



WSÁNEĆ
Lands Trust Society

WSÁNEĆ Lands Trust Society

An Introduction

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Overview

- **WSÁNEĆ – who we are**
 - Our histories
 - Our SKÁLS
 - Our territories
- **Colonization – impacts on WSÁNEĆ**
 - Douglas Treaties
 - Land loss, privatization and the challenge ahead
 - Establishment of the Gulf Islands National Parks Reserve
- **Formation of the WSÁNEĆ Leadership Council**
- **The WSÁNEĆ Lands Trust Society establishment**
 - SISÇENEM
 - ʔIKEL
- **Next steps**

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WSÁNEĆ – Who we are



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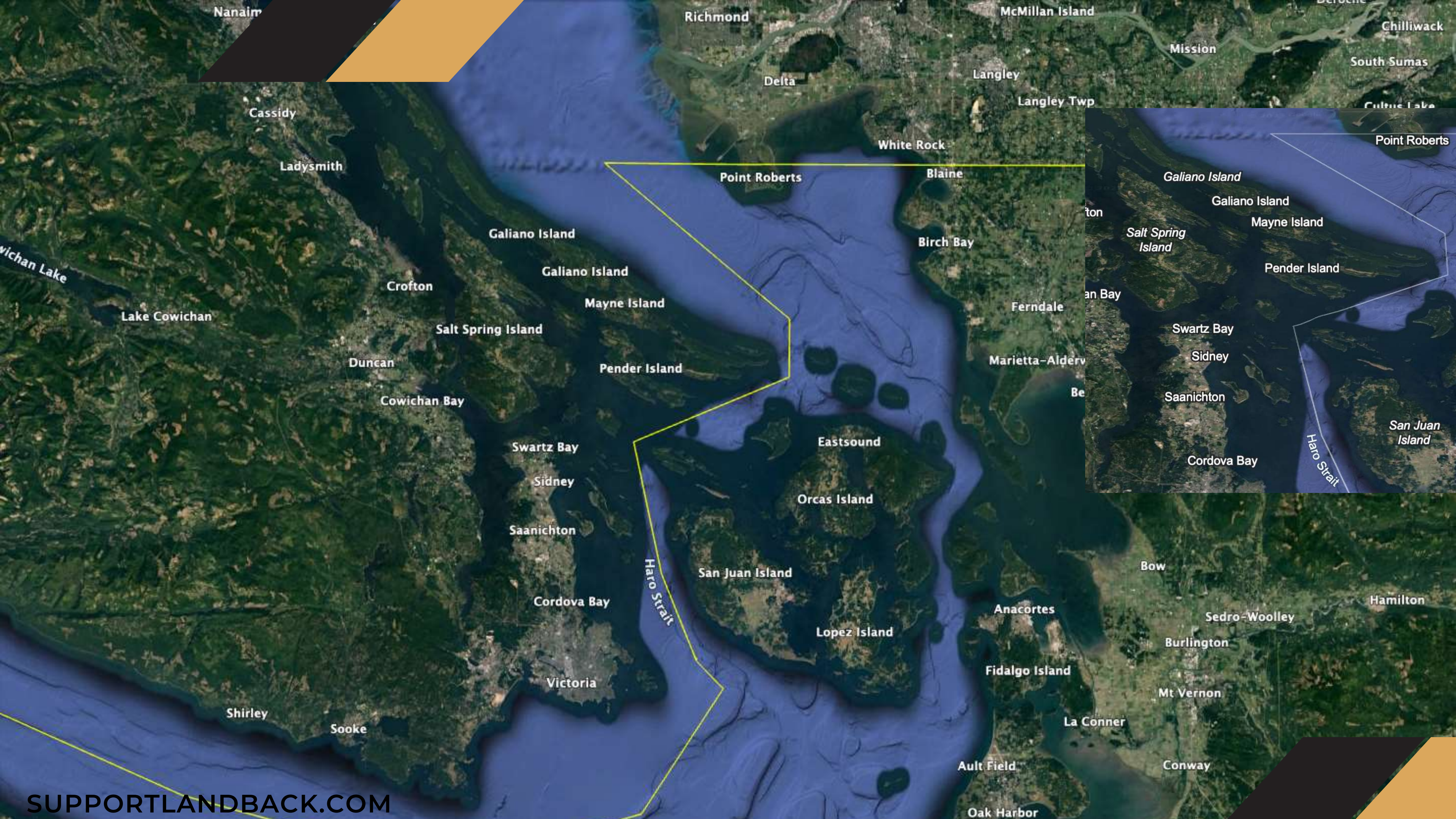
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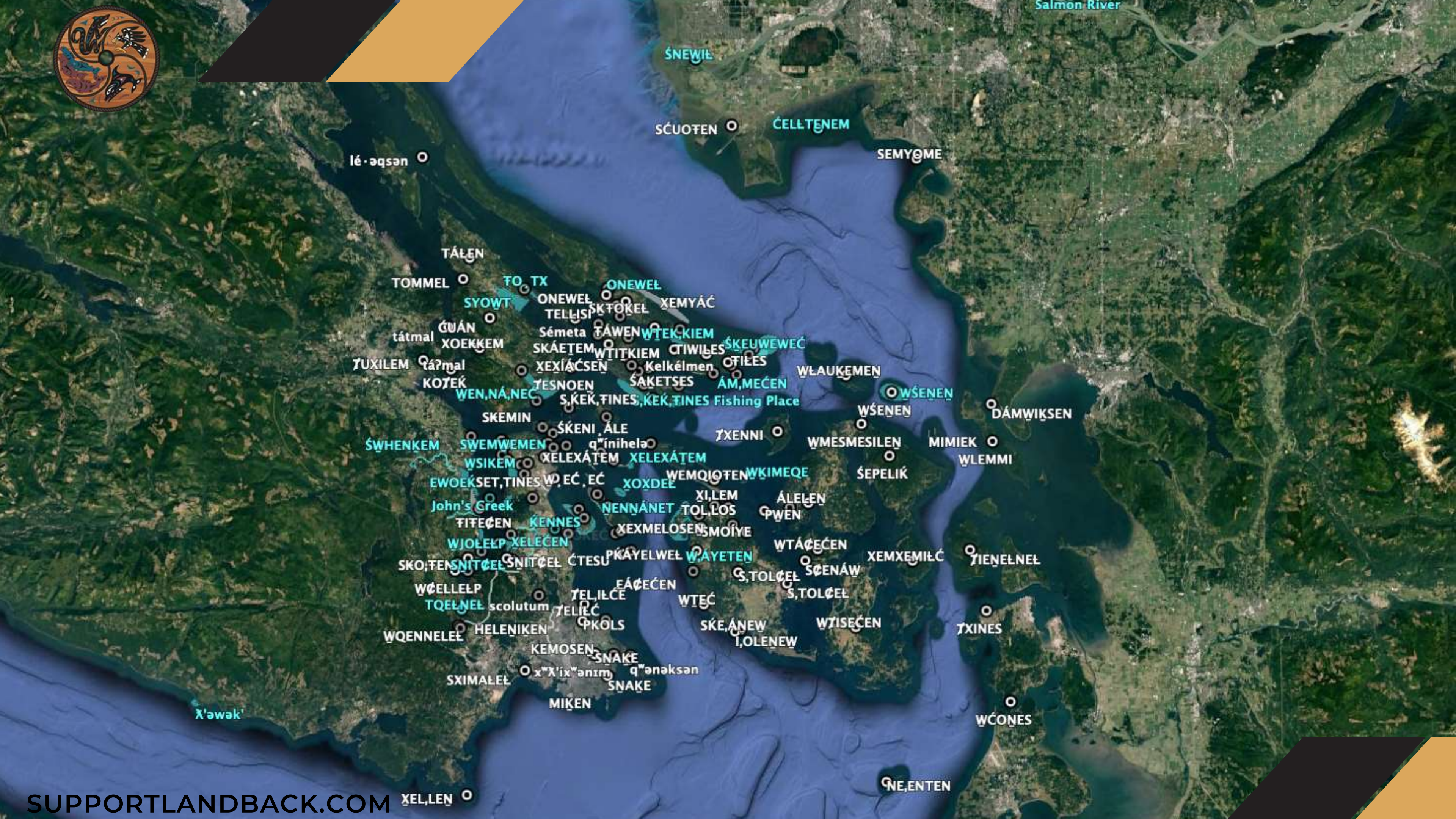


