

N'QUATQUA

# Traditional Territory Land Use Plan





# Introduction

## OUR TERRITORY

This is our land, which has sustained our Nation since time immemorial:

“

*We are the rightful owners of our tribal territory, and everything pertaining thereto.*

*We have always lived in our country; at no time have we deserted it, or left it to others. (1911 Lillooet Declaration).*

Since the arrival of non-indigenous peoples to our lands, we have seen the lands and resources exploited in a manner that threatens its long-term health and sustainability. As stewards of the land, it is our obligation to protect and preserve the lands and resources for future generations.

This Traditional Territory Land Use Plan (TTLUP or the Plan) is the first step in reasserting our rights and influence over our lands; in sharing our story and knowledge with those who visit, inhabit, and benefit from our lands; and in establishing a clear set of principles and guidelines for engagement and decision-making regarding the use of our lands.

By developing and sharing this Plan, N'Quatqua is taking an active and vital role in ensuring a vibrant future for the people, plants, animals, waters, and minerals of our Territory.

## OUR PLAN

This Plan was developed to:

- Share knowledge and build understanding;
- Establish principles of decision-making that reflect the values of the N'Quatqua community;
- Serve as a reference for users of the Territory; and
- Serve as tool for decision making for N'Quatqua staff and the Nation.

## TOOL FOR UNDERSTANDING AND ENGAGEMENT

This plan reflects the community's history, values, and vision and is an important guide to understanding N'Quatqua and its Territory. The TTLUP speaks to the importance of engaging N'Quatqua membership in territorial land and resources governance processes, and efforts that will be made by Chief and Council, and Lands Office staff to ensure membership have the opportunity to participate, learn and influence land and resource proposals and operations. N'Quatqua strongly encourages all government stakeholders and third-parties to review this strategy prior to engaging N'Quatqua First Nation in land and resource related discussions. Doing so will lead to more productive and collaborative discussions that support our mutual interests.

## TOOL FOR DECISION MAKING

This Plan is a foundational community resource to facilitate land and resource governance, and to advance the Nation's interests and priorities throughout the Traditional Territory (the Territory). The Plan is primarily a tool for band staff and Council to guide N'Quatqua's decision-making on:

- The types of activities the Nation pursues within the Territory; and
- How it responds to referrals from industry and government regarding proposed activities in the Territory.

As N'Quatqua's First TTLUP, this Plan is intended to set a decision-making framework that may evolve over time to respond to the Nation's and the Territory's needs. It is recommended that this Plan be updated from time-to-time to ensure it reflects changing resource pressures and community needs.

## Stewards of the Land

At the core of this Plan, is the concept of land stewardship. Stewardship is the careful and responsible management of lands and resources and N'Quatqua Members are stewards of their territory. Participants established the following statement to guide our stewardship of the territory:

“ Protecting traditional and natural resources and our watersheds for future generations from people and industry. ”

This stewardship statement reflects N'Quatqua's prioritization of wildlife above all other inhabitants and users of the territory such as people and industry. As such, N'Quatqua Traditional Territory is not to the exclusion of people or industry, but rather a means of assessing if proposed activities are acceptable in that they must not significantly disturb or displace traditional and natural resources such as wildlife and critical habitat.

## Planning Process

This Plan was developed through close consultation with the N'Quatqua community. It was an opportunity for the N'Quatqua community to:

- Come together to share stories and learn more about its lands.
- Establish a community vision and goals for its lands and resources.
- Develop guidelines for the use of its lands consistent with N'Quatqua's values.
- Speak with one voice.
- Provide community direction for Lands Department.

This process included three half-day meetings with the Community Working Group from May – October 2017 and a community-wide meeting in December 2017. Key themes of the workshops included: (1) understanding the territory; (2) defining the territory; and (3) guiding the territory. This process involved GIS mapping, reviewing traditional information, and conversations.

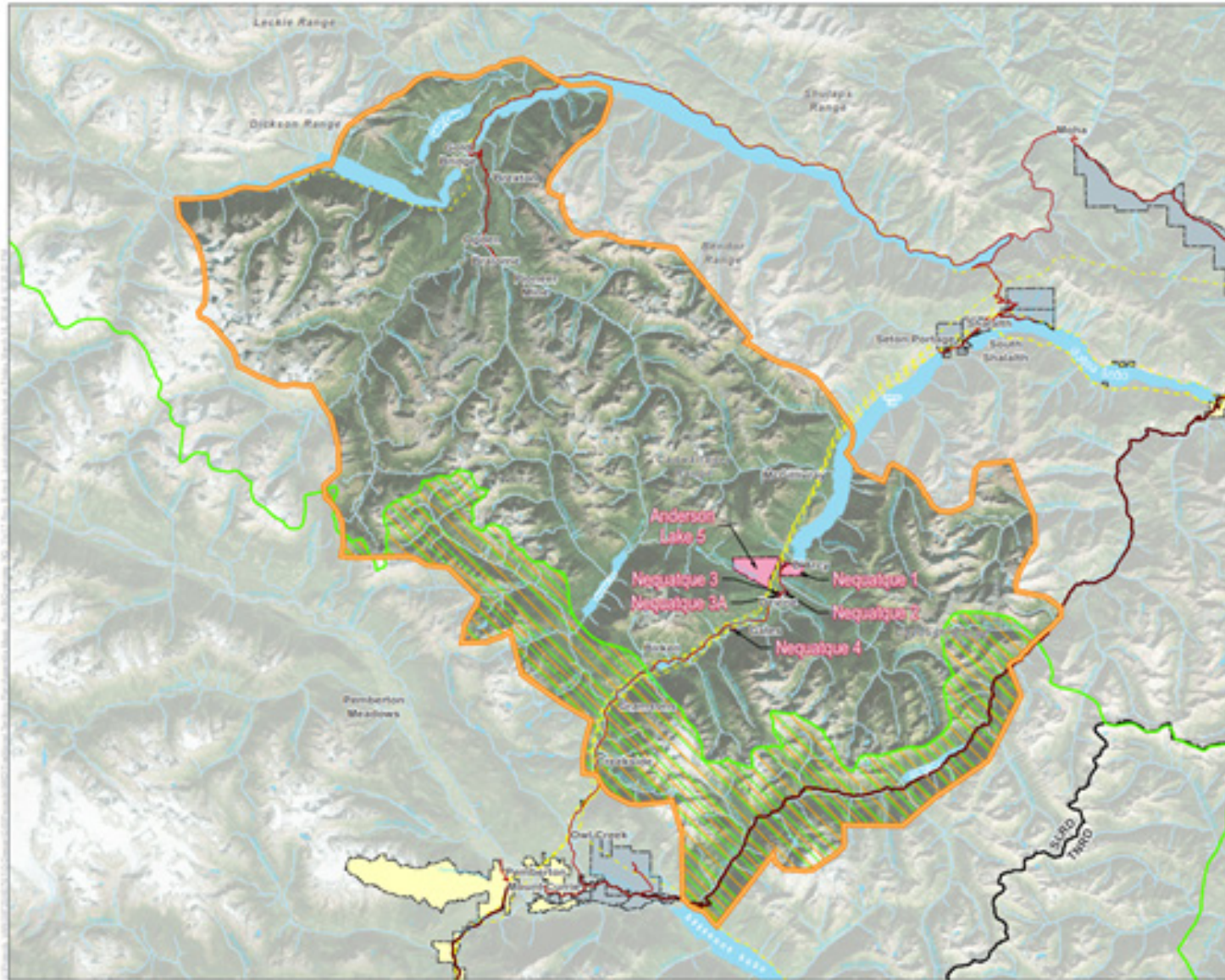


# The Territory, Its History, and Traditional Uses

## CONSULTATION AREA

The N'Quatqua Traditional Territory extends 220,404 hectares from Duffey Lake to Gun Lake within a geographical plateau on the eastern side of the Coast / Cascade Mountains. The Territory is home to five N'Quatqua Reservations (IRs) as well as many important traditional, ecological and cultural resources and knowledge. Half of N'Quatqua First Nation members live on IR 1, which is adjacent to the village of D'Arcy on Anderson Lake, 47 km north of Pemberton.

The Territory is experiencing continued industrial development activities, resource extraction and recreation tourism. This affects N'Quatqua directly through increased pressures on the land base, an expanding disturbance footprint, displacement of natural resources such as forests, fish and wildlife, and can put drinking water sources at risk.





**N'Quatqua First Nation**  
**Traditional Territory Plan**  
**Overview**

- ▭ Traditional Territory (2017 Contested)
- ▭ L'N'at Traditional Territory
- ▨ Collaborative Management Area
- ▭ Regional District Boundary
- ▭ Municipalities
- ▭ N'Quatqua Reserves
- ▭ Other IPAs
- ▭ Lakes
- ▭ Streams
- ▭ BC Hydro Circuit

The accuracy and completeness of information shown on this drawing is not guaranteed. It will be the responsibility of the user of the information shown on this drawing to locate and establish the precise location of all existing information whether shown or not.

0 2.5 5 10 15  
Kilometers

Coordinate System: NAD 1983 UTM Zone 10N  
Scale: 1:50000 (when plotted at 11x17")

Data Sources:  
 - Data BC (2016)  
 - ICIS (2016)  
 - AUCAN (2016)  
 - N'Quatqua (2015-2017)  
 - MOF (2016)

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**FIGURE 00**



The territory boundary has been drawn in different ways over time based on historical and current use and occupancy. In the TTLUP, these uses and occupancy boundaries have been integrated into a comprehensive updated boundary. Figure XX shows where our Traditional Territory overlaps with neighbouring Lil'wat Nation. Land management in this area of overlap will require additional collaboration with Lil'wat.

## TRADITIONAL USE, KNOWLEDGE AND RESOURCES

The watersheds within the Traditional Territory were occupied and used by N'Quatqua long before the arrival of non-Indigenous people. N'Quatqua's knowledge and use of the territory remains strong despite the changes that have occurred to the landscape and traditional economy since the 19th century. The In-SHUCK-CH N'Quatqua Traditional Use Study (2003) documents some of these changes and provides insight into the historical and current land uses and occupancy of the Traditional Territory. Future use of the Territory must consider the impacts on the lands and resources. Traditional use sites within the Territory include:

- Habitation sites
- Fish harvesting sites
- Hunting areas
- Plant resource and gathering areas
- Traplines and trapping areas
- Trails and travel corridors
- Graveyards and human internments
- Sacred or revered sites

Although these activities have been adapted to changes occurring throughout the region over the last two centuries, N'Quatqua continues to organize these activities according to season (the seasonal round). Future use of the Territory must consider the seasonal impacts on the lands and resources.

