Relationship-Building on Unceded Lands: An Examination and Assessment of the Musqueam–YVR Sustainability and Friendship Agreement

by

Jessica Lea Carson

B.A., University of British Columbia, 2007

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Approval

Name: Jessica Carson
Degree: Master of Urban Studies
Title: Relationship-Building on Unceded Lands: An Examination and Assessment of the Musqueam–YVR Sustainability and Friendship Agreement

Examining Committee: Chair: Yushu Zhu
Assistant Professor of Urban Studies and Public Policy

Patrick J. Smith
Senior Supervisor
Professor of Urban Studies and Political Science

Meg Holden
Supervisor
Professor of Urban Studies and Geography

Kamala Todd
External Examiner
Adjunct Professor
Urban Studies

Date Defended/Approved: April 15, 2020
Ethics Statement

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Abstract

Musqueam Indian Band and the Vancouver Airport Authority signed a ‘Sustainability and Friendship Agreement’ on June 21, 2017, following decades of Musqueam assertions of rights and title over the airport lands. While not an explicit recognition of Musqueam rights and title, the Agreement implicitly acknowledges that Musqueam community can benefit from its territorial lands and should have a say in how the Airport develops. The Agreement commits the Airport to providing various community benefits, including scholarships, employment, training, contracting, and business partnership opportunities. It commits the parties to engaging with one another on a regular basis about Airport plans and developments. It also commits Musqueam Band to supporting the Airport’s ongoing operations, regardless of title recognition. Two years in, the outcomes are supporting various Musqueam community planning objectives. The relationship now reflects several principles of reconciliation; however, it does not guarantee Musqueam’s right to determine uses of its territorial lands.

Keywords: First Nation and business agreement; reconciliation; Indigenous self-determination; Comprehensive Community Planning; Musqueam Indian Band; Vancouver Airport
To mom, the supportive, loving, and kind mother we should all be so lucky to have. You exemplified hard work and dedication. You championed your children and encouraged us to pursue what makes us feel happy and fulfilled. I feel your love around me every day and I am eternally grateful. I love you and miss you.
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To my Musqueam friends and colleagues too numerous to name, words cannot express how grateful I am to all of you. You supported my growth as a planner for over 7 years and opened my eyes much wider to what a just, equitable, and “Musqueamized” world can be. ḥəʔccəʔ q̓ə for your time, your teachings, your trust, and your generosity. I hope I can return some of what I have gained through this research, and future work in your territory.

Thank you to everyone who participated in and helped me with this project. I greatly appreciate your generosity and faith that I would tell the story in a good way. Special thanks to Anne Murray for your ongoing guidance, insights, and assistance; Leona Sparrow, Aaron Wilson, Dianne Sparrow, and David Carson for reading the draft and providing thoughtful comments and corrections; and Mary Point for your unwavering support throughout this endeavour. Mary, you are so dedicated to your community, your family, and your work but you always make time for me. I am deeply grateful to you for constantly championing me and lifting me up.

Thank you, Paddy Smith, Meg Holden, and Kamala Todd for your time, edits, thought-provoking questions, and encouragement. This work is much better for it.

To my Urban Studies friends, including the 2018 696 cohort, the Seattle, Victoria, and Mexico City field trippers, and the friends I made in class, thank you for inspiring me, supporting me, challenging me to think bigger, and making me laugh for four years. Thank you to my Urban Studies teachers, Meg Holden, Peter Hall, Matt Hern, and Noel Dyck, and my elective teachers, Evelyn Pinkerton and Aftab Erfan, for inspiring so many of us to challenge our views of urban spaces and the ways humans collectively build and maintain urban communities.

To Rob and Dad, thank you for cooking, cleaning, organizing, and loving me unconditionally, even when I was no fun to be around. To Shauna, Kate, David, Jenn, Vanessa, Liane, Jayne, Craig, Rena, Park Board buddies, and so many others: Thank you for fuelling me with encouragement, patience, feedback, food, and love. Julia Hulbert, I could not have finished this as quickly or as enjoyably without you. Thank you for being such an inspiring, knowledgeable, and committed thesis mate!
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<tr>
<td>CCP</td>
<td>Comprehensive Community Plan</td>
</tr>
<tr>
<td>E&amp;T</td>
<td>Musqueam Employment &amp; Training Department</td>
</tr>
<tr>
<td>MST</td>
<td>Musqueam, Squamish, Tsleil-Waututh</td>
</tr>
<tr>
<td>YVR</td>
<td>International designation for the Vancouver International Airport and an abbreviated name for the physical airport</td>
</tr>
<tr>
<td>YVRAA</td>
<td>Vancouver Airport Authority, the not-for-profit corporation that operates the Vancouver Airport</td>
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Glossary

Musqueam name for a former settlement site located across the Fraser River from Sea Island, below the Arthur Laing Bridge. It became a famous archaeological site because settlers unearthed hundreds of burials and finely crafted belongings. The site has been mined, desecrated, and disturbed for urban development. Musqueam people hold strong ties to this ancestral village.

Name of various Musqueam Chiefs, including one who was designated Chief in the late 1800s.

The name of the language dialect spoken by Musqueam and other First Nations peoples living in the downriver areas of the Lower Mainland.

Musqueam name for a former settlement site on the southern bank of the Fraser River in North Surrey, today known as former Musqueam Indian Reserve 1.

Musqueam name for a village located on the south shore at the entrance to what is now called False Creek, known today as Kitsilano Reserve 6, allocated by the government and courts to the Squamish Nation.

Musqueam name meaning "sloping into the water, sunken shore" for a settlement on the northwest corner of Sea Island, today known as Sea Island Indian Reserve 3.

Musqueam name for big river, known today as the Fraser River.

Musqueam name for what is now known as Canoe Pass, located in the northwest area of Delta on the south shore of the south arm of the Fraser River, near present day Musqueam Indian Reserve 4.

Musqueam name meaning “crook of land” for a former settlement on the southwest tip of Sea Island.

Musqueam name for the island now known as Iona Island.

The name of the village and its inhabitants who have lived near the mouth of the Fraser River for thousands of years. The name means “People of the plant” and was anglicized as “Musqueam” by settlers.

Musqueam name for a place on the western shore of Sea Island.
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<th>English Glossary</th>
<th>Definition</th>
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<tr>
<td>Aboriginal rights</td>
<td>“Collective rights which flow from Aboriginal peoples’ continued use and occupation of certain areas. They are inherent rights which Aboriginal peoples have practiced and enjoyed since before European contact” (Hanson 2009a).</td>
</tr>
<tr>
<td>Aboriginal title</td>
<td>The inherent Aboriginal right to land or a territory.</td>
</tr>
<tr>
<td>First Nation</td>
<td>Refers to a band or reserve-based community and the people who are part of that community.</td>
</tr>
<tr>
<td>Indigenous</td>
<td>The sovereign nations and people who have inhabited Canada and other parts of the world for millennia.</td>
</tr>
<tr>
<td>Inherent rights</td>
<td>Rights based on Indigenous peoples’ longstanding use and occupation of territories, which include rights to lands, subsistence resources, cultural practices, self-determination, and self-government.</td>
</tr>
<tr>
<td>Midden</td>
<td>Accumulation of discarded shells, animal bones, tools, and other belongings that indicate prolonged Indigenous peoples’ use and settlement.</td>
</tr>
<tr>
<td>Reconciliation</td>
<td>Acts of shifting relationships between Indigenous and settler peoples, governments, and organizations that involve changes in societal understandings of ongoing colonial harms and settler responsibility to provide reparations and restitution.</td>
</tr>
<tr>
<td>Redress</td>
<td>To set right or make up for; to remove the cause of; and to exact reparation for a grievance or complaint.</td>
</tr>
<tr>
<td>Reparation</td>
<td>An act of making amends (compensation) for a wrong or injury.</td>
</tr>
<tr>
<td>Restitution</td>
<td>An act of restoring, such as to a previous state or rightful owner, or giving an equivalent for some injury.</td>
</tr>
<tr>
<td>Self-determination</td>
<td>A right, as defined by the United Nations, for Indigenous peoples to “freely determine their political status and freely pursue their economic, social and cultural development” (United Nations 2008).</td>
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Wall panels located at an entrance to the Vancouver International Airport. Text is in hən̓q̓əmin̓əm̓ and English. The English text reads:

Welcome to Traditional Musqueam Territory.

Learn more about the Musqueam – YVR Airport Sustainability and Friendship Agreement at yvr.ca/MUSQUEAM
Chapter 1. Introduction

I want to start by acknowledging that this research at SFU Harbour Centre is taking place on the traditional, ancestral, and unceded territories of the xʷməθkʷəy̓əm (Musqueam), Skwxwú7mesh (Squamish), and səl̓ílwətaɬ (Tsleil-Waututh) peoples. These three First Nations have lived in specific permanent villages and used and occupied distinct and overlapping territories in the region, sharing protocols, laws, traditions, and family connections in some instances, for millennia. Territories are the geographical areas to which Indigenous peoples have ancestral and contemporary connections (Malone and Chisholm 2016). Traditional means “handed down from age to age” (Merriam-Webster 2019). Ancestral means “inherited from an ancestor, one from whom a person is descended” (Merriam-Webster 2019). Unceded means never yielded or granted, which in this case means territories were never yielded to the Crown (Merriam-Webster 2019). I am an uninvited guest who has been privileged to work, learn, and grow in this place for over 16 years but I am not ‘of’ these lands. My ancestors come from England, Scotland, Ireland, Norway, and Germany and I grew up in Ottawa, on Algonquin territory. While I love the place that I live, I do not have the deep, millennia-long connections and attachments Musqueam, Squamish, and Tsleil-Waututh people have to this place and to each other. The work and research I have done for over seven years with the Musqueam community barely scratch the surface of this understanding.

This research project examines the relationship between the Vancouver Airport Authority (YVRAA), a local not-for-profit corporation with designated jurisdiction over land use, development, and operations on specific lands, and Musqueam First Nation, an Indigenous community with territorial claims to the lands on which the Vancouver Airport (YVR) operates. It assesses an agreement resulting from negotiations between the parties, based on its consideration of the Musqueam community’s goals, as identified in their Comprehensive Community Plans, and through conversations with key Musqueam staff and leaders. The study also explores whether this approach offers

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1 I use the term ‘Indigenous’ to refer to the sovereign nations and people who have inhabited Canada and other parts of the world for millennia. I use this term when not referring to specific Indigenous Nations or peoples.
lessons for other organizations hoping to foster reconciliatory relationships with Indigenous communities.

I identified space for this line of research as an employee of the Musqueam Administration, and as planning scholar and professional. In discussions with colleagues and community members who have been working to assert Musqueam rights and title for decades, I have learned about the difficulties and injustices Musqueam has faced in achieving this recognition from external governments and organizations. Within the realm of urban planning and land development, Musqueam has generally been excluded from consideration until very recent times. For various reasons outlined in the literature review, planners and planning organizations have been recently and increasingly approaching the Band, seeking Musqueam participation and collaborative relationships. The Musqueam–YVR relationship is a valuable case to study the dynamics and outcomes of one such relationship. Although the Agreement was only signed in 2017, the relationship has been developing for decades. While lessons from case studies must be applied to other situations with caution, this case may offer insights for future relationship-building initiatives between external organizations and Indigenous communities.

1.1. Research Question

This research examines a case study to explore whether non-Indigenous organizations and Indigenous communities can create partnerships that transform status quo planning and operations in ways that advance Indigenous self-determination and reconciliation. The case study explores Musqueam First Nation’s (“Musqueam”) deep connection to a part of their territory now held by the federal Crown, occupied by the Vancouver Airport (YVR), and operated by the Vancouver Airport Authority (“YVRAA” or “the Airport”), which exercises land use and development decision-making on these lands. It provides a detailed account of the relationship over time between Musqueam and the Airport, as well as their motivations for creating a formalized relationship. The research assesses the efficacy of an agreement signed between the parties and its resulting outcomes in achieving Musqueam community’s collective goals for the future.
The questions guiding this research are:

How did the Musqueam–YVR Sustainability and Friendship Agreement come to be and do the content and outcomes of the Agreement reflect Musqueam community planning goals and objectives? What lessons does the case offer for relationship-building in consideration of reconciliation and Indigenous self-determination?

The indicators I use to assess the Agreement were developed collaboratively with community members, guided by Musqueam community planning goals. I feel it is important to centre the community’s own goals in this evaluation to ensure the analysis is grounded in Musqueam-determined values. As a non-Musqueam researcher conducting scholarly research within a Euro-Canadian academic institution, I am conscious that I bring Euro-Canadian bias and approaches to this work. In my attempts to centre the Musqueam community’s voices and planning goals, I am hopeful that I am able to accurately reflect Musqueam-determined priorities.

Indigenous self-determination is central to this project’s conceptual framework. The United Nations Declaration on the Rights of Indigenous Peoples states in Article 3, “Indigenous peoples have the right to self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development” (United Nations 2008, 4). Self-determination is a core component of Indigenous community planning, as it facilitates the creation of community-determined goals that guide a comprehensive suite of actions and outcomes. In an era focused on reconciliation, this research will critically examine whether and how this relationship reflects reconciliation, and advances Musqueam self-determination.
1.2. Significance of this Research

This research is relevant to the field of Urban Studies because there is growing recognition among urban planners of the importance of reconciliation and relationship-building with Indigenous communities, but people are unsure of how to do this in appropriate or transformative ways. Although Indigenous peoples have used and occupied the lands that cities are built on for millennia, local planning organizations and Indigenous communities have historically had weak relationships. This is due to a variety of factors, such as jurisdictional separations and the dispossession of Indigenous peoples of urbanized lands. Colonial actions and enduring narratives about space for Indigenous peoples within urban environments minimize and erase Indigenous presence in cities, as cities are perceived by many non-Indigenous people as too modern and industrial for Indigenous peoples to have enduring connections to lands, waters, and resources (Stanger-Ross 2008; Porter and Barry 2015). There is also a lack of widespread education about planning’s complicity in ongoing colonization and the meaning and implications of Aboriginal rights and title. By failing to understand the linkages between planning and colonization, urban practitioners perpetuate the marginalization of Indigenous communities (Porter and Barry 2016).

The concept of reconciliation is explored further in section 3.3. but Paulette Regan, Director of Research for the Truth and Reconciliation Commission of Canada (TRC) of settler heritage, notes the Webster Dictionary’s definition of reconcile is “to restore to friendship or harmony” or “to cause to submit to or accept something unpleasant” (Regan 2010, 60). Victoria Freeman, a scholar of settler heritage, notes that the prefix “re” suggests that Indigenous people and settlers once achieved conciliation that is worth restoring. She says there is no evidence that European settlers ever intended to live “in an ongoing equal and just partnership with Indigenous peoples” (Freeman 2014, 217). Although the research finds that the pre-Agreement relationship between YVR and Musqueam was not an equal and just partnership, the term ‘reconciliation’ is commonly understood to mean the establishment of respectful relationships, even where none existed previously. The TRC’s Calls to Action aim to

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redress the legacy of residential schools (Truth and Reconciliation Commission of Canada 2015b). Redress is defined as “to set right” or “make up for”; “to remove the cause of (a grievance or complaint)”; and “to exact reparation for.” Reparation is the “act of making amends [compensation]… for a wrong or injury” (Merriam-Webster 2019).

This study will examine an Indigenous-led approach to relationship-building in terms of its outcomes for the Musqueam community and for working towards reconciliation and redress within the business sector. This research aims to inform Musqueam Administration, leadership, community, and the Vancouver Airport Authority about the outcomes of the Agreement as well as lessons learned from the relationship. It may inform non-Indigenous organizations and planning practitioners about the Musqueam community’s goals for formalizing a partnership with a not-for-profit business, as well as ways of approaching relationship-building with Indigenous communities.

1.3. Researcher’s Positionality

I am a settler of British, Norwegian, and German descent living and studying on the traditional, unceded territories of the Musqueam, Squamish, and Tsleil-Waututh peoples. Until June 2019, I was a full-time employee of the Musqueam Administration, where I worked for over seven years as a researcher and a community planner. In this role, I oversaw the monitoring, evaluation, and update of Musqueam’s comprehensive community plan. Findings in the community planning documents form part of the basis of my analysis in this study. I was not involved in the negotiation of the Musqueam—YVR Agreement, but I sat on the staff-to-staff working group which met monthly at YVR to discuss implementation of the Agreement. I explained to all research participants that my position in the study was not as a Musqueam Administration employee but as a student researcher.

Over the years at Musqueam, I liaised with several planners from local municipalities and external organizations who were trying to understand how to work cooperatively with Musqueam and other First Nation communities. The requests for collaboration and relationship-building increased over time and because this was relatively uncharted territory, we were all unsure of how to approach these initiatives but learned by doing. Through this research, I hope to elucidate Musqueam community’s values and wishes for these types of relationships. Musqueam employees and
councillors work to negotiate partnerships that benefit the community in several areas, such as revenue-sharing, employment and procurement opportunities, education and training, and environmental protection and enhancement. My intention for this research is to identify community needs and wishes that can be used to assess the Musqueam–YVR Agreement, which may inform Musqueam staff, leaders, and negotiators, YVR representatives, and external planners who are working to establish or expand relationships with Musqueam. I have been privileged to learn a great deal about the Musqueam community and to have a positive working relationship with my former colleagues. I do not intend to speak for the Musqueam community; rather, I hope to accurately capture and convey the story of the relationship and individual and common feelings about it.

I am aware of the shameful legacy of scholars conducting research about Indigenous communities that causes harm and/or takes information and knowledge without informed consent and without returning benefits to the communities. I am conscious that this research benefits me personally, as it will result in expanded personal knowledge and experience, published research, and the completion of a degree. I recognize that the society in which I was raised and educated is based in Euro-Canadian worldviews, which are rooted in colonialism. I acknowledge that my heritage and socio-economic status advantage me because colonial society was built on assumptions about white supremacy and European entitlement to the lands and resources of what is now called Canada. Awareness in its own does not solve the problems of bias and inequitable benefits associated with privilege that are inherent in this work; however, my awareness has allowed me to think through ways of addressing issues in research design and execution.

Paulette Regan says decolonization is a fundamental component of reconciliation (Regan 2010). Unangax scholar, Eve Tuck, and settler scholar, Wayne Yang, write about the dangers of metaphorizing decolonization to use it in discourse about wider social justice and equity problems. They state that decolonization “brings about the repatriation of land and life” and relates to Indigenous struggles for the recognition of their sovereignty (Tuck and Yang 2012, 1). With this in mind, I cannot claim that this project is decolonized because it does not advance Musqueam’s sovereignty or land claims. I have worked with Musqueam colleagues to design this project to be as relevant and beneficial to the Musqueam Administration and community as an academic paper.
can be. I have designed the research to centre the community, its goals and values, and its voices. I have adhered to the requirements outlined in the research permit issued by the Musqueam Indian Band. I have ensured that knowledge and information is returned to the community by providing my notes, transcripts, audio recordings, and a copy of the thesis for inclusion in the Musqueam Band Archives. I have summarized the main findings in an accessible way to be shared with staff and leaders at Musqueam and YVR, and with the Musqueam community. I will present my research upon request to convey the results and lessons learned to Musqueam community members and staff, YVR staff, academics, students, planning practitioners, and others.
Chapter 2. Context

The Context section provides foundational information about the case. The section includes information about the Musqueam community, its history and longstanding claims to the territory, colonial dispossession, and contemporary community visions; an account of the history and current state of the Vancouver International Airport; and, the relationship between Musqueam and the Vancouver Airport leading to the negotiation and signing of the Musqueam—YVR Sustainability and Friendship Agreement. It attempts to answer the first part of my research question, “How did the... Agreement come to be?”

2.1. Musqueam First Nation

xʷməθkʷəy̓əm (Musqueam) people have lived in their territory “as long as there has been land to live upon” (Musqueam Indian Band 2018). This territory, visible in Figure 1, encompasses the lands around what is now Greater Vancouver, including Burrard Inlet and all arms of the Fraser River, from North Surrey west, including all of present-day Richmond and Sea Island. Musqueam people speak hən̓q̓əmən̓əm, a language within the Salishan language family. They belong to the Coast Salish³ cultural group, comprised of communities interconnected through shared values and practices, family ties, language, and political alliances (Tam et al. 2017; Roy 2010).

Among other places, a cluster of permanent house sites was located on the northern shore of the north arm of the Fraser River, near its mouth (Musqueam Band Council 1984). When the colonial government came to survey the region beginning in 1859, they designated Musqueam Indian Reserve 2 (IR2) and established the Musqueam ‘Band’ under the Indian Act (Tam et al. 2017; Musqueam Band Council 1984). The IR2 lands, as well as two small parcels of land, q̓iq̓éyt in North Surrey (IR1), and sq’unəʔən on the northwest corner of Sea Island across from Musqueam IR2 (IR3),

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³ This ethnographic category refers to northwest coast First Nation communities, from the mouth of the Columbia River in northwestern Oregon to the northern Sunshine Coast and mid-eastern areas of Vancouver Island. While Coast Salish communities have many socio-cultural similarities, they have distinct customs, languages, beliefs, and practices (Kennedy and Bouchard 2006; First Peoples’ Culture Council 2019). While it is important to recognize the alliances, kinship, and shared practices prior to colonial categorization and separation, whenever possible I specify community names so as not to distance communities from their distinct territories and cultural traditions.
were reserved for Musqueam use by colonial officials in the 1860s, as settlers, encouraged by the colonial governments to ‘improve’ undeveloped lands, began to pre-empt the rest of Musqueam territory (Musqueam Indian Band n.d.; Stanger-Ross 2008). A fourth reserve was established in the early 1970s in what is now called Delta, near šxʷhícəm. This reserve, Musqueam 4, was provided in exchange for surrender of a large portion of the Sea Island reserve to the federal government to allow the airport to expand their northernmost runway (Musqueam First Nation 2011; Negotiator 2019; Keen 2002). The land Musqueam controls today which, in addition to the reserves, includes five other land parcels which were either purchased by Musqueam Band or returned by the provincial government, amounts to 0.2% of the 144,888 hectares of Musqueam’s traditional territory (Musqueam First Nation 2018).
Figure 1 Musqueam Territory
Map: Statement of Intent Traditional Territory Boundary Musqueam Nation (BC Treaty Commission n.d.)
2.1.1. Sea Island Use and Occupation

The island now called Sea Island is located in the north arm of the staʔw̓, big river, known today as the Fraser River, across from the present-day Musqueam village at IR2 (Musqueam Indian Band n.d.). Musqueam oral histories recall a time when this delta was only water and Point Roberts was an island. As late Musqueam knowledge-holder mən̓eʔɬ, James Point, explains:

Long ago, probably many hundreds of years ago, according to the stories of the old people, this flat country was only water, everywhere just water. There were none of these places that appear today called Garry Point, Terra Nova, and Sea Island. There were none. It was said to be only water (Musqueam First Nation and Museum of Anthropology n.d.).

The lands of Sea Island were built up following the retreat of the glaciers, beginning 13,000 years ago. The staʔw̓ eroded and carried sediment, which slowly built up at the mouth of the river. Over a 10,000 year timeframe, more than 625 km$^2$ of land has been built up by the Fraser River (Groulx and Mustard 2004).

Musqueam people began residing on, using, and stewarding the lands, waters, and resources of what is now called Sea Island “since it came out of the ocean” (Willard Sparrow, Guerin, and Asadian 2019, pt. 23:10). The precise age of the island is unknown but archaeologist Leonard Ham states that the island may have emerged around 3,000 years ago and therefore, archaeological deposits are unlikely to be earlier than the Marpole culture type, (2500 to 1500 years ago) (Ham 1990).

Prior to European colonization, the lands were low-lying and drained by a number of sloughs. The sea would wash over the lands during high tides and storm events. Salt-tolerant spruce trees grew on the central and southern portion of the island and grasses and scrub grew around them. The western and southern edges of the island were marshlands and berries grew in many areas of the island (Ham 1990). Willow, crab apple, and wild rose grew along the sloughs, which totalled over 20 km. The sloughs supported various species of salmon as well as sturgeon and eulachon. The island hosted beavers, muskrats, mink, deer, and bears. Waterfowl were plentiful in the foreshore lands and geese used the grasslands in the winter. The ocean waters were teeming with various fish, seals, and sea lions (Keen 2002; Ham 1990).
The north end of Sea Island is approximately 1,100 m south from Musqueam IR2 across the river. A small tidal island called xʷəyeyət, now known as Iona Island, is located between Sea Island and IR2 (Musqueam Indian Band n.d.). The ancestors of the people who currently reside at Musqueam village hunted, fished, and harvested resources in a seasonal round, including throughout the Fraser Delta. In the spring, people gathered plants like thimbleberry shoots and clover roots; fished for salmon, shellfish, herring, and other species; and hunted land and sea mammals. In the summer, populations along the Fraser River, including on Sea Island, swelled as people established fishing camps and villages to catch and process migrating salmon. They built temporary camps using portable pole frames and cattail mats to follow the migration patterns of different salmon species. Some extended families also built permanent cedar plank homes on Sea Island (Keen 2002). Berry and crab apple gathering was another important activity in the late summer. In the fall, people set up numerous fishing camps along the sloughs and erected fishing weirs to catch the spawning salmon. They also continued to hunt deer and waterfowl. In the winter, people returned to their permanent villages to practice ceremonies (Ham 1990). The position of the main Musqueam village at the mouth of the Fraser River influenced trade relationships with other communities seeking the area’s plentiful resources. Protocols and inter-village ties regulated people’s access (Tam et al. 2017).