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Our Territories









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Our SKÁLS



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TEACHINGS

Four specific teachings within WSÁNEĆ SKÁLS (Laws, teachings, and beliefs), will guide the restoration of TIKEL



ÁTOL (respect for the rights of others)

ÁTOL is grounded in the WSÁNEĆ knowledge that all living things (including the lands and water) are our ancient relatives and must be treated with respect.



EN SKÁU and ÍY,ŚWÁLEÇEN (reciprocity and good intentions)

The meticulous care of lands, waters, and resources is returned through the land and water's support of the people who care for it. This teaching also carries a warning as poor behaviour is also returned. When food is harvested, WSÁNEĆ pray before harvesting and then thank XÁLS for allowing them to eat, this ensures the respect of the ÍY,ŚWÁLEÇEN and SDIWIEŁ (good intentions and prayer).



IŁEÇSILEN (Intergenerational knowledge sharing)

IŁEÇSILEN is how important SKÁLS, rites of passage, and SYESES (oral histories) are passed down from generation to generation. IŁEÇSILEN is enhanced when WSÁNEĆ can access the unceded territory and traditional resources these teaching are about.



ŁIŁEÇ/Care for SŁEMEW (interconnectedness /care for water, rain)

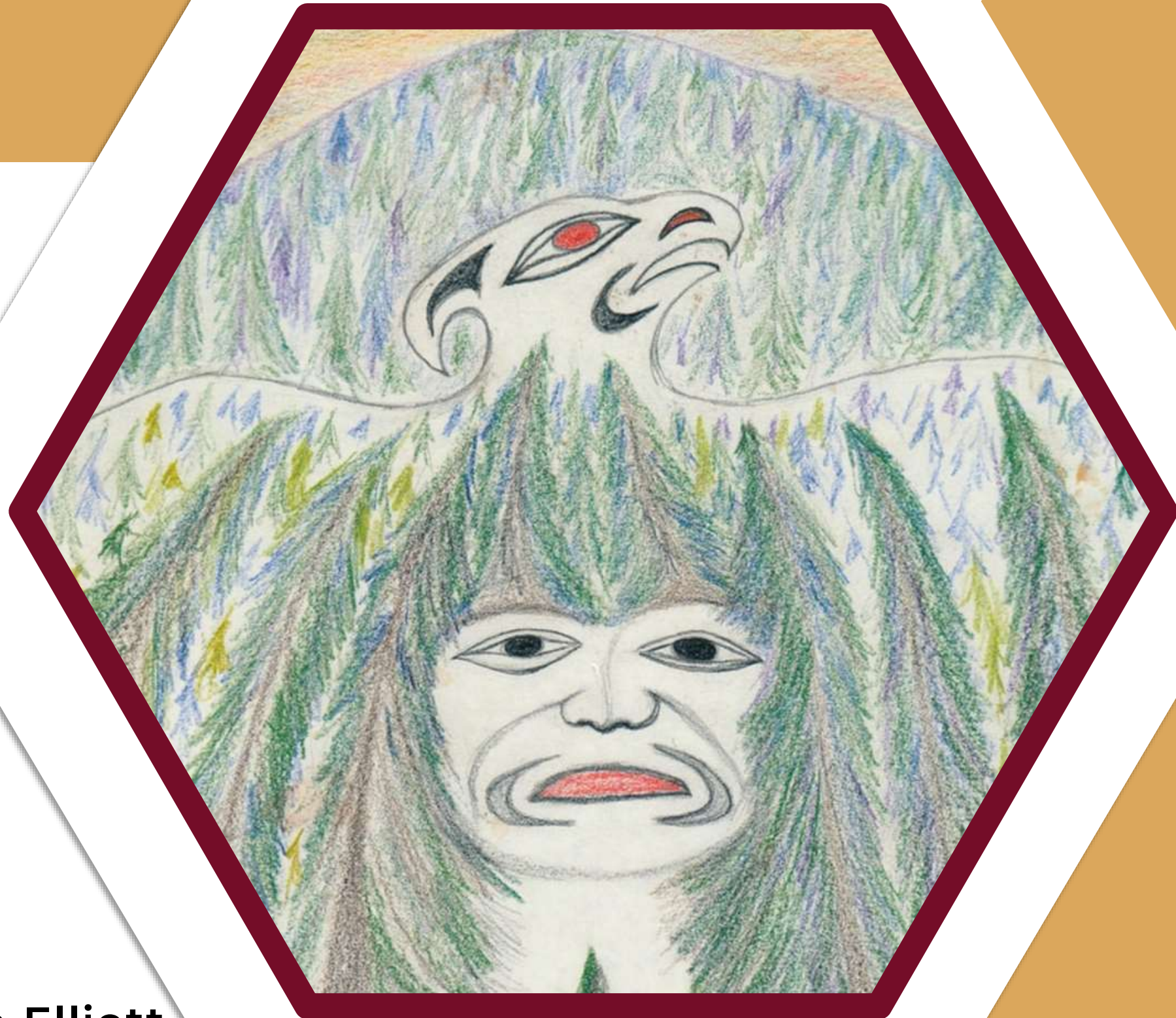
In the story of SŁEMEW, we learn that rain is the first ancestor of the WSÁNEĆ. SŁEMEW assisted XÁLS in forming the world, carving the land, and making things grow. In return, XÁLS offered SŁEMEW what would become SKÁLS.