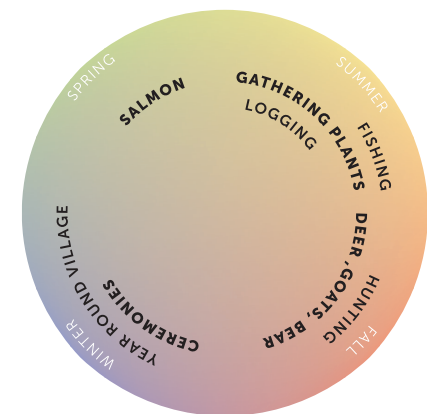
The In-SHUCK-CH N'Quatqua Traditional Use Study documents N'Quatqua's extensive use, modification and maintenance of the watersheds throughout the Traditional Territory in order to



*In-SHUCK-ch N'Quat'qua  
Traditional Resource Use 1800*



*In-SHUCK-ch N'Quat'qua  
Traditional Resource Use 1900*



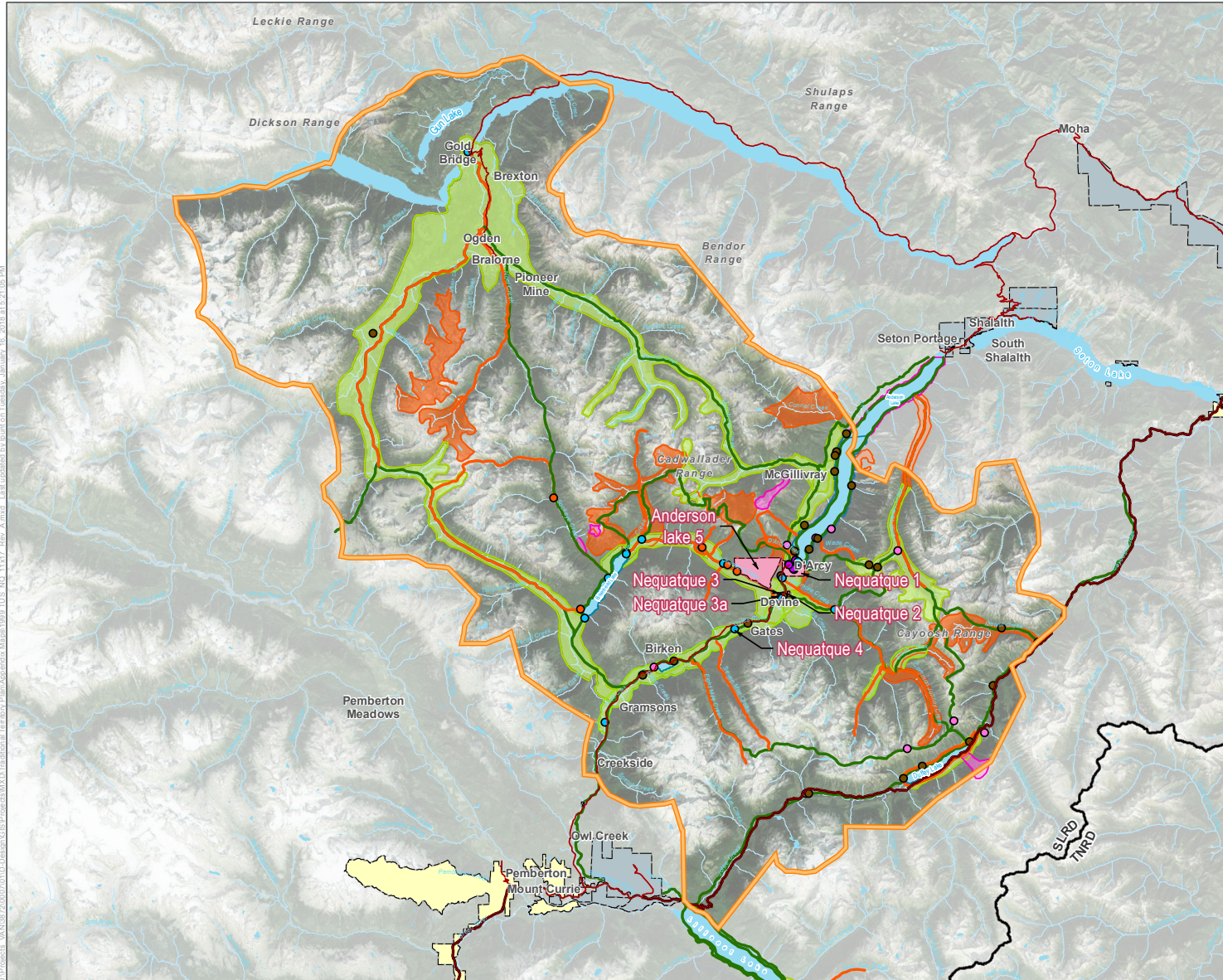
*In-SHUCK-ch N'Quat'qua  
Traditional Resource Use 2000*

influence resource productivity. The watersheds surrounding Anderson Lake and the adjacent highlands area have primarily been used for fishing and hunting respectively. These areas include the Gates River, and the creeks running into Birkenhead Lake, Little Blackwater Lake, Blackwater Creek, Haylmore, Spruce Creek, Cayoosh Creek, Duffey Lake, and Lillooet Lake. Key species harvested in these areas include salmon, mule deer and black-tail deer, which are supplemented with mountain goat and black bear in the winter. To a lesser extent, fowl (birds such as ducks and grouse), and other animals such as moose and marmot are all harvested by N'Quatqua. Food plants such as berries and mushrooms were harvested extensively throughout the territory. Registered traplines also exist in the territory. The highlands between Anderson Lake and Birkenhead Lake, and between Anderson Lake and Duffey Lake via Phelix Creek, Lost Valley and Melvin Creek are particularly important hunting areas. Trails connect these and other adjacent watersheds together, as well as linking N'Quatqua to the coast and to communities along the Fraser River. As the N'Quatqua community grows, so has its use and occupancy of the watersheds surrounding the Duffey, Birkenhead, Anderson, Downton and Carpenter Lakes. Cultural sites used for spiritual quests and sites used by shamans have also been documented in some of these highland areas.

The patterns of use described in the In-SHUCK-CH N'Quatqua Traditional Use Study are reinforced by another map-based traditional use study (See Figure XX) that show extensive use and occupancy that often correspond to watershed sub-basins. These brief summaries are snapshots of N'Quatqua's connection to the land that provide insight to the knowledge and stewardship that N'Quatqua practices throughout its territory. They also serve to reinforce the suitability of a watershed-oriented approach for identifying land use zones and corresponding principles and guidelines. In many cases, watersheds and watercourses define use areas and the trails throughout the territory that provide access to them.

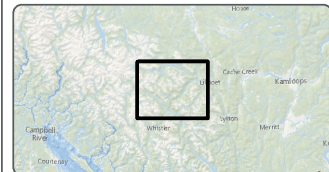
## OTHER DOCUMENTS

- In-SHUCK-ch N'Quatqua Traditional Use Study (2000)
- St'at'imc Preliminary Draft Land Use Plan, Part 1 (2004)
- N'Quatqua Consultation and Accommodation Policy (2015)

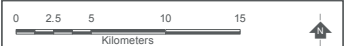


**N'Quatqua First Nation  
Traditional Territory Plan  
1999 TUS Study**

- Traditional Territory (2017 Combined)
- Regional District Boundary
- Municipalities
- N'Quatqua Reserves
- Other IRs
- Lakes
- Streams
- Dwelling
- Fishing
- Gravesite
- Spiritual Site
- Trapping Cabin
- Fishing
- Trail
- Trap Line
- Fishing
- Hunting
- Meeting
- Spiritual Site



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**FIGURE 00**



# State of Our Territory

Our Territory is home to a diverse range of ecosystems that have sustained our Nation for millennia. It also contains increasing impacts from human use. N'Quatqua has conducted extensive mapping of the traditional uses and resources in our territory that informs our vision of land use in this Plan. These maps demonstrate considerable overlap between our activities on the land, and other recreational and economic development activities. The following section provides an overview of the state of our territory in terms of traditional uses, biophysical condition, tenure and economic development.

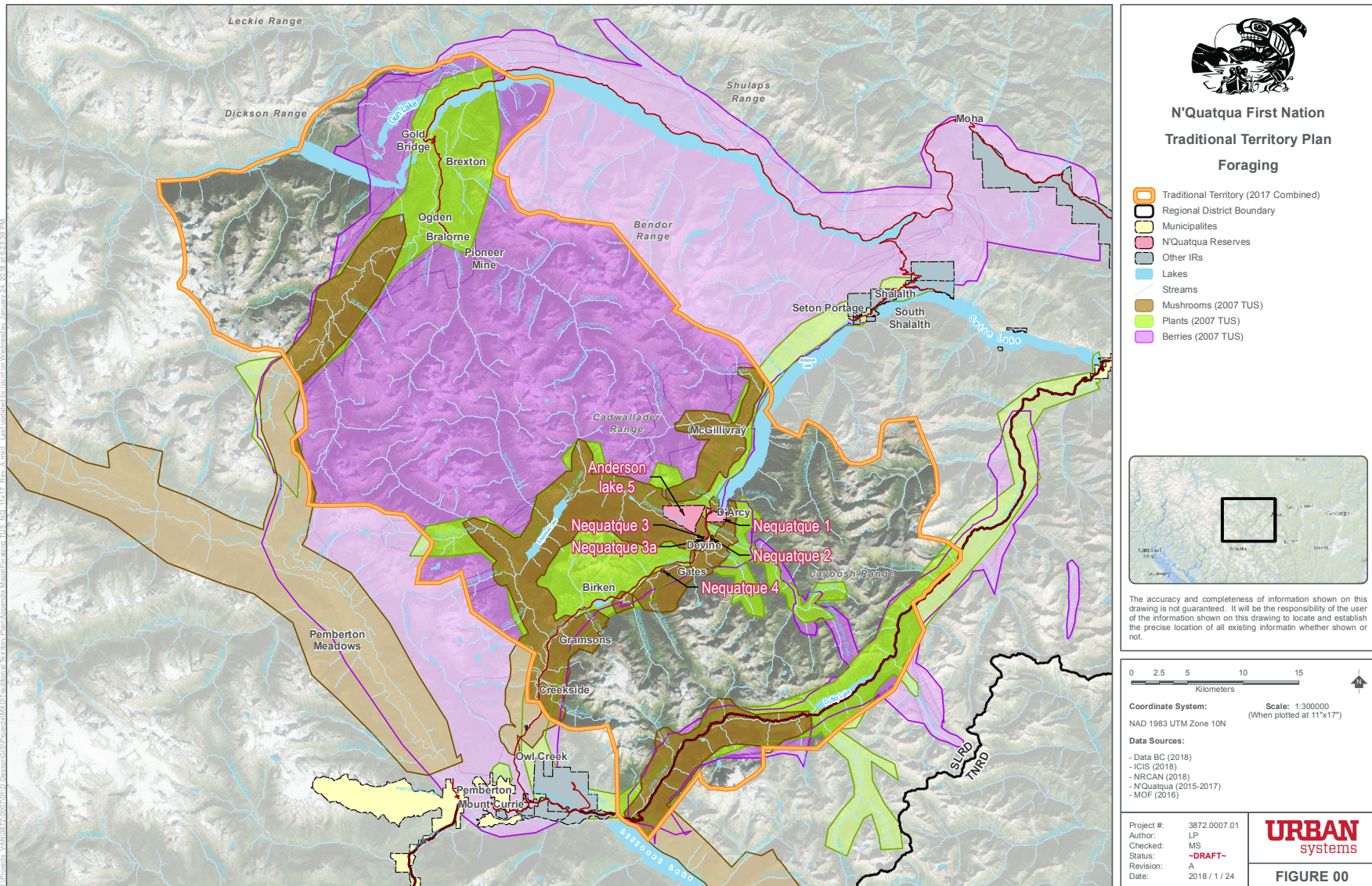
## TRADITIONAL USE

In addition to its 1999 TUS study, N'Quatqua completed mapping of key traditional uses in 2007. This included Foraging, Cultural and Recreational, and Hunting and Fishing uses. While not as detailed as the 1999 data, the 2007 data helps to reinforce the patterns of use identified by N'Quatqua members during the TTLUP planning process and how that should inform future land use planning in the Territory. Overall, this documented traditional use reinforces N'Quatqua's intensive use and connection to Zones A and B, as well as demonstrating the linkages between our community and the broader Territory (Zones C and D).

