importance to drastically improve relations with all levels of Canadian government. The ability of the Nations to capitalize on the opportunities negotiated with the Crown depends partly on the resetting of these relations with the intent to ensure value is created for all parties. European customs and laws were superimposed into Coast Salish territories with the intent of claiming new lands under Crown sovereignty. This fundamental competition for control has been the bane of the relationship thus far between settlers and First Nations. The business partnership must seek ways to circumvent the status quo and advance negotiations with governments that offer new ways of doing business.

With the arrival of Europeans, colonial governments deliberately and systematically undermined the three Nations authorities and jurisdictions, as they jockeyed to explore, map, and survey Coast Salish territories in an effort to stake claim. An influx of gold seeking foreigners arrived in the territories with a barrage of people staking claims, while completely neglecting the rightful owners. This was known as the Fraser River Gold Rush of 1858. The notion of *terra nullius* (that no one owned the land prior to Europeans asserting sovereignty) assumed that these lands were free and vacant, and unfettered for western expansion.



In the early 1800's there continued to be a strong presence of First Nations assembled along the Fraser River with hundreds of canoes travelling together at any given time. Although, the Coastal First Nations are arguably some of the best natural carpenters in the world, steel and iron products were in demand from traders who established Fort Langley in 1827. Prior to contact with European cultures, First Nations master carvers made monumental sculptures, large sea going canoes, and timber frame homes constructed of post and beam old growth wood, all built and assembled with tools of stone, bone, and antler. There was a rapid demand for guns and steel tools by the Coast Salish who were eager to trade for furs of sea otter and other fur bearing mammals. It is interesting to note that by 1841, the fur trade was all but decimated within the Squamish, Musqueam, and Tsleil-Waututh territories.

Unfortunately, Europeans also introduced foreign diseases that wreaked havoc on most native populations. All of the Coast Salish tribes experienced mass depopulation from epidemics throughout the 1800's, leaving many Nations reeling and traumatized. This experience severed and interrupted the succession and transfer of traditional knowledge and stewardship as native populations were destabilized, allowing white settlers to move in and assume jurisdiction.

### **3.3 Three Pillars of Sustainability In Advancing Growth**

All three Nations are faced with similar challenges in rebuilding their communities, and all three are tackling the larger issues of governance, socio and economic stability for their respective Nation. It is important to consider how the Nations are able to advance all three areas concurrently in regaining greater control of their futures. The Squamish have become astute business leaders through the generation of own-source revenues derived from economic activities on their lands. There are three pillars of strength the Squamish are promoting as a means of breaking free from the oppressive dynamics that have lead to the compromised state of their homelands:

Three Pillars of Sustainability used by the Squamish can assist in filling voids that may affect the land development projects. These areas may include:

#### **1. Governance**

- Greater decision-making and authority of Squamish Nation government
- Restructuring administrative departments to manage internal and external needs
- Assertion of title and definition of territory

- Land Use Planning and Marine Use Planning, creating a vision for land and water management
- Consultation and accommodation of impacts to rights and title by government or third party, with consent required for all major projects within Squamish territory
- Coalitions with other First Nations and partnerships with business and nongovernmental organizations.
- Protect and enhance rights and title through legal, political, and economic pursuits.

## **2. Economic**

- Growth and stability in generating own source revenues
- Acquisition and development of strategic lands throughout territory, held in fee simple
- Business development on and off reserve with commercial, residential, and light industrial zones
- Leveraging legal/political climate to create economic opportunities through negotiations
- Largest forest license holder in Squamish territory
- Develop and maintain partnerships with public, private, and First Nations consortiums
- Maximize spin off benefits through procurement policies
- Capacity building integrated into every aspect of economic activity, broadening opportunities beyond the projects.

## **3. Environmental Stewardship**

- A strong focus on revitalization of environment
- Creation of conservancies, approximately 50,000 hectares
- Salmon and other fish enhancement projects, in ocean and fresh water environs
- Regulatory oversight with stringent policies on effluent discharge and particulates from industrial activities throughout Squamish waters.
- Prevention and response to industrial spills along rail, marine, and land sites

- Continued strategizing at the Coast Salish Gathering, trans-boundary forums on the health of the Salish Sea

### **3.4 Lands for Economic Revenue Generation: Incremental Corporate Governance Development**

The Squamish Nation's land portfolio includes on-reserve and off-reserve project opportunities that can potentially yield significant financial returns. There are a number of factors to consider in advancing projects through planning processes and investment decisions. On-reserve dynamics in land development require different regulatory requirements than off-reserve investments. This is due to federal legislation under the *Indian Act* that remains in effect with regard to property value and security of investments.

The ability for First Nations to access capital is restricted because reserve land cannot be used as security, leaving exposure for lenders to recover costs in cases of default. Squamish reserve lands are located in areas conducive to growth and close proximity to major infrastructure, which is a positive in attracting investments and partnerships. Referendums are required to seek approval from membership to allow parcels of reserve land to be designated for long-term economic use. The trajectory of own-source revenue requires continual growth in order to meet the demands of a growing demographic that have an insatiable appetite for continued programs and services. This requires continual cash flow from development projects to sustain the growth projections along with tangible assets that allow stronger borrowing power. An overview of current projects will consider what opportunities are being considered for land holdings both on and off reserve, and how these opportunities formulate iterations in the development of corporate governance structures.

*Chichelxwikw* is also known as Seymour Creek IR 2, and is 78.1-acres in size. This land has been designated for long term revenue generation, intended for mixed use development such as a shopping centre, restaurants, commercial office towers, big box stores, and potential market housing. The project requires a service agreement with the District of North Vancouver. Access/egress agreements are in place with the Ministry of Transportation.

*Senakw* is an ancient Squamish village site also known as Kitsilano IR 6 on the west side of False Creek and is 10.4-acres. This property was returned to the Squamish Nation as reserve land as part of an *Omnibus Trust Action* agreement known as the *Kitsilano Agreement*, initiated through court action in 1977. This was a former village site and was allocated to the Squamish Nation as a 65-acre reserve in the late 1800's. A reclamation ceremony took place in 2003 with

the first Squamish canoes arriving on the beach after many decades. It is anticipated that the Squamish will develop the site in phases, beginning with a 4.5-acre site with two rental towers being built. The Kitsilano market in Vancouver has a high demand for rental product. Studies have shown a trend of 99.7% occupancy rate in this neighbourhood, making this development highly attractive. Relations with the City of Vancouver are strong with the 2014 announcement of Vancouver being a City of Reconciliation. This dynamic can assist in securing service agreements that the Squamish Nation will need in order to see development projects come to fruition.

*Chkelhp* is located on the Sunshine Coast in present day Langdale and Gibsons Landing. This reserve is Gibsons IR 26 and is 28.4-acres in size. It is the home of *Tskanchtn* and *Sxelaltn*, the first Squamish ancestors. The Squamish worked diligently to remove unfavourable leases that did not provide adequate returns compared to the property value. The Indian Agent who was assigned to the Squamish Nation by the Department of Indian Affairs prior to the 1950's set these unfavourable leases. These waterfront lots are on the Sunshine Coast and sit on a 30-acre site with unobstructed views of Howe Sound and the North Shore mountains. The Nation has a vision to establish long-term lease holdings for market housing units to be built along the waterfront and uplands.

*Xwmelchstn* is a 412-acre reserve situated on the north shore known to most people as Capilano IR 5. This reserve straddles the municipalities of North Vancouver and West Vancouver. It is an ancient village named after the renowned war general Kiyaplanexw, anglicised as Capilano. There is a large population of Squamish inhabitants in this village with over 300 single detached houses. Part of the reserve is under long-term leasehold as a shopping centre to Larco Investment. A Capilano IR-5 Master Plan was developed in 2004 along with a Community Development Plan in 2009, both were commissioned by Squamish Nation to analyse the development potential on this prime real estate. The Nation outsourced a study by Emaar Properties, a multi-billion dollar company that specializes in commercial and residential property development from Dubai, to conduct a visioning exercise for the ocean front reserve. It was important to recognize the value of the Squamish's land portfolio in a global context, with the ability to attract the best and brightest people to such development potential. The reserve acreage is comprised of lengthy ocean and river shoreline, unobstructed views of the Salish Sea, Vancouver Island, Downtown Vancouver, and the North Shore mountains. This region represents the northern end of the Cascadia zone, which extends along the West Coast from northern California to northern Vancouver Island. This region has produced some of the world's most successful companies such as Amazon.com, Boeing, Lululemon, and Starbucks, demonstrating

the potential power of developments in attracting world-class tenants to the lands, adding greater value to the region. This can potentially break any stigma and negative preconceived image of Native people by showing their ability to engage in large-scale business.

The value of Squamish lands is significant for development potential. The ability for the Nation to expand its land development capacity within its business units is of utmost importance to maximize value and build a strong and vibrant economy. The professional development and added value for Squamish members to engage in the projects is tremendous when paired with other partnerships and projects. The visioning, investment, construction, and operation of these properties will require solid management systems to be in place to continue on a path of success. These opportunities are the result of generations of effort on the part of Squamish predecessors in affecting positive change. These projects are building capacity, experience, and expertise to develop solid corporate governance structures as a means of incremental growth and sustainability.

### **3.5 Partners In Collaboration**

Cooperative efforts have also been forged as a result of the threat of industrial expansion throughout Port Metro Vancouver. The proposed increase in transport and shipping of noxious and hazardous substances within the shared territories has gelled some of the tribes in opposition to the risks posed by such projects. This has helped create allies in opposition, to question the legitimacy of the government to issue rights to third party interests atop of Aboriginal rights and title, and without the explicit consent of those First Nations directly impacted. One of the biggest impediments faced by the First Nations is a serious lack of procedural fairness in their ability to be meaningfully involved in the analysis and decision making of these projects. In light of the many Supreme Court of Canada rulings, it is unfortunate that Coast Salish lands continue to be seen as free and vacant for Canada to make unilateral decisions that pose serious risk to human health and environmental longevity.

The development of independent assessments has begun for the Nations to conduct their own analysis of major projects and come to their own conclusions based on their assessment. This represents a separate regulatory process that is built on traditional values that include cultural and spiritual connections to the land and water. It is also critical in creating explicit attention to the fact that discussions between First Nations and Canada are Nation to Nation, where First Nations laws must also be taken seriously.

### 3.5.1 Protocol Agreements

Protocol agreements have been a means for First Nations to resolve territorial disputes through cooperation accords that identify a schedule of issues that the parties identify as important in moving toward reconciliation. The agreements often assist in removing any ambiguity about what each Nation's aspirations are and how potential conflict can be mitigated. These agreements are not legally binding in Canadian law, but assist with political decision making, creating better mechanisms for information sharing between staff and technicians within each Nation.

The Sechelt Indian Band and the Squamish Nation formally recognized one another's territories and established a solid working relationship in consulting and information sharing. This helped recognize traditional boundaries between the two Nations as well as established cooperation accords to lobby government on common issues. The Sechelt and Squamish territories meet on the Sunshine Coast at Roberts Creek, then follow the height of land northward to the divide between Princess Louisa Inlet and Sims Creek in the Elaho Valley. The two Nations joined a consortium of First Nations in a joint effort to lobby the Province for better policies around hydroelectric projects that were being concentrated on a number of First Nations territories on the south coast of BC. The two Nations also collaborate on land management directives with local government around forestry, naming and recognition, wildlife management, and other land and resource planning processes.