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Legend of ŁÁU, WELNEW

As told by Earl Claxton and John Elliott



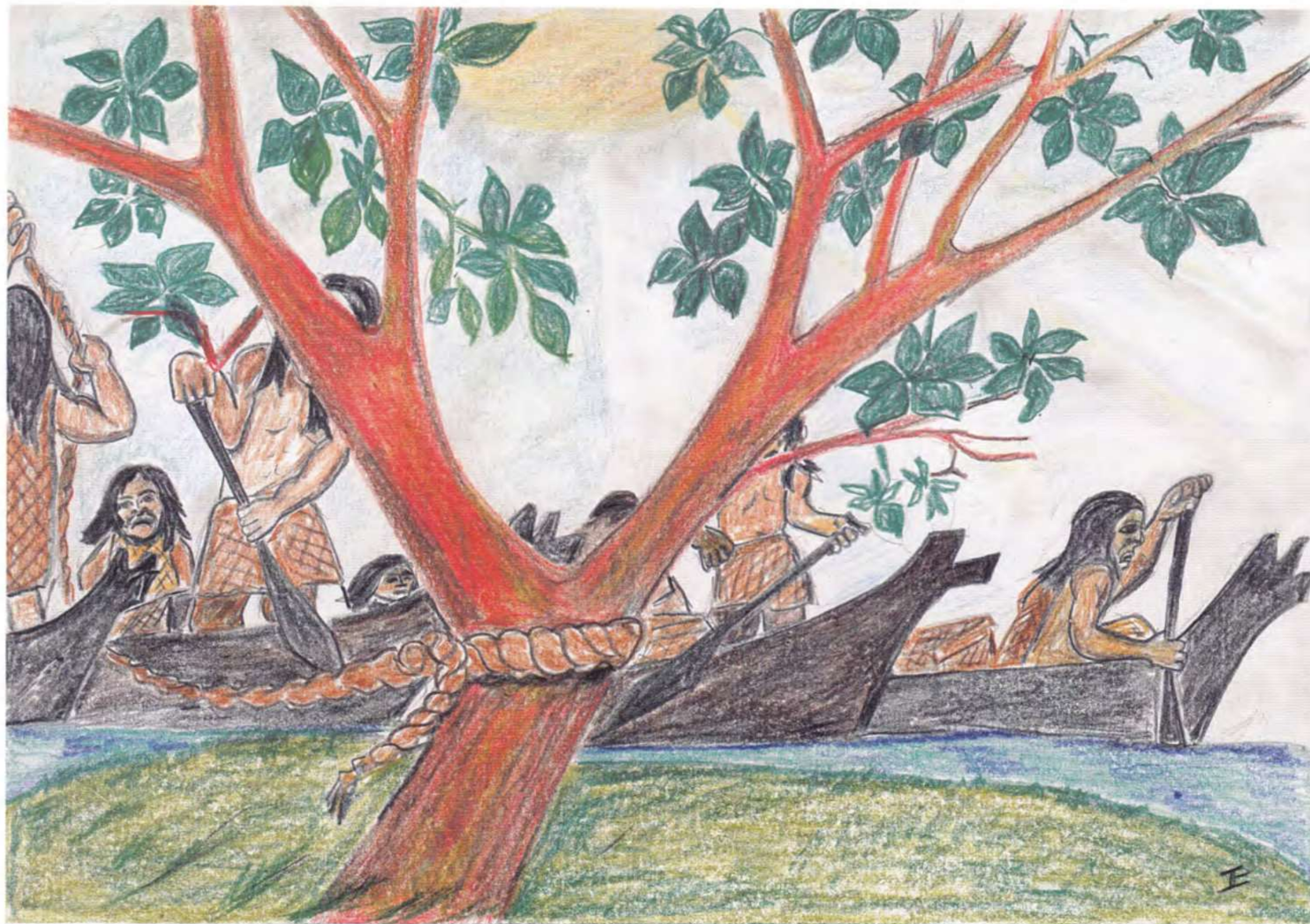
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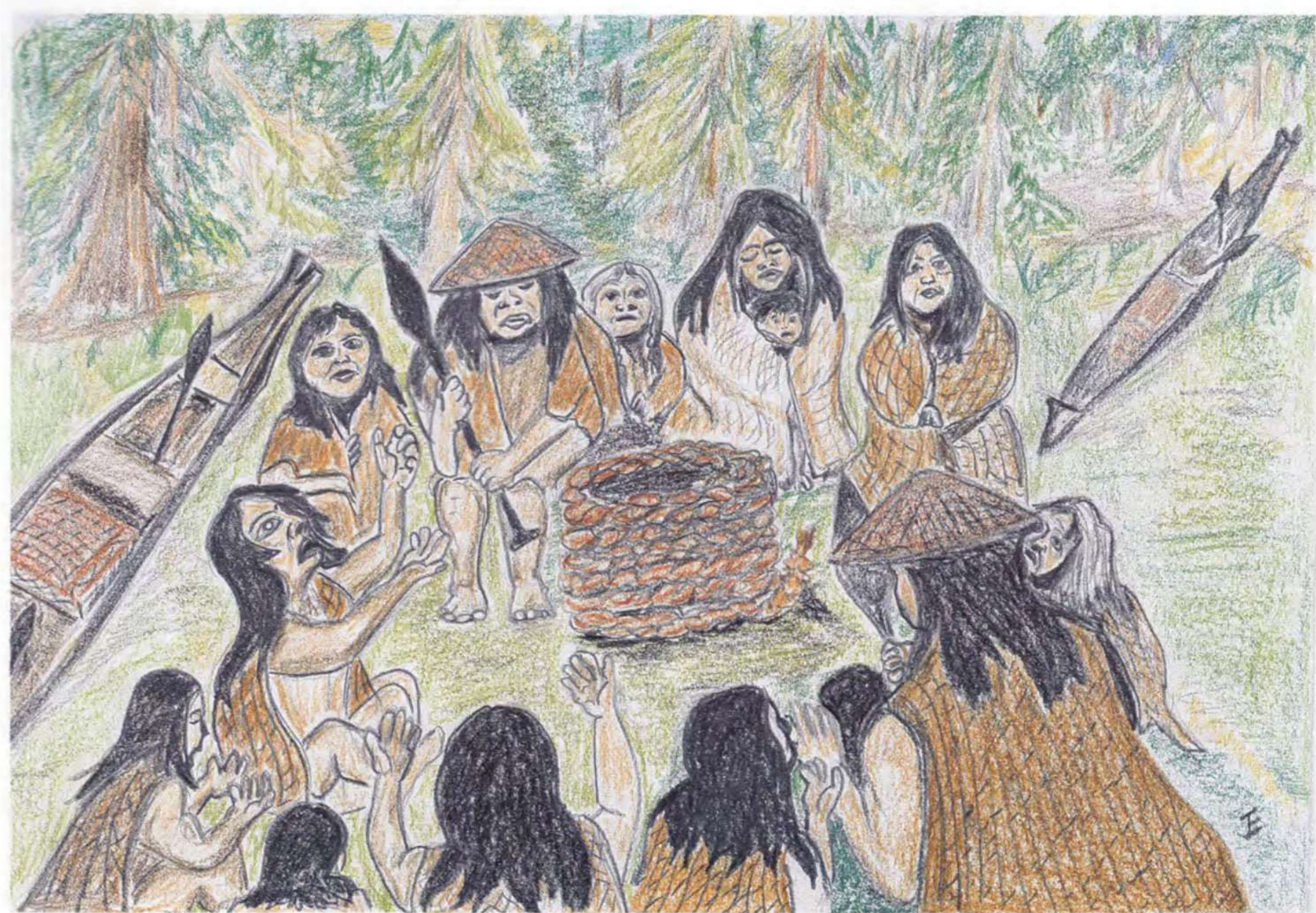
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Colonization – Impacts on WSÁNEĆ



