MUSQUEAM COMPREHENSIVE LAND CLAIM

PRELIMINARY REPORT ON MUSQUEAM LAND USE AND OCCUPANCY

Presented to the Office of Native Claims by the Musqueam Band Council

June, 1984
MUSQUEAM COMPREHENSIVE LAND CLAIM

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PRELIMINARY REPORT ON MUSQUEAM
LAND USE AND OCCUPANCY

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INTRODUCTION

On February 14th, 1984, members of the Musqueam Band Council met with representatives of the Office of Native Claims to seek federal recognition of the Musqueam comprehensive land claim. The federal officials requested the Musqueam to provide more information with respect to the continuous nature of Musqueam use and occupation of the land claim area.

Accordingly, we obtained funding and hired a research team to compile data which would give an overview of the history of use and occupation of our land and illustrate the continuity of that use up to the present day. This information has also been graphically represented on maps.

The accompanying document is divided into five sections; the first deals with the legal basis for the recognition of our comprehensive land claim; the second deals with the archaeology of the claim area; the third deals with the history and background of the claim area; the fourth deals with the continuous current Musqueam use and occupation of the lands, waters and resources found within the claim area; and the fifth section explains the maps which have been presented separately, but which are intended to be understood in conjunction with this section.

This document is intended to provide the reader with a preliminary overview of the major types of past and present land use
of the Musqueam. While a great deal of data relating to the history of our claim area was uncovered in the course of research, this document was prepared solely for the purpose of documenting for the Office of Native Claims the fact that we continue today to use and occupy our claim area in a manner consistent with traditional use. It must be noted that due to restraints of time and resources, the data presented in this document is of a preliminary nature and presented without prejudice to future research findings. While we have responded to the federal request, detailing use and occupation of our lands and resources, it must be remembered that the fundamental basis of the Musqueam claim is that we have never signed a treaty and that we continue to hold aboriginal title to our entire traditional territory.

Finally, it should be noted that the members of the research team included Dr. Leonard Ham, Dr. Michael Kew, Ms. Pat Berringer, Justus-Simonetta Development Consultants Inc. and Ms. Leona Sparrow.

* * * * * * * *

Photographs courtesy of B.C. Provincial Museum and private collections
CHAPTER 1: LEGAL BASIS OF THE MUSQUEAM CLAIM

On July 2nd, 1977, the Musqueam Nation presented a comprehensive land claim to the Minister of Indian and Northern Affairs, The Honourable Warren Allmand.

On December 29th, 1977, The Honourable Hugh Faulkner, Mr. Allmand's successor, advised the Musqueam that their claim would not be accepted for negotiation.

In his letter, Mr. Faulkner stated:

The opinion I have received leads me to the conclusion that patenting of lands to third parties in the Greater Vancouver area has effectively superseded any Indian title of the Musqueam band. While this does not address any possible claim for compensation for loss of traditional lands and resources beyond the historic and current expenditures and benefits extended by the government to your band, such a claim would have to depend upon principles and considerations other than those upon which the 1973 policy of accepting claims for negotiation was based. (Emphasis added)

The Musqueam Nation immediately responded to this announcement by letter of January 25th, 1978. Among other things, the Musqueam gave examples of numerous land claims involving third party interests but which were nonetheless in the process of negotiation.

On May 15th, 1978, the Minister replied, but merely repeated that the Musqueam title had been superseded by law and did not
deal with any of the specific objections raised by the band in their letter. Therefore, on June 27th, 1978, the Musqueam once again wrote to the Minister, insisting that the claim did fall within the 1973 policy and had not been superseded by law. No response was ever made to this letter.

It is clear from the above that the sole basis for the government's refusal to recognize the Musqueam's claim for negotiation is its interpretation of a statement contained in the 1973 land claim policy. Specifically, that document stated:

In essence, these claims relate to the loss of traditional use and occupancy of lands in certain parts of Canada where Indian title was never extinguished by treaty or superseded by law.

The difficulty with this statement of policy is that it is impossible to ascertain what is meant by the phrase 'superseded by law'. It would appear that the Musqueam are the only native group in Canada to have their comprehensive claim rejected on the basis that their interest has been 'superseded by law'.

After considering all of the available law on this subject, and having regard to the other claims which the Government of Canada has accepted for negotiation, the Musqueam have concluded that there is no coherent interpretation of this phrase which can justify the government's refusal to recognize its claim for negotiation.

First of all, it is clear that there are no court cases which have in any way categorically determined the meaning of this phrase.
Indeed, the Supreme Court of Canada split over the very question of whether or not aboriginal title in the Nass Valley had been 'superseded by law' or extinguished by actions of the colonial government including third party alienations. None of the cases that have been decided since Calder have shed any further light on this important question.

Indeed, repeated attempts to ascertain the meaning of this phrase directly from the Government of Canada have met with no success whatsoever. It seems clear that even officials of the federal Department of Justice are unable to say what exactly they mean by 'superseded by law'.

Generally, however, two quite different interpretations have been offered by government officials.

The first is that given by the Minister in his correspondence referred to above. His answer suggested that the mere act of granting interests in land to third parties extinguishes or supersedes any aboriginal interest.

The second possible explanation, which was suggested by Department of Justice and ONC officials at a recent meeting held in Ottawa on February 13th, 1984, was that interference with the Musqueam’s traditional way of life by the mere fact of the high degree of urbanization within their claim area has led to the Musqueam's interest being superseded by law.
The first thing to notice about both of these attempted explanations of the policy is that they are completely self-serving on the part of the government. It is surely inappropriate, and totally at odds with the federal land claim's policy, to take the position that the government can refuse negotiations on a claim on the basis that in the past it refused to negotiate with the native people before granting third party interests. One of the major bases for the negotiation of any land claim is that the government acted contrary to law when it purported to make third party interests without the consent of the aboriginal people who held title to the land. It can be seen that these explanations therefore totally beg the question.

This question begging can be seen particularly with respect to the second of the two interpretations of the phrase 'superseded by law'. The Musqueam suggest that 'superseded by law' cannot mean 'superseded by fact'. It is impossible to argue that the fact that the construction of Vancouver has resulted in a curtailment of some of the Musqueam's traditional activities in some areas of their territory amounts to a legal extinguishment of their claim. It is clear that any factual interference with a legal right or interest (in this case, aboriginal title) is a tort giving rise to a compensable claim. It is, with respect, absurd to suggest that such matters of fact can defeat a claim in law.
The second major thing to notice about these explanations is that the application of either test to other native groups would have meant that no other claims would have been recognized for negotiation.

There have been both substantial third party alienations and curtailments of traditional activities in every claim area in Canada. The presence of such urbanized areas, with their attendant third party alienations, as Whitehorse in the Yukon, Yellowknife in the Northwest Territories, or Massett on the Queen Charlotte Islands, has not prevented the Government of Canada from recognizing for negotiation the claims of the Council for Yukon Indians, the Dene Nation, or the Haida Nation respectively.

Similarly, all of these urbanized areas, together with industrial development, exploration and resource extraction in the various parts of Canada, have severely curtailed the traditional activities of the native people in every claim area in the country.

It surely makes no difference whether the interference with traditional activities took place because of the construction of a city such as Vancouver, or the digging of a mine, the flooding of a valley, or the clearcutting of the forest. In every case there has been a factual interference with native peoples' traditional activities and yet only the Musqueam claim has been rejected for negotiation on the basis of non-Musqueam interference with the Musqueam way of life.
It is submitted that the sole difference between the Musqueam claim and all of the other claims which have been accepted for negotiation is one of degree and not one of kind. And yet, needless to say, there is nothing in any federal policy statement which stipulates that a certain percentage of the land within the claim area still be capable of sustaining traditional activities before negotiations can commence.

The third - and in some ways, most important - thing to notice about these interpretations of the phrase 'superseded by law' is that by either test, the Musqueam fit within the federal policy.

Indeed, there have been a great number of alienations of land to third parties within the Musqueam claim area. But there are also major areas with no alienations whatsoever (see Chapter 5 on mapping).

Much of this land is totally unoccupied and unalienated Crown land. Notwithstanding its proximity to the City of Vancouver, this land has identical legal status with unoccupied, unalienated Crown land in other parts of Canada and British Columbia, whether that be in the Nass Valley, on the Queen Charlotte Islands, in the Yukon, or elsewhere.

Similarly, while our use of the land has been necessarily reduced by the presence of Vancouver, it has certainly not been totally eliminated. As the studies herein indicate, many Musqueam continue to use the land in traditional ways, including fishing, hunting, gathering,
ceremonial and artistic uses. The Musqueam people are no different from aboriginal people elsewhere who have had to seek employment in the non-Indian wage-earning economy but who have retained as much of their traditional use of the land as circumstances would permit.

Another extremely important aspect of traditional use is that many Musqueam people have been forced to seek food and other traditional uses of the land outside the precise bounds of the claim area. Nevertheless, the fact remains that many do pursue traditional activities and have simply been forced to do it elsewhere as a result of the incursion of urbanization into the area. This fact cannot be used to eradicate the Musqueam claim to their own territory, any more than it could be used to establish a claim to areas which other peoples have permitted them to use.

It is essential to remember that the Musqueam position, as well as the policy of the Government of Canada, is to negotiate, among other things, compensation for loss of use. Therefore, it makes no sense to say that these negotiations are impossible because of this same loss of use.

The fourth point which must be borne in mind is that the existing aboriginal rights have now been recognized and affirmed by the Constitution of Canada. The Musqueam are therefore talking about negotiating rights which are constitutionally protected and which,
if not settled, can be set up in competition with other laws in the future. The Musqueam believe that negotiation rather than litigation is the best means for settling outstanding claims, but the constitutional protection of native rights must not be forgotten. Furthermore, the Constitution specifically recognizes such a situation when it points out that any rights contained in land claims agreements that may be entered into in the future will receive the same constitutional protection as do present treaties. Therefore, it is submitted that the Constitution of Canada specifically recognizes that there should be a land claims settlement process in order to settle outstanding claims.

It is understood that any final agreement between the Musqueam and the non-Indian governments will have to recognize the special Musqueam circumstances. Vancouver will not go away, and unique accommodations will have to be negotiated with respect to questions of land and compensation. The government should similarly bear in mind that the Musqueam people will not go away either, and negotiation of their claim is therefore the best means of achieving a just and lasting settlement.

For all of these reasons, and on the basis of all of the information contained in this submission, as well as previous submissions to the Government of Canada, the Musqueam hereby formally request the Government of Canada to immediately recognize their comprehensive land claim for negotiation.
CHAPTER 2: THE MUSQUEAM PREHISTORIC PERIOD

I. INTRODUCTION

II. EVIDENCE OF MUSQUEAM OCCUPATION

III. ARCHAEOLOGICAL EVIDENCE WITHIN THE MUSQUEAM LAND CLAIM AREA

IV. A CHRONOLOGY OF CONTINUITY OF MUSQUEAM CULTURE, LAND USE AND OCCUPANCY

V. SUMMARY

VI. BIBLIOGRAPHY
CHAPTER 2: THE MUSQUEAM PREHISTORIC PERIOD

I. INTRODUCTION

The existing literature on the archaeology of the lands within the Musqueam land claim area has been surveyed with regard to early Musqueam land use patterns, and the chronology of the area's prehistoric occupation and use by the ancestors of the present-day Musqueam people. Approximately 90 years of archaeological research in the area has established occupation of the Musqueam claim area for at least 8,000 years. This research has concentrated on cultural history rather than on settlement or land use patterns.