A political protocol agreement was established between the Squamish and the Lil'wat Nation, their neighbours to the north, who's shared territory is largely within the vicinity of the Resort Municipality of Whistler. The incentive for this agreement sprung from joining forces to negotiate benefits derived from co-hosting the Vancouver Whistler 2010 Winter Olympics and Paralympic Games. The Nations decided to split benefits on a 50/50 basis, as well as join as equal partners on the establishment of the Squamish Lil'wat Cultural Centre in Whistler. The sharing of benefits also applies to hydroelectric projects within the shared territory, as well as land holdings, and jointly held forest tenure. The sharing of risks and benefits is borne equally between the two tribes and is not based on pro rata as per capita basis.

The Squamish and Tsleil-Waututh share a common history with significant intermarriages between the Nations spanning innumerable generations. Many of the family lineages are interconnected across many villages, with ancestral names continuing to reaffirm present day ties between each Nation. The Tsleil-Waututh opted to not join the Amalgamation of sixteen Squamish hereditary Chiefs in 1923, which collectively form the Squamish Nation. This relationship focuses on the shared territory mostly comprising downtown Vancouver, Burrard

Inlet, Indian Arm and their tributaries. This agreement has led to improved communications among staff as well as improved political will in jointly negotiating mutual benefits from opportunities within their shared territories. It has also allowed for the Nations to strategize on opposition to increased transport of fossil fuels and other hazardous substances through their homelands, posing significant health and environmental risks.

There are various Protocol Agreements, Memorandum of Understandings and Accords that the Squamish have made with the Municipalities and Regional Districts within their traditional territory. These include: City of North Vancouver; District of North Vancouver; Squamish-Lillooet Regional District, and the District of Squamish. These agreements have helped advance the Squamish agenda in gaining greater political and economic control of their territory. The recognition from multiple parties is an important step toward reconciliation, repairing decades of strained relationship through effective communications.

### **3.5.2 Turning of a Page - A New Chapter of Cooperation**

The tripartite agreement between the Tsleil-Waututh Nation, the Musqueam Indian Band, and the Squamish Nation, marks a new epoch of cooperation and business ventures. The potential for this partnership to generate and manage wealth is substantive. Albeit, the partnership is acting as a new entrant in the land development market, they have the ability to draw on cultural and political values in pooling their resources to increase power and leverage opportunities.

The partnership is premised on an equal share of benefits paired with an equal share of risk, representing a 33.3% equity share per partner. This is a vast improvement in comparison to the old model of competition, where one group sought a majority interest, triggering opposition by the other two Nations. This often resulted in 100% loss experienced by all groups with regard to the ability to challenge or negotiate the sale of lands within the shared territories of the three Nations.

Another key feature established through the tripartite agreement was that profit and loss be borne equally, and would not be based on per capita of population of each Nation. This was in recognition of the fact that each Nation holds equal veto to disrupt or challenge the other Nation's ability to conclude agreements independently.

Current population of each of the three Nations (2015):

1. Squamish Nation - 4000
2. Musqueam Indian Band - 1200

3. Tsleil-Waututh Nation - 490

When the business terms were outlined in the protocol agreement, meetings were held with membership from each First Nation partner, which proved to be challenging for some individuals to immediately agree with the rationale for equal sharing of benefits and risk. There were many intelligent questions and concerns posed by each community as well as from each Chiefs and Council when passing political processes. Each First Nations partner manages their own affairs on their reserve lands, with various initiatives they have been working on behalf of their respective communities. It is important to stipulate that the protocol agreement does not apply to on-reserve land holdings or developments, and is not an amalgamation or consolidation of each Nation's independent assets and administration.

The intent of the protocol agreement is to focus solely on disposition of lands claimed by the Crown located within shared territory. This includes both Provincial and Federal lands that have been encumbered by the Crown. The definition of the shared territory is derived from each Nations statement of intent submitted in the BC treaty process, overlaying each map to identify the areas that intersect.

The three Nations reaffirmed their commitment to each other in a *Joint Declaration* signed on May 21, 2014, which states:

‘We the Musqueam, Tsleil-Waututh, and Squamish Nations have lived the memories of our gatherings and celebrations upon this land since time immemorial. It is our intention through our teachings and traditions to celebrate together as one family to renew our ancient connections. We walk in the footsteps of our ancestors to protect and sustain the land that is our legacy. We walk this land in our traditions and our strength, across our traditional territories that together stretch from mountain peak to river delta. We have protected our home since time immemorial and will stand together united for and on behalf of our future generations. We are not invisible on our own lands but are a vibrant thriving people that are connected to the land through our spiritual, cultural, and traditional knowledge.’

This agreement is not intended to resolve all outstanding issues between the Nations, but rather create a conduit to address the Crown's legal duty to consult on potential infringements of each Nation's Aboriginal title and rights. As the general terms of the agreement focus on dispositions of lands claimed by the Crown within the shared territories, there may be other benefits of a renewed relationship, such as broader dialogue around fisheries, environmental



protection or other areas of common interest. This allows for greater communication, openness, and interactions that promote and reaffirm the relationship.

One of the considerations identified in the protocol agreement is the need for a joint communications strategy. This allows for further consideration of branding and marketing the business ventures, attracting investment, and creating appeal for quality projects. On going media relations will need to be managed and coordinated between all of the partners in order to maintain consistency. This is an area that can be defined and implemented through corporate governance structures.

There has also been progress made in relationship building with local municipal governments. One of the key interests for the partnership is the desire to engage in land development projects, to be executed by their Limited Partnership. The development process requires adherence to regulatory policies stipulated by the municipal governments. Relationships are important in establishing and maintaining fulsome participation in the growth of the region based on proper planning and sustainable development.

On June 21, 2013 the City of Vancouver declared that it is a “City of Reconciliation”, building on recognition of the ancient Coast Salish cultures that have called this region home for thousands of years. There was a cedar brushing ceremony conducted by all three Nations, to bless the incumbent Mayor and Council, which took place at Vancouver Municipal Hall on December 8, 2014. This was the first time the City has invited the local First Nations to bless their swearing in ceremony and witness their oath of office, which has demonstrated action in their commitment to “healing from the past, and finding a new path forward together” (City of Vancouver declaration statement).

The *Intergovernmental Cooperation Accord*, between the Squamish Nation and the District of Squamish was signed on March 8, 2011. This agreement was designed to allow each party to take a principled approach in working collaboratively to support each other’s respective goals and objectives.

### **3.5.3 Canada Lands Company (CLC)**

Canada Lands Company was established in 1995 and is a self-financed federal Crown Corporation specializes in real estate, development, and attractions management. The federal government maintains regulatory oversight of CLC’s mandate, but allows for a separation of business and politics. Canada Lands Company was created as a means for Canada to dispose of

federal surplus lands to create value and profit, which the Crown benefits as its sole shareholder. Canada Lands Company has a mandate to acquire surplus lands, develop those lands to a substantive point then sell the lands to developers who then proceed with construction/development of the lands.

The joint venture agreement between the three Nations and CLC can allow the Nations to consider a corporate model that's mandated to hold and develop lands acquired by the Nations. Canada Lands Company is for profit business venture that is performance based, with targets, goals and objectives. It is subject to market conditions as well as the need to abide by local government jurisdictions in creating value in lands acquired.

The Squamish, Musqueam, and Tsleil-Waututh Limited Partnership entered into a joint venture agreement with Canada Lands Company based on a 50/50 equity relationship. The partnership established a historic joint venture on three significant parcels of land in Vancouver and West Vancouver. These lands include the Jericho Lands Property, the Fairmont Property, and the Department of Fisheries and Oceans property. Some highlights of the partnership include:

- 28% First Nation acquisition negotiated with Canada through a benefits agreement, valued at \$86 million
- 22% equity purchased by the three Nations valued at \$67.5 million, bringing the aggregate total of First Nations equity to 50%
- 50% acquired by CLC with a deposit paid and remainder to be paid from project revenues
- An estimated market value of \$307, 200 million dollars combined in all three properties

All major decisions will be based on terms of reference jointly agreed to by the partnership, represented by appointed Management Committee members from each partner.

Representation will be as followed:

- One director appointed by Squamish Nation
- One director appointed by Musqueam Indian Band
- One director appointed by Tsleil-Waututh Nation
- Three representatives from Canada Lands Company
- First Nations collectively have one vote and CLC has one vote

This totals three representatives appointed by Canada Lands Company and three First Nations Limited Partnership representatives, totalling six members of the Management

Committee. The Joint Venture also includes provisions for CLC to act as the Project Manager for all three parcels of land. This is based on a competitive fee for service contract amongst the partners. All major decisions will be directed to the Project Manager through a Project Management Agreement between the Joint Venture and Canada Lands Company.

#### **3.5.4 Structuring First Nations Business Entities**

In order for the First Nations to capitalize on these opportunities and maximize benefits, a key consideration is building on the success of their Limited Partnership to create a solid corporate structure that allows for a clear separation of business from politics. This will allow for limited liability for the three Nations, in advancing the projects at the speed of business. There will be a need for consideration on how to work cohesively between the three Nations to jointly develop lands and generate profit.

Along with the Limited Partnership, each Nation may also have already established or are in process of developing separate lands companies to manage their own on reserve developments or their separate projects independent of the partnership. The creation of a separate business corporation could establish its own Board of Directors, along with a President/Chief Executive Officer, Chief Financial Officer, as well as Vice President's of various divisions. They may also retain full time technical specialists or outsource services on a contractual basis.

Considering these are highly attractive properties with high profile developments, it is important for the partnership to retain highly skilled employees to navigate the myriad of development processes required. This corporate structure will require a core team of professionals capable of undertaking such large-scale projects. They will have the challenge and privilege of transforming the developments into a "best in Canada" status, sharing a story of success.

In order to make these projects successful, the Nations will need to develop policies for regulatory oversight by Chiefs and Councils, based on investment decisions, revenue streams, work plans, goals and objectives. The business entity should be results-driven and performance-based, with targets and deliverables. The variables in market conditions need to be justified through reporting mechanisms, to ensure compliance is adhered to as set forth by the respective Chiefs and Councils of each Nation through a Joint Venture Agreement and Management Committees who's sole task is to advance the lands portfolios on behalf of the First Nations partners.

A strong emphasis must be placed on the Nation's ability to restructure and establish a separation of business from governance. The ability to demonstrate political discipline in defining clear and concise roles and responsibilities will minimize political interference in the operations and management of the development projects. This does not mean there is not an on going role between the business of the Nations and the political bodies. It means there will need to be further definition of key aspects of the relationship. These may be defined through Joint Venture Agreements, Project Management Agreements, Limited Partnership Agreements, and Shareholder Agreements, all of which can be managed under a corporate governance structure.

The success of a new business model that incorporates traditional teachings into corporate governance will be measured through the demonstration of tangible results. Like all businesses, the success will be based on sound business decisions, and proper financial and legal analysis. Commencing on a new journey inevitably attracts both positive and negative feedback. It is important to address and anticipate resistance, which can appear from many sources both internal and external. Resistance can stem from misinformation, through deliberate agitation and dissention, or be expressed through legitimate concerns. The internal resistance can be residual from years of competition over claims to territory and competing interests with a breakdown in trust. This could slow down or stall the business development either from political pressure or from public pressure directed toward the business. It will be difficult to manage this potential conflict with current structures of decision-making, which may provide rationale for exploring options in structuring the relationship to limit the liability back to the Nation as well as define the roles of the business and the governments of each partner. This too can be contemplated and defined under corporate governance.