# FORAGING

Foraging uses includes the plants, berries and mushrooms that members rely on for food or other uses (i.e. medicinal). As illustrated in Figure XXXX, there is a significant concentration of foraging uses in Zone A, such as in-and-around Blackwater Creek,

Birkenhead Lake and the Haylmore Creek corridor that links our reserves to the Duffey Lake valley– three vital watersheds that sustain the Nation. Other key foraging areas include the Hurley river (Zone C) and Duffey Lake (Zone B) valleys.

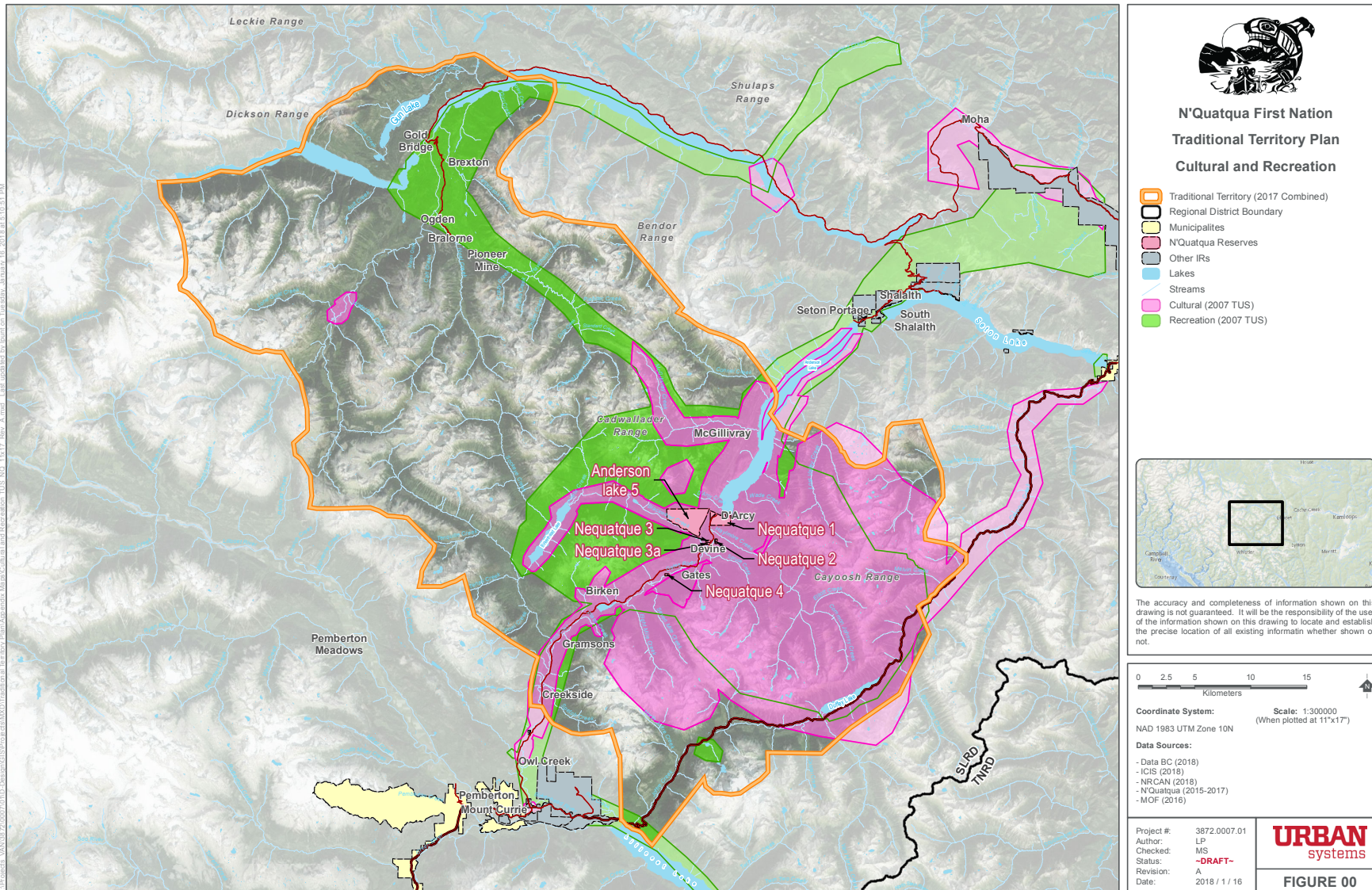


# CULTURE & RECREATION

N'Quatqua members are active users of the Territory relying on it for cultural and recreational uses. Shown in Figure XX, these uses are primarily located in-and-around Zone A, with recreational uses concentrated around Blackwater/Birkenhead and cultural uses concentrated along the key waterways and valleys. Numerous

spiritual sites have been documented in high altitude areas in the Haylmore watershed.

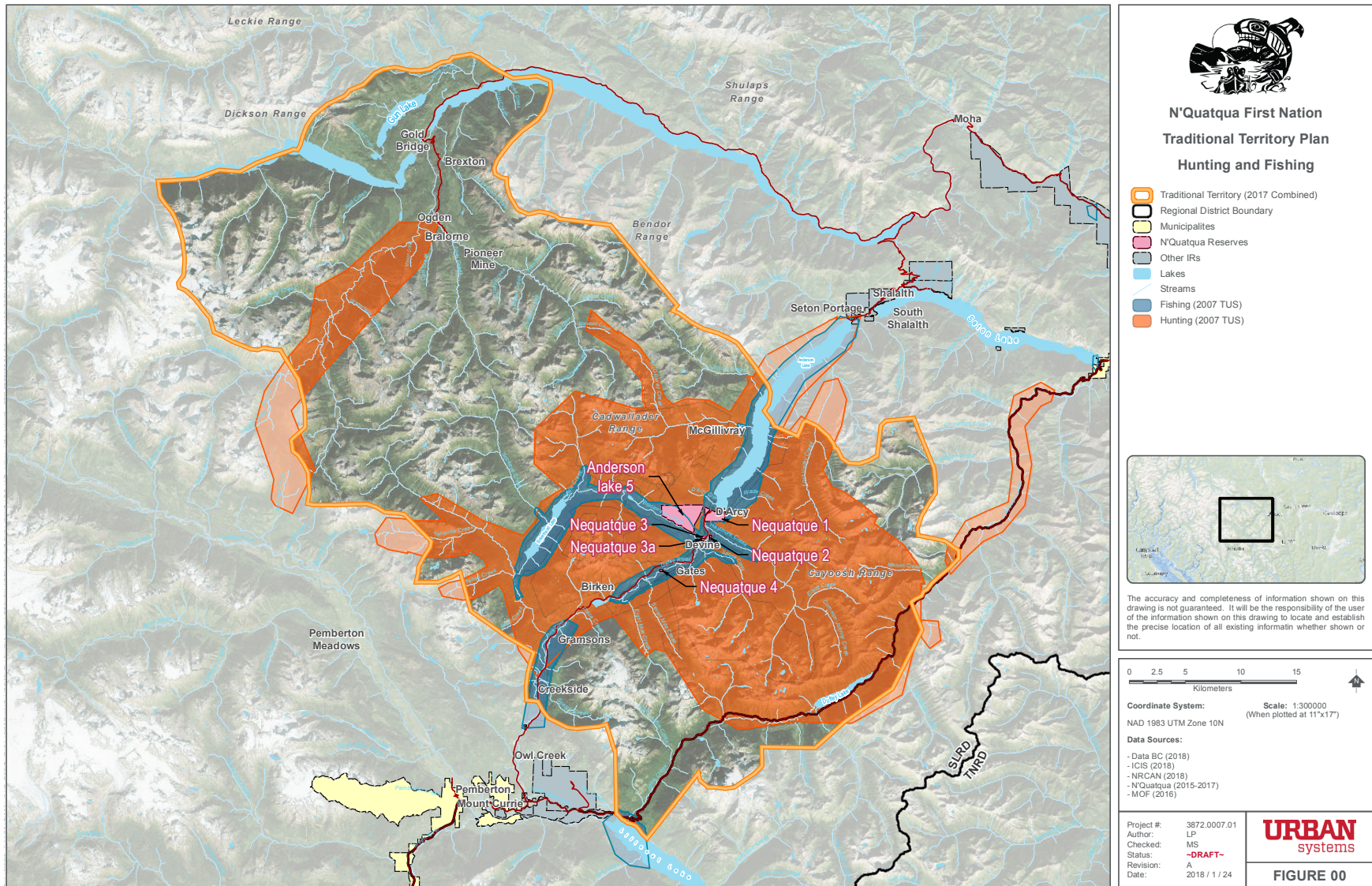
Also illustrated is the importance of key trails that connect N'Quatqua to other areas of the Territory, including the McGillivray trail, Portage Road, the High Line trail, and the Duffey Lake Road.



# HUNTING & FISHING

Hunting and fishing is an essential part of our way of life. Figure XXXX, illustrates the importance of the N'Quatqua Community Watershed in sustaining the wildlife that N'Quatqua hunts and fishes for food. Vital fisheries include Anderson Lake, Birkenhead

Lake, Blackwater Creek, and Gates Creek (Zone A). Key hunting grounds include the valleys surrounding N'Quatqua, including Lost Valley, Haylmore, and Seven / Eight Mile (Zone A and parts of Zone B and C).