II. ARCHAEOLOGICAL EVIDENCE OF MUSQUEAM OCCUPATION

The present day Musqueam people are descendants of Indians whose lands at the time of European contact included the area from the south or main arm of the Fraser River delta north to Burrard Inlet, Indian Arm, and the north shore mountains. Their language, shared with other Coast Salish Indians, is Halkomelem (Barnett 1975:33; Boss 1894:454; Duff 1952:24, 27; Kew 1970, 1970a; Musqueam Band 1977; Suttles 1955:12). While the main settlement of these people consisted of a large cluster of house sites at the present Musqueam village, a number of other permanent house sites were located at Marpole, Sea Island, Steveston, Brownsville, Wreck Beach, Jericho Beach, Lumberman's Arch, and near the mouth of the Capilano and Seymour Rivers (see Map 1 and
Table 1). In addition, Musqueam families had numerous seasonal settlements scattered throughout the area at important resource locations along the shores of Burrard Inlet and Indian Arm, Port Moody, English Bay and False Creek, Point Grey, Boundary Bay, and the Fraser River and its tributaries upstream to the Coquitlam River (see Table 2).

At present the British Columbia Heritage Site Inventory File contains 120 recorded prehistoric archaeological sites within the Musqueam claim area. In addition, 23 other archaeological sites (Ham n.d.) which have not been formerly recorded are also included.

The Musqueam land use and archaeological site map (Map No. F) which accompanies this report includes 143 known sites. Whenever possible, these sites have been classified according to their known use, and provided with their Halkomelem names. Only 12 of these have been subjected to fullscale excavation, analysis and dating, and reporting. However, these 12 sites contain archaeological components which span 8,000 years of prehistory and document the continuous occupation of the Musqueam claim area.

III. ARCHAEOLOGICAL EVIDENCE WITHIN THE MUSQUEAM LAND CLAIM AREA

The first professional archaeological research conducted in the Musqueam claim area was the 1892 and 1898 excavations
by Hill-Tout and Smith at the Marpole site (DhRs l)(Hill-Tout 1895; Smith 1903). However, it was not until Borden excavated several local sites between 1946 and 1970 that a 3,000 year-old cultural chronology was developed (Borden, 1968, 1970). Mitchell (1971) demonstrated that there was cultural continuity throughout Borden's chronology, that is, there was no radical change in cultural form, and that these cultures were widespread throughout the Strait of Georgia, as well as the Fraser River delta area. Excavations at the St. Mungo (DgRr 2) and nearby Glenrose (DgRr 6) sites in the late 1960s and early 1970s extended this chronology to 8,000 years B.P. (before present) (Calvert 1970; Matson 1976).

Many archaeologists have recognized that these cultures document the uninterrupted development of the Central Coast Salish cultures found in the Strait of Georgia area at contact (Adams 1981; Burley 1979, 1980; Calvert 1970; Carlson 1975, 1983; Fladmark 1975; Ham 1982; Kidd 1965; Matson 1976, 1981; McMurdo 1974; Mitchell 1971; Murray 1982) (see Map 3 for the regional distribution of these cultures over time). It is significant that the archaeological assemblages used to define the five archaeological cultures found throughout the Lower Fraser River Valley, and the Strait of Georgia over the last 8,000 years, were all recovered from sites within the Musqueam claim area (see Map 2).
In addition to the purely archaeological data, other types of evidence support the conclusion that there exists cultural continuity within the Fraser River delta and southern Strait of Georgia from 5,000 years ago to the present. Osteological studies of skeletal remains from this area indicate a homogeneity consistent with this cultural continuity. (Beattie 1980; Cybulski 1975; Finnegam 1972; Heglar 1957). Additionally, linguistic evidence suggests the evolution and continuity of the Coast Salish language in the Strait of Georgia over the last 5,000 years. Indeed, several linguists view the Fraser River delta/southern Strait of Georgia as the centre of origin of the Coast Salish-speaking people (Jorgensen 1969; Kincade and Powell 1976; Suttles and Elmendorf 1963; Suttles 1979).

IV. A CHRONOLOGY OF CONTINUITY OF MUSQUEAM CULTURE, LAND USE AND OCCUPANCY

The currently accepted archaeological chronology of the Musqueam land claim area consists of five cultural periods which commenced 8,000 years ago and have received the following archaeological designations:

1. Gulf of Georgia Culture (1,500 - 200 B.P. (before present))
2. Marpole Culture (2,400 - 1,500 B.P.)
3. Locarno Beach Culture (3,200 - 2,400 B.P.)
4. Charles Culture (5,000 - 3,200 B.P.)
5. Old Cordilleran Culture (8,000 - 5,000 B.P.)

(see Map 2).

The most recent period is the Gulf of Georgia Culture represented locally by the Stselax phase, based upon collections
Borden excavated between 1950 and 1961 at DhRt 2, Sts'elaxw, located at Musqueam (see Map 4) (Borden 1950, 1951, 1968, 1970). Borden (1968, 1970) obtained a radiocarbon date of 660 B.P. for initial occupation of the house site he excavated. Between 1947 and 1968 Borden also surface collected Sts'elax phase artifacts from the nearby house site of Moli (DhRt 1) (U.B.C. book A7). Calvert (1970) reports on Sts'elax phase materials which were recovered from the Musqueam fishing village of Sewkw'aksen, the St. Mungo site (DgRr 2); and Charlton (1980) reports a Sts'elax phase assemblage from Tetimexwten, the Belcarra site (DhRr 6) located at the entrance to Indian Arm.

Preceding the Gulf of Georgia Culture is the Marpole Culture (1,500 - 2,400 B.P.) originally defined locally as the Marpole phase based upon Borden's 1947-1957 excavations at the Marpole site (DhRs 1, see Map 4) (Borden 1950, 1951, 1968, 1970). The assemblage from this site was radiocarbon dated to between 1,780 and 2,350 B.P. (Wilmeth 1971). Other Marpole phase assemblages have been found at the Liquid Air site (DhRs 19) just west of the Marpole site; at the Point Grey site (DhRt 5) on English Bay; at Noons Creek (DhRq 1) at Port Moody; at both the St. Mungo DgRr 2) and Glenrose (DgRr 6) sites on the Fraser River main arm; and at two sites located at Musqueam, the Musqueam North site (DhRt 3) and the Musqueam Northeast site (DhRt 4) (Archer 1974; Borden 1950, 1951, 1969, 1970, 1976; Borden and Archer 1974; Calvert 1970; Charlton 1972; Matson 1976, 1981; Monks 1976).

As during the early historic period and Sts'elax phase there were also two clusters of house sites at Musqueam during the
Marpole phase. In addition, there are two Marpole phase sites located immediately north of the early historic Musqueam house site of Ts'lesno7om (the unrecorded Orchard site reported by Smith 1903). Marpole phase assemblages have also been found at the Musqueam salmon fishing village of Sewkw'aksen (DgRr 2) and at the nearby Glenrose site (DgRr 3). Thus, so far we see a 2,400 year continuous occupation of historic Musqueam house sites and fishing villages.

The next oldest cultural period is the Locarno Beach Culture (2,400 - 3,200 B.P.) originally defined as the Locarno Beach phase based upon Borden's 1947-1966 excavations at the Locarno Beach site (DhRt 6) on English Bay (Borden 1950, 1951, 1962, 1968, 1970). A radiocarbon date of 2,430 B.P. was obtained from this site (Wilmeth 1971), while Borden was able to radiocarbon date a similar assemblage from the Musqueam Northeast site (DhRt 4) to between 2,550 and 2,970 B.P. (Borden 1976; Borden and Archer 1974, 1975). A Locarno Beach phase assemblage has also been reported from the Belcarra site (DhRr 6) (Charlton 1980).

Although fewer Locarno Beach phase sites have been excavated, the dated assemblage from Musqueam Northeast extends the occupation of the present Musqueam village back to 3,000 B.P.

A similar assemblage from the Belcarra site in the eastern Burrard Inlet portion of the Musqueam claim area also has this time depth.

The earliest culture archaeologists recognize as an ancestral Coast Salish culture is the Charles Culture (3,200 - 5,000 B.P.) represented locally by the St. Mungo phase defined by Matson from
assemblages excavated at the Glenrose (DgRr 6) and nearby St. Mungo (DgRr 2) sites (Calvert 1970; Matson 1976, 1981). Radiocarbon dates of 3,280 to 4,240 B.P. were obtained at the Glenrose site, and 3,340 to 4,480 B.P. for the St. Mungo site (Calvert 1970; Ham et al. 1984; Matson 1976, 1981). A similar undated assemblage was recovered from the Marpole site (DhRs 1) (Burley 1980).

Although early sites are rare and few have been excavated and analyzed, it is, however, possible to extend the occupation span of three sites in the Musqueam claim area back to 4,500 B.P. One of these sites was a Musqueam fishing village at contact (St. Mungo - Sewkw'aksen) while the other is from Marpole, one of a cluster of sites near the early historic Musqueam house site of Ts'esno7om.

The earliest known archaeological culture in the Musqueam claim area is the Old Cordilleran Culture (5,000 - 8,000 B.P.) which has only been found at the Glenrose site (DgRr 6) (Matson 1976, 1981). This early assemblage from Glenrose has been radiocarbon dated to between 5,730 and 8,150 B.P. (Matson 1976, 1981).

The old Cordilleran Culture is associated with the first people to populate this area following deglaciation (Borden 1979). The earliest recognized Coast Salish culture, the Charles Culture, has clear antecedents in the Old Cordilleran (Borden 1975; Carlson 1983; Matson 1976, 1981).

Like other Halkomelem-speaking peoples, the Musqueam centred much of their economic activities on the harvesting of the seasonally fluctuating resources of their land during periods
of peak availability and abundance (Kew 1970; Ham 1982; Suttles 1960, 1962). Their social organization and specialized procurement and preservation technologies, enabled Musqueam people to obtain and store food surpluses.

The only research conducted to date, in order to determine the season of site occupation and the range of resources which were being obtained, has been at the Crescent Beach (DgRr 1), St. Mungo (DgRr 2) and Glenrose (DgRr 6) sites (Boehm 1973; Ham 1982; Matson 1976, 1981). It is apparent from the analysis of food remains from the 4,000 year old deposits at both St. Mungo and Glenrose that similar resources of the area have been available since the prehistoric period. These resources include: salmon, eulachon, sturgeon, herring, shellfish, seals, wapiti, deer, beaver and waterfowl (Boehm 1973; Matson 1976, 1981). Woodworking tools indicate that cedar also has a long history of use by the Coast Salish (Borden 1976; Matson 1976, 1981; Mitchell 1971).

Recent excavations at the St. Mungo site show it was in use 4,000 years ago as a fishing site, for both the late spring eulachon and sturgeon migrations, and the late summer/early autumn salmon runs of the Fraser River (Ham et al. 1984). Structural features recovered from the site indicate the presence of large houses and fish drying racks and a well developed ceremonial life, probably tied to the salmon runs (Ham et al. 1984).
V. SUMMARY

In summary, the Musqueam claim area was settled at least 8,000 years ago by people of the Old Cordilleran Culture. Their basic economic pattern was generalized and included salmon fishing, land mammal hunting and, in coastal areas, marine fishing and sea mammal hunting (Carlson 1979; Matson 1976).

A 5,000 year chronology of the cultural history of the Musqueam claim area shows the evolution and development of these indigenous Coast Salish. As early as 4,000 years ago they were adept at harvesting the salmon runs of the Fraser River, and many other recognizable Coast Salish traits developed over the next 2,000 years.