The real driver in bridging traditional teachings into the modern business structures is the notion that culture is never stagnant. It is not locked in time to dictate how it can be applied. The very fact that the Nations are conducting business necessitates utilization of the best tools available. This was done in old cultural practices and will continue to be adapted to allow the Nations to take ownership for their own decisions and strategic direction.

There are many external factors that must be monitored and factored into each step of the business development. Interest rates, strength of the Canadian dollar, inflation, and other market conditions can and will affect the cycles of financial and business decisions. Making informed decisions based on risk analysis, and recognition of the inherent risks associated with large-scale developments can mitigate these decisions. Conflict resolution is important for consideration of one or more parties potential for foreclosure, or opt-out clauses, which will require termination

clauses, and arbitration clauses as a means of reconciling differences. The Nations may choose to go back to the longhouses to discuss these important issues through structured dialogue using traditional speakers and calling of witnesses. This has benefited the Nations in the past and may continue to be the preferred avenue for conflict resolution amongst the Nations.

Developing on-going relations with other levels of government is important in demonstrating a new method of creating certainty in Crown and First Nations relations. This relationship has been heavily strained by colonial approaches to government with a position of denial of First Nations title and rights to their territories. By taking a principled business approach, the partnerships have managed to achieve a mutually beneficial scenario that can help model success and inspire other parties to build on this newfound approach.

It is also important for the partnership to consider the broader interests of key stakeholders such as neighbourhood associations, and community groups. Extensive community engagement is essential in gaining social license to develop projects that will enhance value and create strong and vibrant communities, increasing sustainable economies, and improving quality of life for residents and businesses. Engaging professionals to conduct studies that will be presented to community groups will help illustrate the vision of the developments. Viewscapes, traffic patterns, public amenities, and other interests will need to be modelled and discussed in order to solicit feedback.

A sophisticated engagement plan will need to be developed in order for the project to move forward, with marketing, and communications built into the plan. Demonstrating competence and building trust will garner a demand for the type of product being contemplated for each property. Branding will be built into the engagement strategy as a means to set the project apart from the status quo. Consideration of innovation, architecture design, renewable energy, and sustainable growth are considerations that will need to be incorporated into the vision to be conducive to other synergies within the region. These are some of the tasks that would fall under corporate governance structures.

### **3.6 Recommendations for Structuring Good Corporate Governance**

My recommendation to develop a corporate governance structure:

The first step in establishing a corporate governance model is to develop a clear vision on the purpose, direction, values, and objectives that the Nations are planning to achieve. It is important that the corporate governance model be an example of this vision, and of inter-tribal

cooperation in moving the Nations beyond reactivity to oppressive Canadian legislation. The corporate governance structures can bring the Nations beyond the current status quo, beyond survival mode as a result of scarcity of resources. This model can thrust people beyond despair and displacement, giving them purpose. It has the potential to empower each other to take pride in success, mobilizing the Nations into action. It will demonstrate solid business principles practiced by the Limited Partnership, and attract investment, and security. The structuring of a good corporate governance model will provide stability for the Nations economic needs, creating proper structure through institutes designed for the specific tasks.

As in the past, the three Nations are experiencing a re-establishment of cooperation accords and protocol agreements between them. The need to restructure their laws and regulations in managing their territories is a result of colonial governments imposing oppressive legislation to restrict Aboriginal authority. Coast Salish lands and waters continue to be under siege from a barrage of government and corporate interests, undermining decision making abilities, and economic participation of the three Nations. The development of these cooperation agreements can assist First Nations in developing stronger regulatory processes to implement greater protection from threats to the safety and well being of the land and its inhabitants. These dynamics will be explored further as they relate to advancing business coalitions amongst the Coast Salish in an effort to build successful corporate governance structures.

There are four priorities the Nations should consider in structuring corporate governance. The first is reducing liability exposure that could put the Nations finances in jeopardy. The second is maximizing profits by minimizing taxes, while avoiding penalties in claw backs from Canada for increases in own source revenues. The third consideration is the ability to effectively separate politics from business decisions. The other area for consideration is known as cultural fit, ensuring that the activities the Nations engage in are consistent with their values and the aspirations of their people (Cornell and Kalt, 1998). The following are recommendations for the structuring of corporate governance that the Nations can establish:

The corporate governance structure will be based on a vision that the Nations will develop, identifying their aspirations, goals, and objectives. It is important that the vision clearly spells out the mission and strategic direction for the corporate governance structures to implement. The vision of the Nations will include the establishment of good corporate governance with many considerations on how to secure limited liability to the Nations but must also look at the importance of shared values steeped in cultural teachings that are important to all three Nations. It must also contemplate mechanisms that can increase the value of the projects for

members of each Nation to engage in the land development projects. This can also include the value that the heritage and culture can bring to the projects, identifying those as strategic objectives that the corporation can then build policy and procedures to apply the vision. The following is a list of important considerations the Nations must consider in advancing their business interests through establishment of a solid corporate governance structure:

1. The Nations continue to be a limited partner in a holdings partnership, which is a limited partner under the *Partnership Act* and directs each of the operating land development partnerships individually. These limited partnerships can have a corporation as its general partner to limit liability to the holdings company, which in turn limits liability to the Nations. The Limited Partner is only liable for the amount that it invests in the business, and must not engage in the management of the business. In this case, each Nation will be a Limited Partner. This structure allows each land development to proceed with limited liability in case of failure or causing harm, protecting potential risk to the holdings partnership. This corporate structure establishes legal entities owned by the Nations that carry out the economic developments on behalf of the Nations.
2. Profit from each operating partnership can flow to the holding limited partnership, which in turn allocates its profit to each First Nation. The creation of separate operating limited partnerships allow the Nations to pursue each business opportunity separately to ensure if one operation fails, it will not negatively impact the other successful businesses, effectively compartmentalizing each land development into separate operating limited partnerships. This model allows greater financial reporting and transparency for each business activity. The establishment of a holdings limited partnership allows profits from one operating limited partnership to flow to the holdings limited partnership to be reinvested into other operating limited partnerships, effectively avoiding own source revenue claw backs. This holdings limited partnership also ensures there is limited political interference through a separation of business from politics. This holdings limited partnership can make decisions through a board of directors of the general partnership to oversee the active business operations of the Nations. The composition of the board of directors can be appointed from each Nation and can include members

of Council, elders, or youth, or others with pertinent expertise in development and investment decisions.

3. This structure will allow the Nations to reduce liability exposure, providing limited liability protection through the holdings limited partnership. It will also allow the Nations to minimize taxes as First Nations are exempt from paying income tax under *s.149(1) (c)* of the *Income Tax Act (Canada)*, if it is a “public body performs the function of government.” Any income earned by the Nations, regardless of the source of the income, will be tax exempt. These qualifications under *section 81* (general bylaws) and *section 83* (money bylaws) of the *Indian Act* define the functions of government.
4. The holding limited partnership may accept payments from their operating limited partnerships profits to invest into other operating limited partnership, without any profit being paid to the First Nations. This would insulate the Nations from any potential claw back penalties from federal transfer dollars that are adjusted due to own source revenues being realized by the Nations. This allows for other cash flows to be reallocated to other land developments to allow for multiple developments to proceed concurrently. These profits being held by multiple owners being made off reserve are likely to be taxable though.
5. The Nations may utilize a corporate bare trustee to hold all units of the partnership, which can be used to issue profit to the Nations under the terms of the partnership agreement, allowing for tax exemption under the *Income Tax Act*. Each Nation can set up its own bare trustee corporation or be represented by one bare trustee corporation.
6. Clear mandates can be given to manage each operating limited partnership in requiring them to carry out the business activity efficiently and effectively, creating new operating limited partnerships when a new business opportunity necessitates different mandates.
7. Establish a management limited partnership to oversee the administration, financial, record keeping, accounting, and advisory services to avoid confusion of the Nations performing these duties in-house, as well to avoid liability issues. This separates the Nations or limited partnership from managing the day-to-day operations eliminating concerns under *section 64* of the *Partnership*



*Act*. A management services agreement would be entered into with all of the other Nations business enterprises under the general partnership requiring them to utilize the services under the agreement. This also tracks time and costs accurately creating greater accountability for each business enterprise.

8. The Nations may also establish a Capital Assets Limited Partnership to compartmentalize important assets such as land, isolating it from potential liabilities, which may arise from business activities. This entity would lease or rent the assets to other operating limited partnerships of the Nations. This protects the land if the operating limited partnership should fail, terminating the lease or rental, reverting the asset back to the capital assets limited partnership.
9. There needs to be a clear separation of business from politics. Currently, staff of each Nation are actively involved in management, administrative, and financial services to the businesses. Separate bank accounts should be established with expenses paid from those bank accounts. Without clear separation there may be risk to the limited liability protection to the Nations. The Nations are the ultimate owners and shareholders of the economic development structures, it is clear under the *Business Corporations Act* that the Nations are limited to appointing and removing directors of the holdings boards, but cannot tell the boards what to do on a day-to-day basis. The holdings board can make investment decisions separately. The holdings board can then appoint representatives to the operating boards, being twice removed from the Nations. Tough decisions must be made on business terms, free of political influence that may be unpopular to politicians who are interested in securing votes for elected positions. The operating boards are accountable to the holdings boards, while the holdings boards are accountable to the Nations. The Nations may remove the holdings board representatives if they are unhappy with decisions being made by the holdings board, but it is clear that the Nations cannot tell either the holdings board or the operations board what decisions to make.
10. The roles and responsibilities of all key participants must be clearly spelled out, that includes the Nations governments, boards of directors, and senior business management (Cornell and Kalt, 1998). The role of the government is to provide a clear vision, mission, and values, and to set the strategic direction for the

economic development. The board of directors is to implement the Nations vision and mission in accordance with approved values, make major operational decisions, and oversee senior management. Boards of directors also approve policy and procedure for the business and report on operations to the Nations. Senior management are to oversee day-to-day operations, including human resources, implementation of policies and procedures approved by the board, and report to the board on business operations.

11. Develop a *Governance and Fiscal Agreement* between key stakeholders in the developments. Clearly spells out the roles and responsibilities of the Nations, the holdings board of directors, the operating boards of directors, and the senior business management. This tool can be instructive to all parties regarding who is responsible for various decisions and activities related to the land developments. This sets out reporting and profit expectations ensuring transparency and accountability. It can entail annual planning requirements, profit sharing processes, reporting requirements, roles of boards and senior management, appeals processes, and requirements for certain policies and procedures. This can limit the ability for the Nations governments to unilaterally change the systems, minimizing political interference and creating better stability.
12. Some traditional practices that may be incorporated into the corporate governance can include:
  - a. Grooming young leaders from each Nation that show a solid proficiency in traditional knowledge as a foundation for success in understanding complexities in advancing our Nations through cultural adaptation.
  - b. These leaders may choose a career in the corporate arms of the Nations and will be fluid in their ability to apply traditions into modern environs, and assist in the implementation of the shared vision and directives.
  - c. The corporations will reinforce the story of the Nations as members of the Coast Salish family who have flourished in these lands for millennia.
  - d. The corporations will act as ambassadors of the Nations in all business dealings, that they represent the interests of the Nations. This may be applicable when hosting international Indigenous dignitaries, or a simple as

the use of logos, themes and language that build traditions and culture into the story of the companies.

- e. The reporting and accountability of the businesses will need to be transparent for members to be assured that they are operating in accordance with the Nations values as well as within corporate laws and standards. This can be done through annual reports, and other means to interface with membership. It is important for the young people to see that success is a continuation of culture and they are the descendants of successful people.
- f. The corporations will adhere to values as an integral component to guide their goals and objectives. The idea of sharing of benefits follows the Nations values of generosity and taking care of each other, making the businesses a natural extension of those cultural values.