The 1852 North and South Saanich Douglas Treaties



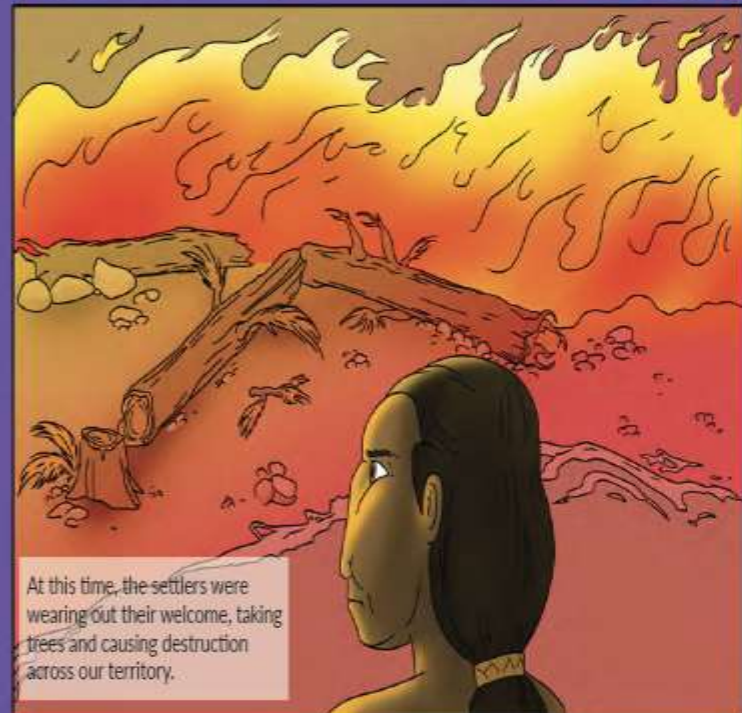
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The boy saw something he'd never seen before



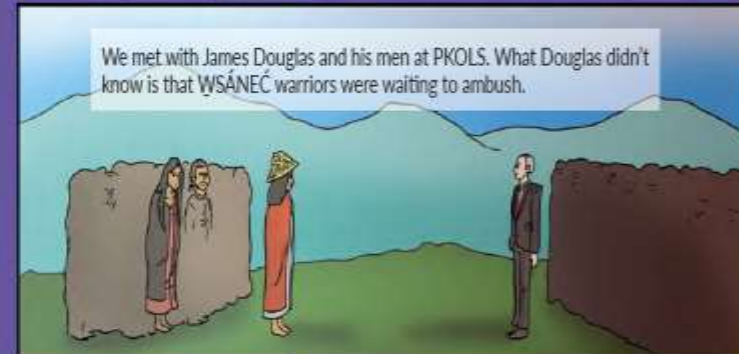
A shot rang out. The messenger was killed



At this time, the settlers were wearing out their welcome, taking trees and causing destruction across our territory.



The chief summoned all the WSÁNEĆ chiefs and declared that the WENITEM - the settlers - were a danger and vowed to remove them from WSÁNEĆ territory.



We met with James Douglas and his men at PKOLS. What Douglas didn't know is that WSÁNEĆ warriors were waiting to ambush.



