

Cabin Construction on Crown Land



Community. Leadership. Pride.

**Policy
2020-02**

	AUTHORIZED BY	yílmix ^w m na?ł yi səx ^w k ^w ínma?m/Chief and Council
	EFFECTIVE DATE	2020-10-06
	DEPARTMENT	Intergovernmental Affairs/Title & Rights
	REVIEW DUE DATE	2023-10-06

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1. Policy

stqá?tk^w4niw^t sqilx^w/Westbank First Nation (WFN) has never ceded, surrendered, or in any way relinquished Aboriginal Title and will continue to assert its interests and exercise its Aboriginal rights over the traditional territory, and specifically over its Area of Responsibility. Constructing Cabins on Crown Land enables WFN Members (Members) to use those lands for traditional practises and activities, while acting as responsible stewards of the tmx^wula?x^w/land.

2. Purpose

This Policy outlines the requirements associated with constructing, using, and monitoring Cabins on Crown Land to ensure they are constructed and used in a responsible and sustainable manner.

3. Scope

This Policy applies to yí səx^wk^wínma?m^í/Council, səx^wk^wúlm/Workers responsible for administering this Policy, Member Builders, and Members.

- a) Cabins constructed on Crown Land must;
 - i. Be located;
 - 1) Within the traditional territory of the Okanagan Nation Alliance,
 - 2) In an area historically used for the traditional practises for which a particular Cabin is constructed,
 - 3) In an area not subject to any exclusive use, Crown tenures or any Crown tenures for the purposes of which are inconsistent with the traditional practices to be observed by other cabin users; and
 - 4) On a site for which an archaeological assessment has been pre-approved by the Archaeology Supervisor or designate,
 - ii. Be based on a site plan that has been assessed by and received a recommendation from the WFN Conservation Officer or designate,
 - iii. Be constructed out of timber harvested in WFN's Area of Responsibility,
 - iv. Be available for use by all Members,
 - v. Provide a base from which Members can exercise traditional hunting and fishing practises in an expeditionary manner; and
 - vi. Be used in a manner that is not;

6. Definitions

“Aboriginal Title” means a unique collective right to the use of, and jurisdiction over, an indigenous group’s traditional territory.

“Area of Responsibility” means WFN’s recognized area of responsibility within the broader Okanagan Nation Alliance traditional territory.

“Cabin” means a dwelling constructed of timber and used to facilitate the practise of traditional activities of cultural or spiritual significance including, but not limited to, hunting, fishing, and food gathering.

“Crown” means the Crown in right of Canada or British Columbia, their cabinets, ministries, Crown corporations, their agencies, employees and contracted agents, representatives and delegates for the purpose of the duties of consultation and accommodation.

“Crown Land” means lands where title is vested in the Crown, whether or not it is covered by water.

“Member Builder” means a Member who seeks and is granted WFN support for the construction of a Cabin on Crown Land;

“WFN Conservation Officer” means a person appointed as a B. C. Conservation Officer and assigned to provide service to WFN.

“Worker” (səx^wk^wu^lm) means any employee, volunteer, contractor, client, or other visitor who performs tasks on behalf of WFN at any WFN Workplace through a formal arrangement including, but not limited to, an employment agreement, contract, or approved Volunteer application.

7. Cultural Context

skáytan (October) Moon of the autumn, leaves, and dry grass.

sk’əlwístən (September) Moon of the spawning fish.

səx^wk^wu^lm (Worker) The literal translation of səx^wk^wu^lm is “the person responsible for” (səx^w) “to work, fix, or create (k^wu^l). The root of səx^wk^wu^lm comes from k^wlncutn, the word for “Creator”. WFN’s Workers are, in a sense, creators, working to create important and valuable programs, services, and tools, and to solve issues as they arise, in order to ensure a productive, excellent, and fruitful government and community. The word also denotes value. Originating from the Creator, WFN’s Workers have inherent value and are to be treated as such - by their supervisors, colleagues, and clients.