These are very complex recommendations that have been highlighted by the Harvard Project in analysing First Nations that are optimizing a clear separation of business and politics. The suggestions also stem from analysis of how other First Nations have utilized laws and policies in balancing their interests and minimizing liability risk to the Nations from Ratcliff & Company Lawyers dated March 5, 2013. The Squamish and our partners each have varying degrees of these structures established, but a unified approach will be necessary in structuring corporate governance to manage the affairs of the Limited Partnership between all three Nations. The idea of specific cultural practices is more ambiguous as the fact that the Nations are practicing a continuity of tradition is based on values and principles embedded in their culture.

## 4: Capacity Building

Why is capacity building an important consideration for the Limited Partnership?

Generations of members from each Nation have experienced displacement and marginalization from their traditional economies and livelihoods. Access to lands and resources have been grossly limited with huge impacts to the socio economic situations within the Nations. The Nations have endured decades of prohibitive laws and policies that severely limited the ability for members to succeed in mainstream careers. Much of this situation stems directly from intergenerational impacts of residential schools and forced assimilative tactics used by church and state leaving many of the Nation members in a state of direst. Successions of governments and corporations completely disregarded the needs of members from the Nations and proceeded with activities that had harsh negative impacts on the wellbeing of members. The contemporary generations from each Nation deserve better, and need mechanisms that foster successful careers and skills development.

To the three Nations this is not just another development project, it is a historic agreement between the Nations, the government and the partners. It is an opportunity to develop skilled people to manage all aspects of the land development projects. Transferable skills can be created to allow Nation members to engage in multiple projects as the Nations proceed with land development projects. The Nations are creating a vision for long-term economic prosperity, with the ability to empower people to engage and mobilize, and not just be passive recipients of benefits. These projects were not negotiated as a means to create membership dependency on the Nations for free programs and services. There is a need to move beyond blame, shame and judgement, and shed the intergenerational impacts of residential schools and colonization.

What are the needs of each project from start to finish? How will the Nations articulate their vision and promote the many opportunities that are created as a result of the vision? Exploring history is important because it holds valuable information on how societal composition included many diverse professionals, creating a scale of economy. This can inform people on how to apply their hopes and desires to be a part of something significant, and a key message could be “what you do matters and makes a difference” conveying to membership that they are a part of a collective movement. This represents a continuity of tradition, as all families once had roles and

actively participated in trade and commerce. Building capacity within the Nations transitions the next generations away from despair and abject poverty, breaking a false welfare economy that was created as a result of colonization.

In this chapter, I will look at how the Nations have responded to legislative oppression by advancing their agenda in gaining greater control of their territories. I will consider how these steps have moved the Nations beyond the status quo of displacement of their members through incremental growth and capacity building. The idea of balancing two lenses of traditional business models paired with contemporary business practices will be considered as it relates to opportunities to engage members from each Nation. I will also look at the value of partnerships and the many spin off businesses that can be created as a method of further enhancing membership opportunities within the development projects. It is important to envision how the Nations will incorporate their traditions into the developments and not simply replicate standard western practices in land development. Albeit, there may be value achieved through contracting, procurement, and training of members to facilitate engagement.

Finally, I will consider how the Nations will convey their message to their communities. What methods are available to articulate the vision, the needs, and the opportunities so that the membership of each Nation will have ample opportunity to be informed.

## **4.1 Legislative Oppression - Historic Context**

There are many important factors that have impacted capacity amongst the three Nations. American-style residential schools were adopted with a *Made for Canada* approach to assimilation with the intent to “Kill the Indian in the Child.” This phrase has been attributed to the attitude and policies imposed by deputy superintendent of the Department of Indian Affairs Duncan Campbell Scott, who served as a civil servant from 1913 to 1932. The forced confinement of Aboriginal children into Christian run schools was wielded against many generations of Natives through to the mid 1900’s, with approximately 150,000 First Nations, Métis, and Inuit children attending. Many physical, sexual, and emotional abuses were inflicted against these children, who suffered a high mortality rate, causing intergenerational trauma throughout Coast Salish and other First Nations families. These schools were part of a broader agenda to subjugate native populations, and clear the lands of the Indian problem to allow white settlers to declare Canada a sovereign Nation. Over 130 residential schools were located across the country, with the last one closing in 1996 (TRC.ca). These innocent children were subjected to medical research, and taught that native culture was evil, where speaking native languages were strictly forbidden.

This dark chapter of Canadian history, known as the *Residential School Era*, has had a profound negative impact on many Coast Salish people. Two of the earliest Residential schools established in Coast Salish territory was Coqualeetza in Sardis BC, from 1861-1940, and St. Mary's Catholic Mission in Mission City, BC from 1861-1984. Both of these schools were preceded in 1860 with an Anglican Indian school being established near Victoria, BC, and a Methodist run Indian school in Nanaimo, BC in 1857.

These early relationships have progressed over the last decade and a half, with incremental successes being achieved amidst numerous legal and political challenges between the Crown and the three Nations. Today's modern partnership sprang from collaborative efforts in responding to the Crown's desire to sell lands, which the three Nations declared as shared territories. This dynamic led to negotiations between the three Nations and the Crown, moving the goal posts substantively in comparison with historic relations where there was no consultation or consent sought in the Crown's arbitrary decision-making. The newly formed business partnership must remain cognoscente of these attitudes and dynamics and seek ways to build trust and leverage governments to transition into a post-colonial era, where reconciliation can involve greater certainty for all parties. This endeavour can allow the First Nation's partners to generate profitable businesses and stable governments, as a means to break away from systemic paternalism imposed by colonial powers. It cannot be over stated—the importance of reaffirming a spirit of cooperation amongst the three Nations in a collective effort to strengthen relations with government is integral to the success of the business. These will lead to healthier relationships that strengthen the people, and empower them to participate in the business opportunities being formed.

It is important for contemporary native enterprises to have an ability to separate their business aspirations from the social issues that became prevalent as a result of the negative experiences inflicted through residential schools. The ability to generate wealth and capitalize on business opportunities is a way forward for the Nations to adequately address poverty and empower their people through business, education, and improved standards of living. Cooperation amongst the partners allows for a greater scale of economy in tackling the residual issues stemming from generations of Natives subjected to Canada's assimilation policies.

#### **4.1.1 Incremental growth and capacity building**

The co-hosting of the Vancouver Whistler 2010 Winter Olympics and Paralympic Games put Indigenous People of Canada on the map. This was the first time that the host First Nations

Chiefs and Matriarchs would be recognized as Heads of State in any Olympics to date. The Four Host First Nations were comprised of: Squamish, Musqueam, Tsleil-Waututh, and Lil'wat Nations. These are the Four Host Nations who welcomed the world to their territories before an audience of over three billion viewers at the Opening Ceremonies. Over two hundred and fifty First Nations youth danced in their traditional regalia representing all regions of Canada, while accompanying the official speakers from each Nation. This showcased native culture as never seen before, which has profoundly affected the way the world perceives Aboriginal people of Canada. The influx of native patterns, styles and designs displayed at the Games quickly revolutionized mainstream views of Indigenous people.

Many benefits were negotiated separately and as a cohort between the Four Host Nations and the Vancouver Organizing Committee. The Squamish and Lil'wat signed the *Shared Legacy Agreement* that included 300 acres of fee simple land located in the Resort Municipality of Whistler and the Callaghan Valley. A limited partnership was established with the Lil'wat Nation to pursue contracting and procurement, equity in Whistlers athlete's village, naming and recognition opportunities, and funding for a high performance sports legacy fund. There were also financial contributions to partner on a joint venture in the construction and operation of the Squamish Lil'wat Cultural Centre in Whistler, BC.

Upgrades to the Sea to Sky Highway 99 were constructed with a \$650 million dollar project, expanding the highway between Vancouver and Whistler, right along the spine of Squamish territory. This project triggered consultation for Squamish to engage with the Crown and seek benefits in exchange for supporting the highway upgrade project. Part of the benefits package entailed acquisition of 1200 acres of fee simple land located in the Sea to Sky corridor, with additions to reserve being supported by the Province for future housing of Squamish members.

A component of the *Shared Legacy Agreement* and the Sea to Sky Highway Expansion Project was the naming and recognition project branding non-safety signs with Coast Salish art forms, language, and stories. This exercise increased the visibility of Squamish and Lil'wat connections to land, and assisted in creating a stronger brand throughout the Sea to Sky corridor. This branding exercise can help future land developments create recognizable images that convey culture and connection to the region. The Nations can build on these synergies to build greater visibility and professionalism associated with their brand, which can allow members from the Nations to expand business opportunities.

Porteau Cove is a 1200-acre fee simple property located along the shores of Howe Sound along the Sea to Sky Corridor. The Squamish Nation acquired this property from BC Rail in 2000 under the *BC Rail Agreement* also known as the *Umbrella Agreement between the Squamish Nation, BCR Properties, and British Columbia*. The lands are being held in partnership with Concord Pacific with the intention of building a market housing development project. The partnership achieved rezoning through the Squamish Lillooet Regional District, and proceeded to construct an access and egress overpass over highway 99. The project stalled with the 2008 global recession, halting the pre sale phase, and putting the project into abeyance. There are many lessons learned from this partnership for the Squamish to proceed with other land development projects, gaining expertise and experience. Some of the experienced gained in advancing this project resulted from engaging in successful rezoning of the property, working with the Ministry of Transportation and Highways to establish the access and egress onto the property, analysing the capital costs needed to service the properties, and deciding that those costs were prohibitive in seeking additions to reserve status on the property.

The Squamish Lil'wat Cultural Centre is a cultural venue that showcases two First Nations cultures in Whistler, BC. It is a 30,000ft<sup>2</sup> building on a 10-acre site in the upper village of Whistler, and is stylized after a traditional Squamish longhouse and a Lil'wat *ishtken* (pit house). The stunning architecture features a museum and exhibits space with permanent collections, monumental pieces, a gift shop, theatre, café, and rental space for private functions. Guests can interface with Aboriginal ambassadors, learning the stories of yesterday and today. This project demonstrates the ability for two distinct First Nations to work together to create mutual benefit in recognition of each other's shared territories. The Squamish are Coast Salish and the Lil'wat are Interior Salish, representing two distinct cultures that have coexisted as neighbours for countless generations, maintaining strong relations.

The Squamish have supported nine micro-hydro independent power projects that focus on renewable green energy. These projects are located in areas that have been identified through land use planning, which also restricts projects that adversely impact critical cultural, spiritual and environmental values. The benefits derived from such projects are in recognition of the right to use lands and waters that are subject to Aboriginal rights and title. The Squamish Nation developed a strategy to set criteria to do business on quality projects with quality proponents. These impact benefit agreements have also been a mechanism to address the Crown's legitimacy in issuing rights to third party interests atop of Aboriginal title and rights. The agreements have been stepping stones to work with neighbouring First Nations and share in the benefits associated with



such projects. They also build in contracting and employment clauses that facilitate jobs and contracting opportunities for membership.

#### **4.1.2 Beyond the Status Quo**

The Squamish, Musqueam, and Tsleil-Waututh Nations have maintained communal connections throughout the recent history of colonization. Connections are often exemplified during times of grieving as well as times of celebration. Many traditional protocols are observed at funerals as families share in grieving and support each other through public gestures and customs. Cultural gatherings also allow for reciprocal support demonstrated between families representing a broad range of ties to many tribes. This process continues to be effective at a cultural and social level through meaningful reaffirmations of roles and responsibilities to each other, demonstrating to the young people how to act and what is expected of them. This is one way of perpetuating succession and grooming of individuals to carry on the traditions.