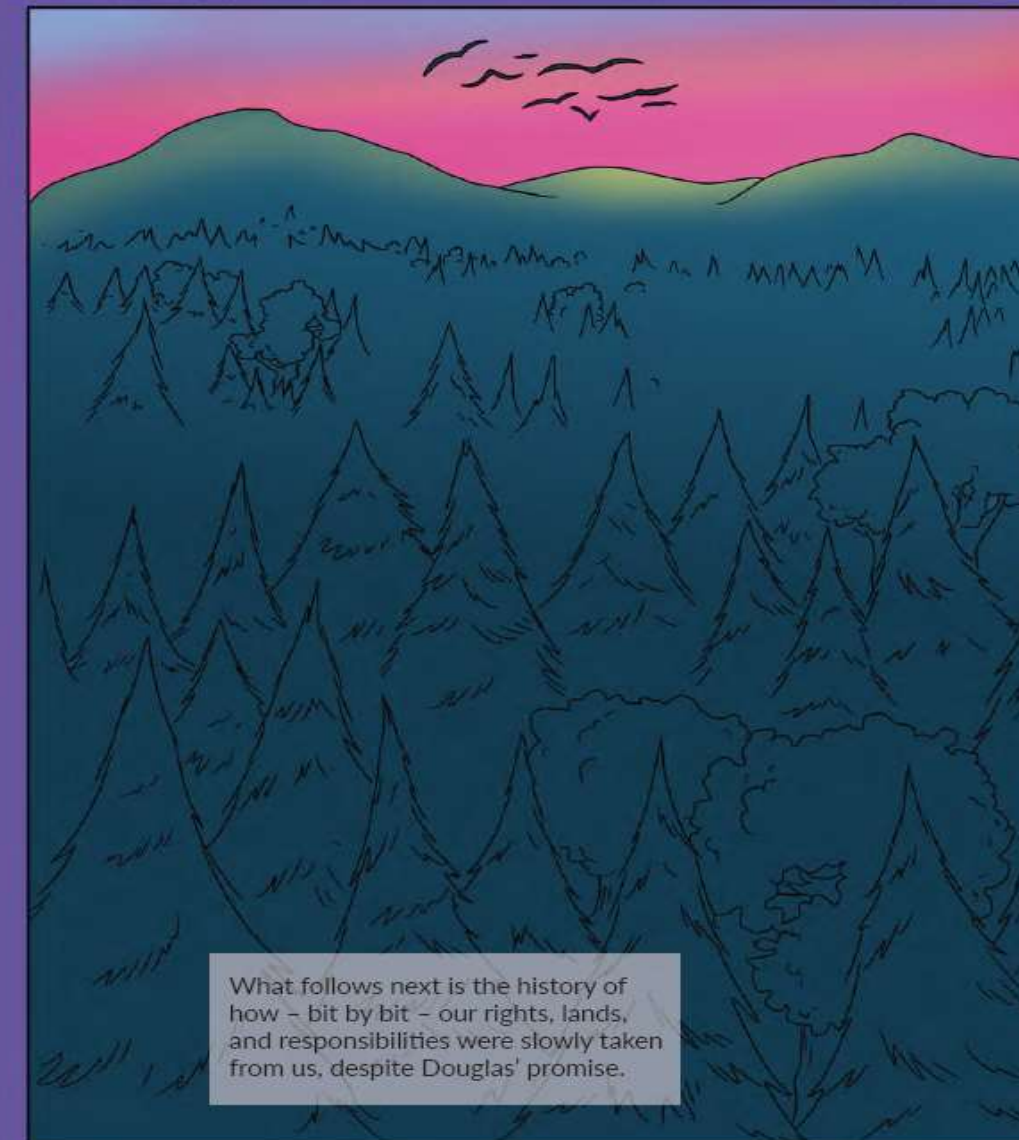
Realizing that an attack was imminent, a missionary stepped forward and pointed to the cross. He said that the settlers were a spiritual people, like us.



Persuaded by this show of goodwill and convinced that Douglas was a man of his word, we agreed to establish peace and live on these lands with respect for one another.



Douglas' men offered gifts to us in a gesture of peace and recognized us as the rightful owners of the land, pointing out the extent of our territory.



What follows next is the history of how - bit by bit - our rights, lands, and responsibilities were slowly taken from us, despite Douglas' promise.



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Generation #2
1876-1900

We were some of the richest people on earth and in 1876 held one of the biggest potlatches ever recorded.

We gave away goods equivalent to nearly half a million dollars in today's value.

But things were about to change. By the second generation, the Indian Act was established, imposing legislation governing all aspects of Indigenous life from birth to death.

A land pre-emption was announced, declaring a single white settler could stake out and claim 160 acres or more of land.

Settlers began to arrive by the boatload.

Soon there was a patchwork of settlement in our territory, interrupting our ways of life.

In 1888, the Indian Agent and the RCMP raided our homes when we were out fishing.

Pot hunters and anthropologists were paid \$10 for our ancestors' remains.

These items ended up in museums as far away as New York and Chicago – a deep spiritual affront our people.

Generation #3
1900-1924

Although WSÁNEĆ hunters resisted the incursion of settler law on their right to hunt and fish as formerly, they increasingly ended up in the courts.

On April 12th 1916, Gus Morris was arrested and charged with shooting two grouse out of season at McKenzie Bight, Saanich Inlet.

Indian Agent Ditchburn intervened in support of Morris.

He was innocent as, according to the terms of the treaty made between the Saanich Tribe of Indians and the Hudson's Bay Company in 1852, these Indians were allowed to hunt over unoccupied lands as they had done prior to the time of the treaty.

But it didn't matter. The magistrate convicted Morris on May 5th 1916.



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The Written Version

The conditions of our understanding of this sale is this:

- that our village sites and enclosed fields are to be kept for our own use...
- The land itself, with these small exceptions, becomes the entire property of the white people forever...
- We are at liberty to hunt over the unoccupied lands, and to carry on our fisheries as formerly
- We have received, as payment, forty-one pounds thirteen shillings and four pence [approx. CAD\$12,200 today]

That our Village sites and enclosed fields are to be kept for our own use, & for the use of our children, and for those who come after us; and the land, shall be properly surveyed hereafter; it is understood however that the land itself, with these small exceptions becomes the entire property of the white people for ever; it is also understood that we are at liberty to hunt over the unoccupied lands, and to carry on our fisheries as formerly.