The ancestors of the Musqueam were never dislocated or overrun by major migrations from other areas, and thus have a long history in the claim area, reaching back at least 8,000 years. The present Musqueam village itself has been occupied since 3,000 B.P. and other Musqueam settlements as long as 4,500 B.P.
Map 1 SOME MODERN PLACENAMES WITHIN THE MUSQUEAM LAND CLAIM
Dated Archaeological Sites

<table>
<thead>
<tr>
<th>Site</th>
<th>Name</th>
<th>Radiocarbon dates (B.P.)</th>
<th>Culture</th>
<th>Years B.P.</th>
</tr>
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<td>1</td>
<td>DhRt 2 ats'elaxw</td>
<td>660</td>
<td>Gulf of Georgia Culture</td>
<td>200-1500</td>
</tr>
<tr>
<td>2</td>
<td>DhRa 1 Marpole</td>
<td>1510-2450</td>
<td>Marpole Culture</td>
<td>1500-2500</td>
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<tr>
<td>3</td>
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<td>2270-2450</td>
<td>Locarno Culture</td>
<td>2400-3200</td>
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<td>DgRr 2 St. Mungo</td>
<td>3380-4480</td>
<td>Charles Culture</td>
<td>3200-5000</td>
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<tr>
<td>5</td>
<td>DgRr 6 Glenrose</td>
<td>5730-8150</td>
<td>Old Cordilleran Culture</td>
<td>5000-8000</td>
</tr>
</tbody>
</table>

- Other excavated and cross-dated sites.

* Provided on the top line is the archaeological site number, its name and the range of radiocarbon dates obtained from the site. The second line provides the name of the archaeological culture for which the site is the type model, and the range of years B.P. that that culture dominates.


Map 2 CULTURE TYPE SITES LOCATED IN MUSQUEAM LAND CLAIM
Locarno Beach Culture Sites
(3200 - 2400 B.P.)

Boundary of Halkomelem Territories at Contact
(see Ham 1982 for references)

Map 3 DATED ARCHAEOLOGICAL ASSEMBLAGES OF THE SOUTHERN STRAIT OF GEORGIA REGION
Map 4 ARCHAEOLOGICAL SITES WHICH DOCUMENT THE 8,000 YEAR OCCUPATION OF THE MUSQUEAM LAND CLAIM
Table 1 PROVISIONAL LIST OF PERMANENT MUSQUEAM HOUSE SITES

<table>
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<td>th'ith'exət</td>
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<td>DhRt 2</td>
</tr>
<tr>
<td>Musqueam</td>
<td>k'slo'kən</td>
<td>DhRt 2</td>
</tr>
<tr>
<td>Musqueam</td>
<td>səmənəm</td>
<td>DhRt 2</td>
</tr>
<tr>
<td>Musqueam</td>
<td>tlttselh'kən</td>
<td>DhRt 2</td>
</tr>
<tr>
<td>Musqueam</td>
<td>stə'eləxw</td>
<td>DhRt 2</td>
</tr>
<tr>
<td>Musqueam</td>
<td>məl̓ı</td>
<td>DhRt 1</td>
</tr>
<tr>
<td>Harpole</td>
<td>ts'eəno7əm</td>
<td>unrecorded site</td>
</tr>
<tr>
<td>Sea Island</td>
<td>sxwət'čəm</td>
<td>DhRt 24</td>
</tr>
<tr>
<td>Steveston</td>
<td>sxw'yo7xw</td>
<td>DhRt 1</td>
</tr>
<tr>
<td>Wreck Beach</td>
<td>k'slo'kən</td>
<td>DhRt 137</td>
</tr>
<tr>
<td>Jericho Beach</td>
<td>tl'seləxw</td>
<td>DhRt 8, 10</td>
</tr>
<tr>
<td>Lumberman's Arch</td>
<td>sxw̓ eyxwɨ</td>
<td>DhRr 2</td>
</tr>
<tr>
<td>Capilano River</td>
<td>rəxwəltə'təm</td>
<td>?</td>
</tr>
<tr>
<td>Seymour Creek</td>
<td>ʔ</td>
<td>?</td>
</tr>
<tr>
<td>Brownsville</td>
<td>k'wə̓ kəy</td>
<td>DhRr 2</td>
</tr>
</tbody>
</table>

* House site locations are from those recorded in Barnett 1975; Boas 1894; Duff 1952; Kew 1970, 1970a; Musqueam Band 1977; Rozan 1979; Sutcliffe 1955.

** House site names are in the phonemic writing system after Rozan (1979).

*** Archaeological site numbers are from the British Columbia Archaeological Site file, Heritage Conservation Branch, Victoria. Unrecorded site from Smith 1903.

? Indicates either site name is unknown or the site location has not been determined by archaeological survey.

NOTE: The spelling of the Musqueam place names used in this and the following table are not definitive as different researchers utilized different Coast Salish alphabets.
Table 2  PROVISIONAL LIST OF MUSQUEAM SEASONAL SETTLEMENTS

<table>
<thead>
<tr>
<th>Location</th>
<th>Name</th>
<th>Archaeological Site Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>False Creek</td>
<td>səmon̓əkw̓</td>
<td>DhRs 18</td>
</tr>
<tr>
<td>Point Grey</td>
<td>sxe'̕ix̱en</td>
<td>DhRt 5, 6, 32</td>
</tr>
<tr>
<td>Sea Island</td>
<td>wəy̓əken̓</td>
<td>DhRt 22, 23</td>
</tr>
<tr>
<td>Terra Nova</td>
<td>sp'elekw'ęskə</td>
<td>unrecorded site</td>
</tr>
<tr>
<td>Steveston</td>
<td>kw̓lw̓hay̓em</td>
<td>DgRt 2</td>
</tr>
<tr>
<td>Woodward's Landing</td>
<td>ti'ek̓tines</td>
<td>DgRa 17</td>
</tr>
<tr>
<td>Ladner</td>
<td>(sta'lekw̓ken)</td>
<td>unrecorded site</td>
</tr>
<tr>
<td>Canoe Pass</td>
<td>(xw̓hlt̓s'æm)</td>
<td>unrecorded site</td>
</tr>
<tr>
<td>Mitchell Island</td>
<td>ts'ewλl̓elelm̓</td>
<td>unrecorded site</td>
</tr>
<tr>
<td>Poplar Island</td>
<td>yelelh̓kw̓e</td>
<td>unrecorded site</td>
</tr>
<tr>
<td>Poplar Island</td>
<td>skwetskw̓en-skwetskw̓en</td>
<td>unrecorded site</td>
</tr>
<tr>
<td>St. Mungo (Glenrose?)</td>
<td>sekw̓'ii̓sk̓en</td>
<td>DgRt 2 (6?)</td>
</tr>
<tr>
<td>Coquitlam River</td>
<td>kw̓l̓kw̓il̓t̓e̓m̓</td>
<td>DgRg 11, 19</td>
</tr>
<tr>
<td>Crescent Beach</td>
<td>kw̓m̓e̓m̓yes</td>
<td>DgRr 1</td>
</tr>
</tbody>
</table>

Temporary camps are those recorded in Barnett 1975; Kew 1970a; Musqueam Band 1977; Rozen 1979; Suttles 1977.

Campsite names (or placenames in parentheses) are in the phonemic writing system after Rozen 1979.

Archaeological site numbers are from the British Columbia Heritage Site File, Heritage Conservation Branch, Victoria B.C. Many portions of the study area have not been surveyed by archaeologists. Unrecorded sites are from Ham (n.d.).
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CHAPTER 3: MUSQUEAM LAND USE AND OCCUPANCY - THE HISTORICAL PERIOD

I. INTRODUCTION

II. 1792 - 1849

III. 1849 - 1899

IV. 1900 - THE PRESENT
CHAPTER 3: MUSQUEAM LAND USE AND OCCUPANCY -
THE HISTORICAL PERIOD

I. INTRODUCTION

This chapter documents Musqueam occupancy and land use, and identifies the sequence of resource use since the first European contact. It is divided into three periods: 1792-1849; 1850-1899; and 1900 to the present. In each of these periods changes occurred that affected the capacity of Musqueam people to use and enjoy their traditional lands. The key periods are 1850-1899 and 1900 to the present. In the first, farmers settled in Musqueam lands and commercial logging and salmon fishing commenced operation; in the second, an increasing body of fishery regulations restricted Musqueam salmon resource utilization, Fraser River salmon stocks were damaged, and the process of urban development consumed Musqueam lands.

II. 1792-1849

The Musqueam are a Coast Salish society, whose ancestors have occupied and used lands including those adjacent to Burrard Inlet, Queen Charlotte Channel and the lower Fraser River west of the Coquitlam tributary, including the delta islands in the Fraser estuary. They based their economy on fishing, hunting and gathering. Their native language is Halkomelem.

When Spanish and English vessels first explored Burrard Inlet in 1792, they saw several permanent winter villages occupied by the Musqueam, including the Ayalmuxw, Xwayxwi, and S'naqw
house sites situated at Jericho Beach, Stanley Park and False Creek. In addition, before Europeans first charted these waters, Musqueam people had seasonal camp sites at various locations in Burrard Inlet and Indian Arm.

Simon Fraser, who reached the mouth of the Fraser River in 1808, saw the great Musqueam longhouses at the two principal winter villages, Mali and Musqueam, indicating the presence of a large and stable population within the Musqueam claim area.

The Musqueam have traditionally occupied a position of advantage at the mouth of the Fraser River, the major salmon-producing system on Canada's west coast, and had first access to the important salmon runs which passed through their waters en route to spawning locations upstream. The significance of salmon and other maritime food resources in the Musqueam economy has been confirmed by archival documents, the research of archaeologists and anthropologists, and the recorded oral history of the Musqueam. The critical resource was the catch of the five species of Pacific salmon as well as steelhead caught at the customary fisheries in the lower Fraser River area. In addition, small independent streams in the Musqueam land claim area produced runs of coho and chum salmon which were easily taken with harpoons, gaffs, traps and small weirs. The Musqueam used a highly efficient and diversified fishing technology to exploit the salt water and anadromous species which abounded in their claim area.

Fishery sites used by Musqueam people occurred throughout the claim area, in the channels of the lower Fraser, at stretches
of the main stem of the Fraser upriver from what is now New Westminster, in Queen Charlotte Channel, and at streams in Burrard Inlet. Dried and smoked salmon products were the chief item of winter storage foods and important articles in traditional exchange systems.

Fishing for non-salmon species was also an important economic activity. Salt water varieties of fish included rockfish (rock cod, red snapper), herring, smelt and halibut. Herring spawn was collected. Eulachon, trout and sturgeon were also important foods.

Marine mammals utilized most commonly were the harbour seal, sea lion, and porpoise. The Musqueam harvested these species in the coastal waters of the claim area, specifically in the Gulf of Georgia, Burrard Inlet, Queen Charlotte Channel, Indian Arm, and in the Fraser estuary.

Intertidal species included clams, chitons, cockles, mussels, crabs, octopus, sea urchins and sea weed. Of these, clams were by far the most abundant and widely utilized. The Musqueam harvested clams on productive beaches within the land claim area, for example, Stanley Park and Bowen Island; they also harvested clams at Boundary Bay. Old village sites can be identified by the presence of great shell middens.

Plant foods and resources were also extensively utilized by the Musqueam. Common foods include wapato, camas lily, huckleberry, blueberry, salmonberry, elderberry, bog cranberry, salal, and the Pacific crabapple. Some of these foods were preserved and used as articles of exchange with groups outside the claim area; the bog cranberry and wapato were two examples. Dried
berries were a significant component of the Musqueam winter diet. Served with an oil condiment produced from fish or seal, they were a source of variety and nutrition.