Legal and political issues have been somewhat harder to reconcile between the Nations, which has led to times of impeding each other's aspirations by assertion of rights and title to areas historic to all three Nations. The ability to move beyond a designation on a status card issued by the federal government means that tribes have once again returned to a desire to work together on the basis of deep rooted family ties. The Nations often found themselves pitted against one another in their efforts to secure their rights to their territories. Each Nation has been adamant in proclaiming their truth as was handed down through their families, but this dynamic has driven the Nations into a place of competition over scarcity of resources.

Other examples of cooperation and strengthening of relationships can be witnessed at a grassroots level throughout the year at cultural gatherings such as tribal journeys, longhouse ceremonies, and inter tribal pow-wow's. The resurgence of canoe journeys has allowed different Nations to host tribal journeys where thousands of native people paddle to each other's gatherings to celebrate culture and connections. These gatherings have become increasingly charged with an energy that is voicing concerns for socio/economic issues affecting all those involved. The gatherings have drawn in Indigenous representatives from across North America as well as Maori and Hawaiian allies. Leadership skills are developed in young people, with an understanding of the importance of culture, connection, and supporting each other through these journeys.

There are many examples of the communities pulling together to show solidarity, but one of the most profound and sombre occasions is demonstrated during times of grief and loss. These are times that bring people together from many First Nations, where protocols are observed, and

kinship ties are reaffirmed. A pivotal moment in transforming the relationship between the three Nations came with the loss of a child who was of all three Nations ancestry. This brought families and leadership together, and reminded everyone of the importance of creating a better future for our children regardless of which Nation the child's status may be registered with. This was an important reminder of why it is important to work collaboratively in an effort to ensure all of our descendants will prosper and regain their rightful place in their homelands.

It is these reminders of Coast Salish unity that can reinvigorate members of each Nation to actively engage in the Nations business development, and promote careers within the corporate structures. The mobilization of members of the Nations can create significant value in the chain of business opportunities throughout the development and implementation of the projects. These opportunities foster a strong sense of belonging through the celebration of a common history in protecting their shared homelands. A unified vision can maximize opportunities in developing individuals from each Nation who are interested in land development, leadership and succession planning.

#### **4.1.3 Two Lenses: Business Principles / Traditional Cultural Values**

In order for the Nation's business relationship to grow, there must continue to be a use of disciplined cultural practices. This is the ability to draw on traditional values and apply them in a modern context. One way to achieve this is by maintaining and advancing longhouse principles, values, and protocols as governance tools that put in motion the policies and procedures for the businesses to implement. This can be contemplated in the extent in which sustainability practices and teachings will guide the partnership to make decisions that are both economically feasible as well as culturally appropriate. This drawing of traditional values can also contemplate mechanisms for broader involvement by entrepreneurs, contractors, and other professionals from each Nation to allow for sustainable and profitable careers to flourish.

The balancing of traditions and modern business principles rests on the Nations ability to make decisions in accordance with principles and goals approved by each Nation, while allowing the implementation to be driven by sound business principles.

#### **4.1.4 Creating Value from Partnership**

There are many other tangible benefits that can be derived from the cooperation of the partnership in land development projects. The creation of spin off business can be contemplated to consider establishing a property management company that builds capacity for the First Nations to

manage their portfolio of land holdings and assets. A procurement strategy of goods and services can be developed to ensure Nation businesses and First Nation entrepreneurs have an opportunity to participate in the various projects, which can be scaled to service many projects concurrently or in stages.

Contracting opportunities can create joint ventures and partnerships to see further business development within the Nations, allowing greater participation from the members of each Nation. Training and employment are key areas to begin capacity building with each project to allow members to grow and expand their skills and expertise in land development projects. There is an array of professionals required throughout the life of a project, from inception, rezoning, marketing, legal, construction, and many more steps and processes.

Youth engagement through symposiums, sponsorships, internships, scholarships can begin succession planning and capacity building. There are many relationships that will need to be developed and fostered in order for the projects to move from land holdings to construction and management of assets. In order for the development projects to be successful, cooperation will need to be established with an array of key stakeholders.

The City of Vancouver is an example of one of the key entities that the project's success relies upon in order to maximize value through successful rezoning of the properties. The difference of every decimal point matters in the rezoning classification that can be achieved, that ultimately translates to millions of dollars of value. The establishment of a strong working relation with city staff and elected officials will assist in effective communications. Abiding by city regulations is imperative in achieving highest and best use of the properties. The recognition of the local First Nations by Municipal governments and Provincial governments has gained traction since the turn of the last century. Elected officials have begun to demonstrate public acknowledgements of the un-ceded Coast Salish lands in which cities and towns have grown up in. This change in attitude has changed the vocabulary used in strengthening relations, which is an opportunity for the three Nations to share their rich history, culture, and protocols, bringing greater steps toward balancing western practices and Indigenous methodologies of stewardship and development. The local municipalities will also want public amenities and other benefits to be shared from the project revenues. These values will need to be negotiated and determined through regulatory process and public engagement.

A clear strategy will also need to be established with each of the three Nation's Chiefs and Councils, who are the governing bodies of the three First Nations partners. Minimizing political interference by elected officials is important in allowing business the ability to

manoeuvre and problem solve throughout the development phases. Establishing rules of engagement is critical in satisfying Chiefs and Councils regulatory oversight through policies, goals and objectives, and healthy financial returns. Allowing the partnership to create a separate corporate structure is a logical path to achieve strong results, as is demonstrated by the partners at Canada Lands Company who are mandated by Canada to yield positive results in land development projects.

The partnership has been successful in acquiring lands that are high profile and attractive for investment. This dynamic allows for further relations to be established with the business community, and financial community. A solid process for requests for proposals, paired with fair pricing based on market value will allow many business entities the opportunity to participate in the developments. Contracting, procurement, marketing, as well as leasing and sales will engage many interested parties who wish to be involved. Phasing of parcels will generate cash flow and allow reinvestment into other parcels. Long-term holdings can produce lease revenue while retaining ownership of lands and assets. These are attractive business models that can generate revenue allowing greater debt service financing for construction based on land values. Communications strategies will need to inspire people to champion the vision and develop internal and external relationships.

#### **4.1.5 Conveying the Vision**

It is important for the partnership between the three Nations to be more than just a political protocol agreement. It will be important for the political bodies to strategize on ways to commercialize the relationship and provide clear direction to the Limited Partnership, but equally important to provide opportunities for members from each Nation to interface and socialize with each other to celebrate the ability to move beyond the status quo.

These opportunities for community engagement can be achieved with tribal picnics within the shared territories in locations such as Stanley Park or on the Jericho Lands property. Celebrations that include feasts, music, and culture can help build momentum and inspire the community members to get involved and participate in the business opportunities. These gatherings can grow to incorporate concerts open to the general public and other festivities that are inclusive, fun, and attractive to all age groups. These public gestures can reinforce the brand and vision of the Nations as leaders in business making a positive difference.

The Nations may also consider how they will enact the shared vision through naming and recognition. An example could name a park after the child who passed away, bringing together all three communities, which could be established within one of the development properties.

## **4.2 Recommendations for Building Capacity**

To achieve the goals, as set out in a shared vision, there must be objectives used as stepping-stones. For example, I want to climb a mountain, this is a personal goal, and how do I achieve it? Through setting tangible objectives in realizing my goal. I need to be in good physical condition, I need proper equipment; I need to plan an appropriate route and have an emergency plan etc.

We want these projects to be a lasting legacy that demonstrates success in working together. These projects require many skilled professionals from inception to implementation. We want to attract the best and brightest to work for us, and retain skilled employees. We want members from each Nation to know that what they do matters, they are valued and important leaders in whatever area they are working. We want youth to aspire to want to have a career in land development projects. We must groom young leaders, have succession planning, and allow skills development to progress to mastery. The Nations can use this as an economic engine to create jobs and value. We want people to feel that they are part of something great, and meaningful that is making a difference. We want people who are ready to lead and take on the challenge of inspiring the next generation.

This will require a commitment to the vision. We will need to develop a plan for education, training, mentorship, and apprenticeships. We will need to articulate the vision through every means possible including advertising, marketing, and promotions. When we share our story as a story of success, more people want to be associated with the Nations and the projects. We want our people to thrive and move beyond the status quo, break from cycles of dependency and displacement, move beyond trauma, blame, shame, and judgement. We are the direct descendants of remarkable people who never gave up, who always adapted and forged new tools.

We need to establish coalitions who will develop the vision and broadcast it. This will receive feedback and resistance that should be considered for any merit. Otherwise continue with incremental changes and tangible results. This will dispel the naysayers and draw more people to the vision, they see the changes and want to come on board.

My recommended steps for capacity building include:

1. Articulate the vision of significant land development projects to Nation members. Frame the communications as a victory that we have regained areas within our traditional homelands. Allow people to realize that their predecessors fought to win back these lands, and that it has taken generations of effort to get to where we are. Communicate members' roles and responsibilities to support these projects.
2. Specify what jobs are required for the development projects. What are the contracting opportunities for each phase of development? What are the procurement opportunities to provide goods and services for each project. A thorough analysis of all fields of expertise needs should be produced and shared publicly to allow our Nation members to prepare to compete for these opportunities. Ensure that the directives given to the policy development include opportunities for First Nations members to engage in the business activities. Develop clear policies and procedures that are transparent in engaging members to be involved.
3. Work with the Education Departments of each Nation to identify short, mid, and long term planning to encourage and support professional development through trades and post secondary education. Consider how education can focus on the work of the Harvard Project to build on analysis of successful First Nations in developing a vision and strategy for the Nations.
4. Have a youth engagement plan that informs youth of career choices and opportunities within the land development initiatives. Utilize forums, engagement hubs, social media, school presentations, scholarships, awards and recognition as potential conduits to articulate the vision.
5. Groom individuals that show skills in financial management and senior management roles to work for the Partnerships. Develop and support those that sit on boards of directors to consider participating on the holdings board of directors and the operations boards of directors.
6. Develop plans to engage with leadership and elected representatives from the Nations to identify work plans to develop clear roles and responsibilities between business and politics, and that this is an essential practice in the separation of business and politics.

7. Assist membership in healing from the trauma of residential schools and oppressive legislation that prohibited capacity building amongst the three Nations. Supporting the resurgence of traditional teachings, cultural revitalization, and language recovery.
8. Support initiatives that immerse community members in arts and culture that broaden the showcasing of heritage that can be used in enhancing the Nations business profile and add value to the development projects. This could be through policy development on request for proposal criteria, creating business programs within the communities with a focus on digital media and innovation in applying traditional teachings through the use of modern tools.

There are many ways in which the Nations can implement their vision to include members from each Nation in the success of land development projects. There is recognition of many efforts taken thus far to empower the young people and support membership in their education, skills development, and cultural proficiency. These recommendations are but a few mechanisms the Nations can choose to focus on capacity building to support the membership of each Nation. Overcoming the harsh realities of residential schools and oppressive laws takes time and patience, but our family members deserve the best possible future that can be created together.

## **5: Adding Value Through Cultural Enhancement**

How can the use of cultural enhancement and branding increase value of the lands and projects? Does building on the heritage of the communities assist in this endeavour? Why is it important to look at branding as a key consideration in moving forward?