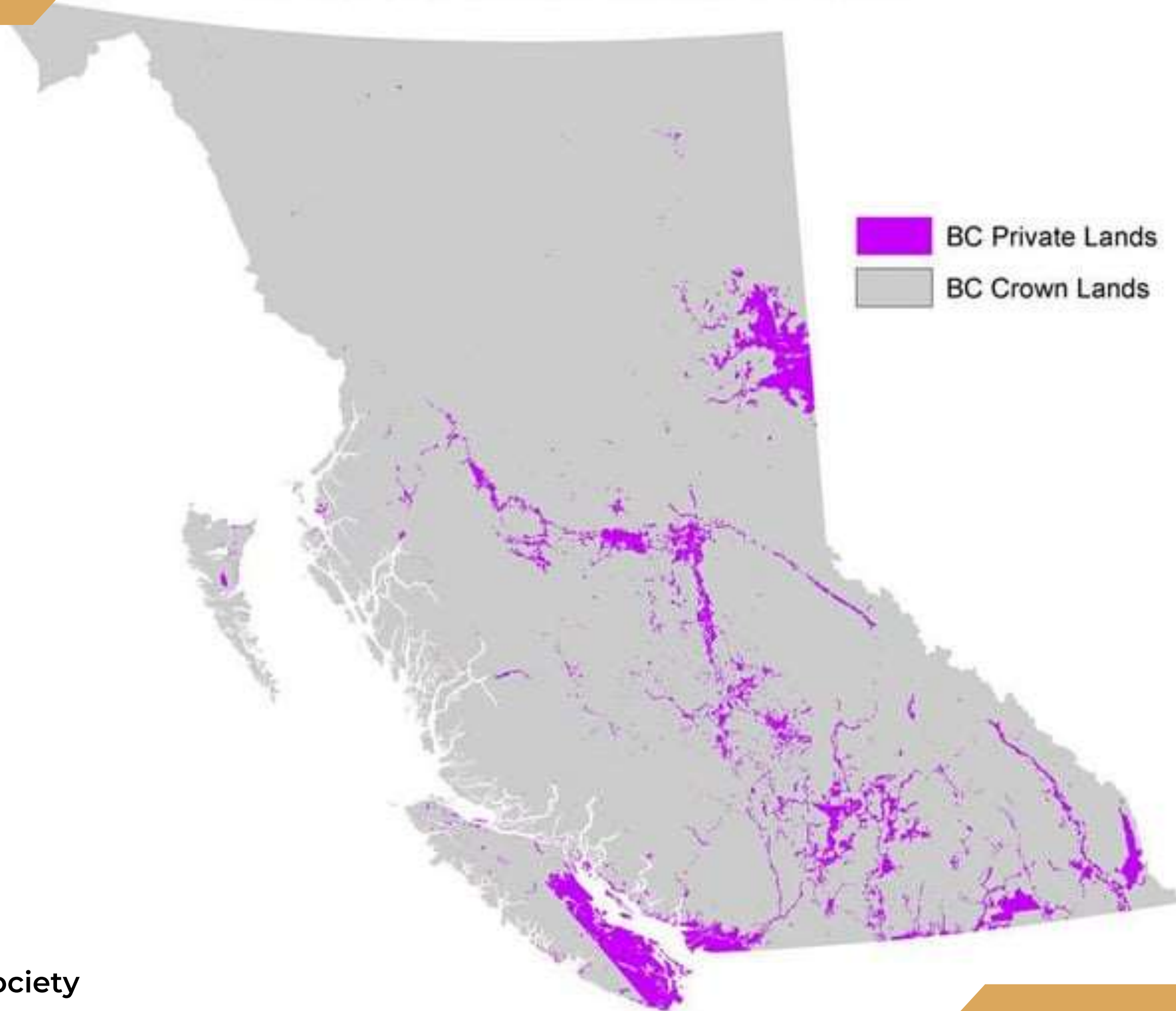
We have received as payment Twenty seven pound Seven Shillings Sterling.

In token whereof we have signed our names and made our mark at Fort Victoria 29 April 1860

1. See-sachasis	his mark
2. Kay-hay-hane	x
3. See-shay-moot	x
4. Kalsay-mit	x
5. Koo-chaps	x
6. Phlamie	x
7. Chamutotin	x
8. Tsatsalluc	x
9. Kogay-mit	x
10. Kamostitchel	x
11. Minay-iltin	x

Done in the presence of
Robert F. Tindal
Joseph William McKay

Crown and Private Lands in British Columbia



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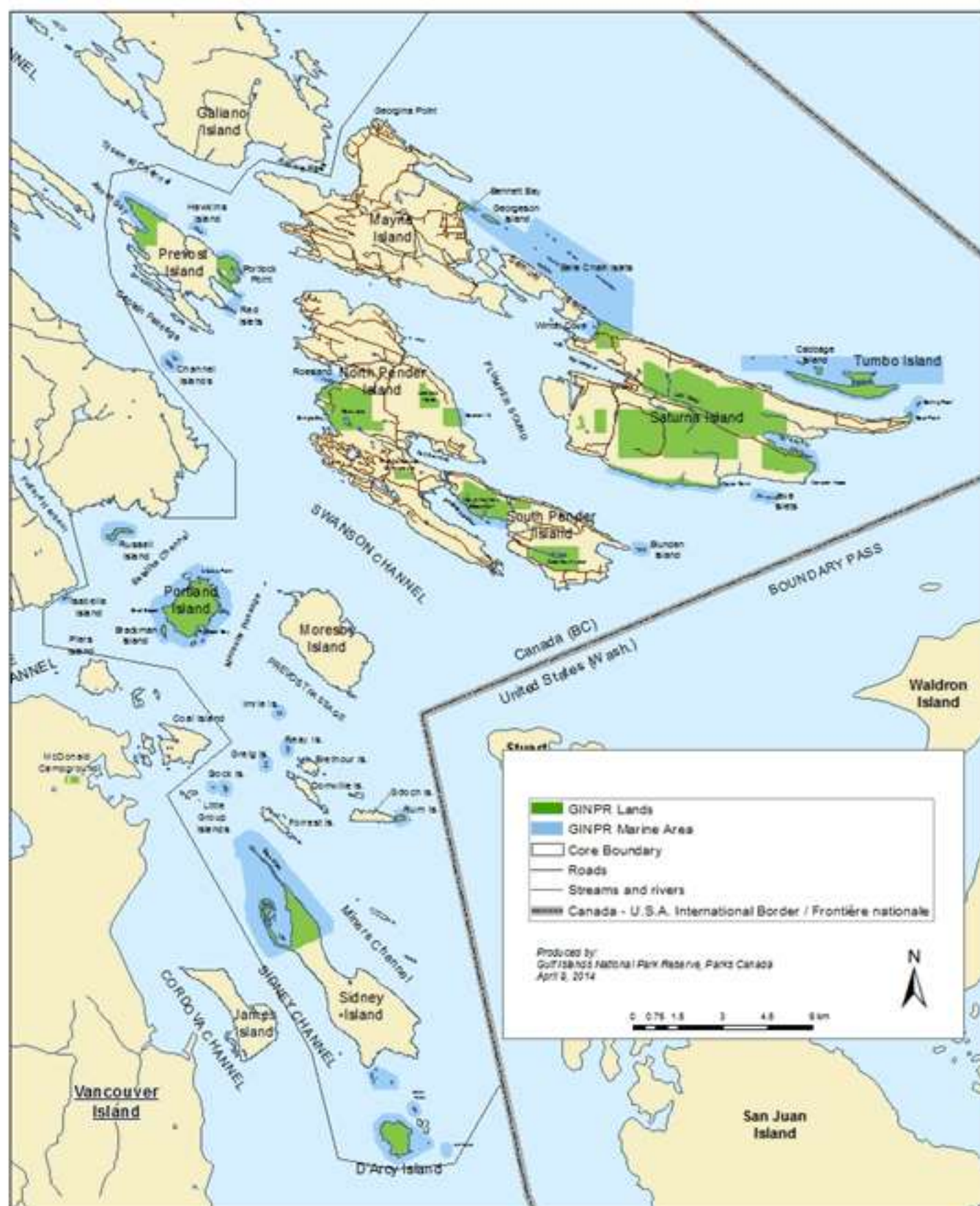
The Challenge Ahead