Musqueam publicly shares 3 names for places on Sea Island, visible in Figure 2: sqʷsaθən, "Sloping into the water, sunken shore," on the northwest corner; x̣̓əma̓səm on the western shore; and, xʷayqəθən, “crook of land,” on the southwest tip of the island (Musqueam Indian Band n.d.). Two of these sites were permanent villages and several seasonal camps and single house sites were located around the island (Ham 1990). The publicly shared place names are not an exhaustive list of names Musqueam people use for places.
2.1.2. Musqueam Dispossession of Sea Island

Europeans first contacted what is now called the Lower Mainland in 1791; however, smallpox and other diseases preceded their arrival through Indigenous trade routes which transmitted disease from places of earlier contact (Musqueam First Nation and Museum of Anthropology n.d.). Because Indigenous peoples did not have immunity to these foreign diseases, communities experienced catastrophic illness and loss of life. By the time European explorers and traders arrived on the West Coast, populations had been drastically reduced. Subsequent waves of epidemics in the 1800s further devastated Indigenous communities (Boyd 1994). Researchers estimate that the Musqueam population numbered 30,000 prior to the epidemics but was eventually reduced to 100 (Musqueam First Nation 2011). This means many villages and seasonal sites that would have been populated by Coast Salish people were decimated or left unoccupied when Europeans settlers arrived.
The colonial government began surveying Sea Island in 1859. Colonial officials, Joseph Trutch and his brother John, divided the island into 160-acre blocks. Settlers were given the right to pre-empt these 160 acre blocks, provided they immediately "occupy and improve the land" and pay 10 shillings an acre (Keen 2002). The Trutch survey identified Musqueam use and occupancy of the northwest and southwest corners of Sea Island as well as an "old Indian house" located on the shore of Musqueam Slough (Ham 1990, 13). Tree burials are known by some Musqueam members as having been located along the western area of the island, perhaps at x̓̕ats̕aʔx̓am, but these are not mentioned by Ham in his report (L. Sparrow 2019). The northwest village, sqʷsaθən, was designated Sea Island Indian Reserve #3 (IR3) and the southwest corner of the island, xʷayqəθən, was "set aside for Musqueam use" in 1862 (Keen 2002; Musqueam Indian Band n.d.). A dispute broke out in 1876 between one of the settlers and Musqueam Chief c̓səmlənəxʷ over use of the southwestern area, which was "resolved" by the government allotting additional land to the northwest reserve (Ham 1990). In 1887, the western area of Sea Island south of IR3 reserve was pre-empted by two settlers (Keen 2002), ignoring Musqueam use and rights to their traditional lands. Settler historian Mary Keen says there is "anecdotal evidence of Musqueam habitation in the area until the 1920s" and Musqueam interviewees recall stories about several families living at the village at IR3 (Keen 2002, 1:4; L. Sparrow 2019; Willard Sparrow, Guerin, and Asadian 2019). Over the decades, nearly all remaining lands of Sea Island were pre-empted by settlers who built dykes, roads, and drainage ditches to make lands suitable for development and agricultural uses. As lands were cleared of native vegetation and ploughed for farming, settlers uncovered human skeletons, ancestral belongings, and middens, which are accumulations of discarded shells, animal bones, tools, and other belongings that indicate prolonged Indigenous peoples’ use and settlement. In 1887, the City of Richmond requested a road right-of-way along the southern portion of IR3 and through the house site on Musqueam Slough. Musqueam refused but the land was obtained by Richmond anyway. It is not clear if Musqueam received compensation (Ham 1990). Richmond Council negotiated with the Indian agent in 1894 to purchase midden material from the IR3 site to use as road fill. Farmers purportedly used the material for chicken scratch and to make lime for their crops and by the early 1900s, very little remained of the middens (Keen 2002). In the 1890s, three salmon canneries were established on the southwest area of the island. By the 1920s, all the land of Sea Island had been cleared for agriculture and other uses (Ham 1990). The federal government
built a rock jetty on the northwest edge of Iona Island in the early part of the 20th Century to channel the water flow for tugboats and lumber barges. The government also constructed the Iona sewage treatment plant by expanding and filling Iona Island in the early 1960s, which included a causeway linking Sea Island and Iona Island and another jetty to convey sewage west into the Salish Sea. The resulting changes in water flows altered the sandy beaches along the north arm of the Fraser River, decimating the shellfish that Musqueam people and their relatives and allies from around the region had relied on for millennia (Keen 2002; Tam et al. 2017).

As the colonists relegated Musqueam people to small parcels of reserve lands and eventually completely displaced them from Sea Island, as the settlers cleared the lands, disturbing, removing, and destroying the physical remains of Musqueam ancestral presence on Sea Island, and as the native plants and animals were removed, displaced, replaced, and contaminated by settler development, Musqueam people’s presence was, in the eyes of the settler government and society, erased from Sea Island. Settler governments discounted and overlooked Musqueam claims to Sea Island, clearing the way for further development of the lands, including industrial development and the establishment of the Vancouver Airport. A narrative of the development of the airport is provided in section 2.2.1 and an overview of the relationship between the airport and Musqueam is provided in section 5.1.

The Truth and Reconciliation final report finds that the discriminatory policies, politics, and legal systems of the colonial state have resulted in economic, social, health, and educational disparities between Indigenous people and other Canadians. The adverse effects of these disparities interrelate and work to reinforce one another (Truth and Reconciliation Commission of Canada 2015a). In drawing attention to the disparities in the following section, my intention is not to Other and disparage Musqueam and Indigenous people in general. Rather it is to daylight the ongoing, intended effects of colonialism. The benefits that settler society continues to enjoy, such as wealth gained from Indigenous lands and resources at the expense of Indigenous peoples, demonstrate the colonial system working exactly as it was designed.
2.1.3. Musqueam Community Visions for the Future

Colonization in North America attempts to minimize and replace established and complex Indigenous social, spiritual, legal, and governance systems with forms that mirror British systems (Royal Commission On Aboriginal Peoples 1996). Traditionally, Musqueam people made decisions collectively within family groups and among designated heads of families who held special knowledge (Musqueam First Nation 2018). These decision-making processes were used to create plans, such as settlement designs, seasonal movements, resource-gathering activities, and ways of maintaining socio-economic relations among communities. With the enactment of the Indian Act, an elected Chief and Council system was imposed on all First Nations in Canada. This system is not reflective of Musqueam’s traditional approach to governance. Musqueam’s elected Chief and 10 Councillors are charged with decision-making on behalf of all Musqueam Band members, in compliance with Crown regulations and laws (Musqueam First Nation 2018). The Musqueam Band Administration has approximately 140 staff members who work to serve the community and implement Chief and Council’s decisions. The Musqueam community recognizes that the imposed governance system “is not working, and strains to support the increasingly sophisticated needs of our nation” (Musqueam First Nation 2011, 50). The Band is in negotiations with the federal government in pursuit of a self-government agreement (Musqueam Indian Band 2018).

In recognition of the need to address the challenges the community faces and to be proactive in understanding the community’s goals and priorities, the Musqueam Administration began working with the community in 2007 to create a comprehensive community plan (CCP). The CCP is a strategic document that captures the community’s visions for the future. The process took four years and involved extensive engagement with the community. The plan identifies 11 community objectives, two core objectives, and a central vision, ᓄ끔=pltə ᓴขนుకుముతుకు పతు, “we are of one heart and mind” (see Figure 2), that relate to the programs and initiatives of the Musqueam administrative departments. The plan also contains suggested actions to help achieve the community vision and objectives.

The 2011 CCP guides the work of the administration and informs the decision-making of Chief and Council. With many of the actions now underway and several changes taking place in the community, the administration initiated a monitoring and
evaluation process in 2016. Following a Musqueam census survey that provided extensive demographic and qualitative data about the community, the administration began to review and update the CCP, in conversation with the community. The 2018 CCP contains the same but reprioritized objectives and updated community-determined actions to achieve the objectives. Figure 3 shows the priority order of the objectives, with the highest priority objectives at the top. Relevant actions and objectives are used in this research to assist in the assessment of the Musqueam—YVR Agreement.

**Core Objectives:**
- Become a self-sufficient and self-governing Musqueam Nation
- Become a complete, healthy Musqueam community

**Community Objectives:**
- Address our community’s educational needs
- Address our housing needs
- Improve our health & wellbeing
- Support our Elders
- Take pride in our culture
- Advance financial self-sufficiency
- Protect our environment and conserve natural resources
- Advance better governance of our Nation
- Support youth involvement
- Help members get the jobs they want
- Address our community’s recreational needs

**Figure 3 Musqueam Comprehensive Community Plan Objectives**
(Musqueam First Nation 2018)

Education is the top ranked priority in the 2018 CCP. The post-secondary attendance rate in Musqueam in 2016 was 56%, which is 20% lower than the British Columbia average. The Band has a long waitlist for post-secondary education funding for Band members. The policies of the primary funding source, Indigenous Services Canada, restrict many students’ access to this funding, such as members who take time off before enrolling in post-secondary programs. The community therefore calls for the Band to reallocate funds and seek alternative funding sources to “fund more post-secondary students per year” (Musqueam First Nation 2018, 47). The community also calls for additional supports to increase educational success from kindergarten through to post-secondary (Musqueam First Nation 2018). The community believes education
and training are “fundamental to individual and community success, as well as nation-building”; however, Musqueam funding for post-secondary education is largely provided by the federal government, whose policies limit who can receive funding (Musqueam First Nation 2018, 36). As a result, there is a long waitlist of Musqueam members hoping to receive post-secondary funding support (Musqueam First Nation 2018).

Employment is entwined with education and training, as education is a fundamental component of achieving one’s desired career path. Although employment was not highly ranked as a priority by the community, the Musqueam census reveals that in 2016, 13% of working age community members were seeking work (Musqueam First Nation 2017). This unemployment rate is double BC’s 2016 unemployment rate and is due to various systemic factors, such as educational and health barriers, family commitments, and cultural responsibilities, such as involvement in winter ceremonies and other cultural activities (Musqueam First Nation 2017; Government of Canada 2018).

Today the Musqueam village is the main residential community of the Musqueam people. There are approximately 1,300 Musqueam members and just over half live on reserve (Musqueam First Nation 2018). Various non-members live in Musqueam households on-reserve and the population of the main village is estimated to be 950 people. Many off-reserve members would like to live in the main village to maintain and strengthen ties to their community and culture, and to escape the impacts of housing unaffordability in the Metro Vancouver region. However, due to the small reserve size, high proportion of low-lying lands, and large portion of IR 2 lands leased to non-members to generate revenues for the Band, there is a lack of unencumbered and developable land available for additional housing. The lack of access to territorial lands and resources also means the Musqueam Band has insufficient own-source funds to build the density of housing required to meet community demands. For this reason, housing is the second highest priority in the community’s ranking of their objectives in the CCP (Musqueam First Nation 2018).

Health and wellbeing are the third highest priority considerations. Wellbeing affects and interrelates with all other facets of community life. The 2016 Musqueam Census indicates that just under half of community members experience chronic illness, 11% experience anxiety, and 8% suffer from depression (Musqueam First Nation 2017).
People’s health and wellbeing are affected by a variety of factors. Major determinants of health for Indigenous communities stem from the ongoing effects of Canada’s colonial foundations. Displacement, marginalization, control, discrimination, and attempts at assimilation result in traumatization, disruptions in transmission of culture, and unequal provisions of services and funding. This results in disparities in income, education, health, feelings of self-worth, and housing security (Nelson 2012; Burnaby Village Museum 2019; Truth and Reconciliation Commission of Canada 2015a). Together these effects cause and are perpetuated by adverse health and wellness outcomes.

2.2. Vancouver Airport Authority

2.2.1. YVR History

The early 1900s saw the invention and development of airplanes (Crouch, Bilstein, and Boyne 2018). As airplanes became common, the City of Vancouver and neighboring local governments made the case to the federal government in 1928 to establish a regional airport. Officials determined that Sea Island, part of the Township of Richmond, was the most appropriate location and in 1929, the City of Vancouver purchased lands from settler landowners on the southern portion of the island. The Vancouver Civic Airport opened in 1931 in the area known today as the South Terminal. It consisted of a 2,350 ft east-west runway and a 1,350 ft north-south runway, an administration building, and two hangars. Commercial air travel at the airport began in 1934 and in 1936, the Federal Department of Transport was formed, which expanded the runways and improved the traffic control systems (Keen 2002). The City leased the Vancouver Airport to the federal government in 1940, which purchased and developed additional lands during World War II for training, manufacturing, and to house air force personnel. The community of Burkeville was established at this time to house Boeing Aircraft workers, requiring the government to expropriate additional privately-owned lands. During a housing shortage following World War II, the northeast corner of Sea Island was subdivided for Veterans Land Settlements. The government built over 200 houses on large lots (Keen 2002).

In 1947, the City resumed control of the airport and renamed it Vancouver International Airport, in recognition of the proliferation of international flights (City of Richmond 2005). As airplane travel increased over the following decades, the airport
expanded its terminals, hangars, runways, and other facilities and developed a new south runway in 1953. In 1962, the federal Department of Transport purchased the airport from the City for $2.5 million (Simon Fraser University 2004). In 1966, the Department of Transport announced its plans to take over most of Sea Island for the expansion of the airport. By 1968, the airport site was over 4,000 acres and the main terminal opened in its present location (Simon Fraser University 2004). The IR3 lands had not yet been developed, but the federal government soon created a plan to build an additional runway on the north-central part of the Island. In 1972, Musqueam signed over a majority of IR3 to the federal government in exchange for alternate reserve lands in Delta. In 1992, the Vancouver Airport Authority (YVR), a private not-for-profit organization, was established to take over management of the airport from the Department of Transport, now called Transport Canada (YVR 2018a). YVRAA has an 80 year land lease with Transport Canada and pays annual rent to the federal government, which, in 2016 was $50.6 million (Vancouver Airport Authority 2018a). A new international terminal building was constructed in 1996 and YVRAA acquired several pieces of northwest coast First Nations art, including Musqueam pieces, to “provide a true British Columbia sense of place” (YVR 2019e). YVRAA’s First Nations’ art acquisition is explored further in sections 5.1.1 and 5.3.3.

This standard narrative of the history of the Vancouver Airport obscures a parallel history of Musqueam displacement and erasure from their ancestral lands and waters at Sea Island. All these changes and government decisions occurred largely without Musqueam consultation or consent. Section 5.1 outlines the tumultuous relationship between Musqueam and the Vancouver Airport, from the time of the establishment of the Airport to the signing of the Agreement in 2017.

2.2.2. YVR Today

YVRAA is managed like a private corporation and has a Board of Directors consisting of 14 members, nine of whom are nominated by ‘Nominating Entities’⁴, four of whom are appointed from the community at large, and one of whom is the YVR

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⁴ The Nominating Entities are the Association of Professional Engineers and Geoscientists of British Columbia, Chartered Professional Accountants of British Columbia, City of Richmond, City of Vancouver, Government of Canada, Greater Vancouver Board of Trade, Law Society of British Columbia, and Metro Vancouver (the regional district) (YVR 2020).
President and CEO (YVR 2020). YVR receives no government funding and all profits generated are reinvested into airport operations, maintenance, and future projects. The Board of Directors works to ensure the airport “serves the best interests of the public and sets the vision for the future of the airport” (Vancouver Airport Authority 2018a, 9).

The YVRAA leases the lands from the federal government and in turn provides space and facilities for hundreds of businesses that operate on YVR lands. The airport employs more than 24,000 people and the Airport Authority itself, which manages the airport, employs over 500 people (Vancouver Airport Authority 2019a). When the airport began operating in 1931, it served 3,000 passengers. In 2018, it served nearly 26 million passengers.

The ground lease with Transport Canada requires YVRAA to prepare plans to create goals and strategies for airport operations and management and land use planning. The YVRAA must create a five-year strategic plan which sets objectives and associated initiatives related to business growth, customer service, sustainability, and giving back to the community. In 2017, the YVRAA completed a five-year strategic plan, as well as a 2037 Master Plan that maps out future land uses and facilities and a 20-year capital plan which identifies the resources required to implement the Master Plan. The YVRAA must also create annual business plans outlining yearly initiatives that will deliver on their longer-term plans (Vancouver Airport Authority 2018a).

As part of the ground lease, YVRAA is also required to manage noise associated with the airport and has developed a comprehensive noise management program, which involves the creation of a Noise Management Plan every five years. This plan identifies actions that will carry the noise management program forward (Vancouver Airport Authority 2019b).

The next chapter reviews literatures that explore the field of planning’s complicity in the settler-colonial agenda, Indigenous assertions of self-determination through comprehensive community planning, and critiques of recent approaches by planners to include Indigenous communities in settler planning and land use decision-making. The Literature Review offers additional context that can be considered alongside the case study and is applied to my analysis to answer the research question, “What lessons
does the case offer for relationship-building in consideration of reconciliation and Indigenous self-determination?"
Chapter 3. Literature Review

To ground my primary research in understandings about relationships between Indigenous communities and organizations with authority over planning and land use, I examine three groups of scholarly literature. First, I outline how urban planning and development actors have been complicit in the settler-colonial agenda of dispossessing Indigenous communities of their lands and resources. This history, which includes a brief overview of colonization and Indigenous rights recognition in Canada, provides context for the other two sections.

Second, I explore the concept and practice of Indigenous planning as a means for communities to determine and assert their rights and sovereignty. I argue that Indigenous planning is an effective way for communities to express their self-determining visions and assert control over their futures. I also argue that it is valuable for external planners and organizations that are seeking partnerships with Indigenous communities to consider, internalize, and advance these community planning principles in their collaborative relationships and work.

The third topic examines strategies for Indigenous inclusion in mainstream planning practices, in consideration of state assertions of sovereignty and Indigenous assertions of rights and title. I explore theories about reconciliation and recognition and their pitfalls, with the aim of understanding ways of achieving effective and reconciliatory planning relationships.

Israeli scholar Oren Yiftachel’s definition of planning is: “the formulation, content, and implementation of spatial public policies” (Dorries 2014, 7). This definition is useful because it considers broad activities that order space, carried out by varied levels of authority, from local/urban to national. The lands I will be examining in this study are federally held lands leased by the YVRAA for its operations. However, the Musqueam–

\[\text{\footnotesize{5 This study uses settler scholars Lane and Hibbard’s definition of sovereignty as “autonomy, a people’s capacity to guide and control their own fate” (2005, 173). They use settler scholar Stephen Cornell’s writing on the Indigenous rights movement to specify that Indigenous sovereignty has three interlocking matters: “how to maintain or regain control over resources, especially land; maintain particular sets of social relations and more or less distinct cultural orders; and have some measure of political autonomy” (Cornell in Lane and Hibbard 173).}}\]
YVR Agreement considers factors beyond land use planning that relate to the airport’s operations.

The consideration of Indigenous planning concepts is helpful in my investigation because, as Maori scholar Hirini Matunga writes, Indigenous planning is not simply spatial planning by Indigenous peoples; rather, it focuses more broadly on the lives and environments of Indigenous peoples (Matunga 2013). Comprehensive community planning is an approach emerging from Indigenous communities across Canada that considers community visions for a comprehensive suite of factors that can be implemented by the governing body and administration. I apply Musqueam First Nation’s comprehensive community planning values to my examination of the Agreement because it frames the relationship with a variety of subjects that are under the designated jurisdiction of the YVRAA.

The sources I cite are generally academic writers from a variety of backgrounds, a majority of whom are Indigenous. I recognize that academics are one subset of thinkers and they largely operate within parameters set by colonial academic institutions. These thinkers have been influenced by writers, activists, storytellers, and knowledge-holders, most of whom are not academics. Although these voices are not cited in this research, they are part of the story of Indigenous resistance. I acknowledge their vital contributions to our collective knowledge and understanding.

3.1. Planning’s Involvement in Settler-Colonialism

First Nations people have lived, managed lands and resources, governed their societies, and practiced their cultures in what is now called Canada for millennia. The Royal Commission on Aboriginal Peoples (RCAP) identifies four stages in the relationship between Indigenous and non-Indigenous peoples. Prior to European settlement, the two groups lived independently, and Indigenous communities determined their own futures. Second, Europeans began to settle in the 1500s and European – Indigenous relations were generally co-operative. Then in the early 1800s, the immigrant population began to outnumber Indigenous peoples who were dying of disease and poverty caused by immigrant settlement. The economy shifted towards resource extraction and agriculture, which required settler access to lands. The British had defeated their competitors and Indigenous nations were no longer needed as allies in
military conflicts. An ideology that espoused European superiority over all other peoples on Earth began to propagate, justifying policies of domination and assimilation. In this third stage characterized by domination, settler-colonial governments asserted sovereignty over the lands and resources of Canada and dispossessed Indigenous people of much of their territories (Royal Commission On Aboriginal Peoples 1996).

Tuck and Yang distinguish external colonialism — the expropriation of Indigenous lands and resources to benefit the colonizers — from settler colonialism, in which settlers arrive in a place and make it their permanent home. For settlers to establish a nation-state, they must destroy and erase the Indigenous inhabitants and replace them with settler people, laws, governance, and values (Tuck and Yang 2012; 2014). While the realities on the ground have been much more nuanced, and Indigenous peoples, their laws, governance, and values are seldom “erased” due to tenacious rights assertions by Indigenous peoples, this colonial notion is important to keep in mind when considering ongoing state impositions of settler laws, governance systems, policies and values.

The Royal Proclamation of 1763 was issued in the name of the British King and established rules to administer the territories in North America and to govern relations between Britain and Indigenous people. A portion of the proclamation states, “…the several Nations or Tribes of Indians, with whom We are connected, and who live under Our Protection, should not be molested or disturbed in the Possession of such Parts of Our Dominions and Territories as, not having been ceded to, or purchased by Us, are reserved to them, or any of them, as their Hunting Grounds” (Government of Canada; Indigenous and Northern Affairs 2013a).

The Royal Commission on Aboriginal Peoples explains that the Proclamation recognizes Indigenous nations as “autonomous political units living under the Crown’s protection” but holding “inherent authority over their internal affairs and the power to deal with the Crown by way of treaty and agreement” (1996, 110). Heather Dorries, Indigenous Policy scholar of Anishnaabe and European descent, notes that while it created processes for British settlement and asserted British territorial sovereignty, the Proclamation allowed for the division of sovereign rights over the lands of Canada. Dorries draws on John Borrow’s examination of Indigenous interpretations of the Royal Proclamation which finds that Indigenous recipients of the Proclamation conceived of it
as a treaty and interpreted it as affirming their rights of self-determination in allocating lands. The Canadian Charter of Rights and Freedoms recognizes the Proclamation as affirming Aboriginal rights⁶ and it establishes a basis for Aboriginal land claims (Dorries 2014). Section 35 of the Constitution Act, 1982, which was included in the Constitution when it was patriated only as a result of months of determined Indigenous activism⁷, recognizes and affirms Aboriginal and treaty rights. It does not, however, define what these rights include and has instead deferred these decisions to the Supreme Court of Canada (Hanson 2009c). Various Supreme Court decisions affirm the existence of Aboriginal title⁸ to lands, including 1973 Calder v BC, 1984 Guerin v The Queen, 1990 R v Sparrow, 1997 Delgamuukw v BC, 2014 Tsilhqot’in Nation v British Columbia (Hanson 2009b; Irwin 2018). Indigenous peoples may interpret their inherent title to lands differently than the government and courts have.

Despite these numerous affirmations, many governments and members of the public resist recognizing contentious components of Aboriginal rights and title, such as land and governance rights. Many believe the settler state holds ultimate authority over the lands, waters, resources, and peoples of Canada and cannot perceive Indigenous sovereignty existing alongside settler state sovereignty. This study recognizes that all Indigenous peoples have inherent rights and title based on their longstanding use and occupation of territories. Inherent rights include rights to lands, subsistence resources, cultural practices, self-determination, and self-government (Hanson 2009a).

Dorries believes the Royal Proclamation is the original land use planning document of what was to become Canada. It determines rough land uses by providing for non-Indigenous settlement on lands and allocating certain lands as “Indian hunting grounds.” She notes that this connection between settlement planning and colonial assertions of sovereignty is not coincidental, as settlement is one means of obtaining title to a territory in British common law of the era. Settlement requires the establishment

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⁶ Aboriginal rights are “collective rights which flow from Aboriginal peoples’ continued use and occupation of certain areas. They are inherent rights which Aboriginal peoples have practiced and enjoyed since before European contact” (Hanson 2009a).

⁷ The Constitution Express was a demonstration organized by the Union of BC Indian Chiefs in 1980 to protest the lack of inclusion of Aboriginal rights in the proposed patriation of the Canadian constitution. Two trains brought a thousand people from Vancouver to Ottawa to raise concerns about the potential abolishment of Aboriginal rights in the constitution (Hanson 2009d).