The plant resources harvested by the Musqueam in the claim area grow under a variety of ecological conditions. Bog cranberries, for example, were collected in the UEL, delta islands, Lulu Island, Sea Island, and the bogs south of the South Arm of the Fraser River. Important berry grounds were 'owned' by certain extended families. Other species of berry were obtained in the meadows of Grouse Mountain and in the area now known as Queen Elizabeth Park. Common varieties of bush berry could be gathered along the creeks and streams everywhere in the claim area. The Pacific crabapple is native to the area and the Musqueam utilized its fruit for winter storage foods. In addition to food resources, plants provided the ingredients and materials for medicines, dyes, basketry, cordage and manufactured items. The single most important plant species used by the Musqueam was cedar: plank houses, canoes, cedar bark clothing, blankets and mats; materials for temporary camps, cordage, baskets, benches, boxes, carved figures and mortuary houses were all made of cedar products.

Musqueam hunters harvested large land mammals - deer, wapiti, bear and mountain goat - in several areas comprising the present land claim area. In the wooded hills behind the winter village sites; in the height of land between the ancient village site at Marpole and False Creeks, now known as Queen Elizabeth Park; along local streams near the villages of Musqueam, Mali and Ayulmuxw, and in the North Shore mountains, Musqueam hunters pursued their prey.
The abundance of small land mammals during this period meant that trapping was common in the Musqueam claim area. Fur-bearing animals like mink, muskrat and otter were utilized mainly for furs, while beaver and rabbit were harvested both for food and furs.

In the coastal areas and delta islands of the claim area, migratory and resident species of waterfowl were plentiful since the Fraser River delta is part of the Pacific flyway, the major migratory course of hundreds of thousands of ducks and geese.

The most common species harvested were mallard, widgeon, pintail, teal, murres, grebes, loons, scoters, scaups and harlequins. Migratory species of Canada goose, snow goose and swans were hunted, while duck and gull eggs were collected for food. In the open fields of Sea Island and Lulu Island grouse were hunted. Waterfowl was harvested near Sturgeon Banks on the western shore near Lulu Island and the winter villages at Mali and Musqueam, as well as at Westham Island near the mouth of the South Arm of the Fraser.

Another type of land use enjoyed by the Musqueam related to the spiritual foundation of Musqueam daily life. Like other Central Coast Salish, the Musqueam viewed human activities as distinct and separate from those of the non-human world. Fish, animals, and even trees were thanked for the produce they gave to sustain human life. Hunters and fishermen were careful not to offend the beings which were their prey, lest they cease to allow themselves to be taken.
Individual persons could acquire strength or power from the non-human world by going away from villages and places humans regularly frequented. In essence, those who sought non-human power divested themselves of connections with humans: they washed the taint of human activity from their bodies; they vomited to rid themselves of food prepared by humans, and they then walked and slept in places far apart from other humans. If successful, they received, in a dream experience, instructions from a source of power. This was the most personal and private experience a person could have; it was not revealed to others, nor talked about. Continued dreams and communication strengthened the gift and, with assistance from other persons with power, an individual learned to control and eventually was able to express the power in a performance of a personal song and dance. If managed in the proper way, this association gave strength and capabilities beyond those of simple human experience. If mismanaged, it could bring illness and death.

Precisely because of the intensely personal and private nature of Musqueam spiritual life, it was not until several years after contact that non-Musqueam observers noted the cultural complex surrounding the spirit dance rituals. As will be seen in a later chapter of this document, these rituals persist as the basis of Musqueam cultural and spiritual life and form a vital component of Musqueam land use.

The Musqueam had clear concepts of property which applied to their land and resources.
Within Musqueam society generally there was a clear distinction between what was considered 'private' and what was considered 'corporate' property. All moveable goods such as tools, fishing equipment, canoes, house-boards, matting, utensils, and foods, were considered to be individually owned private property which might be given away, traded and, in historic times, sold to others.

Immoveable objects and real property including, for example, the territory delineated by the village itself, the house sites and the house frames, were corporate property. Certain resource use sites of a restricted or concentrated nature, such as waterfowl and deer netting stations, fish trap locations, certain berry patches, or fields of edible roots, were 'corporately' owned by extended families. These were used to the exclusion of other families, although their use might be shared with permission. Unlike things considered to be private property, these places and resource sites could not be sold or alienated from the extended family group.

While the abundance of natural resources in the area allowed extended family groups and whole villages to share freely the produce offered by the environment, it is clear that certain territories and resource sites were recognized as 'property' over which Musqueam exercised exclusive rights.

III. 1850 - 1899

The second half of the 19th century brought critical changes to the Musqueam and their lands. Fifty years after
Simon Fraser explored the river, gold was discovered in the Fraser Canyon area; the 1858 gold rush inspired sudden interest in the mainland. The Royal Engineers were dispatched to survey the lower Fraser area, responding to political concerns that the Americans might try to push the recently established international border northward. They arrived in the winter of 1858-59, set up headquarters at New Westminster, and proceeded to survey and register lands, having no regard to Musqueam interests or aboriginal title.

First, the most accessible lands, including the delta islands and the properties adjoining the Fraser, were surveyed and divided into lots. A reserve was laid off for the Musqueam across the Fraser from New Westminster, next to an apportioned place for the Langley people.

On the North Arm, at the villages of Mali and Musqueam, a line was established correlating to the present east boundary of the reserve; from this point eastward, land was surveyed and divided into lots despite the fact that the Musqueam were still utilizing traditional resource locations and living on these same tracts of land. Within a short period settlers 'pre-empted' the area for farms. The rich alluvial fields on the banks of the North Arm were among the first properties to be cultivated in the lower Fraser region.

The exact date when the Musqueam reserve on the North Arm was established by colonial officials is uncertain. After years of debate and Musqueam appearances before various
Commissions, this reserve was given its present characteristic contour in 1879. The lands which have been identified as Musqueam reserves have never been sufficient to serve Musqueam needs.

The period between 1870 and 1899 was extremely significant to the Musqueam economy; most of the important changes occurred which continue to affect Musqueam people today. The predominance of salmon fishing technology and the extensive utilization of a diversity of natural resources within the claim area had created patterns responsive to the local ecology. Non-native settlement in the claim area affected this balance and the Musqueam responded with new adjustments and adaptations. They continued as before to hunt, trap, fish and gather the common species on which they depended even though some of their former resource use sites were no longer accessible.

The gradual encroachment of farmers was an early problem; fences were erected that impeded access to specific sites. Loggers began the process of removing the forest cover on the Vancouver slopes and habitat destruction led to game animals leaving the area. The Musqueam had to go further afield to hunt, away from the farms and the logged-off hills surrounding the villages. Sturgeon, an important resource, was drastically reduced by non-native over-fishing.

Non-Musqueam settlement in the claim area also brought new kinds of employment and economic opportunities. The participation of Coast Salish workers was initially welcomed in the commercial life of the new province. Logging outfits
set up operations on both sides of Burrard Inlet which employed the Musqueam and other native people in the region. The commercial fisheries expanded rapidly, employing Indian people almost exclusively during the formative years of the industry. Typically during this period, men supplemented their traditional pursuits with seasonal occupations in logging and fishing. Women sought work in the canneries or went to the hop fields in the Fraser Valley and Washington. In both cases, people usually obtained jobs where they could work with other members of their extended family. Other jobs available to men included road and rail construction, hop picking, millwork, and the transport of goods by watercraft.

The type of work available was generally of a seasonal nature, thereby allowing Musqueam people plenty of opportunity to combine their customary use of their resources with seasonal paid employment. In fact, the wages earned were mainly used to purchase material goods and effects, not food. While the Musqueam supplemented the foods they produced with some staples like flour and tea, they continued to rely on their traditional diets.

IV. 1900 TO THE PRESENT

In the first decade of this century, the last big runs of sockeye salmon came into the Fraser. Sockeye species return to spawn in the fourth year; there is a dominant cycle in the Fraser watershed system. Therefore, one year in every
four, a very large spawning population returns. 1901, for example, was a dominant year in which 25,760,031 sockeye were caught. The catches were still relatively high even in the off-cycle years in the Fraser, for example, 1902, 1903 and 1904. In 1913, a dominant cycle year, the sockeye runs were almost destroyed by the Hell's Gate slide which occurred during railroad construction in the Fraser Canyon. For many years, until only recently, the commercial catch of Fraser sockeye was greatly reduced; in dominant cycle years the average catch was 2,000,000 as compared to pre-slide averages of 20,000,000 sockeye salmon.

The decline in the Fraser fishery affected all segments of the industry, but especially Indian fishermen. Good seasonal earnings, common in the 1890s and from 1900 to 1913, became a thing of the past. Competition for fishing licenses for the canneries became keener; many non-native fishermen had entered the fishery and fought to protect their livelihood. The Musqueam and other Coast Salish fishermen found it increasingly difficult to get licenses to fish for salmon. The economic well-being of Musqueam people in the first half of the 20th century was directly related to the viability of Fraser River stocks, regulations in the commercial fishery, and changes in the industry. While the Musqueam prospered during the early years of the fishery, they suffered during the lean years that followed. Some continued to find work either in the canneries or as fishermen but earnings were low. Not until 1940-41 did the commercial fishery provide re-entry opportunities for Musqueam fishermen who had been displaced in the intervening years.
During this period there were many disputes over fishery rights, especially in the early years of the commercial fishery. In 1902, for example, a Musqueam fisherman had his gaff confiscated while fishing in a local stream. A system of permits for 'food fishing' was instituted in 1894; but officials at this time seldom objected to people selling freshly caught salmon. After the Hell's Gate slide, however, regulations were strictly enforced. Restrictions on the sale of salmon caught under a 'food fishery' permit caused much hardship. The imposition of the non-native concept of 'food fishery' as distinct from 'commercial fishery' resulted in a situation in which the Musqueam people were denied the opportunity to operate their own markets or to benefit economically from their own fishery resources. Over the years, appeals for flexibility in fishery regulations, or requests for changes to the existing system, went unheeded or were actively denied by fishery officials, and caused unnecessary difficulties for Musqueam people whose ancestors had for centuries past owned, used and conserved the Fraser salmon stocks.

The steady growth of urbanization within the claim area increasingly interfered with the ability of the Musqueam to pursue their traditional use of the land. Accordingly, they have been forced to restrict their use to certain areas, which are documented in the next chapter.
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CHAPTER 4: CURRENT MUSQUEAM LAND USE AND OCCUPATION

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   B. "FOOD" FISHERY
   C. CULTURAL SIGNIFICANCE OF THE FISHERY

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IV. GATHERING
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CHAPTER 4: CURRENT MUSQUEAM LAND USE AND OCCUPATION

I. INTRODUCTION

The preceding two chapters have outlined the salient features of Musqueam use and occupation of the lands and waters for the past many thousands of years. This chapter describes the current uses of this land, both with a view to establishing that the land in question continues to be used by the present Musqueam population, and to illustrate the continuous nature of that use over time. This chapter should not be interpreted as a fullscale harvest study, but rather a preliminary survey of existing land and resource use. In addition to empirical data, this chapter includes relevant excerpts from interviews with Musqueam people, which were conducted in the preparation of this document.