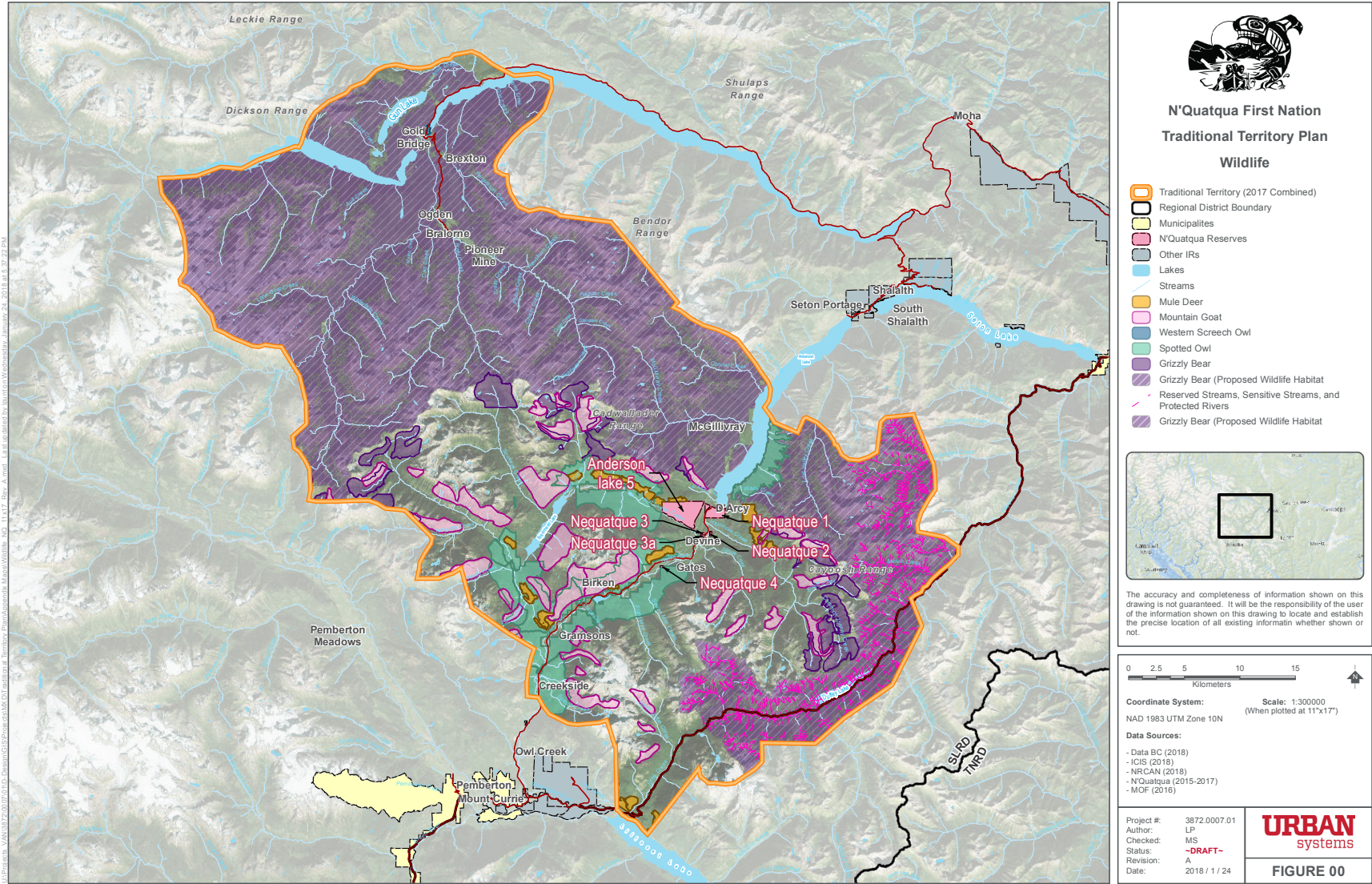




# BIOPHYSICAL

The Territory is home to a diversity of plant, animal, and aquatic life and unique, sensitive ecosystems that must be protected. Figure XX illustrates the key Wildlife and Habitat features within all Zones of our Territory whose protection is of top priority. Key unique habitats occurring locally include:

- Grizzly bear, spotted owl, western screech owl, mule deer, and mountain goat habitat.
- Lakes, rivers, streams
- Salmon and trout
- Pine mushrooms
- Watershed reserves
- Old growth management areas



# HUMAN

In addition to the plant, animal, and aquatic users, there is an increasing presence of non-Indigenous users across most of the Traditional Territory. This includes residential, recreational, and economic uses of the lands. This has resulted in the restriction of N'Quatqua's access to certain lands due to private ownership, while opening access to other lands through the granting of tenures and construction of forest service roads. It has resulted in the heavy impacts of certain areas by industry and residents – impacts that N'Quatqua would like to minimize and mitigate moving forward.

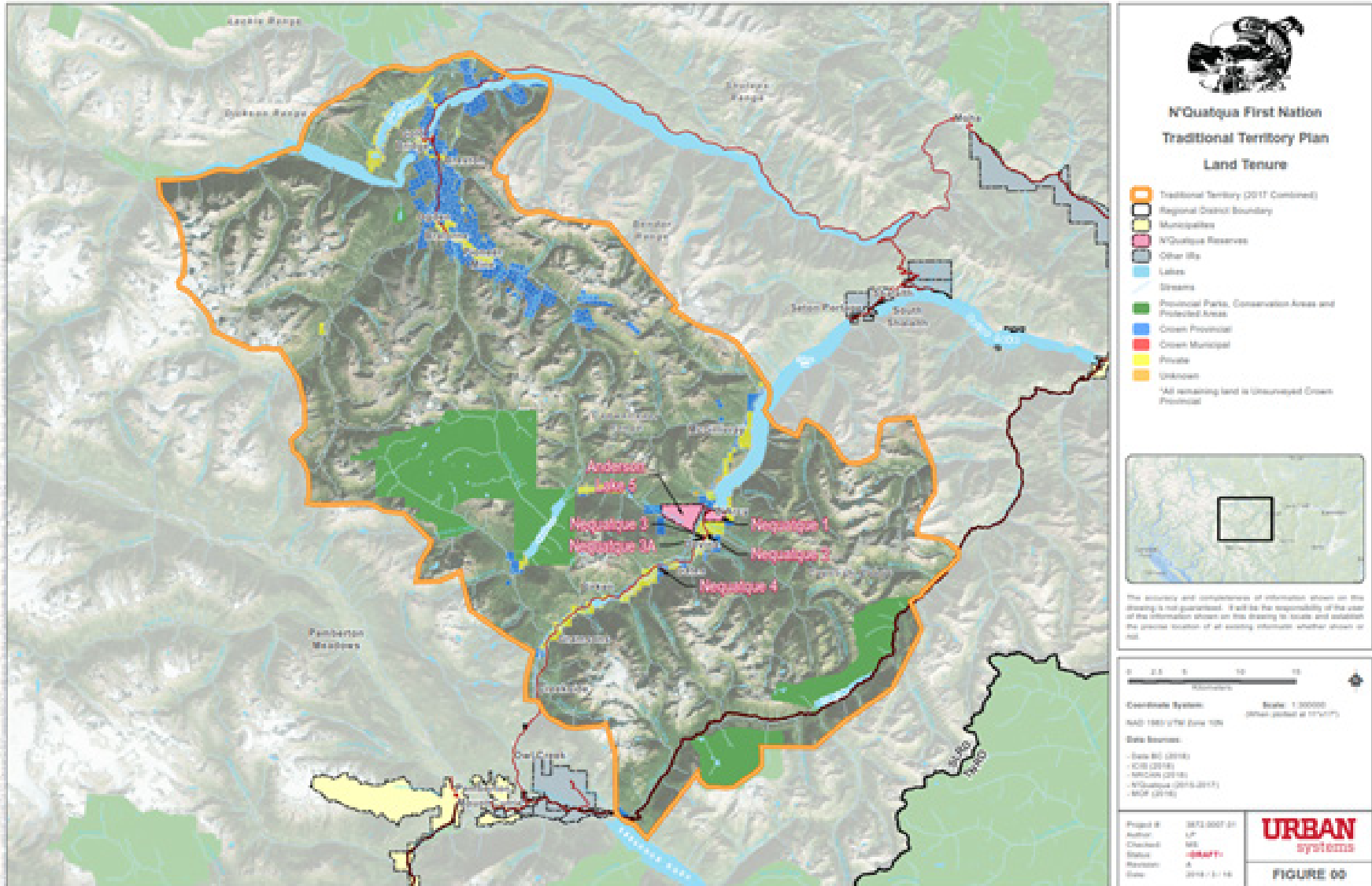
## LAND TENURE / OWNERSHIP

Figure XXXX, illustrates land ownership in the Territory. N'Quatqua's five reserves are located in Zone A. With the majority of the land as Crown land (unsurveyed and surveyed), the Crown has significant influence over the use of lands through the granting of tenures and/or leases. Private ownership is concentrated in the more accessible areas along main roads between Mount Currie and D'Arcy and (Portage Road) and Gold Bridge and Pioneer Mine (Lillooet Pioneer Rd) and along the lakefronts (Anderson Lake, Gun Lake). There is a significant amount of surveyed Crown Provincial land along the McGillivray Trail and around Bralorne and Gold Bridge which are subjected to higher development pressures.

According to N'Quatqua members, the heavy use by private landowners and visitors of the lakefronts has resulted in increased pressures on the aquatic environment and impacted N'Quatqua's ability to conduct traditional activities there (i.e. fishing). Private land ownership has also interfered with N'Quatqua's ability to access important sites within the Territory.

There are three major Provincial Parks located within the Territory – Birkenhead Lake (Zone A), Joffre Lakes and Duffey Lake (Zone B). The area encompassed by Birkenhead Lake Park is of particular importance to N'Quatqua due to its important role as a fishery and for foraging. The high volume of visitors to the Parks has limited members' ability to camp and peacefully enjoy these areas. N'Quatqua has recently approached the Province regarding the co-management of Birkenhead Lake Park.

There is a diverse suite of land owners and users with rights to lands within our Territory, some of which compete directly with the ecosystems found here, and our traditional ways of life. Clearly, all users of our Territory have a shared, vested interest in its long-term health. Effective stewardship of the Territory requires ongoing collaboration between all land owners and users, and for this reason N'Quatqua wishes to engage in co-management of many of the lands and resources here.



# ECONOMIC

Key economic drivers in the Territory involve natural resource extraction and tourism. Natural resource extraction (Figure XX) includes forestry, mining, and the use of water for industrial or commercial purposes. Tourism includes skiing, as well as less monetized uses like quads, skidoo's, etc.

## NATURAL RESOURCE EXTRACTION

### Forestry

Forestry is a major industry in the Territory. The Territory is 'split' between the Cascades and Sea-to-Sky Operating Areas. Figure XX illustrates that the majority of the Territory is licenced for Forestry. The Territory is already heavily impacted by forest access roads, cut blocks and tenures. Areas with the heaviest impacts include the Duffey Lake and Birkenhead River valleys (Zone B); the Hurley River valley and around Bralorne and Gold Bridge (Zone C), and our community watersheds (Zone A). Given the extensive traditional use and sensitive ecosystems in our community watersheds (Zone A), N'Quatqua considers forestry in this area as having the highest potential impacts to N'Quatqua and the environment we rely on.

### Mining

There are several key areas with mineral licence tenures, including areas within our community watersheds. These tenures are concentrated in the Gold Bridge / Bralorne area. This includes the Bralorne Gold mine. There is one mineral tenure in the McGillivray area near Anderson Lake.

### Water Use

There are several key areas with water licence tenures, including areas within our community watersheds. These tenures are for

power generation and other commercial and industrial uses. They are located in the Gold Bridge / Bralorne area, Hurley River, McGillivray Creek and Birkenhead River.

Hydroelectric development is also occurring in our Territory, with the La Joie reservoir-based generating station in our Territory on Downton Lake. Other generating stations are on the Bridge River and Seton Lake.