⁸ ‘Aboriginal title’ refers to the “inherent Aboriginal right to land or a territory” (Hanson 2009b)
of a governance system that exercises authority over lands and land uses. Facilitating immigrant settlement and establishing land governance was a preoccupation of the early colonial authorities following the Royal Proclamation (Dorries 2014). Dorries’ perspective provides a helpful starting point for considering planning’s foundation within the settler-colonial agenda.

Indigenous inhabitants in Canada, and especially in cities, have been dispossessed of their lands through government policies encouraging immigrant settlement. Jordan Stanger-Ross notes that many scholars identify cities as nodes of colonial expansion and power, as they are connected to regional economic networks and are centres of concentrated populations and resources. Colonial settlers rationalized the assertion of power over Indigenous residents by conceiving of the lands as terra nullius, or legally “empty” and thus open for settlement. Yellowknives Dene scholar, Glen Coulthard, says this conception is based on racist assumptions about the superiority of Europeans over Indigenous peoples, who were viewed as too “primitive” to hold rights to land and sovereignty. Geographer Cole Harris says the primary motivation to dispossess was settler interest in capital accumulation, which in this context was facilitated through land acquisition. Another reason for Indigenous dispossession was cities in Canada were conceived in colonial minds as cosmopolitan and civilized, which was incompatible with their prejudiced perceptions of “savage” and “uncivilized” Indigenous residents (Harris 2004; Coulthard 2014; Barman 2007; Stanger-Ross 2008; Porter 2013; Jacobs 1996).

For these reasons, colonial policy makers and urban planners worked to dislocate Indigenous residents from urban centres. In 1911, Prime minister Wilfred Laurier pronounced in Parliament, "where a reserve is in the vicinity of a growing town, as is the case in several places, it becomes a source of nuisance and an impediment to progress." This reasoning led to an amendment of the Indian Act a month later that proclaimed that residents of any "Indian reserve which adjoins or is situated wholly or partly within an incorporated town or city having a population of not less than eight thousand" could be legally removed without their consent if it was in "the interest of the public and of the Indians of the band for whose use the reserve is held" (Barman 2007, 6).
In what is now called Metro Vancouver, xʷməθkʷəy̓əm (Musqueam), Skwxwú7mesh (Squamish), səl̓ílwətaɬ (Tsleil-Waututh) (collectively referred to as MST) and other Coast Salish peoples have occupied and used the lands and resources for millennia. In the 1860s, colonial officials created a land policy declaring most of British Columbia available for settlement, reserving small parcels of land to be held by the Crown in trust for Indigenous residents. Musqueam, Squamish, and Tsleil-Waututh peoples were dispossessed of their lands and resources and relegated to small reserves in and around Vancouver. Because of their perceived incompatibility with “orderly,” high-value urban development, planners in Vancouver then worked to remove urban reserves (Stanger-Ross 2008). Harlan Bartholomew’s 1929 Plan for the City proposed converting the reserves at sənəqʷ near Kitsilano Point, and at xʷməθkʷəy̓əm, Musqueam reserve #2, into large public parks (Stanger-Ross 2008). While primarily Squamish residents in the village of sənəqʷ were forcibly removed and relocated, the reserve at Musqueam was fortunately never expropriated and remains the main village for the Musqueam community. Despite the fact that these policies allowed governments to ignore the existence of Aboriginal rights and title in urban spaces, Musqueam, Squamish, and Tsleil-Waututh peoples never relinquished title to their territories (Stanger-Ross 2008).

Today the Canadian constitution establishes provincial authority over lands and resources. Authority over land use planning is delegated to municipalities or private entities by provinces (Porter and Barry 2016). Airports in Canada operate on lands leased from the federal government and are managed by airport authorities, which are private not-for-profit corporations (The Canadian Airports Council, n.d.). Airport Authorities are delegated jurisdiction by the federal government over airport lands. They prepare master plans to guide future land development, which must be approved by the federal Minister of Transport (Vancouver Airport Authority 2018a).

Dorries argues that settler-colonial planning logic considers the sale of Indigenous lands as cession of sovereignty, and that the assertion of jurisdiction over planning regulations serves to authorize Euro-Canadian claims to property (2014). As

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9 The purpose of airport authorities is to operate in accordance with the following public accountability principles: to “manage, operate, and develop the airport… in a safe, secure, efficient, cost-effective, and financially viable manner”; to “undertake and promote the development of the airport lands… for uses compatible with air transportation activities”; and, to “expand transportation facilities and generate economic activity in ways which are compatible with air transportation activities” (The Canadian Airports Council, n.d.).
Stanger-Ross and Harris note, Indigenous dispossession from urban spaces erases their claims to Aboriginal rights and title in the minds of settler-colonial governments (2008; 2004).

When Aboriginal title and rights are not recognized by settler governments, businesses that the government has granted land use decision-making power on Indigenous territories face uncertainty\(^\text{10}\) (Danesh and McPhee 2019). Legal advisor Roshan Danesh and Tahltan economist Robert McPhee point out that a common refrain among businesses operating in Canada is that recognition of Aboriginal title and rights creates complexity and uncertainty; however, the legacy of the Crown’s denial of these rights is the actual cause of uncertainty. Danesh and McPhee argue that Indigenous jurisdiction needs to be considered alongside the Crown’s jurisdiction to guide ways of negotiating and obtaining free, prior, and informed consent. Consent is entrenched under the Canadian Constitution and is identified as an Indigenous right in multiple articles of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) (Danesh and McPhee 2019). The UNDRIP, adopted by the UN General Assembly in 2007, communicates a universal minimum standard for the “survival, dignity and well-being” of Indigenous peoples and “elaborates on existing human rights standards and fundamental freedoms as they apply to the specific situation of indigenous peoples” (United Nations 2016). Canada endorsed the declaration without reservation, committing to its implementation in 2016, nearly 10 years after its release (Danesh and McPhee 2019). British Columbia passed legislation seeking to implement UNDRIP in November 2019 (Province of British Columbia 2019).

UNDRIP principles have entered the consciousness of Canadian governments and society, including the business community, through tenacious assertions by Indigenous leaders and communities, as well as through the 94 Calls to Action released by the Truth and Reconciliation Commission of Canada (discussed further in section 3.3). The 43\(^\text{rd}\) action calls upon the “federal, provincial, territorial, and municipal governments to fully adopt and implement the United Nations Declaration on the Rights of Indigenous Peoples as the framework for reconciliation” (Truth and Reconciliation Commission of Canada 2015b, 4). The 92\(^\text{nd}\) action calls upon the corporate sector in

\(^{10}\) “Certainty” means different things to different people. The term is used and discussed throughout the document and implies creating clarity around ownership, rights, processes, and jurisdiction over lands and resources.
Canada to adopt UNDRIP as a “reconciliation framework and to apply its principles, norms, and standards to corporate policy and core operational activities involving Indigenous peoples and their lands and resources.” This includes committing to consultation, building respectful relationships, and obtaining free, prior and informed consent before proceeding with economic development projects; ensuring equitable access to jobs and training and benefits for Aboriginal people and communities; and educating staff and management about the colonial history and Aboriginal legal landscape in Canada (Truth and Reconciliation Commission of Canada 2015b, 10).

Libby Porter and Janice Barry argue that a major objective of urban planning is to settle Indigenous land claims to create certainty for private-property owners. They say planning is conceived to manage conflicting land uses and property rights through the establishment of land use regulations (Porter and Barry 2016). However, as outlined above, Indigenous rights and title existed prior to colonization and are therefore inherent, which means they exist apart from Crown recognition (Hanson 2009a). The Crown asserts sovereignty over the lands of what is now called Canada and grants land use decision-making authority to various levels of government and other entities. At the same time, Indigenous peoples assert title over their territories, based on millennia-long use, relationship with, and stewardship of the lands and waters (Alfred 2006). This highlights the importance for all Canadians, especially planners who assert authority over land use decisions, to understand and grapple with conflicting sovereignties and the implications for land use decision-making. These ideas are explored in section 3.3 and the following section discusses the concept of Indigenous planning as a means for communities to assert their sovereignty and rights to determine their communities’ futures.

3.2. Indigenous Planning

Indigenous peoples have lived in their territories and successfully planned their communities for millennia. Hirini Matunga proclaims that planning is a “universal human activity about the future.” He says, “to be human is to plan, and to plan is to be human” and to deny Indigenous communities that ability, as colonial governments did/do by forcing relocations and controlling daily practice, is a form of “institutionalized dehumanization” (Porter et al. 2017, 641).
Indigenous planning is both an approach to practice and an ideological movement, as articulated by Tiwa scholar, Theodore Jojola. It emerged as a distinct form of planning within colonial nations from movements to assert Indigenous sovereignty and self-determination. Jojola says the foremost component of Indigenous planning is its acknowledgement and incorporation of indigenous worldviews. Worldviews are rooted in cultural traditions, they integrate the past with the present, and they relate to cultural identity, land tenure, and stewardship (Jojola 2008).

Matunga defines Indigenous planning as “Indigenous people making decisions about their place (whether in the built or natural environment) using their knowledge (and other knowledges), values and principles to define and progress their present and future social, cultural, environmental, and economic aspirations” (Porter et al. 2017, 642). He also points to political autonomy and advocacy as a dimension of Indigenous planning. He says it must be by/with Indigenous peoples and use contextual processes that may lead to certain desired outcomes, which can be weighed against one another.

Within Canada, recent Indigenous planning efforts have adopted the term “comprehensive community planning” (CCP). This named practice emerged in British Columbia in the early 2000s as a holistic and comprehensive process that considers all aspects of the community, including governance, lands and resources, health, infrastructure, and cultural, social, and economic factors. CCPs are community-led and community-based. The CCP process allows community members to establish visions for the future, rooted in their worldviews and values, and implement projects and programs to work toward achieving these visions (Government of Canada; Indigenous and Northern Affairs 2013b).

Matunga points out that the UN Declaration on the Rights of Indigenous Peoples recognizes several rights that are within the domain of Indigenous planning: the rights to self-determination; to exist as distinct peoples and communities; to own, use, and control land and resources; to maintain and develop institutions; and, to protect intellectual and cultural property (Porter et al. 2017). Yawuru scholar, Mick Dodson, states that the most fundamental right for Indigenous peoples is self-determination, which according to the International Covenant on Civil and Political Rights is the right of all peoples to “freely determine… political status and freely pursue economic, social, and cultural development” (Dodson 1994, 68). He calls for a shift in governmental power so that
Indigenous peoples, who have “intimate knowledge of their concerns, their needs, and their cultures,” can determine the changes needed and assert their entitlements (Dodson 1994, 66). The right to self-determination is foundational for Indigenous community planning and connects to Indigenous assertions of sovereignty over their lands and futures. When Indigenous communities create visions and plans for their collective futures, they are exercising self-determination.

Matunga writes that Indigenous planning should also “expressly advocate and seek support from the local and national planning community” for increased control over other governments’ planning processes; improved incorporation of Indigenous knowledge, concepts, and approaches into mainstream planning practice; improved socio-economic conditions in Indigenous communities to redress colonial harms; and “reclamation of traditional lands and resources” (Matunga 2013, 27). Matunga argues that “Indigenous peoples are inextricably bound to their ancestral lands and environments” and require places in which to “be Indigenous” (Matunga 2013, 27). He says full land reclamation is typically the preferred approach but if this is not feasible, co-management or collaborative management agreements are alternatives (Matunga 2013).

Environmental and resource management scholars of European/settler heritage Armitage, Berkes, and Doubleday explain that collaborative and cooperative (or co-) management arrangements developed in the 1980s. This approach was a response to top-down resource management approaches that were proving unable to adapt to changing conditions and meet the needs and values of local communities. Co-management means a sharing of power and responsibilities between the government and local communities and/or resource users. The levels of power-sharing differ among collaborative and co-management arrangements and they may be more or less formalized. Co-management “has evolved as a more formalized management strategy linking governments and communities” and may involve formal agreements (Armitage, Berkes, and Doubleday 2007, 2). Goals differ among arrangements but may include community socio-economic development, shared decision-making authority, conflict resolution, and community participation in management activities (Armitage, Berkes, and Doubleday 2007). Hibbard et al. note that in an Indigenous context, co-management of lands and resources is considered a model for expressing Indigenous rights and interests. In situations where settler governments do not recognize Indigenous rights to
lands and resources in question, this process cannot proceed effectively. Alternative arrangements may include agreements between Indigenous land claimants and property rights holders or resource developers to find agreeable solutions to land contestations and to reconcile differing needs and interests (Hibbard, Lane, and Rasmussen 2008).

Indigenous planning, as an expression of sovereignty and control over the community’s future, can provide a foundation for seeking relationships with other planning authorities carrying out activities in Indigenous territories. The following section elucidates thinking among Indigenous planning scholars about key considerations and limitations of these efforts.

3.3. Indigenous Ex/Inclusion in Urban Planning Processes

Because of jurisdictional separations, conflicting notions about sovereignty and authority over lands, as well as mainstream planning’s lack of understanding about Aboriginal title, ongoing Indigenous attachments to urban lands, and planners’ complicity in ongoing Indigenous dispossession, planners/developers and Indigenous communities have historically had weak and often tenuous relationships. Conflicts arise when Indigenous communities assert their rights to use and/or participate in decisions about their lands and resources.

Matunga believes that state-based planning must engage in reconciliation and partnership-building with Indigenous communities to pursue collaborative planning. He says planners must commit to principles and practices of “reflection and reconciliation, leading to true dialogue with Indigenous communities;” acknowledging the existence and legitimacy of Indigenous planning beyond state-based planning; and, creating a “theory-praxis and political/institutional ‘third’ space for Indigenous planning to ‘connect’ with state-based planning” through reconciliation, partnership, collaboration, and collective action (Porter et al. 2017, 643, 644).

Reconciliation as a concept has been gaining recognition following the work of the Truth and Reconciliation Commission (TRC) to gather the stories of survivors, communities, and others affected by the Residential School system in Canada. Although the TRC limited the focus of its hearings to the effects of residential schools, colonial harms have been inflicted by Canada through a number of assimilationist strategies. The
TRC says reconciliation “means different things to different people, communities, institutions, and organizations” but defines it as “an ongoing process of establishing and maintaining respectful relationships” (Truth and Reconciliation Commission of Canada 2015a, 16). Establishing respectful relationships involves repairing damaged trust by making apologies, providing reparations, and taking concrete actions to make societal change, and this responsibility lies with all Canadians (Truth and Reconciliation Commission of Canada 2015a).

In 2016, following the release of the TRC Calls to Action, Canadians were surveyed about their degree of support for six steps to address reconciliation between Aboriginal and non-Aboriginal people. The greatest support was for increasing funding for Aboriginal education to match other schools (75% strongly support, 16% somewhat support), followed by government funding to reserves for clean drinking water and adequate housing (75% strongly support, 15% somewhat support). 56% strongly support and 31% somewhat support mandatory curriculum in all schools to teach Aboriginal history and culture. 45% strongly support and 33% somewhat support government funding to ensure protection of Aboriginal languages. Weaker support was voiced for taking actions and providing reparations in recognition of territorial rights and title — 31% strongly support and 35% somewhat support providing Aboriginal communities with full control over natural resources on traditional territories and 24% strongly support and 36% somewhat support settling all outstanding land claims, regardless of what this may cost (Environics Institute 2016, 36).

Taiaike Alfred believes focussing on reconciliation as restoring good relations is morally flawed because it addresses settler guilt while failing to make substantive differences in the lives of Aboriginal people. He believes Canadians need a shift in thinking to recognize the fundamental problem in the relationship between settlers and Indigenous peoples, which is “the dispossession, the continual occupation, the separation of [Indigenous] people from their homelands and the fundamental essence of who they are” (Alfred 2017, 1). He believes reforming existing Indigenous-settler relationships will not create change. Rather, a fundamental shift that “places human beings in real and lasting relationships with each other and the natural environment” is required (Alfred 2017, 2). He also believes that restitution, including transfers of lands and funds, needs to be made to compensate for these harms and ongoing injustices. Restitution means an act of restoring, such as to a previous state or rightful owner, or
giving an equivalent for some injury (Merriam-Webster 2019). If not, Alfred says, “reconciliation will permanently absolve colonial injustices and is itself a further injustice” (Alfred 2011: 165). Paulette Regan, Director of Research for the TRC, agrees that substantive restitution and reparations are necessary components of reconciliation, but she cautions that on their own, they do not adequately address the harms inflicted, nor Indigenous peoples’ demands for self-determination and recognition of rights and title. Regan advocates for an approach that involves critical reflection on Canada’s colonial history, identity, and ongoing colonial practices (Regan 2010).

As explained in section 2.1, Musqueam people have been dispossessed of nearly all their lands by colonial governments and settlers, who benefit enormously from these lands and resources. Musqueam received no compensation for this theft until recent decisions, Guerin v the Queen [1984] and R v Sparrow [1990], began recognizing Musqueam rights and title, forcing governments to consider their claims. Recent cases and negotiations have returned a tiny fraction of their territory to the Band (Musqueam First Nation 2011). Dorries observes that Indigenous dispossession from lands is treated by many planning scholars as an historical fact but not as an ongoing process (2014). She criticizes planning literatures that focus on “improving Indigenous participation in pre-established planning processes” (2014, 27, 28) and inviting Indigenous knowledge into existing planning frameworks. She says these writers often draw inspiration from literatures on communicative and participatory planning which call for increased Indigenous participation in mainstream planning processes but do not acknowledge nor address political differences and the existence of established Indigenous sovereignty. She argues that recognizing cultural difference does not address the structural and legal mechanisms in planning that continue to dispossess and reinforce state sovereignty. Failing to recognize political difference means failing to see that planning “disrupts Indigenous sovereignty claims and Indigenous self-determination” (Dorries 2014, 36). A symptom of this failure is the treatment of Indigenous rights holders by mainstream planners as another group of stakeholders who should be offered opportunities to provide input into plans that maintain settler state jurisdiction over Indigenous territorial lands and resources.

Coulthard characterizes settler-colonial relationships with Indigenous peoples as ones where power is structured into “hierarchical social relations that continue to facilitate the dispossession of Indigenous people of their lands and self-determining
authority” (2014, 7). He says colonial domination aims to maintain, “through force, fraud, and more recently, so-called “negotiations,”” access to lands and resources (2014, 7). These lands and resources materially and spiritually sustain Indigenous societies as well as provide the foundation of states and capitalist development. This is the basis for land use conflict resulting from dispossession (Coulthard 2014). Porter and Barry point out that settler states often seek to create statements with Indigenous rights-holders that “fix” the “spatial and identity authority of the recognized native title owners in order to provide certainty and stability to other interests” (Porter and Barry 2016, 25). The Union of BC Indian Chiefs (UBCIC) state that the government’s purpose in creating certainty is to define and ultimately limit Aboriginal rights and title. In other words, Indigenous rights claims create uncertainty for governments and businesses operating on and profiting off Indigenous territories; therefore, resolving and “fixing” settler state, private, and Indigenous authority over lands and resources is often sought (Porter and Barry 2016, 25). The UBCIC says the impact of “certainty provisions is to capture and tame Aboriginal title and rights, and then place them in a cage constructed of words and legal provisions” (1998). Porter and Barry caution that these efforts impose false choices that may result in “signing away rights in other places or other times” (2016, 25). Coulthard believes settler-colonial relationships that suppress Indigenous sovereignty are ongoing and reflected in discourse about recognition. When governments (and those with delegated authority) hold the power to recognize Indigenous rights, they determine the systems of recognition. This is counter to Indigenous self-determination and Indigenous planning principles.

3.3.1. Intercultural Negotiation and Agreement-Making

Issues of settler state recognition of Indigenous rights and fitting Indigenous claims into established systems of authority over lands and resources affect negotiations about territorial rights. Negotiations occur when parties with conflicting views confer with each other, through discussion and compromise, to arrive at a settlement or mutual agreement (Kritek 1994). When negotiations between parties involve differing worldviews, the dominant society’s worldviews and paradigms are often assumed to be objective truths (Kritek 1994). Worldviews are how individuals interpret the world, which are influenced by the culture (the philosophy, values, and customs) shared by a society (Little Bear 2000). Indigenous worldviews have developed over thousands of years
through indigenous-to-indigenous interaction within specific places. While worldviews differ among distinct Indigenous communities, Dale Turner, a Teme-Augama Anishnabe scholar, says the foundation of these philosophies is “respecting life and the profound relationships between things in the world” (Turner 2004, 59). Blackfoot scholar, Leroy Little Bear, says general Indigenous worldviews consider humans to have interdependent relationships with other entities and these relationships are grounded in a specific place (Little Bear, 2000). Porter and Barry write that Indigenous interests come from customary laws and knowledge systems which are rooted in social and ecological relationships with place (Porter and Barry 2016). This contrasts with Western European philosophies, which have been influenced over the past few centuries by capitalism, industrialism, and globalism. Colonial policies attempted to destroy Indigenous worldviews through “force, terror, and educational policy” (Little Bear 2000, 84). Thankfully this largely failed; however, various competing worldviews have been adopted by modern Indigenous people (Little Bear 2000).

Various scholars write about ways of addressing conflicting worldviews in Indigenous-settler negotiations. Turner elucidates the differences between Indigenous and newcomer worldviews and how conceptions of Aboriginal rights play out legally and politically. He says Indigenous peoples in Canada have had to explain their beliefs to European settlers since contact to argue for their rights to be recognized, affirmed, and protected. They have had to do this within the political institutions and courts of law of the dominant, newcomer culture. These institutions determine the rules and conditions of the dialogue about the content and meaning of Aboriginal rights, and do not engage Indigenous oral traditions and philosophies. Turner says most Indigenous, and an increasing number of non-Indigenous, people understand that if this is required in political and legal dialogues, Indigenous worldviews, especially about lands, are of little or no importance to the relationship. Consequently, just agreements will not be made (Turner 2004).

Because of this, Porter and Barry say planning negotiation tables with Indigenous communities often have uneven levels of power. The drive to seek consensus in decision-making excludes dissenting voices when dominant actors determine the conversation and do not question the cultural assumptions of the system they are operating within. Porter and Barry contend that consensual settings are “heavily mediated, in the interests of white privilege” (2016, 28) due to the colonial legacy of
asserting Euro-Canadian values and systems. Indigenous claims are expressions of self-determining sovereignty, so settler state recognition is empty unless it accepts Indigenous sovereign political authority to make decisions about what happens in their territories. If dissenting voices or topics are excluded from negotiations, conflicts will inevitably resurface (Porter and Barry 2016).

Porter and Barry advocate for making space for Indigenous agency in planning considerations. They concede that in practice, mainstream planning considers Indigenous demands in balance with private property rights, public interest, and only when Indigenous communities are perceived as performing a “traditional-enough version of culture” (Porter and Barry 2016, 170). They point to the utility of Chantal Mouffe’s writings about an agonistic approach to negotiation to critically interrogate these mainstream assumptions and practices.

Mouffe says liberal political identities assume they are inherently objective, but this is not true. Social objectivity is political because each identity constructs itself in relation to other identities, as an expression of difference. Because identities exist as expressions of difference from other identities, it is impossible to reach consensus in negotiations without the exclusion of dissenting views. She promotes the idea of agonism, which respects the inevitability of conflict and plurality of views in any political discussion. Agonism encourages reciprocity of recognizing historically constituted positions and it allows for debate and choice around policies put forward by those in power and those in opposition. Parties acknowledge that there is no rational solution to their conflict but they recognize the legitimacy of their opponent (Mouffe 2016).

While Mouffe expresses the utility of agonism in all negotiations, it can be especially useful in Indigenous and state-based relationships because it allows for recognition of Indigenous sovereignty and rights to self-determination. Agonism demands that each party, whether it be an Indigenous government or community, a state-based body, or private organization, consider one another’s positions, histories, and rights to be different in the deliberations (Porter and Barry 2016). Porter and Barry advocate for making space for conflict, dissent, and Indigenous agency in negotiations. They say conflict is productive because it creates opportunities for building intercultural capacity, respecting and embracing a plurality of knowledges, and changing dominant and privileged assumptions and practices. They believe mainstream planners need to
question the dominant system and become attentive to different lifeworlds, sovereignty, laws, and Indigenous planning intelligence (Porter and Barry 2016). Indigenous groups should have the right to express identity positions that may be at odds with dominant perspectives about “proper” human relationships with land. They see agonism as encouraging a “spirit of reciprocity” where everyone recognizes their otherness and acknowledges that their positions are rooted in cultural norms (Porter and Barry 197). Alfred echoes this view that Indigenous and Canadian political systems are irreconcilable and thus, must involve each party honouring the other’s existence and identities (Alfred 2009).

In consideration of these views, I take the position that there is a need within mainstream planning to comprehend cultural and political difference and mainstream bias to conceive of ways of involving Indigenous people in creating new processes that consider each Indigenous community’s rights and needs. Colonial institutions must consider past and ongoing Indigenous rights violations in order to take actions that offer redress that rebalances power. In Dorries’ examination of Indigenous sovereignty in planning, she concludes that planning should consider Indigenous assertions of self-determination as a starting point in decolonizing planning practice. She says the agenda must be set by Indigenous communities so that Indigenous politics is “brought to bear on planning theory” (Dorries 2014, 194, 195) and Indigenous peoples can lead processes that restructure the system.

