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GOVERNMENT ORDERS

Tsawwassen First Nation Final Agreement Act

Mr. John Cummins (Delta—Richmond East, CPC): Mr. Speaker, on this issue of competing claims, if the parliamentary secretary looks at chapter 2, clause 49, he will see that there are in fact eight treaty claims to the Tsawwassen territory and two non-treaty claims. If there is any infringement on this Tsawwassen traditional territory, the onus is on the government to compensate Tsawwassen. This could be an expensive process and one that could go on for a long time.

The notion somehow is that this treaty addresses concerns of band members, and most people think of people living on the reserve. The fact of the matter is that in Tsawwassen, over half the band members no longer live on the reserve. In fact, they live in California, Washington state, Oregon, Manitoba, Ontario, and elsewhere in British Columbia. For many of those members, and they are basically new members, their only connection to the Tsawwassen Indian band is that they may have had a grandparent who was a member of the Tsawwassen Indian band. They are in fact one or two generations removed from the reserve.

Does the parliamentary secretary think that it is appropriate, given the nature of this treaty, that Canadians would continue to pay the costs that would be recognized by this

treaty to people whose connection to the reserve is tenuous at best? Many of them, as I say, do not even live in this country and, as I am told by many band members, have never set foot on the Tsawwassen reserve.

Mr. John Cummins (Delta—Richmond East, CPC): Mr. Speaker, I listened with interest to some of the issues that my friend across the way was raising. Some of them are rather troubling in their inaccuracies. Let me just briefly touch on them.

The member suggested that after the conclusion of the treaty, band members would be paying taxes just like everyone else. That is not the case. I, along with everybody else in this room, pay taxes to the federal government, the provincial governments and municipalities. When this treaty is completed, band members and others, non-band members who live on the reserve, will be paying federal income tax, but they will be paying it to the band, not to the federal government. GST will be going to the band, as will half of the PST.

On the fisheries file, this fisheries is not split up in any kind of even fashion or even a realistic fashion. If the allocation that is given to the Tsawwassen is replicated on the Fraser River, it will require 180% of the existing total allowable catch. There will not even be enough fish for other band members, let alone anybody else, and that is based on a government study that was done by the former Liberal government back in 1993.

The member suggested that the charter applies. I would suggest that he read the treaty. The final agreement states:

The Final Agreement will be a treaty and a land claims agreement within the meaning of sections 25 and 35 of the Constitution Act, 1982....

In other words, the kinds of rights that the rest of us enjoy will not be forthcoming if one is a resident or doing business on that reserve.

The issue that I really want to ask about is this one. In my comments for the parliamentary secretary, I mentioned where these folks live. When we talk about the Tsawwassen Band members, we are talking about a total band membership of 350 people. Only 160 of those 350 live on the reserve. As I said, the rest of them are spread throughout the United States and Canada.

I want to know if Parliament should accord in perpetuity untold millions of dollars in special rights and privileges to persons who are not Canadian citizens, who have no appreciable connection with the Tsawwassen reserve or its long-time residents, and

whose children and their children will in future generations have even less of a connection to the reserve. Why should we be doing that?

(1630)

(1700)

Mr. John Cummins (Delta—Richmond East, CPC): Mr. Speaker, I appreciated the member's comments. He did have his facts straight. The interpretation of them may not have been as good, but at least the facts were straight.

The member mentioned that 67% of the folks there voted in favour of the treaty. I just want to remind him that out of 350 members, only 160 actually live on the reserve. The vote was largely carried by people who live elsewhere in Canada and in the United States.

The other point I want to make is in regard to the issue of land. The member mentioned land value and there are a couple of points I would like to make about that.

That land was essentially a salt marsh until farmers went in and diked it, and started to cultivate it. That land was not of much use to anybody. I know that the member was quoting the government when he said that the value of the land was about \$67 million. That is a long way off the real value of the land.

We are talking about 1,700 acres, I believe, that are being transferred to the Tsawwassen. When the government first acknowledged the treaty, it gave the treaty a total value of \$70 million. At that time I went to the real estate authorities to check the value of farmland for half of that 1,700 acres. I put an industrial value on the other land that is going to be transferred into the port. I lowballed the value of both the industrial land and the farmland and came up with the figure of \$250 million for the land alone.

There is a strong NDP supporter back home who sat in the Barrett government in the seventies and has been a Richmond councillor for over 30 years. In fact, the community of Steveston is named after his family. He said “[The member for Delta--Richmond East] has got it all wrong”. He said the real value of that land is at least \$500 million.

We have been somewhat misled. We somehow think that this is going to turn out great for everybody. But remember, I said 500 acres are going to be industrialized. A rail line from the port is going in to that land. There is going to be container storage to service the port and warehousing.

The key question here is: Would that member want to live adjacent to that kind of industrial area? If anyone anywhere else in North America or the western world is living that close to an industrial area that is servicing a port, they are living in a slum. A minority number of Tsawwassen band members are going to be living next to an industrial area in an area that anywhere else in the western world would be called a slum. Is the member in favour of that?

The Acting Speaker (Mr. Royal Galipeau): Questions and comments. The hon. member for Delta—Richmond East for a short question.

Mr. John Cummins (Delta—Richmond East, CPC): Mr. Speaker, the previous member mentioned a land base. I should remind her that the existing land base for the Tsawwassen is roughly 600 acres. The band actually sold off about 70 acres on its own volition in 1950 and after that it developed a stake in properties on long term leases. A land base has not been an issue.

I appreciate the earnestness of the member's comments and it is okay to justify the need for a treaty, but the issue today is to evaluate this particular treaty that is before us. It is a large document. There are over 460 pages in two volumes and there are seven side agreements. She said very little about that. There are a number of issues that I am curious about. Let me ask her two questions.

One has to do with the issue of competing claims. In clause 49, chapter 2, it provides:

If Canada or British Columbia enters into a treaty or a land claims agreement...and that treaty or land claims agreement adversely affects the Section 35 Rights of Tsawwassen First Nation...Canada or British Columbia,...will provide...additional or replacement rights or other appropriate remedies;--

Does she have any idea of the expense and foofaraw that is going to be involved with that kind of an open-ended process? The other question is, does she think--

(1730)

The Acting Speaker (Mr. Royal Galipeau): Order. I am very sorry, but the hon. member does not have time for another question. I had been very precise that I wanted a short question. The clock has now run out. I will pretend that I am not seeing the clock and ask the hon. member for Nanaimo—Cowichan to give a short reply.

The Acting Speaker (Mr. Royal Galipeau): It being 5:30 p.m., the House will now proceed to the consideration of private members' business as listed on today's order paper.

When the House returns to the study of Bill C-34, there will be three minutes left for the hon. member for Nanaimo—Cowichan and I would hope that the Speaker at that time would recognize again the hon. member for Delta—Richmond East so that he could ask his second question.