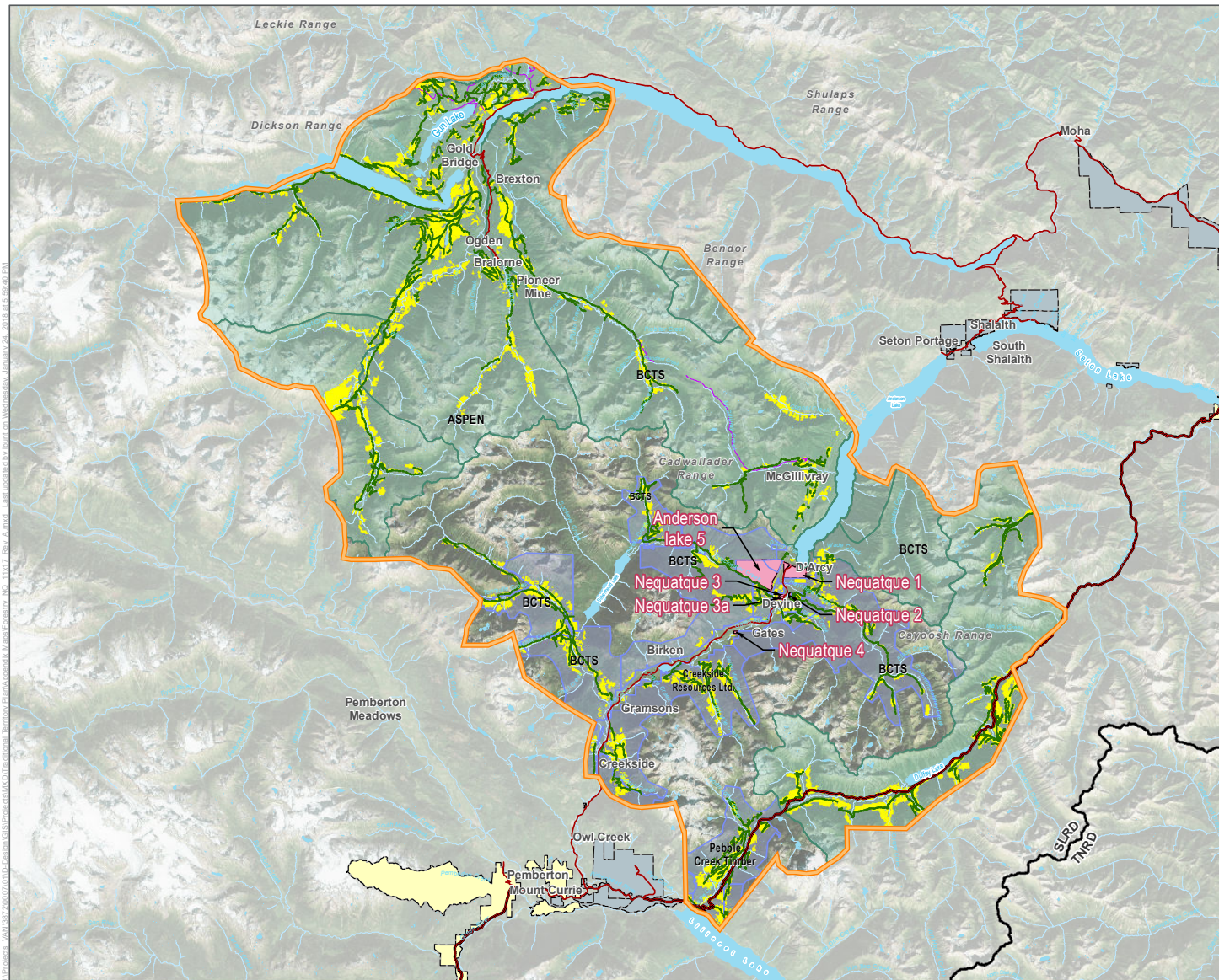
## TENURES

Tenure describes the kind of land ownership that exists throughout the Territory. Tenures often significantly overlap. Two major tenures cover most of our Territory:

- Environment, Conservation and Recreation. This includes fish and wildlife management, watershed and recreation reserves, and heritage archaeological sites.
- Commercial Recreation. This includes adventure tourism such as heli-skiing, snow-mobiling, trail riding, guided tours and forestry operating areas.

## OTHER SIGNIFICANT TENURES INCLUDE:

- Alpine Skiing
- Waterpower and utility corridors (power lines)
- First Nations tenures
- Miscellaneous, which includes planning, marketing and development projects



**N'Quatqua First Nation  
Traditional Territory Plan  
Forestry**

- Traditional Territory (2017 Combined)
- Regional District Boundary
- Municipalities
- N'Quatqua Reserves
- Other IRs
- Lakes
- Streams
- Forest Service Roads
- Range Improvement Lines (Fences, Stock Trails)
- Cascades Operating
- Sea to Sky Operating
- Cut Blocks



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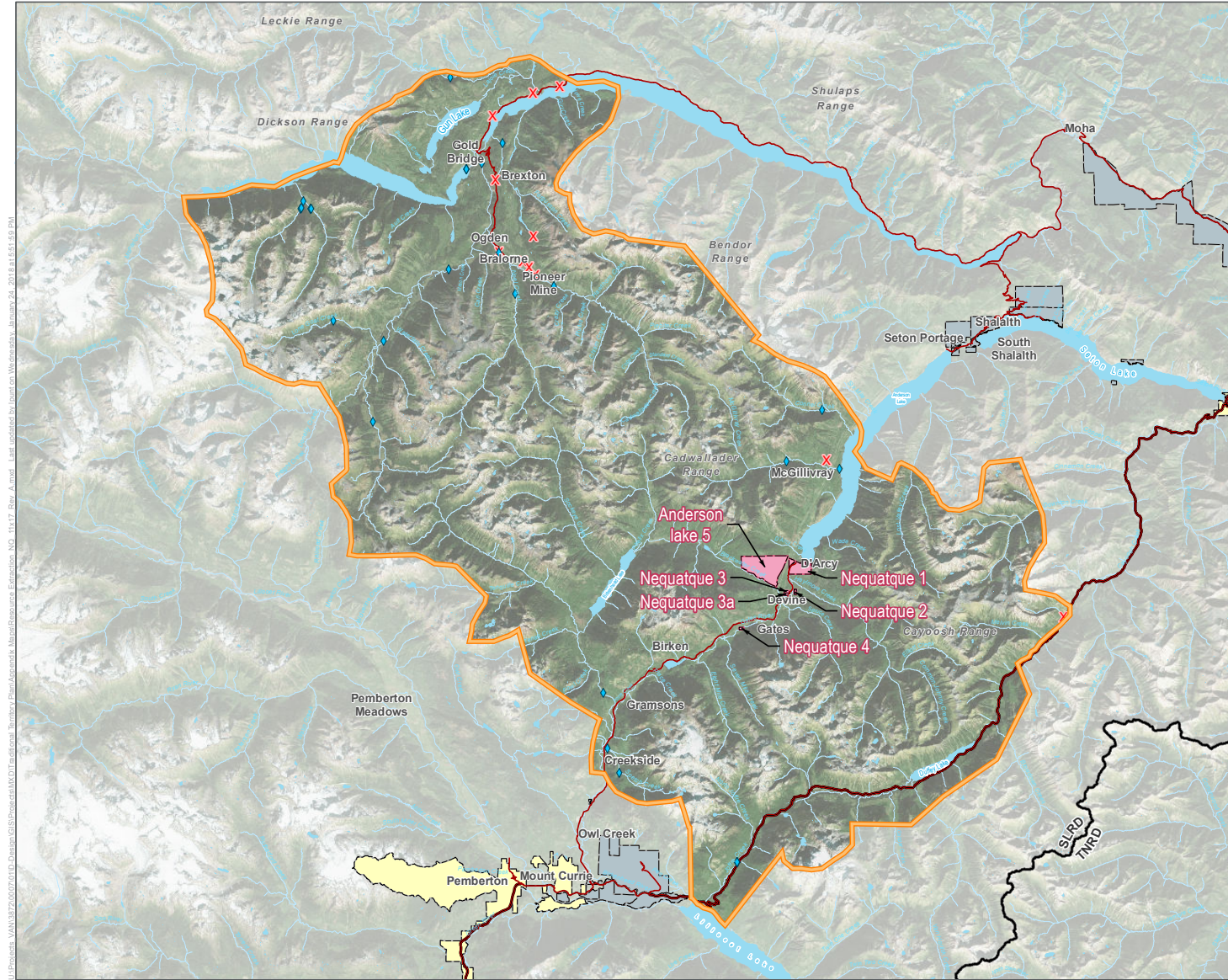
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 Date: 2018 / 1 / 24











**FIGURE 00**






**N'Quatqua First Nation**  
**Traditional Territory Plan**  
**Resource Extraction**


	Traditional Territory (2017 Combined)
	Regional District Boundary
	Municipalities
	N'Quatqua Reserves
	Other IRs
	Lakes
	Streams
	Water Licence (Industrial / Commercial)
	Mineral Tenure

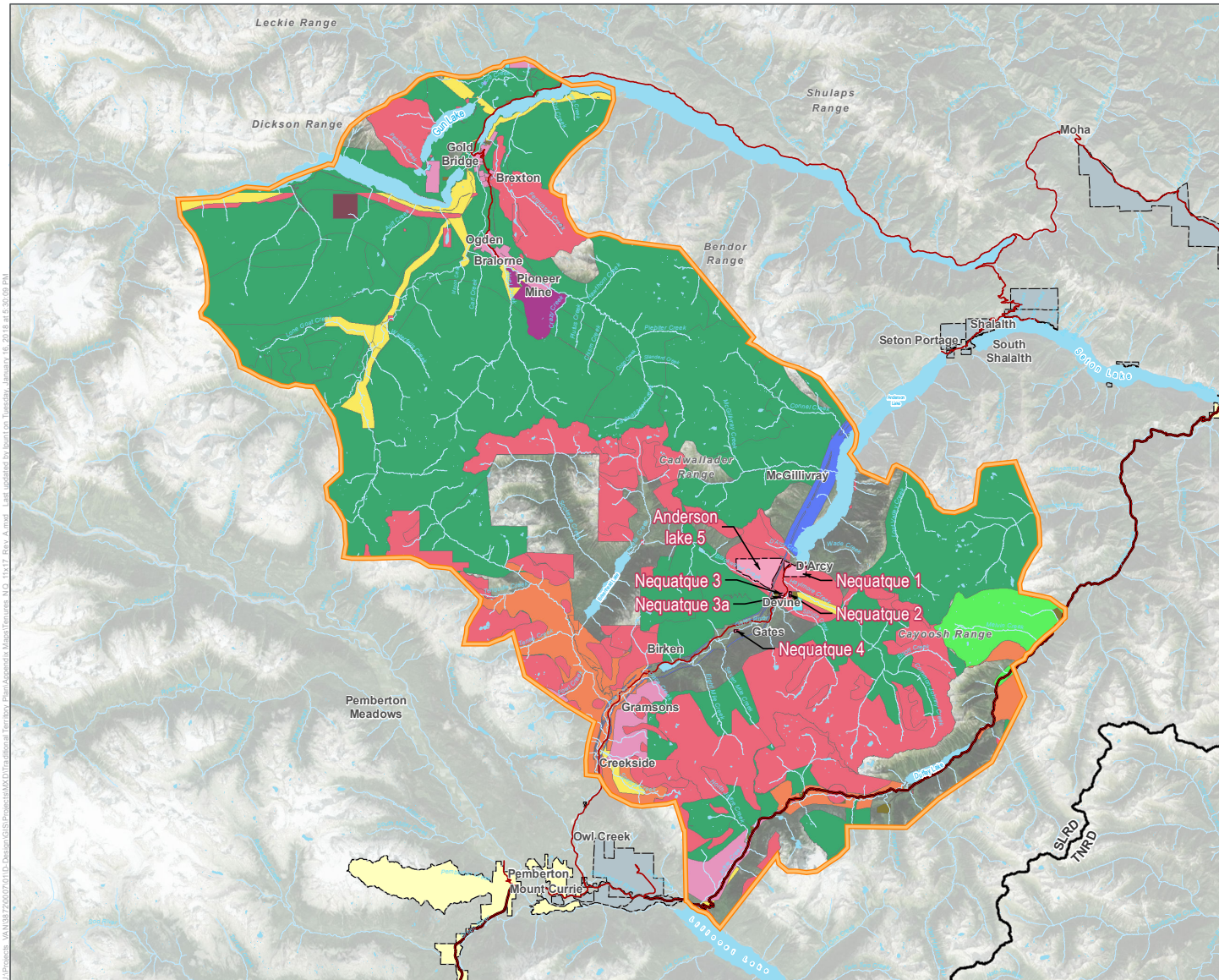


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<b>Data Sources:</b>	
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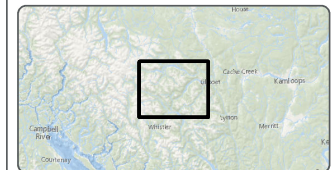
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**N'Quatqua First Nation  
Traditional Territory Plan**