Restructuring established systems that function to assert state sovereignty will require significant dedication and time commitments from Indigenous representatives and non-Indigenous politicians and planners. To wholly restructure planning systems to account for Indigenous sovereignty will take decades and will require all of Canada’s Indigenous communities to have the agency to assert their unique needs and visions. However, as Mick Dodson notes in his writings about shifting power away from colonial entities to allow for Indigenous self-determination, “structural change can occur in increments” (Dodson 1994, 74). This research project will examine the case of one partnership, in consideration of its ability to create incremental change in moving towards reconciliation by enabling Indigenous self-determination, as expressed through Indigenous planning principles.
Chapter 4. Methodology

The research tells the story of the development of the relationship between Musqueam and YVR over time, as a basis of understanding the outcomes of one of the key relationship achievements: the Musqueam–YVR Sustainability and Friendship Agreement. To reiterate the purpose of the research, the study seeks to determine how the parties arrived at a negotiated agreement and whether the content and current results of the Agreement align with Musqueam community planning goals and objectives. It also seeks to identify lessons for relationship-building in pursuit of reconciliation.

This study understands methodology as the “intersection of theory, practice, and ethics” (Heather McGregor et al. 2018, 2). The project studies a case that exemplifies a formalized relationship between a First Nation and a not-for-profit corporation with jurisdiction over land use and development on a portion of that Nation’s exclusive territory. The case study design includes document review, interviews, and focus group discussions about key indicators to provide a focused and detailed understanding of this relationship. This idiographic approach examines the distinct features of the case to understand the motivations and results of the relationship (Babbie and Benaquisto 2014). Thousands of relationships between Indigenous communities and businesses exist but this relationship is unique in that there is a formalized agreement between YVR AA, a not-for-profit corporation with a long history of operating on Musqueam territory, and Musqueam Indian Band, which maintains a claim that the airport lands are its exclusive territory. The findings are specific to this case and the applicability to other seemingly similar relationships must be carefully considered. Many governments, corporations, and organizations in Canada and in other colonial nations are working to establish agreements and better relationships with Indigenous rights holders. Parties may be seeking roadmaps to guide them; however, I want to stress that the findings in this study are specific to Musqueam First Nation and the Vancouver Airport Authority. Indigenous communities across the globe have distinct and varied goals, needs, and histories. Beliefs and opinions also vary within communities. The inclusion of thorough details about the case allow the reader to understand the specifics of the relationship and context, through which they may determine the transferability of the research findings to other cases. The research is qualitative and aims to discover “underlying
meanings and patterns of relationships” (Babbie and Benaquisto 2014, 373). The research uses observations to inductively create general principles about the case (Babbie and Benaquisto 2014).

4.1. Data Collection

To ensure a rigorous examination of this case, multiple data sources have been gathered and considered. Data were gathered via document review and analysis, interviews, and focus group discussions. The utilization of mixed-method research, also known as “between-method triangulation,” helps provide an understanding of the “complex interactions among various factors” (Gaber and Gaber 1997, 98). John Gaber and Sharon Gaber identify five purposes for using mixed methods and this research design seeks to meet these purposes. The document review provided me a basic understanding of the case, which informed the interview topics, which Gaber and Gaber term “development” (1997, 99). The interview data provide narrative and opinion-based information, which either corroborate the document data, conflict with the document review and create new interpretations, and/or extend the breadth of the investigation. The focus groups seek to answer additional questions, which provide overlapping as well as distinct information (Gaber and Gaber 1997).

The research design is modelled on typical qualitative field research methods, which are grounded in settler colonial academic processes and assumptions. While I make no claim that this study decolonizes the scholarly research format, it does seek to incorporate and reflect principles and practices of Indigenous planning, including centring Musqueam community knowledge, perspectives, and goals for the future. I have designed the research in discussion with colleagues at the Musqueam Administration. The analysis is my own, but I aim to centre Musqueam individual and community goals, values, and perspectives in my assessment of the relationship and Agreement.

4.1.1. Documentation

I began this research by compiling and reviewing documents containing information about Musqueam planning principles and the Musqueam-YVR relationship and Agreement. Documentation sources include Musqueam’s Comprehensive Community Plan (CCP) and Updated CCP, Musqueam’s 2016 Monitoring and
Evaluation Report, YVR newsletters about the relationship, press releases, reports, articles in the media, and the Musqueam-YVR Sustainability and Friendship Agreement document. The contractual language of the Agreement is confidential and has not been released to the public. Interviewees alluded to the fact that they do not want to compromise the Musqueam Band’s position for future negotiations by revealing the nuances and details of the negotiation. However, the document can be shared with Musqueam employees and others who are bound by a confidentiality covenant. I was an employee with the Musqueam Band until June 2019 and am bound by such a covenant. My ability to review the full Agreement benefits my understanding of the case. It helped me converse with interviewees in an informed way, as well as address specific articles in the document. It also allowed me to verify publicly available information about the relationship and fully understand my interviewees’ responses.

This thesis summarizes pertinent details of the Agreement that have been publicly released, have been deemed publicly sharable, or were communicated by interviewees who were informed that the thesis will be published. Interviewees from both organizations have been provided the opportunity to review and comment on the thesis.

The initial document review helped me develop a preliminary understanding of Musqueam community goals in pursuing relationships with local planning authorities. It also helped me understand the creation and initial results of the Agreement, as well as the way it was communicated publicly and with Musqueam community. This contextual background allowed me to approach the interviews with a base level of understanding about the relationship and current outcomes.

In conversation with interviewees and focus group participants, I learned about additional documents that are either publicly available or that participants were willing to share with me. These include heritage and archaeological documents about Sea Island; staff presentations, workplans, and reports created by the Relationship Manager; confidential presentations and communications provided to educate the Musqueam community about the Agreement; and additional public YVR reports. When I began writing the Context section of this report, I compiled additional resources about the history of the airport and its privatization, Sea Island, Musqueam use and occupation, and early Musqueam–YVR relationships prior to privatization.
4.1.2. Interviews

I used a purposive sampling strategy to select interviewees with knowledge about the topic. No potential participants were excluded due to individual characteristics, such as gender, class, or race. However, a majority of participants who are members of the Musqueam Band were sought, which necessitates that they have Musqueam ancestry. Musqueam members hold traditional and/or contemporary knowledge about the community’s goals and objectives and therefore offer vital perspectives. People without direct involvement in the Musqueam–YVR relationship, Agreement negotiation, or implementation were excluded from the study due to scope limitations. I recognize that members of the Musqueam community hold many opinions and varied experiences and the voices of members who do not have direct involvement with the Agreement are missing in the analysis.

I conducted semi-structured interviews with representatives from the Musqueam and YVRAA administrations and negotiation teams. The interviews were with staff and leaders who have been involved in developing the relationship, negotiating the Musqueam-YVR Agreement, and/or implementing the Agreement. Potential interviewees were selected based on my own knowledge of the organizations and on recommendations from key contacts at Musqueam and YVR. I approached potential interviewees through email and attached consent forms which outlined the research goals and topics of conversation. All participants who agreed to be interviewed reviewed and signed consent forms. On the form, I asked interviewees to select whether they consent to their identities being associated with their thoughts and opinions in the report.

I requested interviews with 14 individuals, with the intention to speak with most people involved in creating the Agreement as well as staff and leaders who have knowledge about the development of the relationship and implementation of the Agreement. Two invitees declined the offer and three expressed initial interest in participating but could not commit to the time required to participate. I conducted a total of 9 interviews, of which four were with YVRAA representatives and five were with Musqueam representatives, between March and June 2019. One of the YVRAA interviewees, Mary Point, the Musqueam-YVR Relationship Manager and Manager of Indigenous Relations, is a Musqueam member who shared knowledge about, and experience with, both parties. From the YVRAA side, I interviewed Craig Richmond,
President and Chief Executive Officer; Anne Murray, Vice President of Airline Business Development and Public Affairs, and Agreement negotiator; and, Marion Town, Director of Environment. From the Musqueam side, I interviewed Wendy John, Councillor, Agreement negotiator, and Musqueam member; Dianne Sparrow, former Intergovernmental Affairs Lead, Agreement negotiator, and community member; a negotiation consultant who asked to remain anonymous; Aaron Wilson, Legal Counsel and Musqueam member; and Leona Sparrow, former Councillor, Director of Treaty, Lands and Resources, and Musqueam member. Interviews lasted an average of 45 minutes per participant. All were conducted in-person except one which was conducted over the phone. All interviewees provided consent for me to audio record the interviews. I transcribed the audio recordings verbatim. At Musqueam’s request and with the permission of each interviewee, all transcripts will be provided to the Musqueam Archives to be retained as part of the Band’s historical record.

The interview questions, contained in Appendix A, were designed to understand the history of the relationship between Musqueam and YVR; the impetus for negotiating the Agreement; processes, challenges, successes, and lessons learned during the negotiations; Musqueam community planning goals that relate to relationships with external organizations operating on Musqueam traditional lands, and specifically with YVR; current results of the Agreement’s implementation; and, thoughts about whether and to what degree the goals are reflected in the Musqueam—YVR Agreement and its outcomes. The set of questions was tailored to the experience and roles of the interviewees. The interview questions guided the conversations, but the semi-structured nature of the interviews allowed for free-flowing conversation and reflection. The intent was to capture stories and qualitative thoughts and opinions. I concluded interviews by asking if they could recommend individuals for me to interview and documents for me to review, which led to one additional interview with the Musqueam negotiator and review of historic documents about Sea Island.

Insights gained from the interviews helped me understand the context and revisit my analysis of the documents to explore knowledge gaps and overlapping or conflicting themes. I followed up with Anne Murray and Mary Point to further discuss outcomes of the Agreement and available information sources. Anne Murray and I communicated over email and Mary Point and I met in-person for two working sessions. I created preliminary indicators with which to assess the Agreement, informed by Musqueam
community planning goals and interview results. The indicators and their development are discussed further in section 4.1.3 and 4.1.4.

### 4.1.3. Focus Groups

Following the interviews, I organized focus group sessions with representatives from Musqueam Administration who are involved in the relationship and/or Agreement implementation who had not been interviewed. The goal of holding focus groups was both to collect additional perspectives about the Agreement and to collaboratively review and refine draft indicators. It was important to ensure Musqueam involvement in creating measurements to increase the likelihood that the assessment relates to Musqueam values and captures information that is relevant and beneficial to the Band.

The focus group questions, contained in Appendix A, asked participants to describe their experience and relationship with YVR and the Agreement, their thoughts about Musqueam’s goals for these types of relationships, their knowledge and opinions about the outcomes of the Agreement, and their thoughts about indicators that would help me assess the Agreement. I asked participants their thoughts about appropriate measures of success for sections of the Agreement that relate to their work, using the community planning goals as a guide. I provided copies of the relevant draft indicators for their review and suggestions. Participants explicitly suggested additional indicators, provided comments about draft indicators, or expressed satisfaction with the framing of indicators, which I used to refine the indicators.

I held four focus group sessions between May and June 2019. One session was with one Musqueam staff member from the Education Department; one was with two Musqueam staff members from the Employment and Training Department; one was with two non-Musqueam staff members from the Title and Rights Department; and, the final session was with two Musqueam and one non-Musqueam staff members from the Environmental Stewardship and Fisheries Departments. The sessions lasted an average of 37 minutes and all but the lone session with the Education Manager garnered collaborative discussion between participants. All focus groups were conducted in-person at the Musqueam Administration. All participants provided consent for me to audio record the focus groups. I transcribed the audio recordings verbatim. At Musqueam’s request and with the permission of each participant, all transcripts will be
4.1.4. Indicators

I chose to organize my assessment of the Agreement and its outcomes through the creation of indicators. I involved Musqueam staff and community members in the development of the indicators to ensure that Musqueam-determined values would form the basis of the assessment. Indicators are measurements that communicate the state of something and are a helpful way to understand how well the goals of a community or organization are being met. (Geddes 2015; Graham 2008). I assess the Agreement using indicators that capture quantitative data alongside subjective and qualitative opinions of interviewees and focus group participants. I include both quantitative and opinion-based assessments because numbers and figures can be interpreted alongside interviewees’ experiences and perceptions to create a multi-faceted picture of the situation. Although academia often devalues personal experiences in favour of positivist or ‘scientific’ evaluations, all types of data are now widely understood to be biased by our socio-cultural perspectives (Sandoval et al. 2016; Babbie and Benaquisto 2014). I acknowledge that this assessment is influenced by my socio-cultural context as well as the context that influences Musqueam community’s values and priorities.

To create indicators about the Musqueam–YVR Agreement, I began by drafting questions that would help measure the success of each article in the Agreement. I summarized Musqueam community planning goals applicable to each article to help choose measurements that reflect Musqueam priorities. I also considered the outcomes of the Musqueam—YVR relationship that I was aware of to consider the feasibility of obtaining data for the draft indicators. I workshoped the indicators in the focus group sessions with staff from Musqueam. Their insights helped me refine, cut, and create new indicators. I populated an indicator table with a mix of quantitative and qualitative data compiled from my analysis of documents and interview and focus group transcripts. The Relationship Manager, Mary Point, and I met for working sessions in August and November 2019. We discussed the indicators and she helped me fill in missing data. We also discussed the feasibility of capturing outstanding data and identified additional data sources. I further refined the indicator list based on these working sessions.
The process of creating the indicators helped me think through how best to communicate the outcomes in a comprehensive and accurate way. It also helped me organize and systematically capture data and qualitative information about the results of the Agreement. It proved difficult to determine and adhere to consistent time periods for the indicator data. The Agreement was signed June 21, 2017 but because the Relationship Manager was hired on February 5, 2018, most of the implementation began in early 2018. Only three commitments in the Agreement were implemented in 2017. They related to revenue sharing, the enactment of the Relationship Committee, and Musqueam engagement and approval of the YVR Master Plan. YVR’s annual report-back about the Agreement was released in August 2018 and it examines developments in the relationship and implementation for the year, starting the day the Agreement was signed. The time period for the results is June 21, 2017 to June 21, 2018. YVRAA’s fiscal year corresponds with the calendar year while Musqueam’s is from April to March. It was difficult to capture indicator data with consistent time periods but whenever possible, the indicators reflect results in a calendar year, from 2017 to the end of 2019. When data do not correspond to calendar years, the timeframe is noted.
Chapter 5.  Findings and Analysis

The findings and analysis explain how the Agreement came to be and assess whether the Agreement and its results reflect Musqueam community planning goals. The analysis also identifies lessons about relationship-building in pursuit of reconciliation and redress. By examining key documents and conducting interviews and focus groups, I have gained a deep understanding of the relationship and outcomes. The Context chapter provides narratives about the histories of the two parties, the lands, the relationship, and the negotiation. The collaborative creation and refinement of indicators in the focus groups and working sessions helped me develop a framework for analyzing the Agreement and its results. By learning about the development of the partnership, I understand how the negotiation developed and the contribution Musqueam’s planning played in informing the Agreement. Although the community plan was not explicitly used by all negotiators to create the Agreement, the negotiation goals and planning objectives all link back to the community’s goals as expressed in the CCP (Wilson 2019). I therefore assess the Agreement and its results based on each component’s alignment with Musqueam community planning goals. The analysis allows me to summarize key lessons learned from the development of the relationship, in consideration of principles outlined in the Literature Review.

5.1. Musqueam–YVR Relationship

As an expansion of the context provided in Chapter 2, this section provides a narrative of the Musqueam–YVR relationship, with the aim of answering the research question, *how did the Musqueam–YVR Sustainability and Friendship Agreement come to be?*

5.1.1. Pre-Agreement Relationship

YVR operates on the traditional, ancestral, and unceded lands of the Musqueam people. By the time the airport was established on Sea Island in the 1930s, Musqueam people had been nearly completely displaced from all areas on the island, except IR3. The government of the day did not consult with Musqueam people about the establishment of the airport because they perceived the land as belonging to settler
society and colonial governments. Section 2.1.2 outlines Musqueam’s continuous objections to their dispossession of Sea Island lands.

Musqueam people have strongly asserted their rights and title throughout the colonial period. Musqueam Chief Johnny χʷəyəɬəqʷayəq testified to the McKenna-McBride Royal Commission, which was charged with reviewing reserve allocations in BC in 1913. He asserted continuing Musqueam jurisdiction over its territory and resources (Musqueam First Nation and Museum of Anthropology n.d.). Musqueam Indian Band adopted a declaration of Aboriginal title and rights in 1976 and presented a comprehensive claim to the federal government in 1977. Musqueam won two landmark supreme Court cases, Guerin v The Queen [1984] and R v Sparrow [1992], that helped recognize and protect Aboriginal rights. The Guerin case in part ruled that Aboriginal rights existed prior to the establishment of Canada (Musqueam First Nation 2011). Aboriginal rights and title were not entrenched in the Canadian Constitution until 1982 and were categorically denied by the government11. The colonial government alienated Indigenous people from their lands and resources by encouraging land pre-emptions by settlers across British Columbia. In 1866, the pre-emption process officially excluded Indigenous people from pre-empting their own lands but allowed settlers to become “owners” of lands that they claimed, cleared, and built upon (Burnaby Village Museum 2019).

The Vancouver Airport and Musqueam had little to no relationship until recent decades. When the government constructed a new south runway in 1953, it bulldozed and levelled an ancient Musqueam settlement site with archaeological materials without any thought about Musqueam (Keen 2002). Official airport communications with Musqueam began only in the 1970s when the federal government, which had purchased the airport in 1962 and expanded the facilities northward, decided to move forward with plans developed in the 1940s to construct a new parallel runway north of the airport. A significant portion of Musqueam’s IR3 lands were within the project boundary. Although Musqueam strongly objected to losing these lands, the Band surrendered all but 6.5 ha of the 23 ha reserve in 1972 (DIAND 1972; Environmental Assessment Panel 1991; Musqueam First Nation 2011). The remaining IR3 lands are located on the foreshore south of McDonald Slough, outside the dyke surrounding Sea Island, and are therefore

11 The concept of Aboriginal rights and title is further discussed in Section 2.1.
subject to flooding. In exchange for the expropriation, the government offered new reserve lands in the Chilcotin, Chilliwack, or Delta. Seeing no alternative and wanting to maintain access to lands within their territory, Musqueam accepted the new reserve lands in Delta (L. Sparrow 2019). Musqueam IR4 is 57 ha and located within the Agricultural Land Reserve in Delta. It contains two unserviced homes, areas to hunt waterfowl, and farmland that is leased to a private farmer (Musqueam First Nation 2011).

As an official assertion of its title and rights to the territory, Musqueam submitted a comprehensive land claim to the federal Comprehensive Land Claims Policy in 1976, with a declaration outlining Musqueam territory, including all of Sea Island and its surrounding waters. The Minister of Indian and Northern Affairs did not accept the claim stating, “the patenting of land to third parties… has effectively superseded any Indian title of the Musqueam band” (Musqueam Band Council 1984, 3). In other words, because the colonial government had granted ownership and control of most of the Metro Vancouver region to third parties, the government claimed Musqueam no longer held title. Musqueam refuted the ruling and re-submitted its claim twice. The third submission was accepted for negotiation in 1984 (Musqueam Band Council 1984). The federal government then referred the claim to the newly established B.C. Treaty Process in 1993 (L. Sparrow 2020).

After stating its intention to develop a new north runway, Transport Canada heard significant opposition to the proposal from the public and from Musqueam. Following the land expropriations in 1972, Transport Canada delayed the runway project twice due to public opposition and an economic recession. Because the proposal was so controversial, Transport Canada established an Environmental Assessment Panel to conduct a public review of the environmental and socio-economic impacts of the runway and to suggest mitigation and compensation measures. The public was upset about the land expropriations and impacts related to airport expansion, including noise, water, and air quality impacts on local residents and species (Environmental Assessment Panel 1991). For Musqueam, these impacts infringe on their rights and title, but this proved difficult to convey to the Airport.

Anne Murray, Vice President of Airline Business Development and Public Affairs who joined the Airport Authority in 1992 after the Airport was privatized and the runway project was approved, describes the runway project as “very very controversial” (Murray
Wendy John, Musqueam Chief at the time, says the relationship started to “bubble up” when the runway talks began in the late 1980s, but the Vancouver Airport under Transport Canada was not interested in collaboratively finding a solution. Leona Sparrow, former Musqueam Councillor and Director of Musqueam’s Treaty, Lands and Resources Department, recalls that talks with the Vancouver Airport were difficult because they “viewed themselves as an independent operation so they didn’t have to really listen to Musqueam about what they were doing.”

Because the Airport claimed to lack the authority to address Musqueam’s concerns about the runway, Leona Sparrow says Musqueam Council decided to talk directly with the Deputy Minister of Transport Canada, the federal ministry responsible for aviation and airport lands (L. Sparrow 2019). Wendy John says at one meeting with Transport Canada, she spoke to the representatives “as individual human beings” about the past impacts of the airport and the extremely limited lands the Band can access. She explained that this expansion would take away even more lands and demanded to know when this would stop. John says surprisingly, they expressed agreement and understanding and asked what Musqueam wanted. John knew the privately owned Fraser Arms Hotel and lot were for sale at the time. The land is located across the Fraser River from Sea Island, below the Arthur Laing Bridge, on the ancient Musqueam village site of əcəsnəʔəm. John said to Transport Canada, “If you really want to do something, get that back for us. That would be something that would be significant” (John 2019). The federal government agreed to provide compensation.

12 əcəsnəʔəm, in addition to being one of the most well-known archaeological sites in the region, is a site that holds great significance to the Musqueam community. The former village was decimated by smallpox in the 1700s that swept west from areas of the continent being settled by Europeans. The village was uninhabited at the time of European exploration of the lower ɬaʔil̓il̓. The site has been mined for over a century by colonial archaeologists and pothunters seeking notoriety and profits from ‘discoveries’ of intricately crafted belongings and ancestral remains. The site has also been disturbed and desecrated by a century of urban development; however, it still contains intact burials and belongings. Musqueam people were distanced from the village site in the minds of researchers and settler society, both because they were no longer living there at the time of contact, and archaeologists theorized that the earliest inhabitants of the village were not the relatives of present-day Musqueam people because the ancient skulls were differently shaped. Although this theory was soon debunked by research into early practices of infant head-binding, Musqueam was never granted rights to lands at əcəsnəʔəm. The lands were pre-empted and developed by settlers and remaining ancestral burials and cultural resources have been under constant threat from urban development (Roy 2010).
Shortly after, Wendy John was elected Regional Chief and was no longer Musqueam Chief. The new Musqueam Chief, George Guerin, and Leona Sparrow took over negotiations with Transport Canada. Leona says it took time to agree on an amount but the federal government finally agreed to provide Musqueam the purchase price for the Fraser Arms lot at ̓c̓ənsəʔəm “to remedy, in part, Musqueam’s loss of access and egress to the lands that were going to be developed as the next runway” (L. Sparrow 2019). She clarifies that Musqueam maintained its title interests to Sea Island and the compensation was for Musqueam people’s inability to hunt on and access their territory on Sea Island (L. Sparrow 2019). The Musqueam Band purchased the fee-simple Fraser Arms lot in 1993 to re-acquire control over part of their ancestral village (Musqueam First Nation 2011). This agreement was a notable recognition by the federal government of Musqueam’s assertions that the Airport interferes with Musqueam peoples’ access and ability to exercise their Aboriginal rights in a core part of their territory.

In 1991, the Environmental Assessment Panel recommended that the new north runway be developed and offered 22 recommendations to help mitigate and compensate for impacts. In recognition of Musqueam’s concerns and objections, the panel recommended that Musqueam be “given representation on all YVR committees” and that Musqueam interests “be given high priority in the planning and development of the SICA [Sea Island Conservation Area]” (1991, 7). The SICA was a recommendation that the “whole area north of the runway” be set aside for habitat conservation (Environmental Assessment Panel 1991, 5). Finally, the panel recommended “that Transport Canada give serious consideration to funding the Musqueam Indian Band’s proposal for interpretive signage, a cultural exhibit at the new airport facilities, a cultural centre at Marpole and a Musqueam Indian Band Museum” (Environmental Assessment Panel 1991, 7). Although the panel recognized that the Musqueam Band is “more immediately and widely affected than any other group” and “no effective steps have been taken to address its claims and stop the erosion of its rights” (Environmental Assessment Panel 1991, 6), the recommendations did not actually address these claims and erosions of rights. As part of the parallel runway approval in 1992, the recommendations became obligations for the Vancouver Airport, which was privatized in July 1992 (Murray 2019a).