For many decades the Nations have been more or less invisible in their own lands. Many people are unaware of the rich history, stories, and culture of the three Nations. This has been deliberate in Canada's tactics in marginalizing Indigenous people, where law once outlawed practicing Native culture. This represents a complex problem that is not easily solved. The Nations have worked tirelessly to reclaim their languages, ceremonies, and protocols, and have invested resources in the transfer of those teachings to the youth of today. It will be important for the Nations to reframe the issue by celebrating their culture and finding ways to promote it in a manner that builds support and interest in the public to be a part of the solution.

A history of cultural enhancement amongst the Coast Salish includes stories, art, ceremonies, protocols, and access to lands and resources. It also encompassed how the materials or products were produced and how the end products were used, displayed, and valued. The cultural values of generosity promoted the brand and style, and created greater demand. Some tribes were renowned for their styles of canoes, some for exemplary weaving of wool blankets, which were used as currency, and highly sought after. Stories of mythological heroes who triumph over hardship through transformation conveyed the emotional impact of the brand. Ancestors and big ancestral names are still highly regarded. Witnesses are invited to observe wealth and rights. Whereas these rites display and reinforce the brand, they perpetuate cultural recognition and immersion through each generation.

Why is this important?

Aspects of these traditions have stood the test of time. Nations can showcase these strengths to attract people to their projects. People will want to be associated with this exciting era of triumph. Embracing innovation, continuity, and a sense of belonging will be synonymous with the brand. Awe and wonder, mystery and spirit, along with a sense of pride in place will be linked to the branding of the Nations businesses. The brand recognition will add an emotional dimension



not currently offered by the business. It will give a strong, competitive advantage to the three Nations as First Nations land developers.

In this chapter, I will look to the stories and mythology of the Nations in an effort to draw from the theme of transformation and adaptation, and the use of innovation in expanding cultural teachings. The recent history of the Nations entails mass depopulation from epidemics along with a silencing of their teaching methods, especially with the negative assimilated tactics imposed through residential schools. Nonetheless, the Nations have taken many strides in reclaiming their culture.

This reclamation has utilized tools such as Land Use Planning to engage with citizens and create space for dialogue and community engagement. I will also look at how those processes have created greater public awareness about the Nations aspirations and values in stewardship of their lands. This process has built capacity in establishing spin off opportunities around capacity building such as youth Ambassadors, Cultural Centres, Co-hosting the Winter Olympics, and other successes stemming from the creation of a vision.

I will use this experience gained by the Nations to consider steps needed in developing a sophisticated community engagement plan to share the story of the Nations and incorporate those stories into the land development projects. This can centre on the use of art, Coast Salish ambiance, and greater awareness of the Nations living culture. Many people already associate the West Coast with Native culture such as totem poles and other artwork, which can assist in the building of cultural enhancement initiatives to enrich the development projects to move people emotionally.

## **5.1 The Cyclical Nature of Change and Transformation**

Many Coast Salish stories begin with a crisis or urgency that causes transformation to occur, resulting in growth and the development of new sets of tools. These oral accounts have demonstrated multidimensional ways of problem solving, addressing issues from a variety of frames and lenses. By looking at values identified in the rich mythology and worldviews held by the three Nations, these stories can be used in showcasing developments that are associated with epic stories and history on the land, offering a new way of seeing this region.

The notion of transformation and adaptation plays a key role in the foundation of values held dear to Coast Salish worldviews. There is a recurring theme throughout the mythology and history that depicts times of flourishing interrupted by catalysts of change, resulting in growth,

and innovation. Like many cultures, each of the three Nations has an explanation for the time of creation, when the Universe was in darkness. This story is followed by a description of their first ancestors who were created in the physical realm, recounting stories of heroes, heroines, and supernatural beings. There are two universal stories that represent significant catalysts of change: the times of ice ages followed by the great flood story and the rising of sea levels. Many Coast Salish Nations tell of their safe havens atop prominent mountain peaks as they adapted to the great flood. These landmarks can be built into the marketing of development projects, bringing to life the rich history of the Nations territories that most people have not heard before.

The people developed new technology and professional expertise in a number of fields to adjust to a temperate climate on the West Coast. Professions emerged as specialists in an array of industries that drew their resources from sea floor to the highest mountains, generating a vibrant economy throughout the year. They followed a seasonal calendar of moons that brought an abundance of plants, fish, and animals to the lands and waters annually. Resource management was connected to lineages that were associated with territorial rights. For example, canoe makers and longhouse builders managed properties that yielded stands of cedar trees appropriate for their needs. Aquaculture specialists managed a variety of shellfish gardens to ensure sustainable practices were utilized. Elaborate fish weirs and traps were constructed on suitable rivers and tidal zones, allowing a less labour intensive harvest of fish, while allowing ample numbers to escape to perpetuate healthy stocks. A variety of stones, metals, and minerals were quarried for materials such as copper, obsidian, ochre, pumice, mica, clays, and other tool making supplies.

Many of these examples of use and occupation demonstrate a scale of economy that fostered cooperation in trade and commerce that adapted to an ever-changing environment. The three Nations can apply these principles in looking at the value chains created through land development projects and maximize the benefits derived from their joint initiatives, creating a new age of professional's. There have been a lot of resources invested in training young members of the Nations to learn their culture and advance it by utilization of modern tools. The ability for young people to tell the stories in new and exciting ways is boundless through modern technology. This innovation of new tools can launch the Nations projects into new and vibrant ways of applying values and concepts into development initiatives.

The sharing of history allows all residents of the region to take pride in the connection to this place and feel part of something great and meaningful. The application of story and history can take many shapes and forms, from stylized buildings and landscaping, to street names, and villages, forever changing the cities. Almost all of the names associated with local geography are

named in English with very few Coast Salish names being applied and recognized. The use of cultural themes can be a conduit to revitalize an ancient place of culture, allowing for innovation in drawing forth the heritage of all communities in the region.

Marketing can use images to convey stories that promote Coast Salish history, language, and art to add value to the product being developed. The use of imagery can create a sense of pride in the uniqueness of this part of the world. This type of influence through sharing of culture has the potential to truly set the Nations and their business ventures apart from their competition. This will increasingly put the Nations in the drivers seat to do business on quality projects with quality partners, influencing the way people relate to their home and community.

## **5.2 Creating a Vision for the Land**

Encroachment of settlers, municipalities, and privatization of lands and resources has encumbered much of Squamish's lands. With the advent of mass industrialization, core hunting and fishing areas have been destroyed, adversely affecting the health and wellness of generations of Squamish people. Urbanization has attracted over two million people from across the globe to settle in Squamish lands. Rural areas have been heavily modified as a result of logging, mining, ski developments, commercial recreation tenures, and a slew of other interests and uses. These cumulative effects have greatly impacted the sustenance, language, culture, and economy of the Squamish people with growing concerns over environmental degradation.

The Squamish Nation developed the *Xay Temixw Land Use Plan* parallel to the Provincial Lands and Resources Management Planning process. The Provincial process did not contemplate any new protected areas in their terms of reference, using the rationale that 12% of the Province is already designated as Provincial Parks. Although commendable, the Squamish were never consulted on what attributes and locations would be established as Provincial Park within their territory. After significant community input, the Squamish produced their own land use plan, identifying zones such as Sensitive Areas, Restoration areas, and Wild Spirit Places.

Wild Spirit Places are known in the Squamish language as *Kwekweyex Kwelhaynexw* and together comprise 50,000 hectares over five geographic areas. After reconciling the two land use plans, these areas were designated as conservancies by the Province and a co-management agreement was struck between the Squamish and the Province. These conservancies represent approximately 8% of Squamish Nation's territory and are some of the last remaining non industrial valleys in Squamish territory that protect 1200 year old Douglas Fir stands, and old

growth cedar forests. The Squamish plan effectively put an end to the War of the Woods, which was a conflict between environmental groups and the forest licensee International Forest Products.

Building on the success of land use planning, the Squamish have set out a marine use planning process as an opportunity to create a tangible vision to manage the marine areas throughout Squamish territory. An extension of *Xay Temixw*, and Phase two of the land use plan, there is a sense of urgency to see a plan in place as Howe Sound is experiencing a visible recovery of the eco system. This revitalization trend could be at stake with proposed increases of industrialization in the region. Many groups support the Squamish Nations endeavour to create a plan, and other First Nations have been successful in creating and implementing their own marine use plans on the BC coast. One of the main considerations should centre on determining how the plan will be implemented and recognized with legitimacy by government, business, and community.

The Squamish are in the early development phase, but it is anticipated that they will commence with formalizing the *Squamish Nation Marine Use Plan* with a focus around Howe Sound. The Sound has been heavily impacted by past industrialization that created dead zones, adversely impacting the environment. There are currently many proposed industrial projects being contemplated, triggering significant dialogue and studies from local groups that are expressing concerns for the revitalization of the Sound with herring biomass returning after decades of absence. This herring return has also attracted other cetaceans such as Porpoise, Orca, Minke Whales, and other mammals to the waters. The Squamish marine use planning process can demonstrate leadership and shared values in building coalitions that can develop a vision and plan for the long-term sustainability of the Sound.

Embedded in creating a vision for future uses of the lands and waters throughout Squamish territory, the Nation is now the largest single forest licensee within their territory with the 2005 acquisition of Tree Farm Licence 38 from International Forest Products. This forest licence encompasses approximately 218,000 hectares, representing roughly one third of Squamish Nation territory. The licence articulates an annual allowable cut of 211,000 cubic meters with a thirty-year term plus options for two more thirty-year renewable terms. There has been a significant down turn in the forest sector since the 2008 global economic recession, but the forest industry is cyclical with second growth rotation anticipated for sustainable harvests within the next decade. The Nation is the sole owner of the company but retained an independent operator/manager on a contractual basis to oversee the operations with the intent to transition this aspect of the business to Squamish members. The business is overseen by a separate board of

directors, with reporting mechanisms to the Squamish Chiefs and Council, and Squamish staff within the Natural Resources Department. Forestry operations also include: area based tenure, community forest licence, woodlot licence, and partnerships with neighbouring First Nations as well as partnerships with municipal governments such as the District of Squamish and the Resort Municipality of Whistler.

As part of the establishment of the Wild Spirit Place's identified in the *Squamish Land Use Plan*, the Skomish Forestry (the Squamish forestry company) voluntarily removed fifty thousand cubic meters of allowable cut from their tenure. This was a means to balance the economic interests of the Squamish with their ecological interests. The co-management of the Wild Spirit Places was negotiated between the Squamish Nation and the Province of BC, which also included co-management of fourteen Provincial Parks within Squamish territory. The vision created through land use planning has allowed the Squamish to find ways to balance their interests as they have always been stewards of the land and have always utilized the resources throughout their territory. This modern exercise has provided a means to draw forward traditional knowledge and apply it in a modern context, while building relations, creating employment, and protecting lands held sacred.

Another aspect of land use planning is wildlife management, which has inspired more Nation members to be active in traditional activities. The reintroduction of Roosevelt Elk into Squamish territory has allowed for limited entry hunting licenses issued by Squamish Nation, to be drawn for Squamish members to hunt for sustenance. Protection of critical ungulate winter range is built into forestry management plans with the goal to exceed Provincial standards. Grizzly recovery plans are being developed for Squamish territory through the cooperation of the Nation, Skomish Forestry, and non-governmental organizations. The protection of large intact wilderness areas has been secured through the *Xay Temixw Land Use Plan*, creating less fragmented habitats and maintaining Squamish core values toward the lands. These are significant ways to build cultural competency in members who can then apply their knowledge in new and innovative ways. The revitalization of traditional activities fosters pride and skills that can be translated in a number of other ways. The culture is closely connected to the land and water, making the environment a focal point in sharing values with the public, which in turn attracts people to the on going project developments of the Nation.