- Access to land is access to culture
- Crown reconciliation processes are too slow
- Approx. 80% of land within territory in private ownership
- Constant risk of further subdivision
- Need land back now



Gulf Islands National Park Reserve

- Established 2003, with no consultation
- First Nations told that “Reserve” classification means the claims for underlying title continue
- In reality, First Nations are now unlikely to get the land back through negotiations without heavily restrictive covenants





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WSÁNEĆ Leadership Council Established



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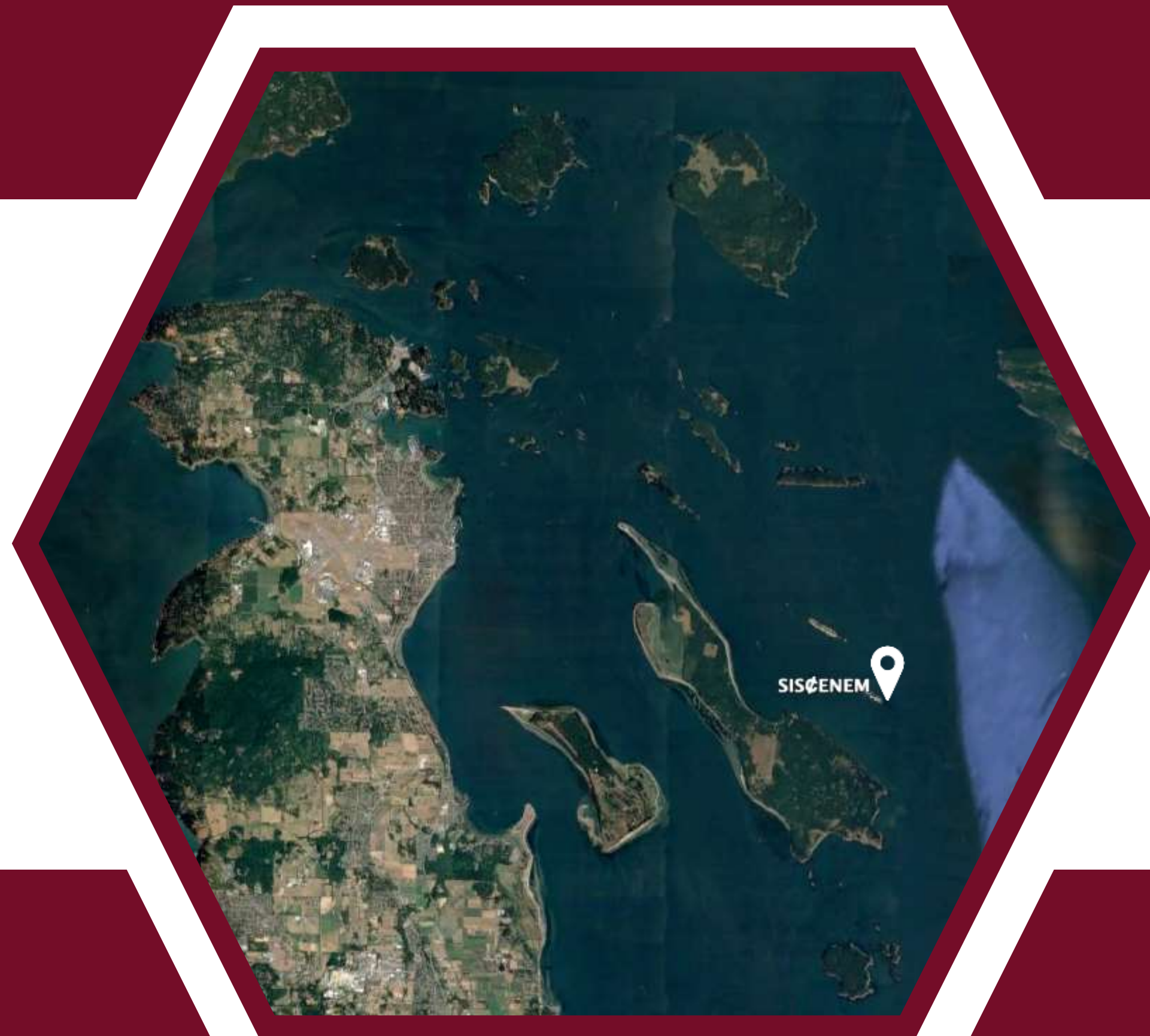
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SISØENEM

Halibut Island



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- 9.67 acre island up for sale
- Dr. Tara Martin (UBC), The Land Conservancy BC and private donors
- First agreement between Canadian Land Trust and First Nations Org for conservation land return
- Working on agreeing covenant, conservation plan and clean up