Musqueam utilization of their lands, waters and natural resources takes many forms. In addition to fishing, which continues to be the basis of the Musqueam economy, hunting and gathering are still practiced by the Musqueam. A wide variety of natural resources are harvested to meet a variety of Musqueam needs. The spiritual and cultural complex surrounding the Musqueam "bighouse" continues to this day, at least in part, because the natural resources and physical space needed to continue that tradition have been available to the Musqueam within the claim area. Musqueam culture is intimately tied to the lands and waters within the claim area, and it is remarkable indeed that the Musqueam
have continued to maintain a viable culture and special relationship to the land in the face of increasing non-Musqueam encroachment on Musqueam territory. As one Musqueam put it:

I maintain that they (University Endowment Lands) belong to the Musqueam Indian Band and before the University ever came, those lands were always used for and by the Musqueam people. Like they still are today. In the winter months, I use that land every day, so do numerous other Musqueam Indians. It's only since the non-Indian has come and the government has allotted the land to the University that it's been curtailed. For years and years, that land has traditionally been used by Musqueam, and it still is today and it still will be in the future. Wherever there's somewhere you can walk without having contact with a non-Indian, if you can find a portion up there that's not used, it's good for us to meditate all day ...

The following forms of land use are discussed below: fishing, hunting, gathering, recreational and artistic, spiritual and ceremonial, and commercial. This list does not purport to be exhaustive and is presented without prejudice to future research on the subject.

II. FISHING

The fishery is still central to Musqueam economic and cultural life. The Musqueam, strategically located at the mouth of the Fraser River, are in an ideal location to reap the benefits from the rich resources found there. Species currently fished or collected by the Musqueam include all five species of Pacific salmon - chinook, sockeye, pinks, coho and chum - steelhead trout, all varieties of cod fish, prawn, shrimp, sturgeon, sea urchins, sea cucumbers, seaweed, mussels, flounder, halibut, abalone, scallops, cockles, seals, barnacles, herring, chiton, octopus and crayfish. Of other species, such as clams, oysters, herring roe, smelts and
eulachon, some are available within the claim area, but many are obtained outside this area through self-harvesting, trade or barter.

A. LICENSED COMMERCIAL FISHERY

A total of 11 commercial vessels are owned by status Musqueam, and at least seven by non-status Musqueam, for a total commercial fleet of 18. Of the 11 vessels owned by status Musqueam, four of them - three gillnet and one seine - hold A licenses for salmon. Six vessels - five gillnet and one seine - hold A-I licenses for salmon, three of these licenses including herring. Two gillnet vessels are unlicensed at present.

In addition to the vessel owners, at least 12 status Musqueam and an unknown number of non-status Musqueam are currently employed as crew on these or other commercial vessels. Also, at least 16 status Musqueam currently work in the secondary sector of the fisheries as cannery workers, dock workers, and on fishpackers.

Commercial gillnet fishing is carried out primarily within those areas of the Fraser River designated by regulation. In order to be commercially competitive, however, all gillnet and seine fishermen must take advantage of commercial openings in most of the B.C. coastline as well.

It is the Musqueam position that the above statistics, taken alone, are misleading. In the recent past, many more Musqueam were actively involved with the fishery. Economic competition, increased regulations, and a plethora
of other problems have forced many Musqueam to seek a living elsewhere; what is clear is that there are currently a great many skilled Musqueam fishermen and shoreworkers who are ready, willing and able to participate in the fisheries, should the Musqueam obtain the financial resources needed to develop their fishery.

B. FOOD FISHERY

It is estimated that approximately 95 Musqueam people, or one-third of the adult population, presently fish for personal use and consumption within the claim area. While individually-held food fish permits apply only to salmon, the Musqueam take various other resources where and when they are available.

The present areas designated to Musqueam for food fishing have little resemblance to the areas where Musqueam actually utilize fresh and salt water resources. These areas are clearly indicated on the resource use map accompanying this document (see map).

The Musqueam are experiencing problems with their food fishing activity as well. While an analysis of the problems facing Musqueam fishermen is beyond the scope of this chapter, such an analysis is currently being documented. There is no question, in the minds of the Musqueam that the regulatory regime currently in place unduly interferes with and restricts Musqueam fishing activity and is not consistent with their aboriginal rights to this all-important resource.
C. CULTURAL SIGNIFICANCE OF THE FISHERY

It would be a mistake to suggest that the importance of salmon and other fishery resources to the Musqueam is limited to the economic sphere. For example, the Musqueam utilize a variety of smoking and drying methods when preparing and preserving species for personal consumption. Trading has been affected by prohibitive fisheries regulations, yet such activity undoubtedly continues in an informal way. The sharing and distribution of fish among family and friends continues to be an occasion for feasting and an important aspect of Musqueam social life. Finally, it should be noted that variations of the traditional Musqueam 'first salmon rite' continue to be followed by some Musqueam families.

III. HUNTING AND FISHING

Approximately 90 Musqueam men hunt actively today. Their game is primarily wildfowl, including mallard, teal, widgeon, pintail, geese, brandt, blackduck, grouse and pheasant. These birds are hunted on the river banks, marshes and meadows throughout the Fraser delta; on the foreshore areas within and adjacent to Musqueam Reserves #2, #3 and #4d; on Bowen Island and Passage Island; and in other sites within the land claim area. Approximately ten men hunt the foreshore of the Tsawwassen Indian Reserve adjacent to the claim area.
As for small and large game, deer are hunted in Bowen Island and in the mountains in the northern portion of the claim area. Until very recently, mountain goat were also hunted in this region. In addition, it must be noted that Musqueam hunters today rely on customery and kinship ties for permission to utilize areas outside of their claim area for hunting deer, wapiti, moose and caribou.
IV. GATHERING

A. RESOURCES FOR PERSONAL USE

Berries, once a staple of the Musqueam diet, continue to be gathered by approximately 75% of the community primarily for personal and family use. Species utilized include blackberries, salmonberries, thimbleberries, blackcaps, red and blue huckleberries, salal (slehal) berries, oregon grape, blueberries, and 'saskies', that is, the new shoots of the berry plants wherever they can be found. In addition, Musqueam trade berries found within their claim area with other native communities for 'soapberries' to make 'Indian ice-cream'.

While berry-picking sites obviously change as the environment and vegetation change, berries are now heavily picked at various places on the reserve, in Musqueam Park, and in the University Endowment Lands. Musqueam also pick berries at Grouse Mountain, and in various sites in Port Moody, Ladner and Richmond. In addition to using berries fresh, extensive preserving of fruit has long been a tradition with Musqueam women who continue to can, freeze and prepare jams and jellies to a significant degree today. As one woman said:

Oh, I generally go for salmonberries or huckleberries: I use UBC. Let me see, where else do I go? Oh, I've been out around Port Moody, there's a lot out there. I go to Ladner for strawberries. That's the kind of berry picking I do there. Blueberries. Mom went out she used to go to Grouse Mountain and the bogs in Richmond, for blueberries and a type of tea that we drank. We've drank (inaudible), where others
know a small area where you could pick wild blueberries. It's the only spot left. And Grouse Mountain. I think most of the people have gone to Richmond to pick berries. My older sister has gone there, and she still likes to go every year if she can get a way there to pick them. The park (Musqueam Park), well, the kids get the berries in the park because we find them in there all the time. There's a good huckleberry track up at Discovery Way (29th Avenue and UBC).

B. RESOURCES FOR MEDICINAL USE

Approximately twelve Musqueam people are currently recognized by the community as 'specialists' having intensive knowledge of species and uses of various floral resources traditionally used for medicinal and curative purposes. These persons, accompanied by others, collect plants and roots within the University Endowment Lands, the area now known as Musqueam Park, and the various mountain forests found within the claim area. There are approximately 50 people who participate regularly in this activity. Species utilized include cascara bark, labrador tea, alder, elderberry root, oregon grape, cherry bark, devil's club, juniper, balsam, foxglove, nettle, ferns (a variety of roots), burdock, hemlock, rosehip, chokecherry, horsetail, skunk cabbage, vine maple, regular maple, wild crabapple, clover, dandelion, silverweed, mountain ash, camomile, blackberry leaves, and strawberry, blueberry and cranberry plants. As one person expressed the matter:
I've gone in the University Endowment Lands and Musqueam Park a lot of times when like even weekly, because some things you need, fresh and in season. You brew it up as you need it. Other times, you go gather a bunch to make sure you've got it over the winter months. Not daily, but it's certainly something we have to be able to just go out and get it when you need it.

Oh yeah, I go in for my mom (looking for medicine). I've gone out and done the digging and gathering for her, for years. You have to just take what you can get. A lot of times you can't mix up the proper things because there just isn't enough. That means going further, and when you're walking, you don't want to have to go that far.

C. RESOURCES FOR ARTISTIC USE

In the summer of 1983, a number of Musqueam women established a Musqueam weaving project. This project, inspired by a concern with preserving traditional Coast Salish weaving technology and design, is aimed at stimulating knowledge and interest of traditional weaving within the Musqueam and other Coast Salish communities and to eventually developing the weaving centre into a commercially profitable enterprise, based on contemporary and traditional designs.

In order to continue traditional dyeing, spinning and weaving technology, the natural resources required include mountain goat wool for blanket weaving; various plants, trees and fungi for the dyeing; plants, barks and bullrushes for making traditional mats; nettle fibres for nets; cedar bark and roots for traditional garments, baskets and accessories.
At the present time, eight Musqueam women are working fulltime at dyeing, spinning and weaving; another six are so involved on a part-time basis; and another six have a working knowledge of weaving skills. The Musqueam weaving group has stimulated great interest among the local women and plans to expand its operations when it can economically do so.

While Musqueam women originally utilized the Coast Mountains within the claim area in order to pick the shed wool of mountain goats clinging to trees and bushes, this has become increasingly difficult to obtain within the claim area. The weavers have recently had to travel to the national park in the Olympic Peninsula to collect this material. The floral resources used in various stages of the weaving are collected by the weavers and their families within the reserve, along the foreshore marshes of the river adjacent to and beyond the reserve, in Musqueam Park, and throughout the University Endowment Lands adjacent to the reserve.

In addition to weaving, basketry is also an important art form. Approximately 20 Musqueam women are currently involved in making traditional baskets on a part-time basis. Because basketry requires cedar roots and slabs and cherry bark, it has become a more sporadic activity as these resources become more difficult to obtain. These materials are presently being collected in the Endowment Lands, in Stanley Park, and at other locations including the marshlands.
adjacent to the reserve. One Musqueam said:

There must be at least 20 that have a basic knowledge of it (basketry), but how many of them that actually do it, I don't know how many. The one thing, if you wanted to get into doing baskets, now, it's a long trip to Mount Currie, and very expensive to get the roots. It's terrible. I shouldn't have to ask at all. I should be able to just go and never be questioned about it. That goes for gathering medicine too, which is not available here. That means going into the park and a lot of times people will stop and ask you what you're doing and why you're doing it.

I've been gathering roots for making baskets, bullrushes, and the roots we've been - we've had to go to the University Endowment Lands, Stanley Park, we've gathered in there ...

Wood carving is yet another artistic activity of the Musqueam which relies on the natural resources of the land for its continuance. There are at least 28 wood carvers at Musqueam who sell their products on a regular basis; for at least six of these men, carving is the main source of income. Before resorting to purchasing their wood from lumber yards, mills and other reserves, Musqueam carvers look to the reserve and adjacent marshlands and Endowment Lands for their raw materials.