**Tenures**

- Traditional Territory (2017 Combined)
- Regional District Boundary
- Municipalities
- N'Quatqua Reserves
- Other IRs
- Lakes
- Streams
- ALPINE SKIING
- COMMUNITY
- ENVIRONMENT, CONSERVATION, & RECR
- FIRST NATIONS
- INDUSTRIAL
- INSTITUTIONAL
- MISCELLANEOUS LAND USES
- QUARRYING
- RESIDENTIAL
- TRANSPORTATION
- UTILITY
- WATERPOWER



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**FIGURE 00**

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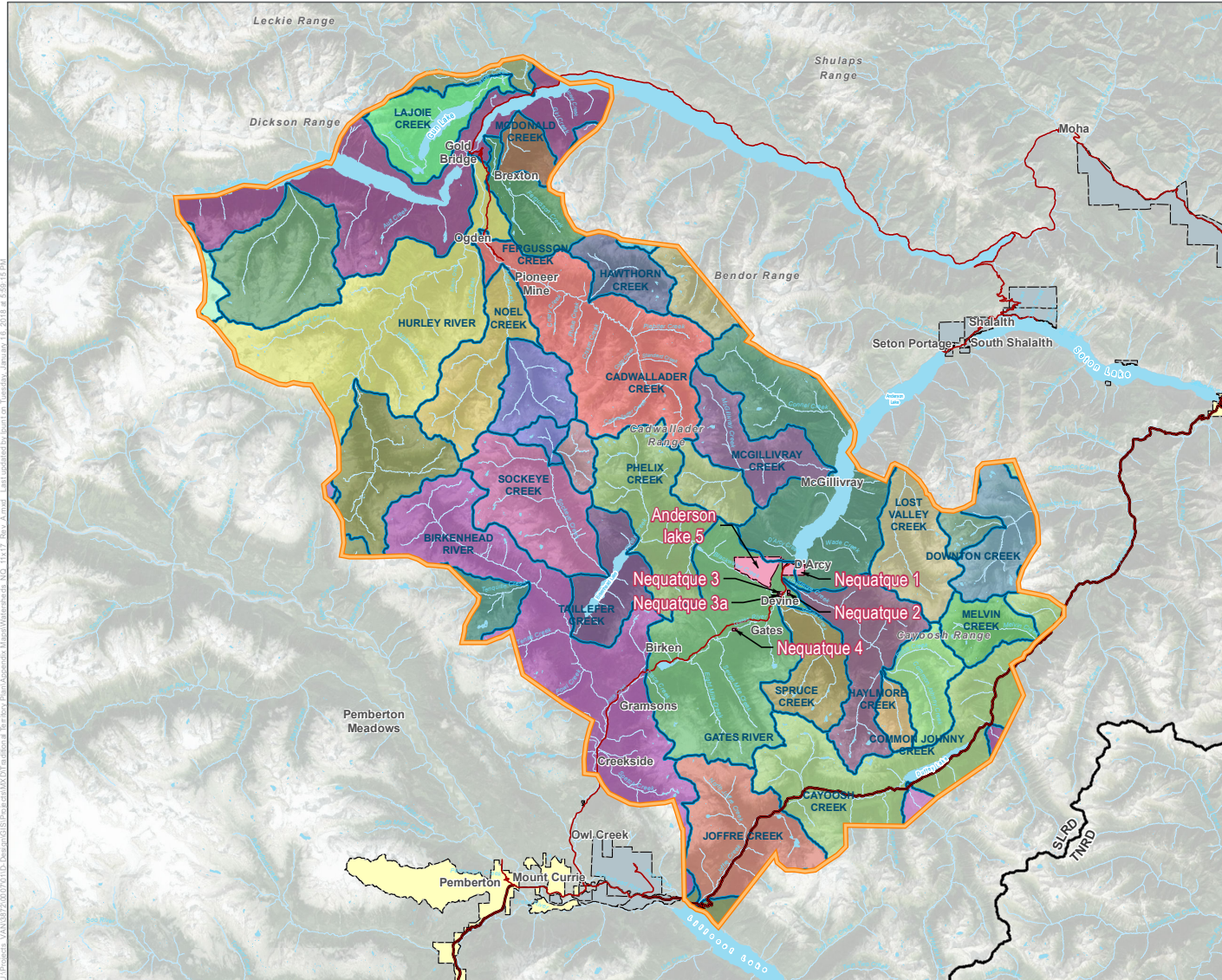


# Developing The Plan

## PATTERNS OF USE

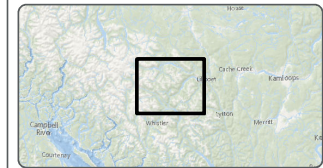
N'Quatqua's Territory is vast and diverse. To understand the Territory, it is important to consider its traditional users – its people and animals. Mapping of N'Quatqua traditional uses indicate a concentration of uses in-and-around the Territory's more accessible valleys and watersheds (see Figure XX). These include Anderson Lake, Blackwater Creek, Birkenhead Lake, McGillivray Creek and the Gates River valley. Key features of these areas include their lower elevation, easier access, and abundance of vital resources, including mushrooms, berries, fish, deer and water. Future uses in these areas must consider the impacts on the people that rely on these vital resources.

In contrast, a high concentration of vital animal habitat tends to be located in more remote, higher elevation areas. These areas are less accessible by people and tend to be less 'disturbed'. However, these mountainous areas are also used by N'Quatqua for cultural, spiritual, and healing purposes. These areas include Lost Valley and the uplands surrounding the Haylmore watershed.



**N'Quatqua First Nation  
Traditional Territory Plan  
Watersheds**

- Traditional Territory (2017 Combined)
- Regional District Boundary
- Municipalities
- N'Quatqua Reserves
- Other IRs
- Lakes
- Streams
- Watersheds



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**FIGURE 00**

Future uses in these areas must consider the impacts on the animals that rely on these vital areas, especially the Grizzly bear.

These two different patterns of use—accessible valleys and remote uplands—make up the front-country and back-country watersheds of N’Quatqua Territory. In order to determine guidelines that work with these patterns of use, land use zones were developed that follow and integrate these concepts of watershed-based planning, and front-country and back-country integration.

of the territory by watershed. By identifying watershed-based Zones, we can identify key characteristics that make each zone unique and ensure that corresponding land use policies are culturally, environmentally and economically based.

The zones are ranked A through D which also reflect our expectation and level of engagement regarding proposed land uses. The following zones based on watershed boundaries were identified by workshop participants and reflect N’Quatqua’s understanding and use of the Territory:

## ESTABLISHING ZONES

For reasons described above, participants of the planning and engagement events often organize their use and knowledge

### ZONE A

#### N’Quatqua’s Community Watersheds

**INCLUDES:**

*Anderson Lake,  
Blackwater  
Creek, Connel  
Creek, Haylmore,  
McGillivray, Lost  
Valley, Seven &  
Eight Mile Creeks.*

The watersheds in the front-country Zone watersheds flow directly into N’Quatqua’s reserves and Anderson Lake, a central water body that defines the character of N’Quatqua’s territory. The Spruce Creek and D’Arcy Creek community watersheds reside here. This Zone is home to extensive traditional use, cultural features, spiritual sites, proximity to the community and because of the direct environmental, cultural and visual impacts that disturbances could cause, this is a high-risk zone for development.

Due to its pristine undisturbed condition, Lost Valley is one of the most valued ecological areas in the Territory and is therefore a “no-go” watershed for development.

**ZONE B****Collaborative  
Management****INCLUDES:**

*Birkenhead Lake,  
Birkenhead River,  
Duffey Lake,  
Melvin Creek,  
Downton Creek*

This highly accessible front-country zone forms a perimeter around Zone A and shares use, infrastructure and management with other communities and organizations. The Birkenhead Lake watershed contains Birkenhead Lake Provincial Park, which is managed by the Province, as well as the Birkenhead River (Pemberton Meadows Road) and Duffey Lake area (Highway 99), which are also used by Lil'wat First Nation. This is the interface zone between the Traditional Territory and its neighbouring communities.

**ZONE C****Downtown  
and  
Carpenter  
Lakes****INCLUDES:**

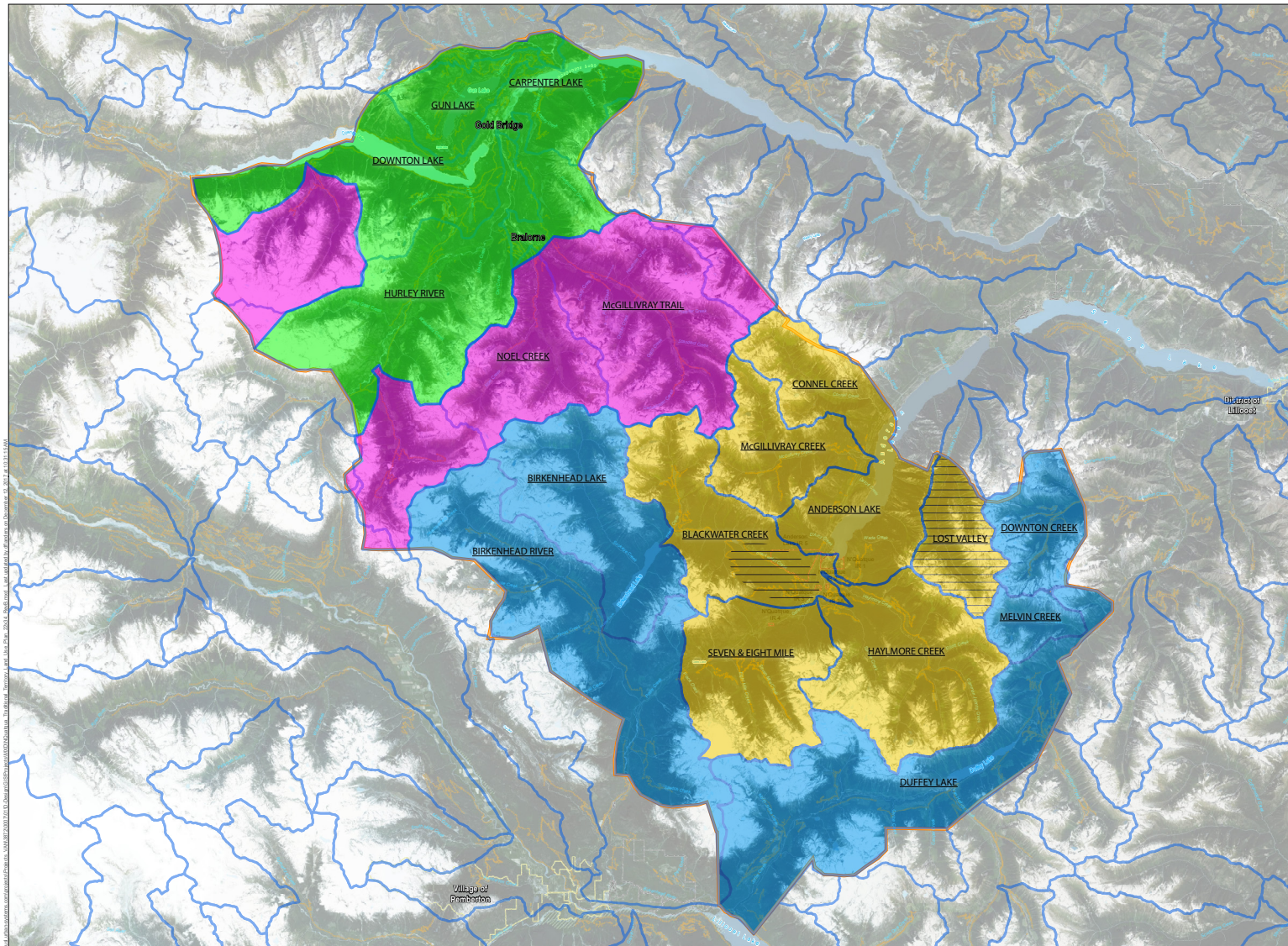
*Downton Lake,  
Carpenter Lake,  
Gun Lake, Hurley  
River*