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- First Nations can't own freehold land
- Charities can only transfer to other charities
- WSÁNEĆ Leadership Council's purposes too broad for Charitable purposes

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Established



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Purposes

- hold lands in trust for the benefit of WSÁNEĆ (the emerging people);
- establish and maintain spaces for the sustainable exercise and enjoyment of WSÁNEĆ rights and title and Douglas treaty rights;
- protect and care for sites of ecological, historic, and cultural value on behalf of all future generations, in order to:
 - protect and care for the natural and cultural heritage of WSÁNEĆ,
 - further reconciliation,
 - honour the Douglas treaties, and
 - respect WSÁNEĆ rights and title; and
- for the attainment of the above objectives, to seek and receive donations of money, land and other property for the purposes of the Society



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Becoming Charitable



- Directors can't be paid for services as Directors
- Directors have to be up to date with their Taxes
- Reporting requirements to the Crown for 'owning' WSÁNEĆ land

Economic, cultural, emotional and spiritual cost

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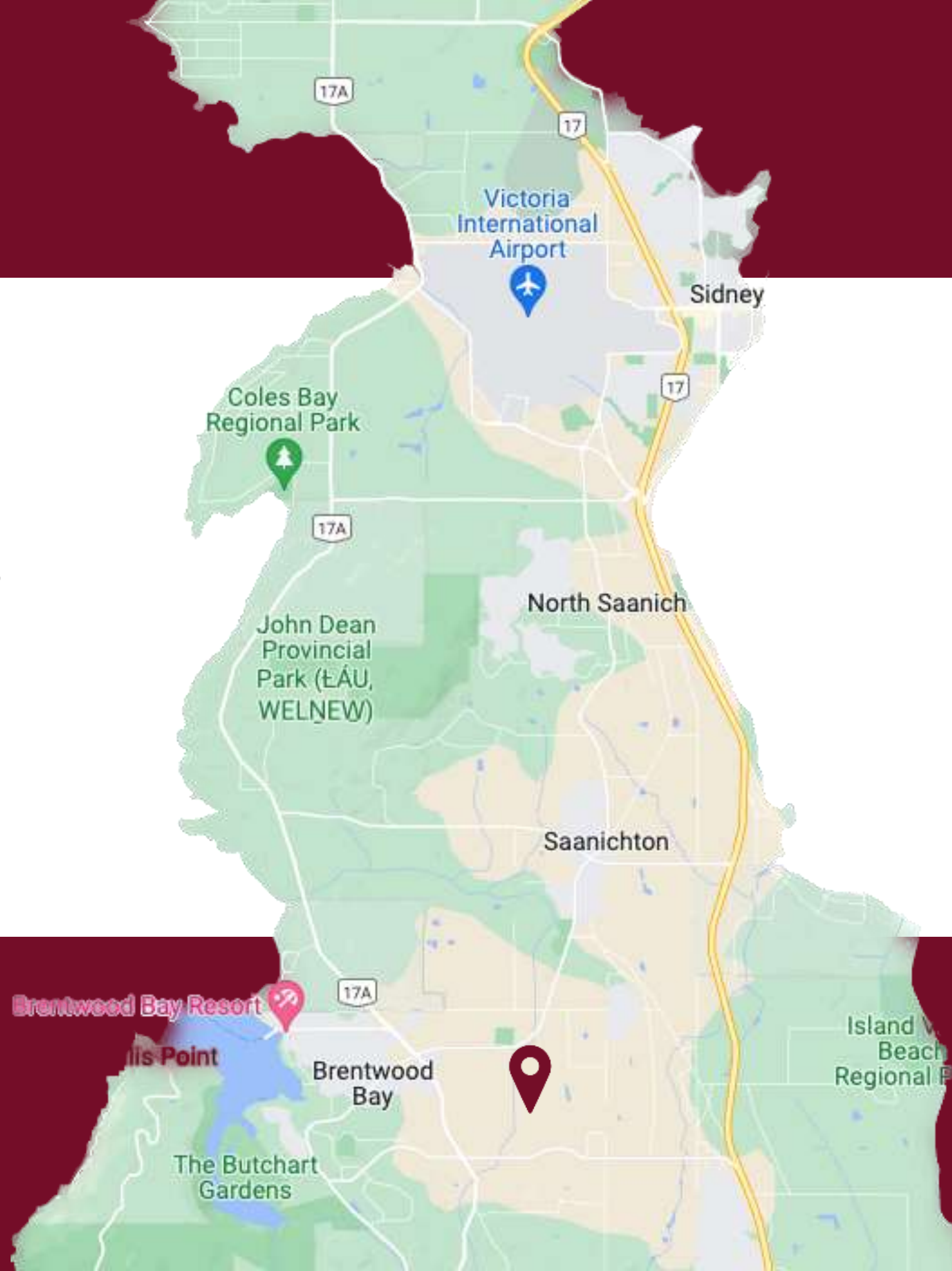
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TIKEL

Maber Flats



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- 45.7 acres of former wetland, drained
- Burglund Family and Habitat Acquisition Trust
- First Ecological Gift Program transfer to an Indigenous Organization in Canada
- Must be restored and maintained as ecologically sensitive land in perpetuity





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Ecological Gifts Program



- Proof of Ecological sensitivity
- Recipient must:
 - be approved by ECCC
 - maintain the ecological value in perpetuity
- Donor gets tax advantages
- Unauthorized changes attract tax penalties

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Ecological Gifts Program



EGP is not generally ideal for Land Return

➤ However, in this instance it:

- enabled a transfer by providing necessary tax advantages
- Aligned with what WSÁNEĆ want for the land
- Has been well facilitated by the ECCC - worked with WSÁNEĆ to understand world view in a positive way

Some additional education / alignment work – but very positive

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What is next?





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Internal Build

- Build Funding Strategy:
 - ŁENENITEL Project (Raincoast Conservation Foundation)
- Build Land Acquisition Strategy:
 - Identifying barriers and pathways for land return (Vic Uni Law Students)
 - Identifying priorities of WSÁNEĆ for land return
- Align WLTS arrangements with SKÁLS
 - Review LTA standards and practices against WSÁNEĆ SKÁLS and identify best policy approach (Vic Uni Law Students)
- Dedicated Capacity
 - Grant Applications, donations

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**THANK
YOU**