D. RESOURCES FOR SPIRITUAL AND CEREMONIAL USE

A previous chapter of this document outlined the importance of the bighouse, with its attendant dancers, and the cycle of feasting and ceremonial activities associated with it. While more than 50% of the Musqueam population actively participates in the bighouse, and the entire community participates in some festivities, the continuation of this important cultural tradition depends upon the Musqueam
being able to gather the natural resources needed to carry on these activities: wood is needed in significant amounts to keep the bighouse fires burning throughout the winter season; tree products, feathers, shells, bullrushes and other resources must be collected by and for the dancers; and the various materials gathered are needed to make the costumes and accessories utilized by the dancers and ceremonial participants. As expressed by one Musqueam:

In the past, it was an honour to be a spirit dancer, today it's still an honour to be a spirit dancer, and because of time, change, technology, and whatnot, those things have changed a bit. But yet, the values are still there. The bottom line values are always still there. That is, they respect each other and there's honour amongst their peers. And that is the whole sense of being Indian, a Musqueam Indian. If we are to be denied our cultural aspects, that is the longhouse, those people who have very, very limited education and whatnot are going to find themselves in a very precarious position where they will not be able to carry on their values as an Indian person. In other words, if the government wants the native people to be annihilated through assimilation, is to deny them their traditional areas. And we find that without our bighouse, three quarters of our social life, or community life, will be dead ...

So it's the time that's very important today to come through the realization that these lands are very important to our people.

V. RECREATIONAL

Traditionally, Musqueam Village in summer was the site of canoe races, slehal games, and other recreational activities. These activities continue today, supplemented by modern sports tournaments, and participated in by a great number of Musqueam. Canoes and paddles used in the canoe races were made by Musqueam men from trees found within their claim area, whenever possible. Training for the canoe races utilizes the river adjacent to the reserve for paddling, and the lands and trails to the north and west of the reserve for general running and fitness training.
VI. SPIRITUAL AND CEREMONIAL

In addition to the various natural resources, both floral and faunal, which are required for the elaborate costumes, accessories, drums, rattles and other ceremonial regalia utilized by Musqueam dancers and participants in the bighouse; and in addition to the wood needed to keep the fires of the bighouse burning, there is a type of land use, practiced extensively by the Musqueam, which is absolutely central to Musqueam cultural life. Because of the need for physical and social isolation and for ritual bathing experienced by the dancers and initiates, explained earlier in this document, it is estimated that more than 200 Musqueam individuals utilize the University Endowment Lands on a regular basis for purposes of meditation, bathing, and sacred thought and celebration of a private nature. This constant and consistent use of lands by a significant proportion of the present Musqueam population, an activity carried on from generation to generation of Musqueam bighouse participants, is respected by all members of the Musqueam community and recognized as one of the most important uses of, and as a prime need for, land, as witnessed by this speaker:

Well, from Musqueam here that use the Endowment Lands, I would have to say, that I know of all the dancers down here and myself, being a dancer, I know this for a fact. All the dancers down here use this area year after year because it's the only place we have got to go now. You look right down here where we live, there is no place to go anymore. We go out there for our morning baths and not just through the Indian dance season, but before it starts too. There's over 100 dancers in this reserve and I know for a fact that we all use this area for baths and walking around.
A lot of the park area is used by the dancers but they can't stay there because as soon as daylight comes, they have to get out of there because there are so many people, so many people walk around there, walking their dogs and everything and we have had incidents where people try to take pictures and we don't allow pictures in our traditional ceremonies that take place.

* * * * * *

I would say if we were to break our Band into percentages, 50% of our Band, if not more, would utilize all said lands at various times of their lives. The people that belong to the big house, spiritual aspect, utilize these lands probably the most of all. That is, say 50% of our population participate in the longhouse and 50% of our population use these on a regular yearly basis.

We find that if there is too much contact that one cannot get closer to nature in reality. So it has decreased our use in that manner, but we still maintain that they will move deeper and deeper into areas of more privacy and more isolation.

VII. COMMERCIAL

Archaeological and anthropological evidence confirms the fact that Musqueam society flourished at least partially as a result of the richness of the resources found within Musqueam territory.

As the evidence illustrates in this paper, with respect to past and present uses of such resources as salmon or berries, Musqueam people used, and continue to use, resource surpluses in order to trade them for other needed commodities.

This willingness of the Musqueam to trade off what they had for what they needed finds its modern expression in a purely commercial use of their land. The Musqueam have consistently considered that their present reserve is far too small to meet the needs of the community; indeed, as this document shows, the Musqueam do not recognize the boundaries of their reserve as coincident
with their land. In the early fifties, the Musqueam leased parts of their reserve to Chinese market-gardeners in order to generate much-needed income for the band. Other developments, such as the Shaughnessy Golf Club, followed. When increasing land pressure in the City of Vancouver drove land prices sky-high, at a time when the Musqueam people desperately desired funds to meet their own housing needs, the Musqueam band responded with a decision to surrender a portion of their reserve for the purpose of leasing to non-Musqueam residents.

VIII. SUMMARY

Because of the restraints of time and resources mentioned earlier in this document, the scope and extent of specific types of land use presented here should be considered to be on the conservative side. When one compares the prehistoric, historic and current periods of use and occupation of the Musqueam land claim area, it is interesting to note the manner in which the Musqueam readily adapted to major environment and developmental forces which influenced previous patterns of use and occupation. That the Musqueam were able to incorporate new avenues of use, while continuing their more traditional pursuits, is a recurrent theme in the data. What is perhaps most interesting in light of the significant impact of non-native settlement and other development is that the Musqueam were able to continue a traditional mode of land use up to the present day. The other point which must be made about current Musqueam land use is the fact that the
Musqueam people perceive the continuity of their cultural tradition as intimately tied to the land. While this is a truism for many groups of native people in Canada, the need for physical space and isolation as well as accessibility to certain natural resources is an absolute prerequisite to the continuation of the bighouse and its surrounding cultural complex. One can only understand the Musqueam concern with expanding their land base by understanding this tradition.
CHAPTER 5: CARTOGRAPHIC REPRESENTATION OF PERTINENT FEATURES OF THE MUSQUEAM LAND CLAIM AREA

I. PURPOSE OF THE MAPPING PROJECT

II. METHODOLOGY
   A. FEDERAL CROWN LANDS
   B. PROVINCIAL CROWN LANDS
   C. HARBOUR AND RIVER BED OWNERSHIP AND ADMINISTRATION CONTROL

III. RATIONALE FOR THE MAPPING PROJECT

IV. SUMMARY OF FINDINGS

NOTES

SOURCES

ANNEXES
CHAPTER 5: CARTOGRAPHIC REPRESENTATION OF PERTINENT FEATURES OF THE MUSQUEAM LAND CLAIM AREA

I. PURPOSE OF THE MAPPING PROJECT

Justus-Simonetta Development Consultants initially were requested to identify and map those unalienated federal and provincial Crown lands that fall inside the Musqueam land claim area (I).

II. METHODOLOGY

A cartographic base map for the Musqueam land claim area was drawn using the federal national topographic survey maps in 1:50,000 scale. A series of overlays was produced; one delineating the territory of the Musqueam land claim using the geographic description given in the Musqueam Declaration of 1976; a second and third overlay showing easily identifiable 'undeveloped' and 'developed' federal Crown lands within the claim area; a fourth showing federal and provincial Crown ownership of the beds of the Greater Vancouver harbour and Fraser River within the claim area; and a fifth overlay showing some, but not all, undeveloped provincial Crown lands of interest to the Musqueam claim.

The method employed for identifying and mapping these lands was as follows:

A. FEDERAL CROWN LANDS

The Central Real Property Index (CRPI) and Public Works Canada's Area Screening Programme information and data were the main sources used, in addition to consultation
with Real Estate Services personnel(2). These data are believed to be current to January 1984 for those properties we have plotted on the maps.

As some federal Crown corporations do not list their holdings with the CRPI but hold administrative control over significant properties within the claim area, we consulted with personnel of the Corporation of the Port of Vancouver (3). The Port of Vancouver, together with the National Harbours Board, control both properties and the beds of Vancouver Harbour from slightly west of the First Narrows Bridge through to the end of Port Moody Bay and to the end of Indian Arm.

According to personnel of the Real Estate section of the Port of Vancouver, the title to the harbour bed and the properties they administer are held by the federal Crown. The Port of Vancouver administers land and water leases. These leases apparently number over 100 and provide significant returns. The leases are commercial and recreational water leases.

Using these sources, the federal Crown lands identified as significant to the Musqueam claim were then mapped on to overlays of the base map at a scale of 1:50,000. There are two overlays of federal Crown lands. The first overlay includes all lands currently held by the federal Crown and, to the best of our knowledge, are in an undeveloped, unimproved, abandoned or vacant condition. The second overlay includes those lands currently held by the federal
Crown which have been developed or improved significantly and are generally in current use, e.g. an office building or post office (4).

The surface areas of these sites were provided in the CRPI and in the Area Screening computer printouts. The surface areas of other federal properties were provided by their respective sources or were derived by planimetry (5).

B. PROVINCIAL CROWN LANDS

These holdings were much more difficult to assemble than the federal Crown lands since no current listing of all provincial lands exists in any one place or under any one classification in the provincial records (6).

We therefore began with the most current source available in graphic form. This was the 'Crown Lands Inventory' undertaken in 1977 by the then provincial Ministry of Municipal Affairs and Housing. Those we spoke to who were involved with or have knowledge of the inventory project estimate 50% to 70% accuracy. No similar update has been attempted since then. Using copies of the maps done for the inventory, we identified lands which were marked provincial Crown lands, held in the Crown or by Crown corporations. We then selected certain parcels of land, which we confirmed as still being provincial Crown lands. We were advised, however, that not even the computer is 100% accurate due to delays in inputting changes in land title status.
A specific check was made of the titles of the parks in the Greater Vancouver area through the Vancouver Parks Board and through the Properties Office of the City of Vancouver. Through these sources we were able to identify parks which are still held in provincial title but are leased to or managed by the City.

These parcels have now been mapped (7).

Surface areas of these parcels were determined through the printouts of the Ministry of Lands, Parks and Housing, the offices of the B.C. Assessment Authority, or by planimetry.

Special attention was also given to the University Endowment Lands (UEL) (8). The title of the bulk of the UEL and the foreshore rests with the province. Some of the lands within and bordering the UEL have been alienated and have passed from the provincial title (#86144K) to individuals or institutions. The housing subdivisions with the rare exception of a building lot or two have passed into private ownership. The University of British Columbia holds title to the lands it occupies. Special provisos have also been attached to some of these Crown-granted lands.

According to the provincial Ministry of Lands, Parks and Housing, all land within the Musqueam land claim area to the north of the GVRD boundary is to be considered unsurveyed provincial Crown land. The area of this land has been calculated by planimetry. All that does exist in this area are timber and mining leases.
C. HARBOUR AND RIVER BED OWNERSHIP AND ADMINISTRATIVE CONTROL

To define title and administrative control of the Fraser River, we consulted with the Fraser River Harbour Commission (FRHC) (9). The FRHC identified the extent of federal and provincial title of the Fraser River and its foreshore and the land and water lot leases of the Fraser River. The areas of the river bed owned by the respective Crowns have been mapped and their areas determined by planimetry.

Data and information on ownership and administrative control of the North Arm of the Fraser River was provided by consultation with the North Fraser River Harbour Commission (NFRHC) (10).

Ownership of the beds of the coastal waters is the subject of federal/provincial disagreement. These areas were therefore not screened for ownership on the map. It should be noted that our map is similar to those of the FRHC and the NFRHC with the exception of Musqueam's riparian rights to bed and waters adjacent to Musqueam Reserves nos. 2 and 3.