Privatization of the Vancouver Airport occurred because in the 1980s, airports across Canada were experiencing a fiscal squeeze due to rising passenger and cargo
demand and inadequate federal funding for airports (Bennett 2012). This occurred during an era when the conservative federal government, in step with other conservative-led countries, began initiating neoliberal policies to cut funding and download responsibilities from government to private corporations and non-profits (Ready 2012). In 1987, Transport Canada recommended that airports be transferred from the federal government to not-for-profit authorities. The government created Local Airport Authorities and the Vancouver Airport opted into the system in 1992. Under this system, airport authorities became responsible for airport operations and capital projects, while the federal government held the leases for 60+ year terms (Bennett 2012). The Vancouver Airport Authority (YVRAA) took over operation of YVR July 1, 1992 under an 80-year lease with the federal government (Murray 2020). Leona Sparrow, then Musqueam Councillor, says as far as she is aware, there was no consultation with Musqueam about this transfer even though it altered Musqueam’s relationship and ability to raise concerns with the Vancouver Airport. Although Transport Canada had historically skirted its responsibilities to consult and accommodate Musqueam, now the private authority was only mandated to fulfill the obligations identified by the runway approval. Transport Canada officials, in turn, “were hands off” (L. Sparrow 2019). YVRAA representatives describe inheriting a fraught relationship with Musqueam (Richmond 2019; Murray 2019a).

The new YVRAA worked to implement the obligations associated with the runway approval. Anne Murray says this developed into a four-part approach that considered environmental and archaeological permitting; arts, culture, and heritage; direct employment; and economic development. Murray says the two parties even drafted a framework to guide the relationship, but it was never approved by Musqueam because the deeper question of rights and title and associated sharing of revenues was never on the table. She says because the Airport Authority did not own the land, they deferred the question of rights and title to the federal government (Murray 2019a). Over the years, Musqueam repeatedly asserted that the YVRAA and Musqueam needed to formalize an agreement in recognition of Musqueam’s title to the lands, and the YVRAA repeatedly replied that the title question could only be addressed by the federal government. There was no precedent nor requirement for a private Airport Authority to consult and formalize a relationship with an Indigenous government (L. Sparrow 2019; John 2019). Wendy John viewed the relationship with YVR at this time as “non-existent”
and was insulted by the “beads and trinkets” that were offered in lieu of entering into discussions about Musqueam’s rights to Sea Island (John 2019).

Although Musqueam was dissatisfied with the relationship, the Band did work on various initiatives with the YVRAA in attempts to reduce and mitigate airport impacts. Throughout the 1990s and 2000s, the main interactions between the Airport and Musqueam were through the Environment team at the YVRAA. Anne Murray, lead of Community and Environmental Affairs at the time, notes that many of the community’s concerns were related to the environment so the relationship was often maintained through her department. Musqueam had one representative on each of the noise and environmental advisory committees (Murray 2019a). Musqueam committee representatives would report to Chief and Council and raise concerns with the YVRAA on behalf of the community; however, they were only one of several representatives on the committees, which include municipal, regional, and federal government staff, industry representatives, environmental groups, citizen representatives from surrounding communities, and YVRAA staff (YVR 2019f). All committee members were invited to provide input into policies and strategies for airport development and operations. Although the Airport would often be cooperative, the power dynamic was one where Musqueam was treated as one of several stakeholders, while the YVRAA managed and made decisions about the land, and Transport Canada held ultimate authority (L. Sparrow 2019).

Due to this conflict, Musqueam stopped sitting on the Environmental Advisory Committee in the mid-2010s. The Fisheries Department at Musqueam and the Environment team at YVRAA began to develop a relationship in order to discuss some of the environmental concerns and initiatives at the Airport (Town 2019). The Airport had begun pursuing Salmon Safe certification, “a third-party eco-certification program that recognizes land management practices that enhance and protect Pacific salmon habitat and water quality” (Fraser Basin Council 2019). The YVRAA wanted to understand Musqueam’s thoughts, ideas, and concerns related to the airport’s impacts on fish. The two teams also discussed environmental restoration and enhancement potential on Sea Island. The two parties developed a co-operative working relationship but when the Agreement negotiations began, their collaborative work was temporarily suspended (Town 2019; Willard Sparrow, Guerin, and Asadian 2019). As a result of negotiation discussions, YVRAA commissioned a study on Musqueam's behalf called the Blue Zone
Study, which made recommendations for sustainability projects that would protect, rehabilitate, and/ or enhance the environment on and around the island. Section 5.3.3 further explores the relationship between the environment teams and the implementation of the Blue Zone Study recommendations.

Before the runway development proceeded, YVR worked with the Band’s archaeologist, the late Len Ham, to create archaeological procedures for Sea Island. Prior to the parallel runway approval and airport privatization, the Airport contracted Ham to identify sites on Sea Island, create a site potential map, and make recommendations for management (Ham 1990; L. Sparrow 2019). Leona Sparrow says the success of the protection measures have been mixed, as many sites were protected or cultural materials were salvaged, while other sites were “marked on a map and basically deleted or covered over” (L. Sparrow 2019). Over the following decades, Len Ham and his Musqueam colleague, the late Wayne Point, were contracted by YVRAA to identify sites and ensure their protection during airport development. They conducted several archaeological assessments on Sea Island over the years, ensuring site protection or removal and preservation of cultural materials if lands had to be disturbed. Len Ham sadly passed away in early 2016 and Wayne Point passed away in late 2017, resulting in a significant loss of institutional knowledge and capacity for both organizations. Musqueam’s Senior Archaeologist, Aviva Rathbone, was hired a number of months before Wayne Point’s passing and worked with him for several years as a consulting archaeologist. She currently oversees archaeological investigations in Musqueam territory and works with other archaeological professionals to protect Musqueam’s cultural heritage.

Issues around art and culture came into sharp focus when in 1993, the Vancouver Airport announced it had purchased its first major art piece: Haida artist Bill Reid’s massive and iconic bronze sculpture, The Spirit of Haida Gwaii, The Jade Canoe (L. Sparrow 2019; YVR Stories 2016). At this time, there was no Musqueam presence in the airport and the Band was insulted that YVR had spent $3 million for a piece that represented a far away First Nation. Musqueam was adamant that the airport should have representation from the First Nation on whose land it stood. Musqueam entered “very determined discussions” with the YVRAA which eventually agreed to commission Musqueam art pieces for the international arrivals area (L. Sparrow 2019). This fulfilled one of the conditions in the 1992 parallel runway approval to fund a “Musqueam cultural...
exhibit at the new airport facilities” (Environmental Assessment Panel 1991, 7). In 1996, Musqueam and YVR ceremoniously unveiled the Musqueam Welcome Area. The area contains two large Musqueam welcome figures and a large spindle whorl called ‘Flight’ carved by Susan Point, and four intricate wool textiles called ‘Out of the Silence’ woven by Krista Point, Robyn Sparrow, Debra Sparrow, Gina Grant and Helen Callbreath, visible in Figure 4. While Musqueam people were proud to finally be represented in the airport, in the years following, YVR purchased dozens of large works by artists from various non-local First Nations. The Musqueam Band’s presence was relegated to one section of what was becoming a gallery for First Nations’ art from up and down the BC coast.

No other permanent Musqueam pieces were commissioned until 2009, when the Canada Line rapid transit station was developed at the airport prior to the 2010 Winter Olympics. Susan Point’s _Cedar Connection_ is a large sculpture of an old growth tree stump featuring a human face and an owl.

In attempts to implement the obligation to offer direct employment opportunities to Musqueam members, YVRAA sent employment postings to the Band for 25 years. A few Musqueam members applied and worked at the airport for short periods (Murray 2019a). The Airport Authority also offered two internships, one of which turned into employment for a Musqueam member. Only one Musqueam member made a long-term career at the airport prior to the 2017 Agreement (T. Sparrow and Gibson 2019). Anne Murray acknowledges that the approach was clearly inadequate in terms of support and trust-building, and this issue became a major focus of the 2017 Agreement. The Airport Authority also intended to work towards co-operative economic development with Musqueam; however, the approach did not successfully lead to business opportunities for Musqueam (Murray 2019a).
Clockwise from top left: ‘Out of the Silence’ by Krista Point, Robyn Sparrow, Debra Sparrow, Gina Grant, and Helen Callbreath; ‘Musqueam Welcome Figures’ by Susan Point; ‘Flight’ by Susan Point

Photos by the author

Figure 4 Musqueam Welcome Area
Multiple Musqueam interviewees comment on the inadequacies of the relationship with the YVRAA in the 1990s and 2000s. Although the two parties worked for decades to establish, develop, and formalize a relationship, YVRAA’s refusal to consider Musqueam title and rights to Sea Island kept the relationship superficial. Discussions about environmental enhancement, archaeological protection, cultural representation, and economic development could not transcend tokenism without being grounded in an acknowledgement of territory. In a meeting with Anne Murray, Wendy John recalls stating, “This has got to be better. We cannot continually just look from the other side of the river at the development you’re doing. We need to understand what you’re doing, where you’re going. And we need to be beyond art in the lounges” (John 2019). Anne Murray followed up by coming to a subsequent meeting with two white, male ‘aboriginal advisors.’ When John spoke firmly about Musqueam’s rights and threatened to take the title case to court, the advisors tried to placate John by raising all of the Airport’s past efforts to be inclusive, such as purchasing Musqueam art. Incensed, John told Murray, “Those two men go, or you walk out that door right now.” Murray and other YVRAA representatives continued meeting with Musqueam but never brought the aboriginal advisors again (John 2019).

The Musqueam Band worked for decades to convey to the YVRAA the implications of its Aboriginal rights and title. While the relationship strengthened and weakened over the years, a shift occurred in 2015 that facilitated the development of a deeper relationship, based on mutual understanding, respect, and consultation. The following section provides a narrative of the changes that led to negotiations and the signing of an unprecedented agreement.

5.1.2. Musqueam-YVR Agreement Negotiations

Impetus

In July 2015, the President and CEO of YVR Airport Authority received a letter from Musqueam Chief Wayne Sparrow. The letter stated that the airport is located in the heart of Musqueam territory and according to the test for Aboriginal title, as confirmed by the Supreme Court of Canada in Tsilhqot’in Nation v. British Columbia (2014), Musqueam has existing title and rights. The Chief’s letter requested that discussions
begin between Musqueam and the YVRAA regarding sharing the benefits of the Airport (Wayne Sparrow 2015).

In the *Tsilhqot’in* decision that declared Tsilhqot’in Nation title to an extensive claim area, the Court clarified that Aboriginal title applies to territory that was used regularly and exclusively by a First Nation at the time the Crown asserted sovereignty (Tsilhqot’in National Government 2014). The Musqueam Band’s land claim includes Sea Island as a core part of the territory and Musqueam asserts that the island was used regularly and exclusively by Musqueam people. The Chief’s letter also states that *Tsilhqot’in* found that Aboriginal title confers the right to choose how lands will be used, which includes the right to benefit from those uses (Wayne Sparrow 2015).

This letter signalled the beginning of the agreement-making negotiations. It was the culmination of decades of Musqueam frustration over seeing the Airport and federal government use and profit from lands that were never ceded, which Musqueam people could no longer access nor benefit from. Decades of discussions saw repeated refusals by the Airport to consider Musqueam’s rights and title, which instead offered “beads and trinkets,” like art opportunities and seats on committees (John 2019, pt. 21:03).

A number of events contributed to Musqueam’s decision to send the letter when they did. Following the *Tsilhqot’in* decision, the Airport Authority began discussing the creation of an Indigenous people’s engagement strategy. YVRAA reached out to Musqueam in an attempt to formalize the relationship via the strategy. The Musqueam Band replied, again, that it would not participate without Aboriginal rights on the table (Murray 2019a). This meant the strategy could not proceed without discussions of rights and title (Point 2019a).

In spring 2015, the Airport Authority kicked off consultations to create a 20-Year Master Plan to guide land use decisions at the airport. The Master Plan must be updated every ten years and approved by Transport Canada, as a requirement of the Ground Lease (Vancouver Airport Authority 2018a). Section 35 of the Canadian *Constitution Act, 1982*, enshrines the recognition and affirmation of existing Aboriginal and treaty rights. Aboriginal rights, as defined over time by the Supreme Court of Canada, include the duty to consult on the part of the Crown (Hanson 2009a). Because the federal government holds title to the lands, and the Airport’s land uses impact Musqueam’s Aboriginal rights,
the Airport Authority must demonstrate that they have consulted with the Musqueam Band on the Master Plan prior to submission to the Ministry of Transportation for approval. When the Airport Authority requested consultation with Musqueam, the Band was “intrigued and incensed by what the Airport was already intending to do” prior to consultation (L. Sparrow 2019). This consultation offered Musqueam leverage in their negotiations about rights and associated benefits with the Airport Authority. The Airport realized it would need to engage in deeper discussions with Musqueam if they hoped to obtain Musqueam’s support (D. Sparrow 2019).

Another leverage point was available through a separate consultation conducted around this time by the Vancouver Airport Fuel Facilities Corporation (VAFFC), regarding an expanded aviation fuel delivery system. The proposed project is a 13-kilometer pipeline delivering aviation fuel to YVR from a fuel receiving facility on the south arm of the Fraser River. Because demand is exceeding the capacity of the current system, 70 tanker trucks must deliver fuel from Washington state each day (Vancouver Airport Fuel Facilities Corporation 2019). Musqueam voiced opposition to the project based on rights and title impacts. One interviewer involved in the negotiation says this action “caught YVR’s attention because they knew that Musqueam could potentially stop this project” (Negotiator 2019). Although the project does not directly involve the YVRAA, the outcomes have implications for the Airport’s ability to provide a reliable and affordable supply of fuel to airlines.

On July 6, 2015, two weeks prior to the Chief’s letter, the Airport opened the McArthurGlen Designer Outlet, a large outlet mall located on the northeastern corner of Sea Island. YVRAA owns 50% of the business as a joint venture with London, UK-based McArthurGlen Group. The McArthurGlen site is designated ‘Groundside Commercial/ Ground Access and Parking’ in the Land Use Plan within the 2037 Master Plan. This category includes “aviation compatible” commercial uses that “support the ongoing development of YVR” and land that “enables the flow of goods and people to, from and around Sea Island” (Vancouver Airport Authority 2018a, 165). The Airport justifies their decision to use a portion of the airport lands for non-aeronautical uses by stating that the revenues are used to support airport operations (YVR 2019c). For Musqueam, however, the mall was another stark example of the airport utilizing and profiting from their traditional lands, this time for a project that was not necessary for airport operations, without consultation about sharing benefits with the Band (John 2019; L. Sparrow 2019).
While planning the development, the Airport came to Musqueam offering artistic and educational signage opportunities, but they were not willing to discuss economic partnerships with the Band (L. Sparrow 2019; Negotiator 2019). These events, coupled with a realistic outlook that the Airport is “here to stay” (Wilson 2019), provided the Band motivation and leverage to push the Airport Authority harder than ever before, while citing the recent Tsilhqot’in ruling as a precedent.

Councillor Wendy John emphasizes that the Airport Authority “did not come willingly” to the negotiation table prior to receiving the letter from Musqueam’s Chief (John 2019). Without stating it outright, the letter alluded to Musqueam’s ability to assert rights and title claims, casting uncertainty about whether the federal government would be the long-term title holder and lessor of airport lands. Wendy John explains that because 99.8% of the territory is outside control of the Band (i.e. held in fee simple by third parties), Musqueam is able to derive very few benefits from their lands. The Band has had to focus on advancing title claims on the limited areas of Crown land that have not been alienated by third parties. Musqueam Chief and Council’s strategy for any infringement on their rights and title is to negotiate with the proponent as well as federal and provincial governments, as applicable (John 2019).

Musqueam is currently engaged in land claim and self-governance negotiations with the federal government (Point 2019a). Because Sea Island is in Musqueam’s exclusive territory and the federal government holds title to the lands, it is likely that Sea Island, or portions of it, will be part of a negotiated settlement. The Tsilhqot’in ruling in 2014 provided a precedent for Aboriginal title recognition; therefore, the Airport Authority had to face the possibility that Musqueam title to Sea Island could be declared, either by the courts or through negotiations with the Crown. Another unstated but implied risk for the Airport was direct action by Musqueam, similar to a 2012 blockade of the main bridge connecting Vancouver to Sea Island. In 2012, the Musqueam community was protesting a proposed condo development on their ancestral burial grounds in čəsnaʔəm because the municipal and provincial governments had granted, and refused to rescind, permits to a private developer. The action caused traffic delays during morning rush hour, which affected airport travellers (Richmond News 2012). It also raised local public consciousness of Musqueam’s rights to protect their ancestral burials, lands, and cultural heritage.
In initial meetings following the letter, the Airport Authority approached the negotiations with a willingness to consider “some additional aspects” (Negotiator 2019, pt. 1:30). However, they were reluctant to broach the issue of rights and title. Craig Richmond says that after receiving the letter, he and the YVRAA team “took a pause and regrouped for several months while we thought it through and had to process the idea of it” (Richmond 2019). Prior to the letter, YVRAA had been reviewing the “business sustainability” of the Airport in terms of the four pillars of environmental, governmental, economic, and social sustainability (Richmond 2019, pt. 3:00). They realized their relationships with First Nations would need to change following Tsilhqot’in. This was the YVRAA’s motivation for pushing Musqueam to be involved in their Indigenous peoples’ engagement strategy.

Anne Murray says that after reflecting on Musqueam’s letter and demands, YVRAA’s thinking about the desired relationship evolved. Murray says they decided to enter discussions in order to “do the right thing.” She adds, “It may sound trite but we’re a community-based organization. We operate in the crown jewel of Musqueam territory. We recognize that and have been trying off and on for years to improve that relationship” (Murray 2019a, pt. 18:39). She adds that a major goal was to “provide certainty to both parties” in terms of “YVR’s ongoing operations and future development and in how the relationship would function” (Murray 2019a, pt. 19:44). YVR CEO Craig Richmond echoes this and says they wanted certainty in knowing Musqueam would support the Airport, “within reasonable parameters and with a lot of consultation,” in its mandate “to grow” and “enable businesses and jobs” for the province and Canada (Richmond 2019, pt. 7:46). Instead of waiting for the federal government to resolve the issue of title, as they had previously insisted was necessary, YVRAA decided it could approach the relationship as a business agreement with consideration of mutual benefits, including revenue sharing (Murray 2019a; Richmond 2019).

Although the YVRAA interviewees did not specifically name reconciliation as a motivator, Dianne Sparrow believes the shifting political landscape was in part due to the Truth and Reconciliation Commission’s Calls to Action (D. Sparrow 2019). The 92nd action calls upon the corporate sector in Canada to adopt the United Nations Declaration on the Rights of Indigenous Peoples as a “reconciliation framework and to apply its principles, norms, and standards to corporate policy and core operational activities involving Indigenous peoples and their lands and resources.” The call to the corporate
sector includes committing to consultation, building respectful relationships, and obtaining free, prior and informed consent before proceeding with economic development projects; ensuring equitable access to jobs and training and benefits for Aboriginal people and communities; and educating staff and management about the colonial history and Aboriginal legal landscape in Canada (Truth and Reconciliation Commission of Canada 2015b, 10).

**Early Discussions**

Before the negotiations began, both parties took time to research precedents, assemble teams, and discuss desired outcomes. The Musqueam team consisted of Council member, Wendy John; Intergovernmental Affairs lead, Dianne Sparrow; an external consultant (who requested to be unnamed); and the Band’s legal advisors, Jim Reynolds and Aaron Wilson (John 2019; Wilson 2019). The Airport Authority’s team was comprised of Vice President of Airline Business Development and Public Affairs, Anne Murray; now former Senior Vice President and Chief Financial Officer, Glenn McCoy; with support from YVRAA Vice President of Legal and Chief Governance Officer, Argiro Kotsalis, and an external legal team (Murray 2019a; Richmond 2019). Musqueam Chief Wayne Sparrow, and YVR President Craig Richmond were brought in when major or contentious discussions were taking place and they each brought the final agreement to their respective governing bodies for approval (Richmond 2019; D. Sparrow 2019). The negotiation teams and processes reflect a typical business negotiation. While Musqueam team members carry knowledge of the community’s history and values, interviewees did not mention intentions to incorporate traditional decision-making techniques into the negotiations.

To create a strategy for the negotiation, the Musqueam team brainstormed what an agreement with YVR could achieve and brought ideas and questions to Musqueam Council, Directors\(^\text{13}\) of the Musqueam Capital Corporation, the economic development arm of the Band, and various Band administration departments, such as Environmental Stewardship, Fisheries, Employment and Training, and Education, in order to confirm and expand on identified priorities (Negotiator 2019; John 2019; D. Sparrow 2019). The

\(^{13}\) The Board of Directors consists of the Musqueam Chief and two elected Councillors, two Musqueam community members, and four non-Musqueam members with business and real estate expertise. The Board is tasked with governing development activities and asset management, in line with the community’s CCP (Musqueam Capital Corporation 2020).
input from the group discussions were compiled into a negotiation strategy, which was approved by Chief and Council (Negotiator 2019; John 2019). Details about Musqueam goals for the negotiation are provided in section 5.1. Once the strategy was internally supported, the team began negotiations with YVRAA.

Anne Murray says YVR had a small internal working group consisting of a subset of their executive team and Board of Directors. This group determined an initial set of goals for the negotiation. As the negotiations progressed and details and practicalities were worked out, they could revisit the large goals to assess whether the refined topic would help achieve it (Murray 2019a). As Wendy John made clear in the meeting with the Aboriginal advisors, Musqueam expected discussions to involve senior decision-makers at YVRAA. In addition to the CEO, the YVR negotiation team brought various executives into the discussions as necessary (John 2019).

The two negotiation teams began meeting to clarify expectations and topics. The teams began by formulating a negotiation protocol that set out the issues, scope, and approach (Negotiator 2019; D. Sparrow 2019; Murray 2019a). The Musqueam team put the idea of revenue sharing on the table and although the YVRAA had previously insisted that money associated with title could only be addressed by the federal government, they finally agreed to include it in the protocol. Anne Murray says this was a “tipping point for getting people around the table” (Murray 2019a, pt. 9:48). Murray says the protocol discussions led to the idea of centering sustainability in the Agreement, as all of the agreed-upon issues relate to four pillars of sustainability – environmental, economic, social, and governance. The two parties were clearly concerned about the environmental and economic sustainability of the Airport, Musqueam Band, and Sea Island. They also realized they could advance social sustainability by developing Musqueam people’s career opportunities at the airport and elsewhere, and by supporting, protecting, and recognizing Musqueam arts, heritage, and culture. Sustainable governance could be promoted by working out ways to ensure Musqueam engagement in decision-making about future development and operations at the airport (Murray 2019a).

The protocol also set ambitious timelines for coming to an agreement, which necessitated frequent contact among the teams. Once the negotiation protocol was mutually agreeable, negotiation meetings began on a bi-weekly basis (D. Sparrow
When the Federal government got word that the two parties were negotiating, they reacted with strong opposition. Wendy John says that while at a National Energy Board meeting she received a call from Michael Keenan, the Deputy Minister of Transport, who declared that Musqueam has “no right negotiating rights and title with the Airport” (John 2019, pt. 12:11). John says she replied that the government has no right dictating who Musqueam can negotiate with. They had a long and heated discussion which resulted in a stoppage of negotiations between Musqueam and YVR. Craig Richmond describes the federal government as trying to insert themselves in the process. He says Musqueam and YVR wanted to keep the discussions between the two parties because it is a “nice, contained universe” (Richmond 2019, pt. 29:04). John says Musqueam had several discussions with Joe Wild, the Senior Assistant Deputy Minister of Indigenous Affairs and Northern Development, about their right to negotiate with other organizations (John 2019). After several months of “heated discussions,” the Ministry of Transport and the Ministry of Indigenous Affairs came around to saying they would not interfere as long as the parties clarify that they are not “recognizing rights and title in the discussion” (John 2019, pt. 12:34).

**Negotiation Process**

As discussions progressed, it became clear that the teams would need to educate one another about each other’s organization to have mutual understanding about expectations, feasibilities, and positions. They sometimes devoted half of a negotiation session to education and awareness. For example, YVR took time to explain Airport Authority governance and operations, revenues sources and expenditures, and their relationship with the federal government, while Musqueam had to educate the table about Musqueam connections to and alienation from the land and territory and the community’s priorities and expectations (Murray 2019a; Wilson 2019). This was helpful when the teams encountered disagreements that they eventually discovered were based on misunderstandings, differing values, or unrealistic expectations.

Another technique they used for navigating difficult discussions was moving on to less contentious topics when they encountered sticking points. Anne Murray says they gained and maintained momentum in the negotiations by agreeing on points that were mutually supported, such as environmental protection. She says this positive momentum
helped them negotiate productively, rather than approaching every point as something to fight each other about (Murray 2019a).

One of the most difficult elements to agree on was the percentage for revenue sharing. Anne Murray says this topic was set aside until almost all other elements were agreed on so that those costs and values could be factored in (Murray 2019a). Although the interviewees did not share details about their original positions relative to the negotiated agreement, Musqueam interviewees spoke about efforts over the years to obtain a share of the airport improvement fees (L. Sparrow 2019). Similar to other Canadian airports, YVR charges an ‘airport improvement fee’ to all passengers flying out of the Vancouver Airport. This fee is $25 for flights outside of B.C. and Yukon and $5 for flights within the B.C. and Yukon region. Revenues from the fee can only be used to pay for capital infrastructure projects (YVR 2019a). Leona Sparrow says when the fees came, they asked for “a penny for the dollar” or for the fee to be waived for Musqueam travellers, but the Airport “absolutely refused” (L. Sparrow 2019, pt. 32:01).