### 5.2.1 Co-hosting the World

The three Nations managed to move toward a collaborative approach with the co-hosting of the Vancouver Whistler 2010 Winter Olympics and Paralympics Games. This signified a new era in showcasing that Indigenous people in Canada still exist, and continue to practice a strong and vibrant culture. This approach recognized the Four Host Nations in which the games were being held. The Four Host Nations were comprised of:

- Squamish Nation
- Musqueam Indian Band
- Tsleil-Waututh Nation
- Lil'wat Nation

There were other times when the three Nations in the Vancouver area, were unsuccessful in reaching a cooperative agreement to work together. This resulted in lost opportunity from dispositions of lands such as the Sinclair Centre and the CBC building in downtown Vancouver.

The three Nations managed to reach an agreement to jointly negotiate on the sale of the Canada Post building in Vancouver. This strategy produced radically different results from previous attempts by the Nations to negotiate independently. This represented an important step in realizing tangible benefits derived from joint negotiations and accommodations. It also set forth dialogue in the creation of formalizing a political protocol agreement between the Squamish Nation, Musqueam Indian Band, and Tsleil-Waututh Nation.

There has been a resurgence of Indigenous rights and culture on a global scale, representing a postcolonial era. With the advent of the technological era, many Indigenous people have access to information that can assist with developing strategies in how to deal with the colonial governments that have assumed jurisdiction within their lands.

In 2005 The Squamish Nation hosted Kingy Tuhatia of the Tainui in Aotearoa (New Zealand). Kingy Tuhatia is the representative of the Kingy movement, which began in the early 1800's by many of the Maori tribes of New Zealand. A feast was held in honour of the Maori dignitaries, which took place at the Capilano longhouse of the Squamish people. This interaction led to the signing of a memorandum of understanding between the Tainui and the Squamish. The signing ceremony took place in Aotearoa during the time of the Inauguration of Kingy Tuhatia. The main intent of this agreement was to recognize Indigenous to Indigenous, a common experience of colonialism, along with a parallel path of language and cultural revival. Indigenous

people have sought reconciliation through treaty, economic, and legal mechanisms with varying results, making information sharing valuable and empowering. Relations with other Indigenous groups have expanded to include Oceania's regions throughout the Pacific Island Nations including: Polynesia, Micronesia, and Melanesia.

Many of these relationships were forged after the hosting of the Vancouver Whistler 2010 Winter Olympics and Paralympic Games, as recognition of Indigenous People on the world stage inspired other Indigenous groups to seek advice from the Squamish Nation. During this time, the Squamish also developed spiritual ties with His Holiness the 33rd Menri Trizin, Head Abbott of the Bon Religion of Tibet. These engagements have inspired Squamish leadership and helped develop greater insight of the complexities related to political and legal dynamics plaguing Indigenous people. The sharing of stories between Indigenous people helps formulate better understandings of how to recover from the impacts of oppression and dispossession.

The benefits from these interactions have proven to increase visibility and add value to groups who interact and learn from cultural sharing. Cultural sharing adds a distinctive flavour as was demonstrated in the Nations support of Olympics and other major venues that impressed audiences through high energy, technologically supported demonstrations of culture. There is a greater sense of unity and commonality gained through these important affirmations between Indigenous groups and the mainstream public. This trend can put Vancouver on the map in making it a city that is more than just stunning mountain views and ocean front, into a city that stands out as an international leader in culture and design.

### **5.2.2 Our History Is Your History**

There is little common knowledge by the general public of the Nations territories, rich history, and aspirations leaving them invisible in their own lands. There are however, preconceived images of Native people, and stereotypes that can be triggered out of fear. It is very important to assist people in understanding that the development projects are world class, with a high-end strategy to produce the best developments in the city, and celebrate the rising power of the First Nations coalition that will add value to the future of the city and region.

Community engagement is a mandatory component within the civic process making it essential to effectively listen to the needs, wants, and concerns of the community, yet direct the vision and flow of the projects potential value. Illustrating the key elements of the properties will build a road map, and paint the picture, for value creation in high-end developments, based on sound business principles.

The use of green technology may be a solution to build on ancient Coast Salish values and market them in a way that can generate mass appeal. The opportunity to build on a general view of Natives as stewards of the land can be balanced with the use of innovation and technology as a means to implement these values throughout the company and the projects. This approach may also resonate with City officials and staff who may also be committed to reducing carbon emissions and develop a strategy that will reduce the use of fossil fuels over time. The size of the land development projects may facilitate the opportunity for buyers to live, work, shop, and play all within footsteps of their homes.

It will be important to remove any ambiguity in what the partnership hopes to achieve by being upfront that this is a for profit venture that will add value to the community through development's that allow improvements to be achieved. The use of professional experts, communications, and public relations specialists will assist in managing the messaging, while intentionally branding the Nations as serious players, leaders, and trendsetters, who are global thinkers. This is particularly important considering that the Nations are new entrants in the development market, and they are embarking on a journey that already has a sea of towers and developments well established throughout their shared territory.

The use of storytelling has been mastered by First Nations over millennia of use and occupancy of their homelands. The ability for the Nations to convey their message is important in balancing the business principles expected from development, while generating interest and greater awareness and appreciation for the Nation's connection to this part of the world. This can be done in a non-invasive manner, to share the culture and stories in a way that fosters a sense of belonging and inclusiveness in welcoming people to the shared territories; conveying an undertone that we have a shared history and a shared future. When Coast Salish Nations have stepped to the plate, the culture of Canada shines bright through authenticity and a strong connection to place. Storytelling through modern channels can allow the developments to become highly successful not only for the Nations, but for the entire community.

Another important aspect of developing the vision is engagement with citizens from each three First Nations communities. Allowing mechanisms for Nation members to formally participate in the values, look and feel of the projects is important for members to feel like more than beneficiaries of the benefits derived from the projects. Input from elders, youth, artists, and entrepreneurs can yield valuable insight and add tremendous value to the development. Cultural practitioners and traditional knowledge keepers can assist with identifying key themes and historic accounts retold through mythology, place names, and protocols. Investing in this process of



engagement can be highly beneficial in setting a course for the Nations to re-establish their brand, values, and vision.

The Nations are in an unprecedented age to capitalize on the attention their land developments will receive, through their historic partnership in large-scale land development. Advancements in innovation and technology provide the Nations with creative ways to articulate their intentions. These communication tools can be regularly monitored and updated, putting the Nations, the Limited Partnership, and the Joint Venture on the world stage. This communications strategy will incorporate the use of:

- Social media campaign
- Call to Action Website
- Video vignettes
- Electronic sign boards/advertising
- Public & media relations' strategy
- Conferences, panels (National/International)
- Publications, annual reports, coffee table books

The success of the Squamish, Musqueam, and Tsleil-Waututh Nations comes during a time when landmark changes are progressing First Nations efforts to improve their social and economic situations in Canada. This success is built from generations of effort where First Nations leaders have continually demanded better conditions and standards to allow them to participate in mainstream growth and prosperity. This opportunity has systematically been denied for First Nations through segregation of the *Indian Act*, and forced assimilative tactics.

These complex dynamics have led to the Truth and Reconciliation Commission being established as a result of the federal Crown's official apology on June 11, 2008 where the Prime Minister of Canada, the Right Honourable Stephen Harper made a Statement of Apology to former students of Indian Residential Schools, on behalf of the Government of Canada. This was an acknowledgement of the confinement and oppressive conditions faced by over 150,000 Aboriginal children subjected to Christian run residential schools. For the first time, Aboriginal survivors of these schools began to shed light to the darkness they carried as a result of their experience of abuse and trauma at the hands of the church and government. As this saga unfolds,

Canadians are learning that the intergenerational trauma associated with residential schools is not isolated to First Nations, but is a symptom of a strained relationship that continues to this day.

Progress is being made with leadership being demonstrated by cities such as Vancouver who on June 17, 2014 declared itself a City of Reconciliation. The ability for the parties to meaningfully address these social injustices is made possible as a result of such actions that can be translated through invigorating economic opportunities and improving the social and economic realities faced by First Nations.

Canada and the world were witness to the unsettled despair faced by Aboriginal people in Canada with the idle no more movement, which sprang in December 2012, shedding light on the harsh conditions that First Nations people continue to contend with. The social and economic inequality between native and non-natives in Canada is stark with many native people managing abject poverty. Idle no more was a movement that raised awareness through peaceful demonstrations and public gatherings that reflected the frustration felt by many native people. These gatherings often involved drumming and singing along with traditional dancing, showing the world that First Nations people have survived cultural genocide and oppression and are regaining strength and unity in demanding better relationships with government.

First Nations have survived an onslaught of challenges since the arrival of Europeans into their homelands. There are many styles of contemporary governance exercised by First Nations in British Columbia, and across Canada. Some First Nations have settled treaties with Canada, some have maintained a hereditary system of governance, and some have adopted and abide by *Indian Act* standards and structures. These dynamics have varying degrees of political will and ability by Chiefs and Councils to restructure their administration as well as their corporate arms. The political dynamics of the three partners varies significantly in their established forms of governance. The Squamish is an amalgamated tribe of sixteen hereditary Chiefs that signed the Prayer of Amalgamation in 1923, restructuring in 1981 to a custom election represented by sixteen elected councillors. The Tsleil-Waututh Nation is represented five elected Councillors and one elected Chief serving two year terms, while Musqueam Indian Band has eight elected Councillors and one elected Chief serving two year terms. Both Tsleil-Waututh and Musqueam are actively involved in treaty discussions and are currently in Stage 4-Agreement In Principle ([bctreaty.net](http://bctreaty.net)), while Squamish treaty negotiations have stalled at stage 3 –Framework Agreement. All three Chiefs and Councils follow standards set by Canadian legislation, but have varying degrees of autonomy and practices in recreating their traditional values and laws within their governing structures.

## **5.3 Seizing the Opportunity:**

### **5.3.1 Visible Coast Salish Ambiance**

The west coast of Canada is synonymous with native art and design, and a strong connection to the landscape. The land development projects offer a great opportunity to build on this synergy to showcase authenticity through visible art commissions and monumental art installations that can be incorporated throughout the developments. The hosting of the Vancouver Whistler 2010 Winter Olympics and Paralympic Games reinvigorated a sense of authenticity in showcasing Coast Salish art forms that are styled in pre-contact Salish designs. These styles can be applied to contemporary commissions using modern materials and techniques, such as buildings, landscapes, and branding, but they can also be as simple as incorporating Coast Salish art into all promotional and business products used by the partnership. These values in showcasing authenticity can lead to further business opportunities for artists to benefit from the projects while leaving a lasting legacy. The use of art and storytelling can assist in conveying a message of awe and wonder in the spirit of the West Coast, creating a competitive advantage that can prove successful in building a new way of doing business.

## **5.4 Recommendations**

The Nations have endured years of cultural suppression at the hands of governmental laws and policies. Yet, there is resurgence in culture since the lifting of the potlatch ban, with many young people from the Nations actively engaged in cultural dance groups, language recovery, and artistry. The Nations can look to their rich culture to build on successes such as the co-hosting of the Winter Olympics to create awareness and appeal in First Nations art and culture. This appeal can be enhanced through public engagement as well as indirect ways to influence the public with cultural nuances.