III. RATIONALE FOR THE MAPPING PROJECT

Initially there was interest in mapping 'unalienated' Crown lands. For the purposes of this project, the word 'unalienated' is used to refer to lands held by the federal or provincial Crowns and which have never been transferred to a third party, and the
word 'unoccupied' refers to lands which may be considered undeveloped, unimproved, abandoned or vacant (11).

Again, due to time and resource constraints, it has been impossible to determine with 100% precision whether all the federal or provincial Crown lands have never been alienated. Therefore, in choosing the lands to be plotted on the maps, we have included lands currently held by their respective Crowns, whether or not they have ever been alienated.

In the provincial case, we have mapped only those lands that, to the best of our knowledge, are undeveloped, unoccupied, vacant or abandoned (12).

Sources in the Burnaby office of the B.C. Ministry of Lands, Parks and Housing have indicated that the unsurveyed land north of the North and West Vancouver municipal district boundary lines are unalienated provincial Crown lands. This parcel of land represents over 90% of the undeveloped provincial Crown land shown on Map D and for this reason Map D has been titled 'Unalienated and/or Undeveloped Provincial Crown Land'.

Parklands currently held by the provincial Crown have been included, while those currently held by a municipal corporation have not (13).

In examining the maps, reference should be made to the accompanying annexes for a detailed breakdown of properties. It should also be noted that the federal Crown lands are marked with a dense uniform dot screen and provincial Crown lands are marked with a distinctive broken line screen. Each property is identified on the map by a code number which distinguishes whether
the property was considered as developed or undeveloped. For example, 'FNI' describes a federal undeveloped property, 'FDI' a federal developed one, 'PNI' describes a provincial undeveloped property, and so on. The annexes include the Musqueam map series identification number; the Public Works Canada Area Screening Programme equivalent number in brackets (if available or appropriate); a brief property identifying title (which indicates how the property is commonly known to the agency concerned) and its approximate area.

IV. SUMMARY OF FINDINGS

Briefly stated, and within the limitations outlined above, the following information has been researched, and accompanying maps have been prepared:

1. The Musqueam land claim area (LCA) itself contains approximately 234,540.0 ha., or 905.2 sq. miles. This is shown in Map A, and broken down in Annex "A".

2. The approximately area of unalienated and/or 'undeveloped' federal Crown land within the LCA is 2,078.5 ha., or 8 sq. miles. This is shown on Map B and broken down into its components in Annex "B".

3. The approximately area of unalienated and/or 'developed' federal Crown land within the LCA is 1,673.6 ha., or 6.5 sq. miles. This is shown on Map C and broken down into its components in Annex "C".
4. The approximate total area of federal Crown land within the LCA is, therefore, 3,752.1 ha., or 14.5 sq. miles.

5. The approximate area of unalienated and/or 'undeveloped' provincial Crown land within the LCA is 68,830.6 ha., or 265.6 sq. miles. This is shown on Map D and broken down into its components in Annex "D". (It should be noted that the financial resources available for carrying out this project did not make it possible to compile a map illustrating 'developed' provincial Crown lands and it is for that reason only that it is not included.)

6. The approximate area of harbour and river beds held by the federal and provincial Crowns within the LCA is 10,667.5 ha., or 41.2 sq. miles. This is shown on Map E and broken down into its components in Annex "E".
NOTES RELATING TO CURRENT CROWN LANDS COMPONENT

1. The Crown lands category includes lands held by the Crown, its corporations or ministries.

2. Communication with Mr. Charters and Mr. L. Bidiwski supplemented graphic and written materials prepared by Public Works Canada. Properties plotted were taken directly from PWC Area Screening Programme reference map. A copy of this map is with the Musqueam as are fuller descriptions of the federal properties.

3. Communication with Mr. I. Douglas and Mr. H. Whitcutt, Property Assistants, Real Estate Department, Port of Vancouver. A reference plan of the Port of Vancouver is with the Band. A tentative listing of NHB properties was provided by PWC and is with the Band.

4. Determination as to whether federal properties were to be considered as 'developed' or 'undeveloped' were made by judgment using the Area Screening Programme capsule descriptions, supplemented by the most currently available 1:50,000 and 1:25,000 topographical maps. This is not a black and white issue and arguments may be made for treating a particular parcel as developed or undeveloped on a case-by-case basis. Changes in the use and availability of developed federal properties are possible and these should be carefully monitored.

5. Significant federal properties on the Fraser were identified by personnel of the FRHC. Plans of these parcels are with the Band. Areas of these parcels were derived by planimetry using FRHC References.

6. Unfortunately, there is no integration of the respective data bases to facilitate compiling a listing and mapping. Apparently each provincial government department and Crown corporation keeps its own records of the properties under its administrative control. The prospect of approaching every provincial department and Crown corporation was not possible given the constraints place on the research. We investigated the feasibility of requesting a special printout of the assessment roll for all provincial properties in the Musqueam claim area. This option
was rejected due to cost, time, and problems of access and utility.

Another alternative method of trying to arrive at a definitive listing and mapping of the holdings of the provincial Crown would be the mammoth task of reading and recording all of the assessment entries by owner for a full list of departments and Crown corporations from the microfiches of the various assessment offices within the study area and including or rejecting entries on the basis of the equity codes. This was the approach taken for the 1977 provincial Crown Lands Inventory. It took a research staff of five people working three to four months to collect and assemble the data, and a team of draftsmen to produce the maps for an area roughly corresponding to the land claim area. For these reasons, the listings of provincial Crown properties listed and mapped as part of this report cannot be considered as definitive. This also holds true for the federal properties, but to a lesser extent. It represents what we have been able to determine to date and is preliminary.

7. The majority of the properties identified in the 1977 Inventory as being held by the provincial Crown (including its departments and corporations) appear to still be held in the Crown according to the Lands, Parks and Housing computer. The main transfers of lands appear to have been to the municipalities.

Attempts to get a comprehensive listing of vacant provincial Crown lands through the B.C. Building Corporation Space Inventory Programme were unsuccessful.

8. Information and data regarding UEL lands comes from communication with Mr. Bob Bryson of the UEL Authority. The UEL reference plan is with the Band. Land ownership was also checked with the Vancouver Assessment Office and the Land Titles Office for parcels of special interest to the Band.

9. Capt. A. Domaas, Property Supervisor, Fraser River Harbour Commission, provided information regarding state of development,
current use and plans of FRHC administered properties held by the federal Crown, as well as a copy of the lease register and survey plans for their geographic area of jurisdiction.

10. Mr. G.W. Colquhoun, Port Manager, North Fraser River Harbour Commission, was contacted. A set of lease plans for their geographic area of concern is with the Band. These plans are basically aerial photography with district lot and NFRHC administered leases superimposed.

11. Definitive classification of lands as 'unalienated' would require that the title of each parcel be researched in depth with the Land Titles Office. Resource and time constraints have made such verification impossible at this point.

12. This was due to time and resource constraints.

13. The exception in Vancouver is Musqueam Park, which has passed to the City of Vancouver but has been mapped together with provincial Crown lands as per instructions of the band. Its area is approximately 21.2 ha.
SOURCES FOR CURRENT CROWN LANDS COMPONENT

Base Map

National Topographic Survey 1:50,000

Creeks flowing through Musqueam I.R. No. 2 from Map 'Musqueam Creek Watershed' by Tera Consultants Limited, Drainage and Fish Management Study of the Musqueam Creek System. Prepared for the Musqueam Indian Band, January, 1981.

"Q" Creek from Vancouver Public Aquarium Association, Vancouver's Old Streams, Vancouver, B.C.

Musqueam I.R. Nos. 2, 3 and 4 from plans in possession of the Band.

Federal Lands


Provincial Lands


Township of Richmond. Land ownership map. 1979.

Harbour and River Beds


ANNEX A: MUSQUEAM LAND CLAIM AREA

An estimate of the total area within the Musqueam claim was made by use of a planimeter. These measures are approximations.

Surface area of land portion, including islands, rivers, lakes and inlets

149,682.5 ha

Surface area of those waters lying off the coast of B.C. and to the west of the First Narrows of Burrard Inlet and the mouths of the respective arms of the Fraser River

84,857.5 ha

Total Surface Area

234,540.0 ha
<p>ANNEX B: "UNDEVELOPED" FEDERAL CROWN LANDS</p>

"Undeveloped" federal Crown lands broken down by area include:

### Vancouver

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<td>TC Point Atkinson</td>
<td>74.9</td>
</tr>
<tr>
<td>FN2</td>
<td>(13.4.36)</td>
<td>DFO Research Lab. Site</td>
<td>5.9</td>
</tr>
<tr>
<td></td>
<td>(13.4.37)</td>
<td>DFO Pt. of New Resource Lab.</td>
<td>1.8</td>
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</table>

### North Vancouver area

<table>
<thead>
<tr>
<th>FN</th>
<th>Area</th>
<th>Description</th>
<th>Area (hectares)</th>
</tr>
</thead>
<tbody>
<tr>
<td>FN3</td>
<td>(13.4.44)</td>
<td>DFO Hatchery</td>
<td>1.2</td>
</tr>
<tr>
<td>FN4</td>
<td>(13.4.43)</td>
<td>CBC TV and FM Transmitters</td>
<td>1.6</td>
</tr>
<tr>
<td>FN5</td>
<td>(13.4.49)</td>
<td>CMHC Blair Rifle Range</td>
<td>260.8</td>
</tr>
<tr>
<td>FN7</td>
<td></td>
<td>Cates Park</td>
<td>24.0</td>
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### Coquitlam area

<table>
<thead>
<tr>
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<th>Area</th>
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<th>Area (hectares)</th>
</tr>
</thead>
<tbody>
<tr>
<td>FN8</td>
<td>(13.4.50)</td>
<td>EC Vacant Land Admiralty Point</td>
<td>76.9</td>
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### Burnaby

<table>
<thead>
<tr>
<th>FN</th>
<th>Area</th>
<th>Description</th>
<th>Area (hectares)</th>
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</thead>
<tbody>
<tr>
<td>FN10</td>
<td>(13.4.57)</td>
<td>EC Vacant land</td>
<td>35.3</td>
</tr>
<tr>
<td>FN16 &amp; FN17</td>
<td>(13.4.58)</td>
<td>PWC George Derby Lands</td>
<td>67.1</td>
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### New Westminster

<table>
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<tr>
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<th>Area (hectares)</th>
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</thead>
<tbody>
<tr>
<td>FN19</td>
<td>(13.4.66)</td>
<td>CSC B.C. Penitentiary</td>
<td>27.9</td>
</tr>
<tr>
<td>FN31</td>
<td>(13.4.67)</td>
<td>DND Terry Hughes Park</td>
<td>3.5</td>
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</tbody>
</table>

### Surrey

<table>
<thead>
<tr>
<th>FN</th>
<th>Area</th>
<th>Description</th>
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</thead>
<tbody>
<tr>
<td>FN20</td>
<td></td>
<td>FRHC Domtar &quot;Musqueam&quot;</td>
<td>25.0</td>
</tr>
</tbody>
</table>
### Delta

| FN24 | FRHC "St. Mungo" | 27.5 |
| FN27 (13.4.86) | EC Alaksen National Wildlife Area | 288.4 |
| FN28 (13.4.87) | EC George C. Reifel Waterfowl refuge | 39.7 |
| FN29 (13.4.94) | TC Coast Guard Radio Receiver Site | 17.7 |
| FN30 (13.4.89) | PWC Marina | .4 |

