

## **Berthing strategies**

Improving relations between the Port of Vancouver and First Nations is helping to pave the way towards Deltaport's \$272 million expansion

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More than a major investment in the economic future of the Port of Vancouver, the Deltaport third berth project is also fostering a sea change in the relationship between the Tsawwassen First Nation and the port authority.

Six years ago, the TFN – a community of approximately 360 Coast Salish people that occupies land situated between the BC Ferries terminal and the Deltaport container terminal to the north – filed suit against the Vancouver Port Authority (VPA) regarding the degradation of a large parcel of intertidal territory adjacent to the Deltaport facility at Roberts Bank. However, in March 2004 the two parties bridged their gulf, signing a memorandum of agreement that paved the way for the VPA's \$272 million third berth expansion plans.

While the primary focus of the third berth scheme is expansion of existing operations at Roberts Bank – by dredging, filling and building a third, 20-hectare ship berth, tug moorage and container storage area – an additional 7,000 metres of track will also be laid to support increased rail traffic, and \$3 million has been earmarked for a number of improvements along the highway 17 corridor.

The third berth, which received provincial and federal environmental regulatory approval last fall and is expected to be completed in the fall of 2009, will be administered by Terminal Systems Inc., the current operator of the Deltaport terminal.

The 2004 agreement also included a lucrative settlement that proposed big dividends for both the TFN's current and future members. Among the concessions, the deal allocated \$4.5 million to settle claims of past infringements and provide support for TFN fisheries; a minimum of \$4 million in construction and operations job contracts for TFN members and its businesses; and \$11 million in economic development funds, the bulk of which will be dedicated to a joint venture development fund to provide

capital for the creation of port-related businesses during and after the construction process.

Both the TFN and VPA remain optimistic about the relationship being forged between the two parties, trading acrimony for accord.

“For many years our relationship was an adversarial one,” said Patrick McLaughlin, VPA’s director, planning and development. “I don’t think we really appreciated the Tsawwassen First Nation’s expertise or relationship to Roberts Bank, and it took a lot of effort on their part to work with us. Now we have a much different relationship than we had in the past, and it has enabled us to work together and allow the Tsawwassen First Nation to contribute as a community. It’s been a huge change, and for me, it’s been a pleasure to be a part of it.”

TFN Chief Kim Baird, who oversees the implementation group that was formed to work with the VPA to execute the memorandum of agreement, said that one of the key features of the deal was the opportunity to establish a long-term, amicable association with the port.

“Traditionally, our relationship (with the VPA) was not very positive, so it has been helpful, building trust. Although (the 2001 lawsuit) was not our preferred approach, that brought us to the table and we’re proud of the agreement that we reached.

“It’s taking time to implement the agreement but it has been a positive experience as we work together hard to develop a better relationship, and opportunities for the Tsawwassen First Nation.”

Baird, who was recently elected to her fifth term as chief of the First Nation reserve, has been a force for change in the TFN. She served a key role during the Nation’s long treaty negotiation process and in December helped initial a final agreement with the province and Ottawa that allots the Tsawwassen First Nation 724 hectares of land, establishes provisions for self-government and defines the TFN’s rights to resources such as land and fish.

The TFN’s members will vote to reject or ratify the treaty in July. Baird, who also serves as a board member for the First Nations Employment Society and the Vancouver Aboriginal Skills and Employment Program, said that the agreement with the VPA will provide the Tsawwassen First Nation with an economic shot in the arm.

“I think initially (the agreement) was met with skepticism (within the TFN) but there is a lot more acceptance and support now that we’re starting to see the benefits.”

Economic development funds will be used to help provide training, apprenticeship and small business financing opportunities for TFN members, while the VPA has pledged a minimum of 35 person years of construction employment for qualified TFN members during the expansion project, as well as a minimum of five full-time operations jobs to TFN members after the berth is completed.

“Years ago, if you asked anybody in the Tsawwassen First Nation, they would have told you that nobody from the TFN was working (at the Deltaport facility) but that is starting to change now,” said McLaughlin.

“They have opportunities with the terminal operators and the VPA is also creating opportunities with the harbourmaster and in our offices downtown.” Aside from construction jobs, McLaughlin said that TFN members will also be able to take advantage of longer-term contracts to provide support services at the terminal, as well as establish independent businesses that support the container transfer and redistribution facilities at Deltaport. •