In the negotiations, YVR ultimately offered Musqueam 1% of their gross annual revenues, which are comprised of aeronautical and non-aeronautical revenues and the Airport Improvement Fee. Craig Richmond says Musqueam was dissatisfied with the offer and as Wendy John puts it, “there was not a lot of enthusiasm around the [Musqueam] Council table” about the proposed percentage (Richmond 2019; John 2019, pt. 13:28). Craig Richmond says YVR explained that about 80% of YVR’s revenues are earmarked for mandated spending, such as the lease to the federal government, security, and law enforcement, leaving about 20% of revenues for “discretionary spending” (Richmond 2019, pt. 10:08). The Musqueam negotiation team was told that 1% of gross revenues equates to about 6% of the Airport’s net profits (Negotiator 2019; John 2019). Once the team and Council learned this and saw additional benefits materializing through the other articles in the Agreement, they agreed to the 1% share (John 2019).

Several interviewees note that the sharing of revenues results in the Musqueam Band becoming invested in the economic wellbeing of the Airport. Although the 1% proportion is small, the more the revenues grow, the larger the share for the Band. Higher revenues also benefit other aspects of the Agreement, such as business opportunities, employment, environmental enhancement, and art acquisition.
opportunities. A sceptical observer may see the Agreement, and especially the revenue sharing component, as the Airport incentivizing Musqueam support for YVR’s continued use of their territorial lands. Prior to the Agreement, YVR faced uncertainty about Musqueam’s support for their ongoing operations. As mentioned, Musqueam Band is in land claim and self-governance negotiations with the Federal Government. The 1% share of revenues and other expenditures associated with the Agreement are small annual costs relative to potential losses associated with the Band seeking restitution and taking direct action against the Airport.

The Musqueam team sees it differently. Aaron Wilson says the team elicited the following metaphor about the Agreement:

Musqueam wants to put a blanket over the Airport and give the Airport the comfort that the parties will work together, that we have processes in place, that we’ll try and resolve any differences, and that the Airport is going to continue to operate. And acknowledging that there are still some discussions and still some outstanding issues between Musqueam and the government about our Aboriginal title but that’s something that is between Musqueam and the government. That’s not something that’s going to affect the Airport because the Airport came to the table with Musqueam and together we negotiated this new relationship (Wilson 2019, pt. 19:44).

The Airport receives significant benefits from Musqueam’s support. Although some Musqueam councillors and community members held reservations about the small percentage of revenues shared in return for those benefits, Musqueam’s rights and title negotiations with the federal government are expected to provide significant restitution for colonial actions and impacts.

The Agreement contained a condition precedent that Musqueam membership be consulted on the Agreement. The negotiation team attended various open houses and held information sessions to inform the community about the negotiation and the topics being discussed. In the spring of 2017, the team provided two sessions to present the draft terms of the Agreement and to hear questions and comments (Negotiator 2019; D. Sparrow 2019). Some community members expressed concerns about what the Band was giving up in the proposed agreement. The negotiation team answered questions and explained how the terms were arrived at why certain trade-offs were made. Open discussion about potential benefits and drawbacks resulted in the community providing “solid support” for the Agreement (Negotiator 2019, 25:17).
With Musqueam’s acceptance in principle of the revenue sharing percentage, the Agreement was ready to be finalized. It had to be approved by the YVR Board of Directors (BOD) and by Musqueam’s Chief and Council. The BOD approved the Agreement, but Chief Sparrow felt trepidation. Craig Richmond describes a phone conversation he had with the Chief while “walking around my backyard in my flip flops” (Richmond 2019, pt. 11:25). Richmond outright asked the Chief what was making him uncomfortable. Chief Sparrow expressed concern about YVR following through on its commitments due to experiences with the federal government not following through on its promises to the Band (Richmond 2019). The Chief was carrying fears based on more than a century of colonial mistreatment and deception. This was affecting his ability to trust an entity associated with the Crown. Richmond told him the commitments are spelled out in the Agreement but added, “you have my word, we are going to follow not only the letter of what’s in there but the spirit.” The Chief replied, “Okay, if I have your word” (Richmond 2019, pt. 12:02).

It was important to Musqueam leadership to sign the Agreement on National Indigenous Peoples’ Day as a symbolic gesture (D. Sparrow 2019). Dianne Sparrow recalls the time leading up to that deadline as tense because the legal teams were working to finalize the wording, which was taking longer than anticipated. Richmond met with the Chief and said the date could be pushed if the Band was not ready. The Chief immediately called the legal team to instruct them to ready the document for signatures (Richmond 2019, 12:49). On June 21st, 2017 at Musqueam’s annual Indigenous People’s Day celebration, Musqueam and YVR signed the Musqueam Indian Band–YVR Airport Sustainability and Friendship Agreement. During the feast, the Chief stated to the crowd of Musqueam community members that he had Craig Richmond’s word that YVR would adhere to the spirit of the Agreement. Richmond recalls feeling “the weight of history” in that moment (Richmond 2019, pt. 12:46).

5.1.3. Musqueam–YVR Sustainability and Friendship Agreement Overview

The Musqueam–YVR Sustainability and Friendship Agreement aims “to achieve a sustainable and mutually beneficial future” for the two entities (Musqueam Indian Band and YVR Media Relations 2017). The Agreement is designed to be in force for 30 years (Musqueam Indian Band and YVR Media Relations 2017). Interviewees describe the
Agreement as a business-to-First Nation agreement but also something more. The title “Sustainability and Friendship Agreement” was chosen because it captures the intent to foster a mutually beneficial, respectful, and sustainable relationship based on the four pillars of sustainability: social, environmental, economic, and governmental (Murray 2019a; Richmond 2019; Negotiator 2019; John 2019).

The Agreement recitals state that Musqueam peoples have constitutional rights within their territory and the Airport is located within this territory (Musqueam Indian Band and Vancouver Airport Authority 2017). Many interviewees stress that the Agreement does not explicitly address the issue of rights and title on Sea Island because the lands are under federal government jurisdiction (Wilson 2019; John 2019; Negotiator 2019; Murray 2019a). Although they tried to intervene in the negotiations, the federal government was not party to the Agreement and neither was the provincial government. While it is not explicit, the Agreement implicitly recognizes Musqueam’s title because it acknowledges Musqueam’s rights within their territory, on which the Airport operates. These rights allow Musqueam to derive benefits from their claim to Sea Island, which are reflected in several articles of the Agreement, outlined below.

The Agreement commits YVR to sharing 1% of annual gross revenue with Musqueam Indian Band over a 30-year term. YVR publicly states that the share will be funded through its non-aeronautical revenue and “will not come from the Airport Improvement Fee” (Musqueam Indian Band and YVR Media Relations 2017, 1).

To create an “education-to-employment path between YVR and Musqueam,” YVR commits to funding “up to 10 scholarships per year in the amount of $10,000 each for Musqueam members to attend recognized educational institutions or training programs” (Musqueam Indian Band and YVR Media Relations 2017, 1). Funds can be used for tuition, books, fees and program expenses. They also agree to create and fund an apprenticeship program for Musqueam members that will initially provide up to four apprenticeships for qualified candidates, to be reassessed over time. YVR commits to providing employment positions with the Vancouver Airport Authority as well as annually reviewing applications and interviewing all applicants interested in working for the Airport (Vancouver Airport Authority 2018b). Anne Murray says that because the Airport Authority itself only has 500+ positions, they do not hire a great number of people and may not have the types of jobs that interest all members (Murray 2019a). Therefore,
YVR also commits in the Agreement to requiring airport contractors in the cleaning, customer care, and security sectors to make a minimum number of positions available for Musqueam members (Point 2019a). YVR also agrees to work with Musqueam to identify Musqueam businesses that are interested in contracting opportunities with the Airport and to consider opportunities to contract qualified Musqueam businesses (Point 2019a). As it was important to Musqueam to realize some of the benefits from business activities taking place on the airport lands, YVR also commits to exploring mutually beneficial and sustainable business opportunities with Musqueam and Musqueam businesses (Wilson 2019; Point 2019a).

The two parties agree to various commitments and initiatives related to culture, the environment, and sustainability. YVR has an Emergency Response Program and the Airport commits to seeking Musqueam input and collaboration on mitigation strategies, especially related to environmental emergencies on Sea Island (Vancouver Airport Authority 2018b). YVR acknowledges that noise related to the airport is a significant concern for the Musqueam community. The Agreement affirms the Musqueam seat on the Aeronautical Noise Management Committee and the representative is empowered to contribute to noise management activities, including the update of the five-year Noise Management Plan. YVR also commits to supporting Musqueam in hosting annual community workshops on the YVR Noise Management Plan (Musqueam Indian Band and YVR Media Relations 2017; Vancouver Airport Authority 2018b). The Agreement commits to ensuring the protection of archaeological resources. This includes reviewing and updating archaeological procedures and information about site potential with Musqueam; receiving Musqueam input about improvements to procedures and suggestions about the monitoring program; and, working with Musqueam to select consultants (Vancouver Airport Authority 2018b). As a continuation of the relationship established between the two environmental departments, the parties commit to implementing enhancement or restoration project(s), guided by recommendations in the Blue Zone Study. YVR commits to exploring opportunities for contracting Musqueam or Musqueam businesses to carry out the work (Vancouver Airport Authority 2018b). In relation to culture, the parties agree to develop a protocol to guide cultural and artistic initiatives at the airport (Vancouver Airport Authority 2018b; Point 2019a).

The culture and environment section of the Agreement is relatively short compared to many other articles. Anne Murray says when points of discussion were
relatively uncontroversial, such as when values aligned or relationships and processes had been previously established and trust existed, the articles were left relatively general and short. However, sections related to governance and engagement processes required a lot of discussion because these processes had never been formalized and the two parties were carrying preconceptions and mistrust. The section relates to how the parties will consult and communicate about and support ongoing airport operations and proposed developments (Murray 2019a). This section is important for creating the certainty that YVR was seeking in light of Musqueam’s title to the airport lands, in exchange for the benefits the Airport was offering. It prescribes a process, from initial notification, to Musqueam issuing letters of authorization (Murray 2019a).

While all projects that require authorizations from the federal or provincial government trigger the duty to consult with Musqueam as established by the Supreme Court of Canada, the Agreement distinguishes between two types of projects: projects such as the Master Plan and projects that will involve government permits; and, major developments, such as new runways, new land uses that are not compatible with the management, operation, or maintenance of an airport, or projects resulting in the disturbance of sensitive archaeological sites or the conservation area (Murray 2019a; Point 2019a). Extensive engagement is required for each type of project and Musqueam can raise concerns about impacts at various stages so that YVR can respond and work to mitigate concerns. Ultimately, the Musqueam Band commits to supporting the ongoing operation of the Airport for the length of the Agreement; however, it maintains the right to pursue a title claim with the federal government as well as challenge major developments if the Airport cannot adequately address its concerns (Point 2019a; Murray 2019a).

The Agreement lays out requirements for both parties to help maintain the relationship and implement the Agreement. The Agreement states that a Relationship Committee will be formed to facilitate regular communications, monitor the Agreement implementation, address any issues, and evaluate future joint business opportunities (Musqueam Indian Band and YVR Media Relations 2017). The Relationship Manager will participate and YVR and Musqueam will appoint 2 members and the committee will meet at least twice a year (Murray 2019a; Point 2019a). They work collaboratively towards mutually beneficial outcomes. Decisions are based on consensus but they may use a vote if consensus is not achievable (Musqueam Indian Band and Vancouver
Airport Authority 2017). The Agreement also requires that YVR hire a Relationship Manager from Musqueam to oversee and facilitate the development of the relationship and implementation of the 18 Agreement articles, and explore joint business ventures (Musqueam Indian Band and YVR Media Relations 2017). The Relationship Manager is also responsible for ensuring regular communications and reporting back to Musqueam community and the Relationship Committee. The current Relationship Manager, Mary Point, says her role is also to “involve Musqueam at all levels of the implementation to ensure that we are on the good path” (Point 2019a, pt. 1:07). Anne Murray says in initial discussions, YVR requested the position be within the YVRAA. They argued this would help them make organizational changes and teach their staff about Musqueam so they would more fully understand the reasons for YVR’s commitments to Musqueam (Murray 2019a). Musqueam pushed for this position to be at the managerial level to ensure they would have the authority required to make substantial changes in the organization (Wilson 2020). Members of the negotiation teams note that these articles show the commitment of both parties to ensuring the success of the Agreement and its implementation (Wilson 2019; Murray 2019a).

The Context chapter provides background about Musqueam, the Vancouver Airport, and the evolution of their relationship leading to the signing of the Sustainability and Friendship Agreement. It answers the research question, “How did the… Agreement come to be?” This provides helpful context for understanding the outcomes and Musqueam community’s goals for the relationship, explored in Chapter 5.

5.2. Musqueam’s Goals

Musqueam community’s goals for the future were briefly outlined in section 2.1.3. To summarize, the top three priority community planning objectives as communicated in the 2018 CCP (Figure 3) are: education, housing, and health and wellbeing. In 2011, the top three priorities were housing, governance, and health and wellbeing (Musqueam First Nation 2011). The 2 core objectives are: advance self-sufficiency and self-governance, and become a complete and healthy community (Musqueam First Nation 2018).

The process the Musqueam negotiation team used to create a negotiation strategy was described in section 5.1.2 under ‘Early Discussions.’ The strategy
considered how to achieve Musqueam’s goals for building a formal relationship with YVR. The team determined these goals iteratively. Musqueam Council has a list of areas for discussion that go beyond typical consultation and accommodation negotiations. In addition to economic benefits, the areas, or ‘buckets’ as staff call them, include rights protections, cultural and heritage protection and recognition, environmental stewardship, and community employment, training, and education opportunities (John 2019; Rathbone and Wheatley 2019). Each negotiation the Band conducts considers all of these areas but the prioritization varies, depending on the project, proponent, and current Musqueam community needs and priorities (John 2019). The negotiation buckets reflect most of the Musqueam community planning objectives listed in Figure 3.

Dianne Sparrow was involved in the creation of Musqueam’s 2011 Comprehensive Community Plan (CCP) and says the overarching strategies for all negotiations come from the CCP, as it captures the community’s high level goals and priorities (D. Sparrow 2019). Aaron Wilson says that although the CCP focuses on internal community goals rather than explicit territorial goals, the goals that are expressed in the CCP, along with the goals of the negotiation team and Musqueam leadership, all go back to the community. Wilson adds that the negotiation team will frequently share the CCP with those on the other side of the table to inform them about the community and its goals. He says it helps to ground the Musqueam team’s requests and discussions in the community’s aspirations (Wilson 2019). Dianne Sparrow says prior to and during negotiations about the details of the terms, the team would meet with relevant Musqueam staff to ask what they think the community’s goals and needs are in that particular area and whether the draft terms would help meet them (D. Sparrow 2019).

The Musqueam negotiation team was able to refer to the 2011 CCP and 2012 Monitoring and Evaluation report but they did not have access to the updated CCP, as it was completed in 2018. However, in the later stages of the negotiation, they had access to the results of a Monitoring and Evaluation survey conducted in 2016. This survey asked community members to rank the CCP objectives and these rankings informed the updated CCP. Dianne Sparrow says the team used the community’s objective rankings to help them prioritize elements of the Agreement (D. Sparrow 2019).
The Agreement identifies aspirations and goals within certain articles, some of which are mutual and some of which are Musqueam-focused. The Agreement aspires for the Relationship Committee to facilitate an effective working relationship between both parties and for the Relationship Manager to facilitate Agreement implementation and communication between parties. It acknowledges Musqueam’s desire to ensure members are able to be trained to qualify for employment opportunities at the Airport, and states Musqueam and YVRAA’s wishes to maximize opportunities for Musqueam member employment and Musqueam business contracts with the Airport. It also states the intention to work towards a mutually beneficial and sustainable business relationship that includes business opportunities at the Airport for Musqueam and Musqueam businesses (Musqueam Indian Band and Vancouver Airport Authority 2017).

Interviewees were asked about their negotiation team’s overarching goals for the Agreement, as well as their goals or objectives for the outcomes of each article when they were created. Focus group participants were asked what they think Musqueam community’s goals are (or should be) when establishing formal relationships with organizations like the YVRAA. This study considers these stated goals, as well as goals that are identified in the CCP, to assess whether the Agreement implementation is meeting Musqueam community’s goals. The following section outlines the community’s goals, organized within the following four themes in the Musqueam—YVR Agreement: revenue-sharing; engagement processes; culture, environment, and sustainability; and education and employment.

5.2.1. Negotiation and Community Planning Goals

Revenue-Sharing

The Musqueam community planning objectives that directly relate to the revenue-sharing aspect of the Agreement are Advance Financial Self-Sufficiency, and Advance Better Governance of Our Nation; however, all community planning objectives relate to this aspect because funding plays a major role in achieving several actions under each objective (Musqueam First Nation 2011). As discussed in section 5.1.2, Aboriginal title and rights are connected with the ability to derive benefits from territorial lands. Musqueam’s 2011 CCP identifies actions to advance Musqueam’s rights and title, including negotiating self-governance, continuing title and rights negotiations, ensuring
consultation and accommodation of Musqueam interests, and developing Protocol Agreements. It also identifies actions to increase financial self-sufficiency, including pursuing economic development and external funding and partnerships (Musqueam First Nation 2011). The 2018 CCP recommends continuing to assert Musqueam title to protect rights and generate revenues and to pursue sustainable economic opportunities for the community (Musqueam First Nation 2018).

Wendy John says the bottom line for the negotiation strategy was ensuring a share of the Airport’s revenues (John 2019). Aaron Wilson notes that the Supreme Court of Canada ruled in the Delgamuukw case that Aboriginal title lands have “an inescapable economic component.” In other words, Aboriginal title “involves the ability of an Indigenous community to benefit from the resources in their territory” (Wilson 2019, pt. 14:48). Wilson explains that because Musqueam’s territory is heavily urbanized, “our ability to exercise our rights in the territory is constantly diminished and restricted. There is a desire that we also benefit from the way in which our territory is used. And the Airport is a key example” (Wilson 2019, pt. 15:16). Musqueam Councillor and Fisheries Officer, Morgan Guerin, says the Agreement is a bridge to start the conversation about sharing economic gains that are continually made off the land that was “traditionally used by the Musqueam people up until not too very long ago” (Willard Sparrow, Guerin, and Asadian 2019, 23:10). Dianne Sparrow also pointed to the sharing of the Airport’s benefits and opportunities as one of the Musqueam team’s major goals (D. Sparrow 2019). The overarching goal was to share in the Airport’s benefits and for YVR to table this, Musqueam needed the YVRAA to acknowledge and come to terms with the role the airport plays in diminishing Musqueam’s territorial title and rights.

Engagement Processes

The Musqueam community objectives that directly relate to engagement processes with YVR are Protect our Environment and Conserve Natural Resources, and Advance Better Governance of Our Nation. Musqueam engagement with YVR’s planning and development processes may also contribute to the fulfilment of other community objectives, such as improving health and wellbeing, and a taking pride in Musqueam culture (Musqueam First Nation 2011). In addition to the actions to advance Musqueam’s rights and title outlined in the revenue-sharing section above, the 2011 CCP identifies the protection of important cultural sites as an area of consultation and
accommodation (Musqueam First Nation 2011). The 2018 CCP recommends taking actions to protect environmental, natural and cultural resources (Musqueam First Nation 2018).

The ability to develop meaningful engagement processes between Musqueam and YVR AA flows from the recognition of Musqueam title and rights (Wilson 2019). Willard Sparrow says the Band wants to be part of the Airport’s planning processes and management, instead of “consulting only to be managed,” as has occurred for decades (Willard Sparrow, Guerin, and Asadian 2019, pt. 8:15). Dianne Sparrow says the negotiation team wanted a deeper relationship to make space for conversations about each other’s interests and finding ways of aligning them (D. Sparrow 2019). Morgan Guerin believes agreements are good relationship-building tools in helping other governments and entities understand the “need and requirement to collaborate and work with Musqueam, as well as help others understand more why Musqueam, through our culture and teachings, do things the way that we do. Understanding our xʷələməxʷ [Indigenous person] responsibility - belonging to the earth” (Willard Sparrow, Guerin, and Asadian 2019, pt. 23:10).

**Culture, Environment and Sustainability**

The Musqueam community objectives that directly relate to culture, environment, and sustainability are *Take Pride in Our Culture, Protect Our Environment and Conserve Natural Resources*, and *Improve Our Health and Wellbeing* (Musqueam First Nation 2011). The 2011 CCP outlines the following actions to achieve objectives related to culture: provide cultural programming, both in the community and externally via cultural outreach to business and governments, and “Musqueamize” the territory with art, signs, symbols, information, and Musqueam names (Musqueam First Nation 2011, 91). The 2018 CCP actions identify supporting daily cultural activities, fostering cultural pride and sharing Musqueam history within and outside the community, and asserting Musqueam presence in the territory by ensuring Musqueam protocols are followed by other governments and developing external teaching tools (Musqueam First Nation 2018).

Willard Sparrow notes the importance of asserting Musqueam presence so that people living in Metro Vancouver understand whose lands they are on. He says a key point of the Agreement is making Musqueam territory known on Sea Island because “you have all these governments involved with the Airport and I think that’s going to start
to change their verbiage use… their recognition” (Willard Sparrow, Guerin, and Asadian 2019, pt. 29:00). Leona Sparrow points out that Musqueam has been arguing for the need to have Musqueam representation at the Airport since the early 1990s. Although the Airport has since commissioned Musqueam pieces and established a Musqueam welcome area in the international terminal, Sparrow says Musqueam wants more presence throughout the airport relative to other art pieces, especially in the domestic terminal (L. Sparrow 2019). Faye Mitchell says the Airport should be including Musqueam culture, language, and history in orientations to educate the thousands of YVR staff (Mitchell 2019).

To achieve objectives related to the environment and heritage resources, both the 2011 and 2018 CCPs call for protection of traditional territory and rights. The 2011 CCP recommends protecting important cultural sites, restoring and protecting habitat, resources, lands, and waters in the territory, and managing permits for and monitoring of external projects that impact the environment and heritage resources (Musqueam First Nation 2011). The 2018 CCP recommends supporting initiatives that “promote protection and revitalization of habitat, indigenous flora and fauna, and heritage resources and minimize impacts from heavy industrial/port developments” (Musqueam First Nation 2018, 53). It calls for increasing access to traditional resources through habitat restoration, negotiations, and reducing barriers for harvesting, as well as increasing capacity to remove invasive species and re-establish indigenous species. It also calls for the exploration of alternative energy and waste management practices to advance sustainability (Musqueam First Nation 2018).

Nearly all Musqueam interviewees speak of the importance to the community of environmental stewardship and enhancement on Sea Island. Although they are realistic about the incompatibility between airport uses and the revitalization of certain species, such as waterfowl and the plants that attract them, they want the airport to prioritize environmental enhancement (Willard Sparrow, Guerin, and Asadian 2019; L. Sparrow 2019; Wilson 2019; John 2019). Aaron Wilson says culture, environment, and sustainability are “the heart of who we are” (Wilson 2019, pt. 34:20). He says the Agreement is grounded in Musqueam’s connection to the land and territory and as stated in Musqueam’s 1976 Declaration, Musqueam holds Aboriginal title and rights to use the “land, the sea, and fresh waters and all their resources within that territory occupied and used by our ancestors” (Musqueam First Nation 2011, 41). Wilson says
Musqueam has “responsibility as a people to be stewards over the land” (Wilson 2019, pt. 13:17). Wendy John says a top priority in negotiating the Agreement was cooperating to “sustain, enhance, and bring back to its natural state the north and middle arm of the [Fraser] River” (John 2019, pt. 10:52).

Wilson says respect for and protection of the physical evidence of Musqueam’s longstanding use and occupation, in addition to intangible and living heritage, on and around Sea Island is another goal (Wilson 2019). Aviva Rathbone, Musqueam’s Senior Archaeologist says the Band is working to assert “sovereignty over heritage in the territory” and build community capacity to ensure Musqueam people are the ones studying and managing heritage in their territory (Rathbone and Wheatley 2019, pt. 00:37). She says her department is “strongly encouraging larger corporations or proponents to engage with Musqueam directly about how to manage heritage” because the provincial requirements for heritage protection do not meet Musqueam’s standards (Rathbone and Wheatley 2019, pt. 4:09). She adds that when she and her colleagues are able to talk to proponents directly, such as the YVRAA, they communicate that heritage management can work to achieve Musqueam’s broader goals, including creating jobs for community members and building their skill sets (Rathbone and Wheatley 2019).