### Richmond

| FN18 | Lots 8 and 9, Sea Island | 25.0 |
| FN21 (13.4.101) | TC Radio Beacon Site | 14.7 |
| (13.4.103) | TC Marine Transmitter | 51.4 |
| (13.4.105) | DND Transmitter Site | 61.6 |
| FN22 (13.4.95) | CBC CBU Radio Transmitter | 17.8 |
| (13.4.97) | EC Sturgeon Banks National Wildlife area | 127.1 |
| (13.4.98) | PWC Jetty Site | 82.9 |
| FN23 | FRHC "Fraser Richmond" | 285.0 |
| FN25 (13.4.96) | DFO DPW Fishing Boat Harbours | 9.3 |
| FN26 (13.4.104) | TC Wharf Site | .4 |

---

**Total Area Undeveloped Federal Crown Lands**: 2,078.5 Hectares
ANNEX C: "DEVELOPED" FEDERAL CROWN LANDS

"Developed" federal Crown lands broken down by area include:

Vancouver

<table>
<thead>
<tr>
<th>Code</th>
<th>Area Description</th>
<th>Area (hectares)</th>
</tr>
</thead>
<tbody>
<tr>
<td>FD1</td>
<td>(13.4.6) PWC Alvin Building</td>
<td>.2</td>
</tr>
<tr>
<td>FD2</td>
<td>(13.4.8) PWC Customs House</td>
<td>.2</td>
</tr>
<tr>
<td>FD3</td>
<td>(13.4.4) PWC Block 15</td>
<td>.6</td>
</tr>
<tr>
<td>FD4</td>
<td>(13.4.7) CPC General Post Office</td>
<td>1.2</td>
</tr>
<tr>
<td>FD5</td>
<td>(13.4.25) DND Beatty Armoury</td>
<td>.2</td>
</tr>
<tr>
<td>FD6</td>
<td>(13.4.1) CBC Broadcasting Centre</td>
<td>1.2</td>
</tr>
<tr>
<td>FD7</td>
<td>(13.4.10) CPC Former Service Garage</td>
<td>.3</td>
</tr>
<tr>
<td>FD8</td>
<td>(13.4.28) DND Canadian Forces Exhibit</td>
<td>.1</td>
</tr>
<tr>
<td>FD10</td>
<td>(13.4.29) DND Pacific Region Headquarters</td>
<td>8.3</td>
</tr>
<tr>
<td>FD11</td>
<td>(13.4.24) DND Seaforth Armoury</td>
<td>.6</td>
</tr>
<tr>
<td>FD12</td>
<td>(13.4.26) DND Bessborough Armoury</td>
<td>.4</td>
</tr>
<tr>
<td>FD13</td>
<td>(13.4.5) CPC Postal Station D</td>
<td>.2</td>
</tr>
<tr>
<td>FD14</td>
<td>(13.4.15) PWC Harry Stevens Building</td>
<td>.3</td>
</tr>
<tr>
<td>FD15</td>
<td>(13.4.13) CPC Postal Station &quot;F&quot;</td>
<td>.3</td>
</tr>
<tr>
<td>FD16</td>
<td>(13.4.12) PWC Standards Building</td>
<td>.5</td>
</tr>
<tr>
<td>FD18</td>
<td>(13.4.21) PWC Former Postal Station &quot;E&quot;</td>
<td>.1</td>
</tr>
<tr>
<td>FD19</td>
<td>(13.4.18) RCMP Officer Married Quarters</td>
<td>.1</td>
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<tr>
<td>FD20</td>
<td>(13.4.19) RCMP Subdivision Headquarters</td>
<td>5.9</td>
</tr>
<tr>
<td>FD21</td>
<td>(13.4.20) RCMP Division Headquarters</td>
<td>2.5</td>
</tr>
<tr>
<td>FD31</td>
<td>(13.4.14) PWC Dominion Agricultural building</td>
<td>.1</td>
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<tr>
<td>FD32</td>
<td>(13.4.2) CMHC Granville Island</td>
<td>17.3</td>
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<tr>
<td>FD33</td>
<td>(13.4.17) CPC Postal Station &quot;O&quot;</td>
<td>.1</td>
</tr>
<tr>
<td>FD34</td>
<td>(13.4.22) PWC Postal Station &quot;L&quot;</td>
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West Vancouver

<table>
<thead>
<tr>
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<th>Area (hectares)</th>
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<tbody>
<tr>
<td>FD35</td>
<td>(13.4.38) CPC Postal Station &quot;W&quot;</td>
<td>.2</td>
</tr>
<tr>
<td>FD36</td>
<td>(13.4.39) PWC Wharf Site: Caulfield Cove</td>
<td>.1</td>
</tr>
<tr>
<td>FD37</td>
<td>(13.4.40) PWC Wharf Site: Horseshoe Bay</td>
<td>.8</td>
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</table>

North Vancouver area

<table>
<thead>
<tr>
<th>Code</th>
<th>Area Description</th>
<th>Area (hectares)</th>
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<tbody>
<tr>
<td>FD38</td>
<td>(13.4.46) PWC Government of Canada Building</td>
<td>.1</td>
</tr>
<tr>
<td>FD39</td>
<td>(13.4.48) DND Forbes Armoury</td>
<td>.5</td>
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Coquitlam area

<table>
<thead>
<tr>
<th>Code</th>
<th>Area Description</th>
<th>Area (hectares)</th>
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</thead>
<tbody>
<tr>
<td>FD40</td>
<td>(13.4.51) CPC Letter Carrier Depot</td>
<td>.2</td>
</tr>
<tr>
<td>FD41</td>
<td>(13.4.54) CPC Postal Station</td>
<td>.2</td>
</tr>
</tbody>
</table>
Burnaby area

FD9  (13.4.60)  RCMP Officer MARRIED Quarters  .1
FD17  (13.4.61)  CBC Warehouse  1.6
FD22  (13.4.59)  CPC Post Office  .3

New Westminster

FD23  (13.4.69)  CMHC Glenview Apartments  2.6
FD24  (13.4.68)  DND New Westminster Armoury  .3
FD42  (13.4.64)  PWC Pacific No. 101 Building  .1
FD43  (13.4.65)  PWC Government of Canada Building  .3

Surrey

FD25  (13.4.76)  PWC New Westminster Railway Bridge  3.3

Delta

FD27  (13.4.90)  CPC Letter Carrier Depot  .3
FD29  FRHC "Fraser Annacis"  57.5
FD30  FRHC "Fraser"  92.5
FD44  (13.4.88)  CPC Government of Canada Building  .1
FD45  (13.4.92)  TC Vancouver VOR Site  .1

Richmond

FD26  (13.4.102)  TC Back Beam Marker  .5
FD28  (13.4.99)  TC Vancouver International Airport  1,480.0

Total Area Developed Federal Crown Lands  1,673.6 hectares
ANNEX D: UNALIENATED AND/OR "UNDEVELOPED" PROVINCIAL CROWN LANDS

"Undeveloped" provincial Crown lands broken down by area include:

**Vancouver**

<table>
<thead>
<tr>
<th>PN</th>
<th>Description</th>
<th>Area (hectares)</th>
</tr>
</thead>
<tbody>
<tr>
<td>10</td>
<td>English Bay (15.5) and Sunset Beach Parks (1.6)</td>
<td>17.1</td>
</tr>
<tr>
<td>11</td>
<td>Hastings Mill Park</td>
<td>1.0</td>
</tr>
<tr>
<td>12</td>
<td>Jericho Hill School and grounds</td>
<td></td>
</tr>
<tr>
<td>13</td>
<td>West Point Grey Park</td>
<td>3.8</td>
</tr>
<tr>
<td>14</td>
<td>University Endowment Lands (including Marine Drive Foreshore Park)</td>
<td>17.1</td>
</tr>
<tr>
<td>15</td>
<td>Camosun Park</td>
<td>4.5</td>
</tr>
<tr>
<td>16</td>
<td>Portion of Falaise Park</td>
<td>0.2</td>
</tr>
<tr>
<td>17 &amp; 18</td>
<td>Portions of Langara Golf Course</td>
<td>22.5</td>
</tr>
<tr>
<td>20</td>
<td>Provincial Crown</td>
<td>4.0</td>
</tr>
<tr>
<td>21</td>
<td>B.C. Forest Service</td>
<td>27.5</td>
</tr>
<tr>
<td>22</td>
<td>Transportation and Highways</td>
<td>1.0</td>
</tr>
</tbody>
</table>

**North and West Vancouver and Coquitlam areas**

<table>
<thead>
<tr>
<th>PN</th>
<th>Description</th>
<th>Area (hectares)</th>
</tr>
</thead>
<tbody>
<tr>
<td>3</td>
<td>Cypress Bowl Park</td>
<td>1,987.5</td>
</tr>
<tr>
<td>4</td>
<td>Mount Seymour Park</td>
<td>3,757.5</td>
</tr>
<tr>
<td>5 &amp;7</td>
<td>Unsurveyed Crown lands including Belcarra Park and Port Moody Conservation Reserve</td>
<td>62,025.0</td>
</tr>
<tr>
<td>8</td>
<td>Portion of Port Moody Conservation Reserve</td>
<td>27.5</td>
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**Burnaby**

<table>
<thead>
<tr>
<th>PN</th>
<th>Description</th>
<th>Area (hectares)</th>
</tr>
</thead>
<tbody>
<tr>
<td>9</td>
<td>Gosse Point</td>
<td>25.0</td>
</tr>
<tr>
<td>27</td>
<td>Oakalla Prison Farm</td>
<td>85.0</td>
</tr>
<tr>
<td>19</td>
<td>Central Park</td>
<td>95.0</td>
</tr>
<tr>
<td>28</td>
<td>Borstal Home Grounds</td>
<td>23.8</td>
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**Richmond and Delta**

<table>
<thead>
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<th>Description</th>
<th>Area (hectares)</th>
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<tbody>
<tr>
<td>23</td>
<td>Steveston Island</td>
<td>52.5</td>
</tr>
<tr>
<td>24</td>
<td>Duck Island</td>
<td>25.0</td>
</tr>
<tr>
<td>25</td>
<td>Barber Island</td>
<td>77.5</td>
</tr>
<tr>
<td>26</td>
<td>Open Provincial Crown land</td>
<td>297.5</td>
</tr>
<tr>
<td>29</td>
<td>St. Mungo Cannery site</td>
<td>2.7</td>
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**Bowen Island**

<table>
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<th>Description</th>
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<tbody>
<tr>
<td>1</td>
<td>Demonstration woodlot</td>
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<tr>
<td>2</td>
<td>Reserve</td>
<td>390.0</td>
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</table>

**Total Area Undeveloped Provincial Crown Land** 63,830.6 hectares
NOTE RE ANNEX D:

Area of unsurveyed Crown lands has been measured as if flat. Therefore, actual surface area would be significantly greater if accurate measurements could be taken.

Areas given for small parcels of land are very approximate due to difficulty of measuring with planimeter.
ANNEX E: HARBOUR AND RIVER BEDS

Held by the Federal Crown

Port of Vancouver including Burrard Inlet east of First Narrows, Indian Arm and Port Moody Bay - administered by the Port of Vancouver (National Harbours Board).

Total surface area including major wharves and terminals

5,917.5 hectares

Portion of Fraser River and approximately .7% of North Arm of Fraser (as indicated on map of Harbour and River Beds) - administered by Fraser River Harbour Commission

Total surface area

1,422.5

Held by the Provincial Crown

Approximately 99.3% of North Arm of Fraser River - administered by North Fraser River Harbour Commission

Total surface area

1,145.0

Portion of Fraser River (as indicated on map of Harbour and River Beds) - administered by Fraser River Harbour Commission

Total surface area

2,182.5