This front-country zone is further from N'Quatqua's reserves, highly populated and contains many different types of disturbance including forestry, hydro and independent power producers, mining, bike and skidoo trails, outfitters, resorts and other land development. Unlike Zones A and B, watercourses in this zone flow away from the community towards Gold Bridge and this is a lower risk zone for development.

**ZONE D****Uplands****INCLUDES:**

*Noel Creek,  
Standard Creek,  
Cadwallader  
Creek.*

This back-country zone is remote, less accessible and less visible. Similar to Zone C, watercourses in this zone flow away from the community towards Gold Bridge. A significant cultural feature of this zone is the McGillivray Trail which links the community to Bralorne. This is a low-development zone as it has limited recreational and touristic opportunities, but does contain significant forestry activities and roads.

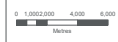


**N'Quatqua  
First Nation**

**N'Quatqua Community Plan  
Traditional Territory Lands and  
Resources Use Plan**

- Legend**
- N'Quatqua Traditional Territory
  - N'Quatqua Reserves
  - Other IAs
  - Municipalities
  - Lakes
  - Streams
  - Forest Service Roads

- ZONES**
- Zone A - N'Quatqua Community Watersheds
  - Zone B - Collaborative Management
  - Zone C - Downton and Carpenter Lakes
  - Zone D - Back Country Uplands
  - No-go for development



Coordinate System:  
NAD 1983 UTM Zone 10N

Scale:  
1:140,000

Data Sources:  
Data provided by: N'Quatqua FN (2004-16),  
Data BC (2016), Geogratis (2016), and Esri  
(2016).

Project #: 3872.0004.01  
Author: LP  
Checked: MS  
Status: **- DRAFT -**  
Revision: A  
Date: 2017 / 12 / 12





# Four Pillars

## PRINCIPLE-BASED DECISION-MAKING

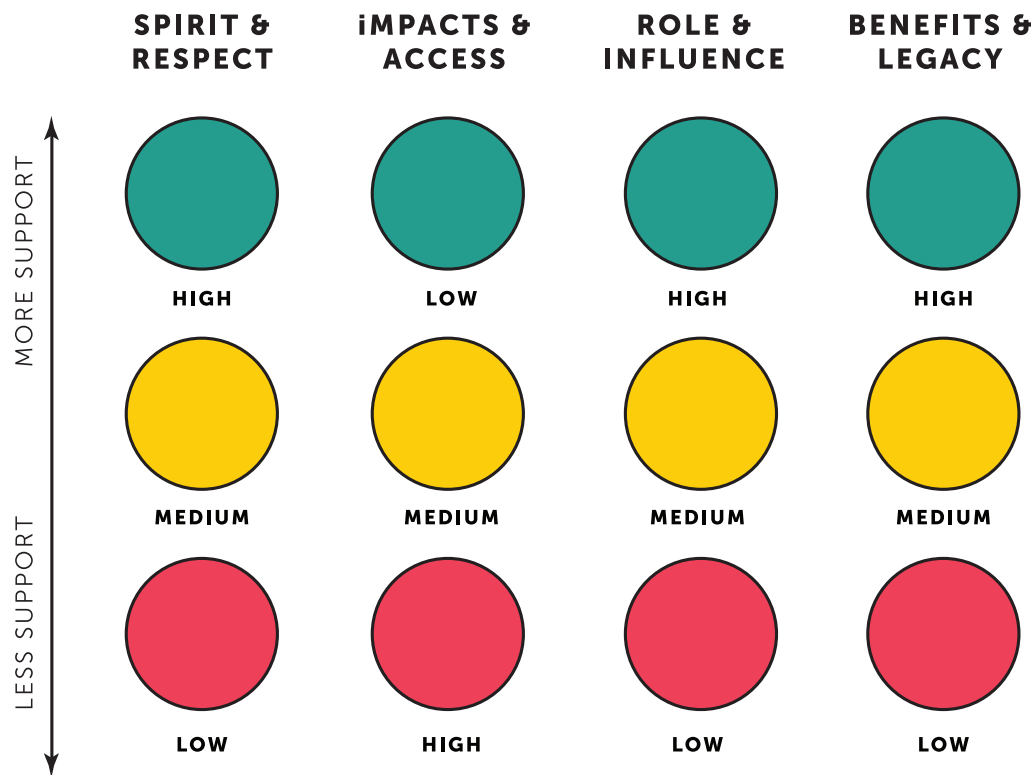
By defining the Territory into zones, this Plan identifies key features / constraints that should be taken into consideration when evaluating future land uses in each area. Rather than pre-determining what land uses are supported (or not supported) in each zone, this Plan establishes a principle-based approach to assess each proposed land use and make a decision. This approach allows the flexibility to consider the unique aspects of each project, while providing a clear and consistent set of principles that each land use (and project) will be evaluated against.

In evaluating future uses within the Territory, N'Quatqua will consider the:

- overall land use;
- the specific project being proposed; and
- the proponent behind the project.

All proposed land uses, projects, and proponents are to be evaluated based on the following four pillars (principles). Those that are well-aligned with the following principles will receive greater consideration and support from N'Quatqua:

- Spirit & Respect
- Impacts & Access
- Role & Influence
- Benefits & Legacy





## SPIRIT & RESPECT

All proposed projects / land uses in the Territory should be viewed as an opportunity to establish a relationship and/ or partnership between N'Quatqua and the proponent (the individual or entity proposing the use). As (potential) shared users of the Territory, it is important that N'Quatqua and proponents engage with one another in a spirit of respect and collaboration. This includes recognizing N'Quatqua's history, traditional uses, and role as stewards of the Territory; respecting the lands and resources; and having an open mind and working together to find common ground. It requires engaging with N'Quatqua in a manner consistent with its community-driven approach to building consensus and making decisions.

It includes establishing a mutually-agreeable process and expectations that should be clarified and outlined in detail in the relationship agreement. Proponents that engage with N'Quatqua in this spirit will receive greater consideration for proposed land uses and projects.

## IMPACTS & ACCESS

N'Quatqua's Territory has been heavily impacted by non-indigenous uses. Demands on the Territory have increased rapidly in recent years due to the significant development and tourism pressures moving up the Sea-to-Sky corridor to the Pemberton area (and beyond).

It is of vital importance to the N'Quatqua community that future impacts be minimized and mitigated. All proposed land uses shall

demonstrate expected impacts. N'Quatqua may require that proponents provide supporting studies or analysis.

To do so, N'Quatqua has established five sub-principles that will guide its assessment of proposed land uses. These are:

- Protect the most sensitive areas.
- Consider all users
- Consider impacts holistically
- Limit access
- Use 2017 as baseline

### Protect the Most Sensitive Areas

N'Quatqua will protect areas with the most sensitive eco-systems and with the greatest importance to the N'Quatqua community. These areas include:

- Lost Valley ("no-go" area for development)
- Blackwater pine mushroom area
- N'Quatqua community watershed
- Grizzly bear habitat
- N'Quatqua fisheries

N'Quatqua will not support uses that create additional impacts or access to these areas (i.e. "no-go"). N'Quatqua will support uses that reduce existing impacts and access to these areas (i.e. restoration, controlled access, etc.).

### Consider All Users

N'Quatqua will consider each proposed land use based on its impacts to existing users of the Territory. This includes:

### *Traditional Use Impacts:*

This includes impact to

1. N'Quatqua's traditional activities, knowledge and resources
2. Archaeological / historical
3. Cultural

### *Biophysical Impacts:*

This includes impacts to: ecosystems: plants / animals / minerals / water / air / soil

### *Human Impacts:*

This includes impacts to N'Quatqua and the broader community within the Territory:

1. Social / recreational
2. Health / well-being / safety
3. Financial / economical

Uses that limit impacts to existing Territory users will receive greater support from N'Quatqua.

## **Consider Impacts Holistically**

There are many lenses through which to consider potential impacts to N'Quatqua and the Territory more holistically. These include:

### *Geographic:*

N'Quatqua will consider the exact location of proposed uses, recognizing that impacts may vary by location (more sensitive → less sensitive). Depend on the sensitivity of the eco-system and its ability to recover.

### *Seasonal:*

As noted in Section XX, N'Quatqua's traditional uses vary by season. N'Quatqua will consider the seasonal impacts of proposed uses, recognizing that certain uses may be more / less impactful at certain times of the year.

### *Generational:*

N'Quatqua will consider the short, medium, and long-term impacts of proposed uses on current and future generations.

### *Direct / Indirect:*

N'Quatqua will consider the direct (on-site and the immediate surroundings) and indirect impacts (down-stream, spin-off) of proposed uses.

### *Intensity / Scale:*

Impacts across the territory are seen as a relative scale for different areas that will be distinguished through zoning.

## **Consider the Intensity / Scale of Use**

1. Gradient between industry > formal tourism > informal tourism
2. Higher impact uses: mining > forestry > IPP  
Lower impact uses: seasonal uses (i.e. backcountry skiing)

## **Limit New Access**

- N'Quatqua will assess a proposal based on the current level of access to an area and the extent to which the proposed use increases or limits access to an area.
- N'Quatqua will prioritize projects that do not increase private or public access to an area and/or do not limit N'Quatqua's current access to the area.
- Establish moratorium on new logging roads.

## Use 2017 as Baseline

The baseline for disturbance that we use is 2017. This is how we assess the relative impact of proposed projects.

