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## **Will public buy treaties that change B.C.'s face?**

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GARY MASON VANCOUVER For decades, native land claims in British Columbia were merely a notion. When talks began 13 years ago to settle those claims, few understood what it would mean. As the treaty process dragged on with no results, most British Columbians forgot about it entirely.

Not any more.

The treaties are now arriving and every indication is they will radically transform the province.

The first one was signed in late October, when negotiators agreed to a \$76-million deal with the Lheidli T'enneh band near Prince George. The pact included a provision that annually allocated the band a bit less than 1 per cent of any commercial catch, prompting charges by Conservative MP John Cummins the agreement created a race-based fishery.

It was a hint of things to come.

The treaty announced yesterday by federal and provincial negotiators with the Tsawwassen band is far more controversial. And will likely be the deal that truly awakens British Columbians to what is afoot here and how the treaty process is going to affect their lives.

Under the terms of the estimated \$100-million-plus deal, the provincial government has agreed to remove 207 hectares from the Agricultural Land Reserve, which the band plans to use for industrial port development.

The band's territory and the land it is being awarded sits next to the massive Delta port container facility.

The band will also have the first option (and presumably now the money) to purchase another 278 hectares of Crown-owned land currently being used by farmers. (The farmers will be given an opportunity first to buy the land when their leases run out.) The band will also be given 62 hectares of fee-simple land (land that can be privately owned with standard limits).

Any way you look at this, hundreds of acres of prime agricultural land will soon disappear to make way for infrastructure to facilitate a port expansion that the federal and provincial governments believe is crucial to Canada's Asia-Pacific trade strategy.

While the move might mesh nicely with a national economic agenda, it is going to infuriate residents of Delta, who have fiercely guarded their farm land for decades. There is a huge fight brewing here.

Potentially more troublesome is the powers of self-government the agreement gives the Tsawwassen First Nation. (In the interest of full disclosure, I should say that I live in Tsawwassen, but not in the land-claim settlement area.) The band will have the governing authority of most municipalities, including the ability to levy property taxes and pass bylaws. Band members account for only 43 per cent of the population in the settlement area. And yet, only band members will be allowed to vote in elections.

Representatives from the non-aboriginal community are not allowed to constitute a majority on any body established by the band. The non-aboriginal community is, however, expected to be consulted on issues that affect them such as property taxes.

You can imagine how this is going to go over.

Mr. Cummins, who represents Delta federally, has quickly registered his disgust with most aspects of the agreement, which, the same as the Prince George deal before it, gives the Tsawwassen band a percentage of the commercial catch. (The same as the pact with the Lheidli T'enneh, the harvesting agreement is a side deal and not part of the main treaty.) A former commercial fisherman, Mr. Cummins says that under the treaty his constituents will be subjected to taxation without representation and will see valuable farm land turned into an industrial wasteland. He sees the fish component of the deal sparking trouble on the water.

Mr. Cummins is popular in these parts. It's not difficult imagining his constituents forming en masse behind him and his opposition to this treaty. The expected outcry will, in turn, alert British Columbians everywhere to what's coming down the pipe.

Native groups in British Columbia have laid claim to nearly all of the province, including large swaths of the Lower Mainland. It's the deals in urban areas like Tsawwassen that are going to be the most controversial.

It should be noted that the Tsawwassen band will eventually lose tax exemptions it currently enjoys. However, that is unlikely, in itself, to be enough to make non-aboriginals in the area feel any better about this deal.

My prediction is Premier Gordon Campbell has a rough road ahead of him, although he was putting the best face on things when I talked to him late Thursday.

"These treaties are going to bring stability and confidence to the province," Mr. Campbell said. "They are one of the ways we can close the gap in health and education and economic opportunity for first nations people across B.C." It's difficult to imagine a more confident province than B.C.

right now, but there is no denying that the land-claim issue needs to be resolved.

The Tsawwassen agreement gives us an indication of how expensive these deals are going to be. And what we're going to have to give up in order to get them done.

As it turns out, the toughest part of the treaty process may just be starting -- selling the public.

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