**Education and Employment**

Musqueam community planning objectives related to education and employment are: Address the Community’s Education Needs, Help Members Get the Jobs They Want, Improve Our Health and Wellbeing, Achieve Financial Self-Sufficiency, and Support Youth Involvement (Musqueam First Nation 2011). Actions to achieve education goals identified in the 2011 CCP are: identify education needs in the community; provide academic counseling, mentoring, and support; improve access to internal and external funding, and; integrate culture into teaching style (Musqueam First Nation 2011). The 2018 CCP recommends increasing and reallocated Band funding towards education with fewer conditions; seeking alternative education funding from external sources and partnerships; increasing support for bursary and scholarship applications; and, strengthening supports for all students, including tutoring and special need supports (Musqueam First Nation 2018).
The 2011 CCP’s recommended actions for employment and training are: providing programs to encourage healing and self-sufficiency; developing a client tracking system; improving partnerships with employers; and, improving career training and supports by identifying career interests, improving job coaching, offering training and incorporating culture, and liaising with workplaces (Musqueam First Nation 2011). The 2018 CCP recommends increasing programming for youth, including mentorship and life skills, and improving outreach to at-risk youth. It also recommends pursuing sustainable economic opportunities for the community to increase economic development (Musqueam First Nation 2018).

Musqueam interviewees speak about advancing the community’s goals for education, training, employment, and career development in negotiations (John 2019; Wilson 2019; D. Sparrow 2019). Aaron Wilson and Wendy John say education is a fundamental community goal which goes back to the visions of many late and living Elders who understand that it is linked to the culture as well as the future success of community members (Wilson 2019; John 2019). Faye Mitchell, the Musqueam Education Coordinator, says when partnering with corporations, they should give back by building capacity in the community through scholarships, bursaries, and/or internships (Mitchell 2019). Lindsay Gibson and Terry Sparrow, Musqueam Job Coaches, believe that to achieve the community goals of developing the skills, training, and capacity of Musqueam community members, organizations need to develop sincere relationships with Musqueam. They say this includes taking the time and making the effort to get to know the Employment and Training Department and community members, learning about the culture and community, offering to fund training and education, and providing mentorship for Musqueam employees (T. Sparrow and Gibson 2019).

5.3. Outcomes of the Agreement

This section seeks to answer the research question, do the content and outcomes of the Agreement reflect Musqueam community planning goals and objectives? I asked Musqueam interviewees and focus group participants whether the Agreement and its outcomes, two years after the signing, and a year and a half after the Relationship Manager was hired, reflect Musqueam’s goals. Nearly all interviewees feel positively about the relationship that has developed between the two parties. All Musqueam interviewees who were involved in the negotiation think the Agreement
generally reflects Musqueam’s goals (John 2019; D. Sparrow 2019; Wilson 2019). All Musqueam interviewees mention that the increased communication and collaborative problem-solving has resulted in positive outcomes and has increased the Band’s trust of YVR. Musqueam interviewees mention several aspects of the Agreement and implementation that they think should be improved, which are further explored below. However, they express hope that the new relationship will allow for more regular and productive discussions with YVRAA and willingness from YVRAA to adapt the relationship.

Marion Town, YVRAA’s Director of Environment, views the Agreement and outcomes with cautious optimism. When asked whether she thinks it reflects Musqueam’s goals, she says,

I think as best we can in this day and time… I think over the course of this Agreement we’ll be in a place of more significant change… and it would be lovely to refresh this with several different aspects…I am incredibly grateful for what the Agreement was able to capture. Do I think it was everything that Musqueam might’ve been able to have? No, obviously not. But I think it was a step, and a very important step, which I think is okay for now (Town 2019, pt. 22:49).

The details of the outcomes of each section of the Agreement are provided below. The section summarizes and describes the indicator data and then assesses each section’s success at meeting Musqueam’s goals, based on the indicator results and input from interviewees and focus group participants.

5.3.1. Revenue Sharing Outcomes

The following indicators and outcomes relate to the Revenue Sharing article in the Agreement. As confirmed in the Agreement, the Airport annually shares 1% of gross revenues with the Musqueam Band and will do so over a 30-year term. YVR publicly states that the share is funded through its non-aeronautical revenue and “will not come from the Airport Improvement Fee” (Musqueam Indian Band and Vancouver Airport Authority 2017, 1). However, the 1% calculation is based on revenues from all three sources – aeronautical, non-aeronautical, and the improvement fee (Ernst and Young 2018).
Indicators

Indicators are summarized in Table 1 in Appendix B. In April 2018, YVR shared $5,288,239 of their 2017 revenues. In April 2019, YVR shared $5,644,148 of their 2018 revenues (Ernst and Young 2018). Negotiators calculated that over the 30 years of the Agreement, and in consideration of anticipated increases to the Airport’s revenues, the Airport will share between $300,000,000 to $350,000,000 of revenues by the end of the Agreement (Negotiator 2019). In 2018, the YVR share comprised 8% of the Band’s total revenues (BDO 2018). Relative to other Musqueam Band revenues, this proportion is relatively small and will fluctuate annually alongside YVR’s and Musqueam’s revenues.

In 2017, the YVRAA did not have a budget to devote funds to initiatives beyond the agreed-to revenue share and education funding. Mary Point explains that because her position did not begin until February 2018, YVRAA did not have the capacity to begin additional initiatives until she was hired. As initiatives and opportunities arise, YVRAA now uses its discretion to provide funds to carry them out. In 2018, YVRAA created a relationship budget of $130,000. In 2019 this budget increased to $154,000 and YVRAA additionally provided $100,000 to support a collaborative canoe carving project at YVR. The relationship budget covers costs associated with cultural protocols, such as paying Musqueam speakers and welcomers, and providing food at YVR–Musqueam meetings and gatherings (Point 2019b).

Musqueam Band allocates new monies as follows: first to balancing the budget, and then to repaying borrowings and replenishing reserves, adding to the Public Works Infrastructure Fund, funding annual Comprehensive Community Planning priority initiatives, and providing a dividend to all Band members. To receive CCP priority initiative funds, departmental projects must address community priorities identified in the CCP, provide direct community benefits, and be time-limited rather than ongoing. So far funded CCP special initiatives relate to supporting education, housing, language and culture, and health (Klashinsky 2020).

Do the Revenue Sharing Outcomes Reflect Musqueam’s Goals?

In terms of the community’s goal to advance Musqueam’s rights and title to derive benefits from their territorial lands, most Musqueam interviewees believe the Agreement is successful. Aaron Wilson says that although the Agreement could not
explicitly recognize Musqueam title, the revenue share implicitly recognizes that Musqueam has an outstanding title claim to Sea Island and the Band can and should benefit from these lands. The share signals that the Musqueam community is benefiting in some way from the economic activities of the Airport (Wilson 2019). Wendy John acknowledges that Musqueam Council first thought the 1% was not adequate. She points out that because there is no legal requirement for the Airport to share revenues, it is a significant win for Musqueam (John 2019). Musqueam’s negotiator believes the Agreement set a precedent and now the community knows “that every single business in their territory should be having agreements like this, and they should’ve happened years ago. But this is now the start of an opportunity for the community to negotiate… any big project that’s occurring in the territory” (Negotiator 2019, pt. 23:57). The negotiator mentions that Musqueam is currently negotiating agreements with other agencies and organizations (Negotiator 2019).

The revenue share helps Musqueam with its goal to advance financial self-sufficiency. As outlined above, the 1% per year comprises a small proportion of the Band’s revenues but interviewees note several community benefits. Dianne Sparrow points out that the revenue share provides unrestricted funds that allow the Band to determine how to allocate them (D. Sparrow 2019). The community has decided to devote these monies to building up infrastructure funds, funding community planning priorities, and paying dividends directly to members, after balancing budgets and replenishing investment funds. Over the 30-year span of the Agreement, it will amount to significant funding for community-determined priorities. Willard Sparrow says the revenue share “means families are being supported. The long house is being supported. The kids are being supported” (Willard Sparrow, Guerin, and Asadian 2019, pt. 31:46). He notes that Musqueam has a communal mindset and any benefit received by one member typically assists entire extended families and wider community and cultural initiatives (Willard Sparrow, Guerin, and Asadian 2019). Aaron Wilson says he is excited to see the impacts of the revenues on the Band’s budgets and ability to “give back to the community” (Wilson 2019, pt. 27:15).

While grateful for the support the revenue share provides the community, several Musqueam staff interviewees mention issues around a lack of support for increased demands on their time. They think the Agreement should have more built-in to support capacity development in the Band Administration. Negotiator and former Musqueam
Intergovernmental Affairs Lead, Dianne Sparrow, says the implementation of the Agreement and adherence to the engagement processes demand significant staff time. If she were to renegotiate the Agreement, she would have built-in more resourcing for implementation. Ideally this would be funding on top of the revenue share, or a small portion of the 1% would be restricted to delivering implementation (D. Sparrow 2019). Aquatic Habitat Restoration lead Willard Sparrow believes the Agreement should have provided capacity funding for Band departments. From his perspective, the Band administration needs double the staff to meet growing demands from the community and from external governments and organizations looking to partner with the Band. He sees the Agreement as primarily serving the Airport’s priorities and thinks the focus should extend to Musqueam’s priorities beyond Sea Island (Willard Sparrow, Guerin, and Asadian 2019). Job Coaches Terry Sparrow and Lindsay Gibson say the push to employ Musqueam members at YVR has resulted in great demands on their department, both in terms of finances and staff time. They wish there was more support available for their department and in corresponding departments at the YVRAA devoted to hiring, employee mentorship, and retention (T. Sparrow and Gibson 2019). These complaints are explored further in subsequent sections.

5.3.2. Engagement Process Outcomes

The ability for the parties to effectively engage with one another is dependent on several factors. The following outcomes correspond to articles in the Agreement that relate to the Relationship Committee, the Relationship Manager, and the engagement process and Musqueam’s support of the Airport. The two tangible pieces of the Agreement that are vital to the engagement process, the Relationship Committee and the Relationship Manager, are also important in achieving implementation of all articles in the Agreement.

**Relationship Committee**

The Relationship Committee is tasked with facilitating “an effective working relationship between the two organizations” which involves overseeing Agreement implementation and ensuring each organization fulfills their commitments (YVR 2019i, 1). According to the Agreement, the committee is to be comprised of the Relationship Manager and two senior representatives from each party (Musqueam Indian Band and
Initially, Musqueam nominated two councillors to the committee and YVR nominated two vice presidents. In 2018, the parties found that because members’ meeting and travel schedules are full, it would be beneficial for each party to nominate one additional member to ensure consistent quorum. Each party now has two representatives plus one alternate (YVR 2018c).

**Indicators**

Indicators are summarized in Table 2 in Appendix B. The Agreement states that the Relationship Committee will meet a minimum of twice per year, which has been exceeded most years (Musqueam Indian Band and Vancouver Airport Authority 2017). The committee met three times in the 2017 calendar year, twice in 2018, and five times in 2019. In 2017, over 35 tasks were identified by the committee. Tasks were primarily assigned to committee members, while 10 tasks were assigned to organizational staff. The committee’s accomplishments include drafting a committee terms of reference and creating job requirements and a hiring process for the Relationship Manager (Point 2019b). This indicates that when implementation was in the early stages, the committee was highly involved in advancing several initiatives but lacked the capacity to see most of them through.

In 2018, the committee created nine tasks, eight of which were assigned to the newly hired Relationship Manager. Committee activities in 2018 focused on the initial development of the implementation program and included approving the terms of reference and YVR’s Annual Report; reviewing scholarship applicants to allocate funding; developing employment, hiring, and information-sharing processes; deciding on a habitat restoration project and contracting Musqueam’s Aquatic Habitat Restoration crew; adding Musqueam businesses and contractors to YVR’s database; reviewing a draft protocol for language use and involving Musqueam in YVR’s events; reviewing the Musqueam–YVR community newsletter, webpage, blog, and annual report; and, successfully requesting that YVR waive its requirement for all new hires to have completed Grade 12 (Point 2019b).

In 2019, the committee created 14 tasks, of which 12 were assigned to the Relationship Manager. Committee activities in 2019 focused on supporting and improving the program and included reviewing scholarship applicants and suggesting changes to procedures; discussing and reviewing YVR’s Land Development Strategy,
emergency response plans, and Environmental Management Plan; discussing Musqueam business contracting processes; developing a process for evaluating potential business opportunities and establishing a working group to oversee the process; and refining the protocol for language use and Musqueam involvement (YVR 2019i, 2). These results indicate that with the hiring of the Relationship Manager in early 2018, the committee’s capacity to carry out initiatives increased significantly. This is further discussed in the following section.

I asked the Relationship Manager whether the Musqueam committee members have raised significant concerns about any of the discussions or decision points. Mary Point says they raised issues about the hiring process for her position and as a result it had more Musqueam involvement, including an interview with Musqueam Elders. She says in the following two years they have not had significant concerns because the committee is informed about and involved in initiatives at early stages and at multiple levels. She says committee members do not hesitate to call or email her with questions, ideas, or to request progress updates outside of scheduled meetings (Point 2019b).

**Relationship Manager**

The creation of a Relationship Manager position within YVRAA was an article in the Agreement. There were 38 applicants from Musqueam, and the position was filled by Mary Point in February 2018. At the time, she was working for the Musqueam Administration as Facilities Manager (Point 2019a). The Facilities Manager position is based out of the Musqueam Community Centre, which put Mary in close contact with community members on a daily basis. Various events take place in Musqueam facilities each week, which require 2 to 3 full-time permanent and dozens of part-time on-call staff; therefore, Mary was well acquainted with hundreds of community members seeking work. Mary also got to know Musqueam artists, chefs, and craftspeople because the Musqueam Cultural Centre runs a gift shop and events in the Community Centre often provide vending and catering opportunities for community members. Mary was a natural fit for the Relationship Manager position and brought knowledge about and care for the community with her to YVR.
Indicators

Indicators are summarized in Table 2 in Appendix B. Mary Point’s position is officially classified as Manager, Indigenous Relations and is supervised by the Director of Government Relations, who reports to the Vice President of Airline Business Development and Public Affairs. One dedicated position assists the Indigenous Relations Manager – the Indigenous Relations Assistant. This position was created in August 2018 and has been filled at different times by two Musqueam community members. It is a support-level position that assists the Indigenous Relations Manager with various administrative tasks and initiatives (Point 2019a). The Relationship Manager position is a senior position with strategic decision-making authority. The Manager is responsible for overseeing “all programs and processes designed to support the implementation of the Agreement” (YVR 2019i, 1). This includes communication and outreach to the Musqueam community and involving “Musqueam at all levels of implementation to ensure that we are on the good path” (Point 2019a, pt. 1:07). It also involves developing strong relationships internally, increasing YVRAA’s understanding about Musqueam culture and visions, and advocating for Musqueam employees and businesses on Sea Island (YVR 2018c; 2019i).

In addition to liaising with the Relationship Committee and organizing their meetings, the Relationship Manager presents annually to Musqueam Council about the year’s achievements. She oversees the creation of four newsletters per year that inform the Musqueam community about the relationship. She posts countless links on social media about employment, arts, and cultural opportunities at YVR, engagement initiatives, and implementation results (Point 2019b). The public YVR website has a Musqueam—YVR page that provides an overview of the Agreement, as well as information about and application forms for education and training and employment and contracting opportunities for Musqueam members. This is also the space where newsletters are posted and YVR blog posts related to the relationship are compiled (YVR 2019d). Mary also maintains regular contact with relevant managers and staff at Musqueam Administration to collaborate on initiatives and keep them informed (Point 2019b). She also reviews every Musqueam job application and assists with matching seekers with jobs on Sea Island and guiding applicants through the recruitment process. She devotes a significant amount of time to maintaining relationships and informing the Musqueam community but Mary Point says it is important to maintain a positive
relationship through transparency, keeping communication open, and answering questions promptly (Point 2019a). She remembers that her final interview for the YVRAA was with Musqueam Elders. They asked how she would ensure that members are well looked after by the Airport as implementation gets underway. She says this question was on her mind as she started working for the Airport Authority and it stays with her today (Point 2019a).

Mary Point also works to educate external governments and organizations. She and her colleagues delivered eight presentations at conferences and forums, and to external organizations and government agencies in 2018 and twelve in 2019. She estimates that she and her colleagues provided six media interviews in 2018 and eight interviews in 2019. Between the first and second years of implementation, the number of visits to the Musqueam—YVR webpage on the YVR website increased tenfold from 640 to 6,800. Mary notes that YVRAA launched an educational communications campaign in June 2018 (year 2 of implementation) to better inform the public and Musqueam community about outcomes, which accounts for the increase in external communications initiatives (Point 2019c).

The figures indicate that the Agreement is viewed with curiosity and as a process to learn from by the media, external observers, governments, and organizations. Craig Richmond says YVRAA gets calls from other airports asking for Agreement-related insights, templates, and documents. He says the federal government also reached out to learn about their negotiation and Agreement development process to assist them with their negotiations with Musqueam (Richmond 2019). Mary Point says other organizations, such as Canadian airline companies and the Vancouver Fraser Port Authority, have contacted her to ask how to create a similar agreement (Point 2019a).

One of YVRAA’s expectations for the Indigenous Relations Manager, which goes back to one of the impetuses for the Agreement negotiation, is delivery of an Indigenous engagement strategy. Before Mary Point was hired, YVRAA had drafted a strategy with consultants and Musqueam was firm in saying that the Nation would need to be meaningfully consulted and involved (Point 2019a). Using her knowledge about the Musqueam community and insights gained from her work on Agreement implementation, Mary revised the strategy document in 2018. She says the revised draft will go the Relationship Committee for review and any suggested revisions will be incorporated
before the document goes to Musqueam Chief and Council for review. If approved, it will go to the YVR Board of Directors for approval. Mary and her team will then bring the draft strategy to Musqueam community for review and input before it is finalized and implemented.

No details about the Indigenous Engagement Strategy are publicly available but Mary says it will aim to increase support, collaboration, and engagement with local First Nations. It will extend the invitation to non-Musqueam First Nations and urban Indigenous people to be involved in certain facets of the airport, with Musqueam First Nation recognized as the host community. For example, the Airport hopes to employ greater numbers of Indigenous people on Sea Island. Through lessons learned from the relationship with Musqueam, the Airport is positioned to anticipate and accommodate Indigenous employees’ needs and provide supports, in collaboration with First Nations employment support organizations. The YVRAA Indigenous Relations team also hopes to visit up to two international airports in countries with indigenous populations each year to share information about the Musqueam—YVR Agreement (Point 2019b). Although the strategy is not yet complete and the outcomes are not known, changes in Airport business operations have already resulted in positive outcomes. Craig Richmond says the Airport is seeing an increase in non-Musqueam Indigenous job applicants, which he believes is due to word spreading about the Airport’s efforts to hire Musqueam employees and new perceptions that the work environment is more supportive and welcoming to Indigenous people (Richmond 2019).

**Engagement Process and Musqueam’s Support of the Airport**

The engagement process, as articulated in the Agreement, is the way for the two parties to “consult and work closely and openly” with one another regarding the ongoing operations of the Airport (Musqueam Indian Band and Vancouver Airport Authority 2017, 16). This is a key component of Musqueam’s willingness to support the continuing operation and development of the Airport. Any authorizations granted to the Airport by the federal or provincial governments that would require Crown consultation with Musqueam necessitate the formal engagement process. These include permits associated with the Fisheries, Navigable Waters, Disposal At Sea, or Migratory Bird Acts (YVR 2018c, 1). Any major developments that may impact Musqueam’s rights and may have adverse effects, such as a new runway, land uses not compatible with the
management, operation, or maintenance of an airport, or projects resulting in the disturbance of sensitive archaeological or environmental areas, require consultation outside the Agreement and may involve accommodation. The details of the process are clearly outlined in the Agreement, from YVRAA’s initial notification and information sharing, to engagement meetings to discuss Musqueam’s concerns and potential mitigation measures, to Musqueam issuing letters of support to the approving authority or objecting to a proposed major development (Musqueam Indian Band and Vancouver Airport Authority 2017). Anne Murray notes that the teams spent a lot of time negotiating this section and it is “quite prescriptive” because they wanted to ensure expectations are very clear to provide “certainty for both parties” (Murray 2019a, pts. 16:09, 35:33).

Indicators

Indicators are summarized in Table 2 in Appendix B. In addition to the formal engagement process, the two parties communicate on a regular basis via the Relationship Committee and monthly staff-to-staff working group meetings. These staff meetings include representatives from Musqueam’s Title and Rights, Environmental Stewardship, Fisheries, and Archaeology Departments and are an opportunity for YVRAA staff to share information about current and future development projects and initiatives. Mary says YVRAA shares its long-range and yearly project plans with the committee and working group to provide as much notice as possible about projects of interest. The YVRAA has an internal project planning and approval process, which they have adapted in consultation with Mary and the working group. Project proposal forms now ask staff to consider whether their proposed projects will require Musqueam involvement. Providing this question to staff, alongside internal training about the Agreement and Musqueam’s expectations, allows YVRAA to flag projects that are relevant or potentially concerning to the Musqueam Band. The YVRAA shares information about all proposed projects with the Musqueam Administration, which in 2018 was 225 projects and in 2019 was 175 projects. In 2018, the working group met 10 times but only met three times in 2019 due to staffing changes and capacity limitations in Musqueam’s Title and Rights department (Point 2019c). Capacity issues within the Musqueam Administration are noted by various focus group participants as a difficulty in meeting the demands of Agreement implementation (Rathbone and Wheatley 2019; T. Sparrow and Gibson 2019; Point 2019a). Increasing staff capacity is also noted in the recommended actions of the 2018 CCP (Musqueam First Nation 2018).
Musqueam provided a letter of support for the 2037 YVR Master Plan and Land use Plan in October 2017 (YVR 2017b). The process of engagement for this authorization involved an inter-organizational staff meeting in early June 2017, at which four official Musqueam comments were recorded, as well as Musqueam review and comment on the draft document for which 10 edits were suggested. Of the four comments provided in the staff meeting, one was directly incorporated into the Master Plan while the other three were taken as advisement for more detailed considerations in the future. Of the 10 Musqueam edits to the document, all were incorporated (YVR 2017a; Vancouver Airport Authority 2018a). Engagement also involved Musqueam community outreach at a Musqueam departmental open house in July 2017, where YVRAA staff interacted with 62 community members and received 23 suggestions and comments about the Master Plan (YVR 2017a). Of the 23 community comments, four are reflected in the plan document, 11 are partially or generally reflected, and eight are not reflected. These eight comments relate to noise and air quality concerns, for which the document commits to monitoring, working with noise and environmental committees, and maintaining local water and air quality (Vancouver Airport Authority 2018a). As is discussed in the Culture, Environment and Sustainability Outcomes section, the water and air quality test findings reported on Sea Island in YVR’s 2018 Annual and Sustainability Report are all at or below guidelines recommended by Metro Vancouver (Vancouver Airport Authority 2019a). Air quality is under the regional government’s jurisdiction; however, staff from both parties agreed to reach out to Metro Vancouver about installing a monitoring station in Musqueam village (Point 2019a). This has not been implemented at the time of writing (Metro Vancouver 2019).

Comparing Musqueam’s comments with the finalized Master Plan shows that the YVRAA carefully collected Musqueam’s input once a draft had been created and incorporated feedback deemed to be within the scope of the established plan. The Airport Authority did not engage with Musqueam early in the process, affecting the degree to which Musqueam’s values could be reflected in the document, indicating a low level of collaborative planning and power sharing for this initiative. Because the plan was nearly finished before the Agreement was signed and well before the Relationship Manager was hired, later collaborative planning processes provide clearer outcomes about this aspect of Agreement implementation.
In 2018, Musqueam provided two letters of support to YVR – one for emergency repairs to a float plane dock at the South Terminal, and one for a proposed amendment to the federal ground lease to add lands in a central part of the Airport tarmac that were under the Canadian Coast Guard’s jurisdiction (YVR 2018c; Point 2019a). In 2019, Musqueam provided two letters of support – one for a project to replace a float plane dock at the South Terminal, and one for a ground lease amendment to re-zone lands for car rental service stations (YVR 2019i). Mary Point says the Airport sends documents showing the project plans and possible impacts and outcomes and Musqueam responds with any concerns. She says it takes “a few months to get those letters back and forth, but it’s all agreed upon in the process” (Point 2019a, pt. 1:07:08). So far there have not been any conflicts and Musqueam has provided support letters for all of the Airport’s proposed initiatives (Point 2019b). Aaron Wilson says that because “we have a process now to sit down and talk about [projects] and see if Musqueam has any concerns and how to address, mitigate and to try and work through it together….more often than not, Musqueam is there to say, ‘Yes, we’ve gone through the process and we’re okay with the outcomes’ because that was part of Musqueam’s commitment to YVR that the Airport continue to operate” (Wilson 2019, pt. 36:08).

**Do the Engagement Process Outcomes Reflect Musqueam’s Goals?**

All interviewees express that a more effective and collaborative relationship has resulted from the Agreement. Several interviewees specify that the Relationship Committee and Relationship Manager are key tools for successful implementation because they are built into the Agreement. Mary notes that because the staff-to-staff working group has been unable to meet in the second half of 2019 due to Musqueam staff shortages, the Relationship Committee has been the main point of contact for the Airport (Point 2019c). If this committee and its associated commitments were not written into the Agreement, it is possible that it may not exist or would not meet on a regular basis. From her perspective as a Band member and Musqueam employee in the 1990s, Leona Sparrow believes the YVRAA and Musqueam Council now have a more positive relationship and good communication (L. Sparrow 2019). Wendy John believes the committee and Relationship Manager position are key to the success of the implementation of the Agreement (John 2019). Anne Murray also notes that the Committee and Relationship Manager have resulted in direct and regular communication between the organizations, facilitating nimbler and effective decision-making. When a
decision they previously made is not working well, they are open to discussing their objectives and strategies for improving outcomes (Murray 2019a).