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səx^wk^wulm^í k^í y^say^sat (Director of Operations) The Director of Operations is the Worker who is over (k^í) everyone (y^say^sat). Through their team of managers and directors, they oversee all WFN's Workers.

stqá?tk^wniwt sqilx^w (Westbank First Nation) The people (sqilx^w) living where wind blows (niwt) and forms swamps or puddles alongside a large lake (stqá?tk^w). Being a windy area, the winds would wash along the shore creating puddles which would either seep into the land, creating wet, marshy areas or wash back into the lake.

tm^xw^úla?x^w (Land) Includes all the relationships that exist on the land base.

yí səx^wk^wínma?m^í (Council) Those who have been chosen by the people to be responsible for (səx^w) working (k^w) to oversee things (ínma?m^í). Traditionally, yi səx^wk^wina?məm were chosen to oversee hunting and fishing or to serve as police officer but the term has now been broadened to incorporate the oversight of government.

y^ílmix^wm na? yi səx^wk^wínma?m^í (Chief and Council) The Chief of WFN has been chosen by the people to be the overall manager or leader (y^ílmix^wm) of WFN. This leadership position is one of servanthood and self-sacrifice. y^ílmix^wm's willingness to lead by example through lifestyle, experience, and wisdom sets the example for yi səx^wk^wínma?m^í – the other members of Council - who have also been chosen by the people to be responsible for (səx^w) working (k^w) to oversee things (ínma?m^í). In seeking to lead well, y^ílmix^wm na? səx^wk^wina?məm are dependent on each other's willingness to sacrifice for the good of others. Traditionally, yi səx^wk^wínma?m^í were those chosen to oversee hunting and fishing or to serve as a sort of enforcer of community laws but the term has now been broadened to incorporate the oversight of government. "na?" is simply the n^syilxcⁿ term for "and".

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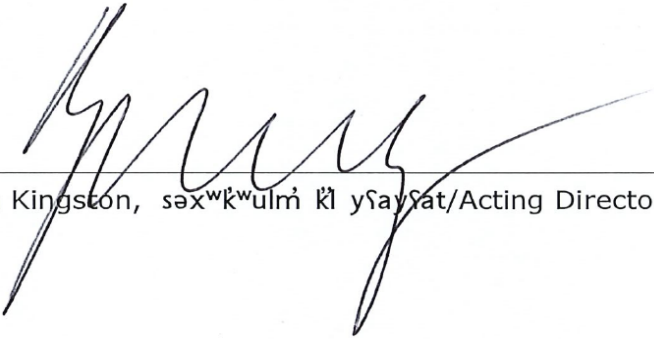


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8. Approval

This policy was approved by Council resolution #200921-03 on the 21st day of sk'əlwístən/September, 2020 and signed by the Acting Director of Operations on the 6th day of skaytan/October, 2020.



Kevin Kingston, səx^wk^wulm̓ k̓l yḡayḡat/Acting Director of Operations

9. References and Related Authorities

[Westbank First Nation Self-Government Agreement](#)

[WFN Government Strategic Plan 2019-2022](#)

WFN Governance

[Westbank First Nation Constitution](#)

[Policy 2015-01 Governance Instrument Creation, Review, and Approval](#)

10. Attachments

Appendix A- Crown Land Cabin Construction Assessment


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Appendix A- Crown Land Cabin Construction Assessment

 <p>Crown Land Cabin Construction Assessment <i>To be completed by the Archaeology Supervisor and Conservation Officer in accordance with Policy 2020-02 Cabin Construction on Crown Land.</i></p> <p style="text-align: center;"><i>Community. Leadership. Pride.</i></p>	
Site Location Information	
Location:	
Name and Title:	
Date of assessment:	
Assessment Recommendation	
Recommendation to proceed: <input type="checkbox"/> Yes <input type="checkbox"/> No	
Details on assessment recommendation:	
Authorization Signature	
Assessor Signature:	Date:
<p><i>Forward the completed form to the Manager, Intergovernmental Affairs & Title and Rights.</i></p> <input type="checkbox"/> Completed form sent via email <input type="checkbox"/> Completed form sent via hardcopy (in person, or interoffice mail)	
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