The Nations have the ability to create a vision that is built from values embedded in culture, customs, and protocols. These cultural attributes can be directives for values that are used in mandating the partnerships to implement within the land developments. We want the entire operations to be distinctive and recognizable as a professional First Nations entity. This flavour will honour all the elders and ancestors who bore the brunt of racism in this country and persevered in retaining our distinct identity, perpetuating it for the next generations. This celebration of tenacity and resilience can be used to inspire the youth of the Nations to achieve

professional designations required to manage the land developments that will change our generational outcomes where success is the expected outcome.

Branding of culture and heritage is an impactful way to tell our stories, and to show cases our history, as we have been invisible in our own land for far too long. This country is built atop a solid foundation of First Nations who have a minimum of 10,000 years of knowing. The use of branding is an opportunity to promote landmarks and place names, adding a distinctive veil to the city. Creating visible presence through art, ambiance of styles and colours, and language has tremendous potential for creative licence. We must develop ways to engage artists, graphic designers, marketing, and promotion for professionals to deliver fresh ideas incorporating cultural elements. Sourcing materials can be a part of the story to show quality, style, and purpose through the use of stone, wood, and water elements along with mythology.

The Nations may want to conduct public ceremonies and gatherings that are family friendly, open to public, with sponsorships and advertising. The use of culture and heritage should be non-threatening, inclusive, and a subtle way to ease tension of politics and negativity. It should be progressive, and principled as a recognizable corporate brand.

What is success in creating an effective branding strategy? When people from all walks of life relate to our story; that it is a story of humanity told through Coast Salish eyes. A story of triumph, success, growth, transformation, adding value, with tones of sustainability, and is world class.

The following recommendations can assist the Nations in the development of steps that can enhance cultural values in relation to land development projects:

1. Utilize the shared vision in creating a look and feel for the business enterprises. This could be through the use of logos, colours, tag lines, advertising that promotes the Nations and their professionalism relating to land development. There could be a common theme for many of the Nations business developments that are separate but are associated with the Nations such as this Salish land development company is a member of the Coast Salish group of companies.
2. The Nations companies can begin to sponsor initiatives, charities, fundraisers, and other beneficial community initiatives. They could also host or sponsor high profile cultural events that are open to the public such as National

Aboriginal Day Concert Series and festivals that have main stage mainstream artists featured.

3. The display of art that depict stories could be effective in creating a broader awareness of the region and Coast Salish people and history. Promoting stories that are linked to geographic features such as Siwash Rock and other sites in Stanley Park, the Twin Sisters Peaks on the North Shore (also known as the Lions), Senakw at False Creek, and many more places that are well known and synonymous with Vancouver. These sites can be featured in television, print, web sites, and other materials that influence public perception, while anchoring the Nations association with them.
4. Utilize celebrities to promote aspects of the land developments or of specific events that build trust and association with the general public. Target different demographics within the communities such as ethnic festivals, elders associations, children's festivals, and other causes such as environmental and business events.
5. Immerse young people from each Nation in arts and culture to increase skills and proficiency in learning traditional teachings and applying them in public and community settings. Sponsor awards for youth that highlight great initiatives and publish the recognition of excellence demonstrated by individuals and groups. Develop artistic interpretations for young people to apply technology in their sharing and expression of traditional teachings.
6. Develop artistic renderings of the land developments that build in cobble stone patterns and cultural motifs such as geometry and weaving designs. Fountains and monumental sculptures in prominent public locations throughout the properties that reinforce the ambiance and brand of the Nations. Utilize other architectural themes in building designs that have cultural elements as well as green standards of sustainability that can create appeal in green conscious buyers and investors.

These are but a few of the ways in which the Nations can implement a concerted effort in drawing on culture and heritage to add value to the partnerships and development initiatives.

## 6: Conclusion

What were the main questions I addressed in this paper?

1. How will the three Nations work together to reaffirm cooperation in capitalizing on joint land development projects? The creation of a solid, shared vision is important in setting goals and objectives, along with strategic directives as a means of ensuring success.
2. How do we overcome displacement, learn from history, and redefine relationships to allow our people and corporations to succeed while using historic models of governance as a basis to establish good corporate governance structures?
3. How will the Nations use these land development projects as a catalyst to build capacity and skills, and create meaningful careers and business opportunities for the members of their Nations?
4. How can we use cultural enhancement and branding in our developments to add value to the community and to the region?

How did I address these questions?

1. I examined historic accounts of the three Nations political and economic and social relations to consider a modern vision built on principles of cooperation.
2. I analysed traditional models of economic structures to determine if they can be recreated to allow modern scales of economy to build wealth creation and successful businesses, based on cultural values and principles shared by all three Nations.
3. I considered historic aspects of capacity and skill sets that involved succession, roles and responsibilities. How were they taught and implemented, what values can be drawn from them? How will the Nations overcome legislative oppression to gain greater economic autonomy and stability?

4. I looked at the ancient stories and mythology that address catalysts of change, transformation, and growth. The ability to overcome adversity and utilize best tools in rebranding the Nations by adding value through history. Through implementing our culturally-specific understanding of human dynamics of competition and self-interest, we can grow from and create a clear vision based in Indigenous ways of knowing.

What are my recommendations for this project?

1. That we build on ancient ties as Coast Salish families as a starting point for developing a clear vision that can inform the structuring of good corporate governance. This vision must uphold the integrity of Coast Salish values, and be used as a launching pad to bring the Nations to new heights as business leaders. The shared values will allow the Nations to strategize on new ways of promoting and enhancing cultural teachings utilizing contemporary resources in adapting traditions into a modern environment. The decisions made today will someday be traditional, allowing a clear distinction between assimilation and adaptation. Business is the culture of First Nations.
2. That the Nations establish a corporate governance structure that implements strategic directives identified in a shared vision in building successful economic enterprises. That the corporate governance models are designed to shield the Nations from liabilities and that the structure allows for compartmentalizing of business units to protect the long term interests of the Nations. The business models must have a clear separation of business and politics defining roles and responsibilities of each stakeholder associated with the partnerships.
3. That we make every effort to engage membership from each Nation to build a strong work force of professionals, creating and fostering meaningful careers. That this objective be emphasized and articulated to membership to allow them to formulate ways to engage in the economic stimulus stemming from land development projects. This engagement strategy should support youth skills development, cultural teachings, contracting and procurement strategies, and coordination of training and employment processes. The needs assessment should be a priority in identifying the multitude of opportunities associated with land development projects. Promotion of entrepreneurialism and

investment into programs that foster capacity building. Making linkages to training and other synergies to identify opportunities in career choices and paths to success. Connecting people to capital and grants to support individuals to grow and take on risk in expanding their business offerings.

4. That we share our rich stories and history of transformation, rejuvenation, and spiritual connections to the land as a catalyst in creating a better society through cultural enhancement. Celebrate the power of the land, water, mountains, animals, and plants. Make the branding inclusive of a new chapter in Canadian history, that our history is your history, and that we have collectively matured as a society. Use a nonthreatening, inclusive approach can win people over and attract people to want to be associated with our projects. Drawing forward traditional knowledge and applying it in a modern context allows people to take the liberty to apply traditional teachings in new and exciting mediums. These actions can take many forms in applying heritage throughout the projects and businesses, establishing a look and feel for the businesses and projects that set them apart from any other developments.

Together, these steps can build a solid foundation for the Nations to work together and build a very successful business relationship. The opportunities are upon us to strategize and create a vision, and articulate the vision with appropriate steps to ensure success. The goal is that these projects will add value to the region and demonstrate a new way of doing business. This cooperative business model can be applied to many other settings around the country and inspire other Indigenous groups globally. Building relations with the city and the community will make Vancouver and the lower mainland a better place to live, setting it apart as a city that embraces culture and puts action to reconciliation. This is a success story and it has potential to generate significant benefits not only for the three Nations, but for the City, the Province, and the country.

What will the Nations do with their newly found strength in leveraging their collective power to capitalize on a new era of cooperation? The accrual of assets in land holdings and developments will require retooling and restructuring of existing governance and business models currently being utilized by the three Nations. The partnership must respond by preparing for rapid growth in their companies, with a goal of world-class developments that will generate significant revenues. The Nations are in a fortunate position to possess some of Canada's most attractive parcels of land that are intended to be used for profitable ventures. This will certainly require consideration on how to develop best practices customized to facilitate risk management and



investment decisions. The development of effective management and accounting practices can have the potential to launch the partnership as leaders in Aboriginal business.

It is unprecedented for these three Nations to advance their interests in this contemporary setting, where they are incrementally moving beyond the attempts of Canada to marginalize and alienate them from the wealth generated from their shared territories. This cooperative model will demonstrate how other groups can reconcile their differences in competing interests by establish political, legal, and economic alliances to move beyond the status quo. This is especially significant in resolving overlap issues experienced by many First Nations that grapple with a stale mate in their reluctance to concede their positions and open the door for others to share in the benefits.

The need to establish a clear vision is important for setting goals and objectives, but having a mechanism for conflict resolution is also important in the event of disputes or disagreement between the partners. The foundation of conflict resolution can be based on traditional customs and values, practiced and reaffirmed between the three Nations over countless generations. Ensuring there is a clear understanding of roles and responsibilities is important to separate business from politics. Establishing independent boards of directors and separate senior management is also imperative in removing operational management away from the Nations administrative tasks. This also limits liability and ensures transparency and accountability.

A large part of the success rests on the partnerships ability to empower its membership from each Nation. This will generate true sustainability of the relationship, allowing future generations to exponentially build on successes and growth in business. This moves the relationship beyond a political alliance and transforms the Nations into a powerhouse that has ability and capacity to succeed as world-class business leaders.

It cannot be overstated, the need for strong governance institutions with guiding principles set forth with tools such as constitutions, policy development, and accounting systems that will require further analysis and consideration. These components are beyond the scope of this paper but are areas that deserve further analysis within the Nations. Thankfully, there are many synergies being contemplated by the Nations with options in implementing policies and legislation found in tools such as the *First Nations Financial Administrative Law*, the *First Nations Commercial Industrial Development Act*, and land codes.

The Nations can then build on a framework that is designed to manage many concurrent synergies that create space for greater authority of their governments, sustainable economic

growth, along with social and environmental considerations. These areas can assist the Nations in incremental approaches to Nation building that advance the three pillars of sustainability touched on in chapter three of this paper. There is a mountain of work yet to be achieved in this partnership, with a commitment in redefining traditional Coast Salish laws and structures into a modern context.

## **7: References:**

CBC News. (2010, July 1). First Nations right to vote granted 50 years ago. Retrieved April 13, 2015, from <http://www.cbc.ca/news/canada/north/first-Nations-right-to-vote-granted-50-years-ago-1.899354>

Cornell, S. (1988). The transformations of tribe: organization and self-concept in Native American ethnicities. *Ethnic & Racial Studies*, 1127-47.

Cornell, S., & Kalt, J. P. (1998). Sovereignty and Nation-Building : The Development Challenge in Indian Country Today. *American Indian Culture and Research Journal*, 22(3), 187–214.

Drake, D. (1998, January 1). ARRIVAL OF THE EUROPEANS. Retrieved April 1, 2015.

Pinder, M. (2014, June 27). *Tsilhqot'in Nation v. British Columbia* 2014 SCC 44 – Case Summary. Retrieved April 13, 2015, from <http://www.mandellpinder.com/tsilhqotin-Nation-v-british-columbia-2014-scc-44-case-summary/>

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