1. Minimize future disturbance relative to baseline, reduce current (baseline) disturbance.
2. Areas already disturbed / easily accessible would have a greater impact on N'Quatqua than areas that have not been disturbed and are not currently accessible.

## ROLE & INFLUENCE

This TTLUP is a means for N'Quatqua to reassert its influence over its lands and play a larger role in its stewardship. As stewards of the land, N'Quatqua has a responsibility to ensure land uses align with the Nation's principles, values, and vision for the Territory. Proposed land uses must consider N'Quatqua's role in shaping and stewarding the land use / project. This may vary by the use and importance to N'Quatqua.

### Level of Influence:

1. Our Way: We are fully involved as partners and are able to exert considerable control to ensure that N'Quatqua benefits directly from activities with little or no negative impacts.
2. Collaborate: We are involved and open to partnerships and benefit sharing
3. Participate: We wish to participate and provide our support if we believe the project can be pursued through the lens of stewardship

## BENEFITS & LEGACY

As noted, proposed land uses will be assessed based on their anticipated impacts; they will also be assessed based on their anticipated long-term benefits and legacy.

As with impacts, N'Quatqua will consider benefits holistically. These benefits may include but are not limited to:

### Community

Building and infrastructure improvements

### Economic

Revenue, employment, training / capacity development

### Environmental

Habitat restoration, wildlife recovery efforts

### Cultural

Culture and language skills

A long-term, holistic approach requires consideration of what is being taken vs. what is being given back. A no-net loss approach ensures that the overall condition of the Territory is improving for future generations. Proposed projects and land uses that offer lasting benefits and a positive legacy will receive greater consideration from N'Quatqua.

Refer to documentation such as the Comprehensive Community Plan, Economic Development Plan and Land Use Plan for examples of community-vetted benefits that N'Quatqua would like to pursue with stakeholders operating in the Territory.



# Zone Specific and Principle-Based

This section applies the above principles to the Zones shown in Figure XX. The purpose of this section is not to provide an exhaustive list of all expectations but rather to differentiate N'Quatqua's expectations and approach for projects depending on where (in which Zone) they have been proposed. The referral process requires administration time and technical studies to be completed so that N'Quatqua may make an informed decision. All proponents that engage with N'Quatqua are required to contribute to the cost of these efforts.

# EXPECTATIONS

## A – N’QUATQUA’S COMMUNITY WATERSHEDS ZONE (“OUR WAY”)

We have the highest possible expectation for engagement and involvement with N’Quatqua for all activities occurring in this zone. We want to see activities done “Our Way”, which means the following:

- Pre-engagement must occur with N’Quatqua before formal development applications are made
- N’Quatqua must be a full partner in any economic development such as heli-skiing, natural resources development such as forestry, private development such as cabins, and new infrastructure projects such as trails
- This zone is not suitable for higher-impact development such as mining
- Private land development on the lake must not significantly impact the viewshed
- There must be no impact to N’Quatqua’s drinking water and supply of freshwater to Anderson Lake
- There must be no impact to N’Quatqua’s traditional activities, including all gathering, hunting, fishing and the trails and overnight sites required for carrying out these activities
- All proposed development must be accompanied by an archeological assessment that involves N’Quatqua members, integrated into a traditional use study to document our concerns and recommendations

- As there are already disturbances occurring in this zone, restoration efforts are required in already-disturbed sites as part of the project approval process
- The highest possible standard in Grizzly bear habitat protection must occur here, including restoration of disturbed habitat if new development is permitted in partnership with N’Quatqua
- Due to its pristine condition, cultural and ecological value, no new disturbances will be permitted in Lost Valley (“no-go”)

## B – COLLABORATIVE MANAGEMENT ZONE

N’Quatqua expects the following in this zone:

- The Province and N’Quatqua will collaboratively manage Birkenhead Lake Provincial Park. This requires collaborative development of new management policies and consultation with N’Quatqua when changes are being proposed and implemented, including new access and infrastructure.
- Lil’wat First Nation and N’Quatqua will collaboratively review project referrals and other potential disturbances
- N’quatcha expects to be consulted and benefit from revenue-sharing. N’quatcha is open to partnership but doesn’t expect to be a full partner with control such as in ‘zone a’ due to myriad interests operating here

- Partnerships in joint economic development activities should be pursued here in order to involve and benefit N’Quatqua Members and reduce disturbances in Zones A and B.
- This zone is suitable for lower-impact activities with minimal visual impact that require good access. N’Quatqua should be a stakeholder in these kinds of developments to enhance its involvement in tourism and recreation occurring here and ensure it abides by our stewardship principle

## C – DOWNTON AND CARPENTER LAKES ZONE

There is considerable existing disturbance and the distance from our community and N’Quatqua wishes to participate in activities here. N’Quatqua expects the following in this zone:

- Development is pursued here that may be unsuitable in Zones A, B and D, in particular, higher-impact development, resorts and recreation
- Due to the many competing land uses and users, N’Quatqua expects to be notified and consulted about projects occurring in this zone, but not to the extent that is expected in Zones A, B and D.
- N’quatqua expects to be consulted and benefit from revenue-sharing. N’quatqua is open to partnership but doesn’t expect to be a full partner with control such as in ‘zone a’ due to myriad interests operating here

## D - UPLANDS

This zone is used heavily by wildlife and is not currently heavily disturbed relative to Zone C. N’Quatqua expects the following in this zone:

- Our ability to use the McGillivray trail must not be interfered with
- Natural resources development such as forestry must be accompanied by restoration
- N’quatqua expects to be consulted and benefit from revenue-sharing and be considered for partnership but doesn’t expect to be a full partner with control
- High-impact development, such as mining, should be avoided in these zones





# Existing Consultation Protocols

## N'QUATQUA CONSULTATION AND ACCOMMODATION POLICY

Ratified by Chief and Council in 2015, N'Quatqua's Consultation and Accommodation Policy is a procedural guide for all consultations with government and industry across its Traditional Territory. The Policy establishes the following for N'Quatqua and proponents:

- Principles for meaningful consultation
- Activities and potential impacts that trigger consultation
- How to give notice of consultation and share information
- Assessment process
- Templates to use for letters to proponents during consultation process

The Consultation and Accommodation Policy explains who is involved in consultation, when consultation occurs and how the consultation process is carried out. The principles provided in this Policy also relate directly to those established for the TTLRP, which groups them together into four pillars. It does not provide any guidance for N'Quatqua on what to do regarding making a decision about proposed activities, i.e. whether to support or not support a project. The Policy provides no rationale for decision-making, it only provides the consultation framework; the steps to follow to ensure adequate consultation occurs.

The TRLRP provides the basis for decision-making and should be referred to when the consultation process is in the Assessment Phase.

In Section XXXX, below, we spell out consultation best practices for consultation with Indigenous Communities. There we note the utility of establishing a Relationship Agreement and an Impact Benefit Agreement. Appendix C – Template Consultation Framework within the Consultation and Accommodation policy can be used as the basis of a relationship agreement, which immediately flows from the Notice of Consultation.

## FOREST & RANGE CONSULTATION AND REVENUE SHARING AGREEMENT (FCRSA)

Established by N'Quatqua Chief and Council and the Province of British Columbia 2017, this Agreement provides details on:

- The amount, delivery of and conditions of revenue sharing payments from Forestry activities
- The province's approach to consultation on Forestry activities in N'Quatqua's Traditional Territory

This Agreement can and should be used as the starting-point to refine and build on for future revenue sharing agreements that N'Quatqua wishes to establish with other industries. Appendix B outlines the Consultation Process that was followed to generate the Agreement, which includes the level of consultation and consultation periods for a range of licence types and decision categories. Appendix B should therefore be considered, and improved upon where necessary, when implementing N'Quatqua's own Consultation and Accommodation Policy, which is described above in Section XXXX.

The guidance the TTLRP provides should be referred to before revenue sharing agreements are established to ensure that potential impacts to the community and traditional activities are fully considered, adequate payments are being pursued, and to ensure that forestry activities fit within N'Quatqua's vision for land use in the region. For example, N'Quatqua may seek increased revenue sharing in certain zones of the TTLRP that are known to be particularly sensitive or consequential to N'Quatqua.

# Best Practices

We can learn from the experiences of other First Nations in managing land use across their traditional territories. Some lessons learned that can guide N'Quatqua's involvement in the stewardship of its territory and negotiating with outside interests include:

- Negotiations and processing referrals is a team effort that requires a strong lands person working in collaboration with the support of Council, an economic development office and the community to ensure everybody is aware and on the same page. Legal representation and a professional negotiator may also be included. This necessary collaborative process requires funding and resources that should be negotiated for with proponents.
- Impact Benefit Agreements (IBAs) are legally-binding and are typically not negotiated by the lands office alone, though are implemented by the lands office with the direction of Chief and Council. N'Quatqua may develop a suite of unique IBAs for different situations. They may be simple, complex, suited for a big company or small company, etc.

- Each industry company operates differently, has different operating procedures and priorities, and should be negotiated with independently of other companies and First Nations.
- Negotiate with the best interests of N'Quatqua, and our stewardship principle in mind. This may mean not accepting initial positions, offers and outcomes, which should be developed collaboratively with N'Quatqua and not pre-determined only by an outside interest.
- Revenue gives N'Quatqua options to build its long-term capacity and self-determination, not just short-term wealth creation. Securing funding to conduct a lands office assessment, for example, could help to identify N'Quatqua's needs in ensuring long-term capacity.
- Use existing documentation, such as an Official Community Plan or Comprehensive Community Plan, that identify N'Quatqua's infrastructure, health, education and social needs during negotiations. Be creative in establishing N'Quatqua's role, needs and expectations. Sometimes revenue potential is limited, but other benefits such as employment or infrastructure improvements, in-kind contributions or training are more viable.
- If processing referrals and collaborating with outside interests is time-consuming or expensive, consultation should come with capacity development funding. This could be to hire someone to help deal with referrals, for technical support, training, software / hardware, traditional use studies, legal advice, etc. Other potentially beneficial studies could include a lands office assessment to help build a successful lands office. All of this should be paid for by the project proponent or potentially the province if activities are to occur on provincial crown land.
- If negotiating with multiple companies, benefits can be pooled together, for example, an agreement with two companies may be sufficient to hire one forester.
- Establish a relationship agreement that clearly outlines timelines, when a project proponent meets with Chief and Council, the lands office, business development office, Membership and sets out the expectation for consultation. This is the first opportunity for N'Quatqua to assess if we want to do business with a proponent.
- Pre-engagement must occur for all industries and parties wanting to operate in the Traditional Territory. Pre-engagement could involve educational programs related to the industry being assessed. For example, forestry referrals could require "forestry 101" seminars or training to better prepare N'Quatqua to deal with those kinds of referrals. Pre-engagement should also communicate the development interests of a company 1 – 5 years into the future so there are no surprises and N'Quatqua can prepare for upcoming development and consultation.

# Moving Forward

This TTLUP is the First Step for N'Quatqua to assert its influence over its Traditional Territory. To better understand its needs and facilitate discussions within the community and with proponents, the following next steps are recommended:

- Complete a Community Infrastructure Assessment to determine the Nation's full infrastructure needs.
- Develop an impact benefit agreement template to facilitate agreements with proponents.
- Continually review best practices in engagement and Territory management.