Several interviewees point to the Relationship Manager position as vital to the success of Agreement implementation. Mary Point notes that 38 people from Musqueam applied to the Relationship Manager position, which indicates that the community is invested in the Agreement and excited about being involved in the relationship (2019a). Katie Wheatley credits the Relationship Manager for carrying the Agreement forward. She notes that because the Musqueam Administration is frequently short-staffed, no one has the capacity to take it on. She also credits the Relationship Manager for the community’s education about opportunities and outcomes of the Agreement (Rathbone and Wheatley 2019). Wendy John says Mary Point’s hands-on work “is showing success in a way that we never expected” (2019, pt. 39:31). She adds that in concert with the Relationship Committee meeting every few months to guide implementation, it is key to have the Relationship Manager working with the people in Musqueam on a daily basis (John 2019). Craig Richmond says he thought implementation momentum would take years to build but Mary Point has “been brilliant in terms of driving things home” (2019, pt. 16:08). He believes that because Mary is deeply connected to the community and part of YVRAA’s management team, her position is uniquely able to bridge the two organizations. He reiterates that “her job is the Airport. Her heart is with the Musqueam. And that has just worked out very, very well” (Richmond 2019, pt. 25:11). Additional successes and challenges associated with the Relationship Manager’s work are reflected in the Culture, Environment and Sustainability Outcomes, and Education and Employment Outcomes sections.

The degree to which the Agreement allows Musqueam to exercise control over its territorial lands on Sea Island is up for debate and is likely to change over the lifespan of the 30-year Agreement. By signing the Agreement, Musqueam has committed to supporting all of YVR’s projects requiring Crown authorizations; however, Musqueam has not committed to supporting future major developments, such as new runways, non-aeronautical amendments to the lease, and projects that would impact ancestral remains or conservation areas. Community planning goals call for Musqueam’s rights and title to be advanced and interests protected through consultation and accommodation (Musqueam First Nation 2011; 2018). The engagement process provides multiple opportunities for Musqueam to express concerns and request mitigation measures.
Other regular points of contact between the Relationship Manager, the Relationship Committee, and staff at both organizations allow the parties to discuss initiatives, concerns, and opportunities during early planning stages. Once projects get to the engagement process phase, the parties have typically had early and frank discussions. It is unclear how this dynamic may change once Musqueam reaches a settlement with the federal government regarding its claim to Sea Island. Mary Point sees the Agreement as a statement that the Airport supports Musqueam and Musqueam supports the Airport and will support the growth and development of the Airport through potential changes in governance over Sea Island (Point 2019a). It offers the Airport certainty that it can continue to operate and plan future developments, and it offers Musqueam opportunities to be involved in the Airport’s growth and decision-making.

The community plans also call for protection of important cultural sites, and environmental, natural, and cultural resources. The Environmental Stewardship focus group believes the relationship now better facilitates discussions, but they point out that the relationship is not a co-management arrangement. They see the engagement process as information-sharing, whereby the Airport informs Musqueam about their initiatives, Musqueam responds with comments and concerns, and the Airport incorporates aspects that fit with their plans. The focus group expresses hope that Musqueam’s management role will expand as the relationship develops (Willard Sparrow, Guerin, and Asadian 2019). The interviewees involved in the negotiations are careful to point out that the Agreement is not a recognition of Musqueam title, and it has no mandate to challenge the current system of authority. The engagement process works out ways for Musqueam to be involved in the Airport’s decision-making processes, but it does not grant Musqueam ultimate decision-making authority. It is not a co-management agreement and does not guarantee power-sharing or equal decision-making authority over Musqueam’s traditional lands and resources. The Agreement’s intention is to create a friendship that facilitates information-sharing and dialogue so that both parties’ interests can be met. Because both parties derive benefits from the Agreement, they are motivated to cooperate, which increases the stability and sustainability of the relationship.
5.3.3. Culture, Environment and Sustainability Outcomes

The following indicators and outcomes relate to Culture, Environments and Sustainability articles in the Agreement.

**Emergency Response Program**

YVRAA’s Emergency Management Program includes an emergency response structure. The program follows the Canadian Aviation Regulations and includes a hazardous materials spill plan (Vancouver Airport Authority 2019a). In the Agreement, YVR commits to reviewing the program with Musqueam; receiving Musqueam’s input, especially in relation to environmental emergencies, and; determining whether to make amendments to the program in consideration of this input (Musqueam Indian Band and Vancouver Airport Authority 2017).

**Indicators**

Indicators are summarized in Table 3 in Appendix B. Mary Point says the emergency response area of the Agreement has not been implemented but will be a focus in the third year. YVRAA hired a Manager of Emergency Planning in early 2018 and the team has been working to develop and update YVR’s protocols and procedures. Mary had initial conversations with Musqueam’s Community Services Lead, Safety and Security Manager, and Fisheries Manager in 2019. YVR’s team expects to present the updated Emergency Management Plan to the Relationship Committee in 2020 and based on their direction, will present to Musqueam Administration or community to receive input.

**Noise Management Plan**

YVR’s Noise Management Program aims to minimize noise disturbance in nearby communities while continuing 24-hour airport operations (Vancouver Airport Authority 2019a). The Agreement recognizes that the Musqueam community is concerned about airport noise and commits to working with Musqueam to address these concerns. Anne Murray acknowledges that although the Noise Management Committee has included a Musqueam seat since 1992, the community has continued to express “a lot of concerns about aircraft noise… so we may have been talking beside each other as opposed to with each other” (Murray 2019a, pt. 34:36).
Indicators

Indicators are summarized in Table 3 in Appendix B. The Agreement identifies various means of addressing the community’s concerns. Musqueam is able to provide input into the 5-year Noise Management Plan via the Noise Committee and annual community workshops. In April of 2018, YVRAA held a noise management workshop in Musqueam which was well attended by approximately 40 community members. YVRAA shared information about noise monitoring and heard community member’s concerns, which informed the 2019 – 2023 Noise Management Plan. Based on feedback, the YVRAA installed a noise monitoring station on the roof of the Musqueam community centre and held a follow-up workshop in fall 2018 to demonstrate how to use YVR’s online noise tracking tool. YVRAA also provided follow-up information through social media and the Musqueam-YVR newsletter (YVR 2018c, 1; Point 2019b). YVRAA did not hold a noise management workshop in 2019 because they held a workshop in spring 2019 to discuss the upcoming 5-year Environmental Management Plan and did not want to over-engage the community (Point 2019b). A Noise Management Committee representative from Musqueam was nominated at the April 2018 workshop but was unable to attend the meetings leading up to the plan. The Relationship Committee and the Musqueam Environmental Committee representative reviewed the draft YVR Noise Management Plan and provided input (Point 2019a).

The 2019–2023 Noise Management Plan states that YVR will engage Musqueam “to provide information and enhance knowledge of airport and aircraft operations” (Vancouver Airport Authority 2019b, 9). It states that YVR will investigate installing noise monitoring equipment in Musqueam, which was completed in fall of 2018. It also identifies ways YVR will work to mitigate noise impacts, such as working with adjacent communities to promote compatible land use and design standards, evaluating and designing new flight paths to reduce noise and emissions, and assessing the use of landscaping to minimize noise from ground-based activities (Vancouver Airport Authority 2019b).

Since data collection at the Musqueam monitoring terminal begin in September 2018, an average of 35 daily aircraft events and 23 non-aircraft events have been recorded, and the average sound level of aircraft events is 65 decibels, which is equivalent to being 10 feet away from a vacuum cleaner (YVR 2019g). In 2017, 12 noise
complaints originated from three distinct households in Musqueam; in 2018, six complaints came from two households; and in 2019, one complaint was made (Point 2019b). This indicates that a very small proportion of the 950 residents at Musqueam village are bothered enough by aircraft or airport noise to officially complain. The complaints have steadily declined since 2017. Musqueam village is not located under a YVR flight path and for this reason, helicopters and non-commercial aircraft sometimes use the airspace over Musqueam. Although airport operations are not always the cause, the Agreement acknowledges, and several interviewees note, that the Musqueam community is very concerned about noise and air pollution associated with the Airport (Murray 2019a; Point 2019a; Willard Sparrow, Guerin, and Asadian 2019; Musqueam Indian Band and Vancouver Airport Authority 2017). Most do not make official complaints; however, community members raise concerns when the Airport engages with the community (YVR 2017a; Murray 2019a). The Airport’s current approach is to educate the community about their monitoring activities and noise mitigation measures, as well as YVR’s limitations in controlling Airport and non-Airport noises and monitoring air quality. Mary credits this education and engagement with the significant drop in noise complaints (Point 2019c).

There are no commitments from YVR in the Agreement to improve air and water quality; however, YVR states that it “strives to be a leader in environmental management” (Vancouver Airport Authority 2019a, 77). It monitors and measures yearly changes in emissions and contaminants. YVRAA measures glycol levels in stormwater runoff caused by de-icing fluid discharge. It strives to ensure levels are below Canadian glycol level guidelines of 100mg/L by using water separators and de-icing pads and educating Sea Island businesses about water protection. Samples above 100mg/L were recorded once in 2012 and in 2013, four times in 2014, zero times in 2015, twice in 2016, six times in 2017, and once in 2018. The amount of de-icing fluid discharged depends on weather conditions year-to-year (Vancouver Airport Authority 2019a).

YVRAA measures carbon dioxide emitted directly by the Airport and by Sea Island as a whole. In 2012, direct emissions were 9,613 tonnes and they have declined by 11% to 8,532 tonnes in 2018. Indirect emissions from Sea Island increased by 1.6% from 349,583 tonnes in 2012 to 355,007 tonnes in 2017 while the number of airport passengers increased by 37% over that period (Vancouver Airport Authority 2019a). YVR did not achieve the carbon dioxide reductions it was aiming for, largely due to the
growth in airport users. YVRAA also reports on measurements of air pollutants on Sea Island, including nitrogen dioxide, carbon monoxide, sulfur dioxide, fine particulates, and ozone. Measurements increased or decreased slightly yearly between 2012 and 2017 but all remain below Metro Vancouver’s thresholds (Vancouver Airport Authority 2019a).

Archaeological and Environmental Monitoring

As outlined in section 2.1.2., the Airport impacts several Musqueam cultural sites. Anne Murray says the Archaeology portion of the Agreement was included because although there has been an archaeology program in place at YVR since the 1980s, staffing and leadership changes in both organizations meant there was a need to revisit the processes and ensure mutual comfort and understanding (Murray 2019a).

Indicators

Indicators are summarized in Table 3 in Appendix B. The Agreement commits the parties to reviewing and amending YVR’s archaeological procedures, site potential information, and environmental monitoring program, as determined by YVR in consideration of Musqueam’s input. YVR also commits to prioritizing archaeological and environmental monitoring positions for Musqueam members and businesses, and working with Musqueam to select the Airport’s archeological consultant (Musqueam Indian Band and Vancouver Airport Authority 2017). YVRAA is now working with a Musqueam-approved archaeological company. Archaeological staff from both organizations met twice in 2018 and drafted updated archaeological protocols and procedures (Point 2019b). The monthly staff working group has discussed the procedures and reviews YVR projects that may have archaeological or environmental impacts. The archaeological procedures outline how Musqueam assesses projects at YVR and clarify when the YVRAA should hire Musqueam-approved external archaeological consultants versus directly consulting with Musqueam and retaining Musqueam monitors (Rathbone and Wheatley 2019). The draft procedures have yet to be reviewed and approved by Musqueam leadership but YVRAA staff are using them as guidelines. The site potential information created by Len Ham in 1998 and updated in 2015 notes areas on Sea Island that have recorded archaeological sites or are deemed to have high, medium, or low potential to contain sites (Point 2019a). The archaeological consultants have reviewed the materials and have created an archaeological overview assessment. The reports are awaiting review and approval by the YVRAA before they
can be sent to Musqueam for review (Rathbone 2019). Musqueam archaeology staff reviewed and commented on approximately ten YVR projects in 2019 (Point 2019c).

The YVRAA has an internal environmental review process for development projects that considers potential environmental effects and their significance, mitigation measures, and sustainable design and Salmon Safe guidelines (Robinson 2018). Environmental staff from both organizations meet regularly, approximately 10 times a year via the staff working group meetings, site visits at YVR, and small staff meetings (Point 2019c). Musqueam environmental staff reviewed and commented on three YVR projects in 2019. Musqueam environmental or archaeological monitors attended five construction projects in 2018 and three in 2019 (Point 2019c). Morgan Guerin sits on YVR’s Environmental Advisory Committee, which meets quarterly. He provides a voice for Musqueam relating to environmental issues associated with Airport operations and development (Willard Sparrow, Guerin, and Asadian 2019). YVRAA held a community workshop at Musqueam in April 2019 to receive input into YVR’s upcoming 5-year Environmental Management Plan. The workshop was attended by approximately 12 community members, including Musqueam’s Environmental Stewardship and Fisheries staff, who shared knowledge and visions for collaborative environmental management at YVR (YVR 2019g).

Mary Point says in the first year of implementation, YVR and the consultants have had to adjust their processes, such as when emergency repairs arise and there is inadequate time to follow preferred procedures. She says the YVRAA shares the yearly project schedule with Musqueam to allow the Band to conduct detailed reviews and mobilize monitors when required. When emergencies arise, political leaders are involved in decision-making (Point 2019a). Another outcome arising from discussions between staff and leaders at both organizations is the planned repatriation of belongings uncovered over the decades on Sea Island. Musqueam Band previously requested that YVRAA store the belongings; however, Musqueam now has the facilities to store, display, and look after the materials (YVR 2019i, 2). Mary says once the repatriation has taken place, they plan to hold a dinner to celebrate and inform the Musqueam community about the updated archaeological and environmental processes on Sea Island (Point 2019b).
**Enhancement or Restoration Projects**

The Agreement states that the Relationship Committee will, informed by the Blue Zone Study, identify sustainability projects to enhance, protect, and rehabilitate the environment of Sea Island (Musqueam Indian Band and Vancouver Airport Authority 2017).

**Indicators**

Indicators are summarized in Table 3 in Appendix B. A project was identified in early 2018 with a 5-year timeline to remove invasive plant species and enhance habitat (YVR 2018c, 1). The current project site is approximately 20,600 square meters on the southeast corner of Sea Island, along the Fraser River shoreline directly north-east of the Dinsmore Bridge, between Russ Baker Way and the river. Primarily invasive vegetation was growing along the shoreline adjacent to a fallow field. The site was chosen because it is a riparian area with the potential to support native species and enhance fish habitat (Point 2019b).

The YVRAA contracted the Musqueam Fisheries Department’s Aquatic Habitat Restoration crew to complete the work, which began in March 2018 (YVR 2018c). The crew works for two to six weeks at a time. In 2018, the crew had six members and they removed over 10,000 kg of invasive bamboo, Himalayan blackberry, laurel, scotch broom, English holly, and English ivy and planted 770 native Nootka roses (Vancouver Airport Authority 2019a). A crew of four worked fewer weeks in 2019 to maintain the area and they removed an additional 5,000 kg of invasive plants (Willard Sparrow 2019). The annual Musqueam—YVR report states that fish are now nesting in the foreshore area and beavers have returned (YVR 2019i, 2).

**Cultural and Artistic Contributions**

In the Agreement, the Relationship Committee commits to developing a protocol to guide cultural and artistic initiatives and displays at the Airport (Musqueam Indian Band and Vancouver Airport Authority 2017). This short portion of the article is the only reference to art and culture because, as Anne Murray explains, it was a mutually agreeable topic and did not require extensive negotiation (Richmond 2019).
Indicators

Indicators are summarized in Table 3 in Appendix B. Mary Point says they have developed protocol guidelines for staff and representatives to properly use messaging and hən̓q̓əmin̓əm̓ when referencing the Agreement and for involving Musqueam members in events at the Airport. It clarifies the types of events that should involve Musqueam as well as the levels and types of involvement. The guidelines were approved by the Relationship Committee in 2018 and are being used by the Airport Authority. Several Musqueam speakers have been hired by the YVRAA to provide welcomes, speeches, songs, and dances for events related to the Agreement, press conferences, inaugural launches with cultural involvement, and ceremonial ground breakings (Point 2019b; YVR 2018b).

Nearly all Musqueam interviewees spoke about the importance of educating YVR staff about Musqueam culture so they understand the importance and meaning of the collaborative work YVR does with Musqueam. Mary says several managers at YVR have asked her how to acknowledge the relationship in a more personal way. She says they are working to introduce the managers to Musqueam members so they can learn about Musqueam culture and get to know each other (Point 2019a). The YVRAA has organized staff workshops led by community members to learn about ongoing effects of residential schools, and Musqueam heritage and culture, as well as skills such as singing, drumming, traditional games, hən̓q̓əmin̓əm̓ language, and cedar weaving. They have commissioned six Musqueam members to demonstrate their skills in the terminals, such as weaving, carving, and singing (Point 2019b; YVR 2019i). At the suggestion of a YVR employee, Musqueam and YVR embarked on a collaborative canoe carving project in 2019 at YVR. Members from 10 Musqueam families were recruited to demonstrate to YVRAA staff how to carve an ocean-going canoe. The canoe was completed in fall 2019 and a group of Musqueam members and YVRAA staff tested the canoe on the water. They plan to use the canoe on Musqueam—YVR employee-led canoe journeys and display it in the terminal when not in use (YVR 2019i). Mary says these staff learning initiatives, which typically seat 25 people, are always full and attract varied staff. They hold about one staff Musqueam learning event per month, which means all 500 YVRAA employees have had the opportunity to participate over the two years of Agreement implementation. Mary says many staff express feeling personally connected to the relationship. She regularly receives questions and suggestions from YVR staff, which
she thinks indicates that they are engaged in learning and reflection. For example, a staff member found smoked salmon for sale in the Airport with an offensive label and brought it to Mary. They worked to educate the shop owner and supplier, who ended up changing the label (Point 2019b).

Craig Richmond talks about YVR’s pride in showcasing Indigenous art throughout the Airport, including Musqueam art in the international arrivals area. He believes it has helped YVR achieve a close cultural relationship with Musqueam (Richmond 2019). Presently there are four permanent Musqueam art pieces at YVR: three in the international arrivals area and one located outside the rapid transit station. The Airport holds 20 other permanent art pieces, 19 of which are by Indigenous artists from First Nations and communities located outside the Lower Mainland (YVR 2019b). Seven Musqueam artists have had pieces displayed in the Airport, among countless other Indigenous and non-Indigenous works displayed in 49 rotating cases (Murray 2019b). In line with the community’s goals to assert Musqueam presence in the territory, many Musqueam interviewees desire more Musqueam cultural presence in the Airport, especially in the domestic terminal (Musqueam First Nation 2018; L. Sparrow 2019; Point 2019b; Willard Sparrow, Guerin, and Asadian 2019). Morgan Guerin is proud of the Musqueam pieces in international arrivals; however, there is no contextual information that educates passengers about the territory they are on (Willard Sparrow, Guerin, and Asadian 2019). The Macarthur Glen shopping complex contains interpretive panels about Musqueam in an outdoor play area. While the Airport and mall worked with the Band to develop Musqueam-determined educational information, the placement is on the periphery of the mall where shoppers seldom go. Mary is aware of these issues and says there are plans to commission additional large-scale Musqueam pieces, as well as create Musqueam displays in the domestic terminal, likely with digital content (Point 2019a; 2019b).

Mary says Musqueam and the YVRAA have discussed barriers associated with commissioning monumental pieces because only a handful of established Musqueam artists have the capacity to undertake these projects. They have worked to provide opportunities to the over 130 young and emerging Musqueam artists. Mary has established relationships with gift shop owners in the Airport and two have agreed to sell items made by Musqueam artists. She has reached out to all the artists she worked with
while at Musqueam and has held information sessions and sent registration forms to all interested artists. She says 126 artists are registered and 12 are selling items in stores.

On the first anniversary of the Agreement on June 21, 2018, YVR launched a call for teams of established and emerging Musqueam artists to create a design representing the relationship between the two communities. Four teams submitted designs and although the YVRAA had allocated $5,000 for a representative design, Mary and the selection committee recommended that YVR purchase all four designs. Three teams received $3,500 and the YVRAA will use the designs for corporate gifts. The “winning” design by Thomas and Summer Cannell officially represents the relationship and consists of four arrows and a Coast Salish face with raised hands representing a traditional Musqueam way of giving thanks and greeting. YVRAA uses it on items such as communications materials, signage, banners, pins, and blankets. Pins were distributed to Airport employees and banners were installed in July 2019 on light posts along Grant McConachie Way, the main road to and from YVR (YVR 2019i).

**Do the Culture, Environment and Sustainability Outcomes Reflect Musqueam’s Goals?**

The 2018 CCP identifies *Protection of Environmental, Natural and Cultural Resources*, including minimizing impacts from industrial developments, as recommended actions (Musqueam First Nation 2018). The 2011 CCP notes the importance of emergency preparedness in preventative health and wellness programming (Musqueam First Nation 2011). Morgan Guerin points to the fundamental need for YVR staff and leaders to learn about Musqueam culture and concepts, such as environmental stewardship, in order to understand the deeper motivations for all the initiatives outlined in the Agreement. Willard Sparrow thinks YVR and Musqueam need to arrive at shared definitions of words that relate to their collaborative work, such as ‘the environment,’ ‘resources,’ and ‘habitat restoration and enhancement’. They believe the environment teams have developed good relationships and mutual understanding but think it will take time for this to diffuse across both organizations and up to decision-makers (Willard Sparrow, Guerin, and Asadian 2019).

Implementation of the Emergency Response Program article has not officially begun so the outcomes are not meeting the community’s goals. The Environmental Sustainability focus group speaks about the importance of ensuring collaborative
emergency planning and protocol development so that Musqueam’s environmental values and concerns can inform the Airport’s processes. Musqueam’s Fisheries and Environmental monitors are trained in emergency response and the parties should have protocols to cooperate efficiently and work towards shared goals in the event of a natural disaster or environmental emergency (Willard Sparrow, Guerin, and Asadian 2019).

The community is concerned about impacts of noise and emissions from aircraft and airport operations on cultural use, hunting, and fishing areas near Musqueam village and in the territory (Willard Sparrow, Guerin, and Asadian 2019). Willard Sparrow believes YVR views the concerns expressed by the community as individual public complaints, rather than concerns of a “quasi-federal entity” with rights protected under the Canadian Constitution (Willard Sparrow, Guerin, and Asadian 2019, pt. 42:41). Morgan Guerin thinks that current engagement about noise management mostly involves communication about concerns, rather than collaborative planning and problem-solving. He says the paternalism of organizations like YVR has reduced over the past decade, but he still observes residual attitudes where representatives assume they know the best approaches for management and stewardship in Musqueam territory. He thinks a Musqueam—YVR working group might be a more constructive approach for noise management (Willard Sparrow, Guerin, and Asadian 2019). While the Agreement ensures concrete means for Musqueam to express concerns and provide input into noise management approaches, decision-making authority is held by the Airport. It does not currently provide a collaborative management arrangement; however, Willard and Morgan see the Agreement as providing the potential to increase power-sharing (Willard Sparrow, Guerin, and Asadian 2019).

As far as achieving the community’s goals of protecting habitat, lands, waters, and cultural sites, the Agreement has facilitated communication, Musqueam monitoring of YVR’s construction and development, and involvement in protecting lands, waters, and cultural heritage. Staff from both organizations recognize that implementation requires mutual learning and adaptability. Musqueam’s archaeologist, Aviva Rathbone, thinks that because Musqueam is working to increase its capacity to formalize archaeological management according to Musqueam values, they are asking the YVRAA to proceed in a new way, which requires a shift in thinking. She believes the Agreement has allowed these difficult conversations to take place through the committees and staff working group. She adds that the YVRAA is willing to put
Musqueam’s requests into practice “because YVR has been sitting at this table with community members [and] they understand why it’s important that they’re doing what we’re asking for both parties” (Rathbone and Wheatley 2019, pt. 11:59). Yeganeh Asadian says the Environmental Stewardship team wants Musqueam staff, community, and leaders to be informed about YVR’s projects and to be involved in the assessment and consultation phase. She does not think the relationship is at a point of co-management and shared decision-making, as the YVRAA has ultimate decision-making authority. However, the Agreement has increased mutual understanding among staff, information-sharing, and community engagement (Willard Sparrow, Guerin, and Asadian 2019).

Environmental restoration and enhancement in the territory are fundamental goals for the Musqueam community and interrelate with other goals, such as protecting culture and increasing community wellbeing and self-sufficiency. The current environmental enhancement project near Dinsmore Bridge is 0.1% of the 13.4 million square meters of land YVR occupies (Vancouver Airport Authority 2018a). Some lands on Sea Island are under jurisdiction of other entities, such as the Sea Island Conservation Area which is controlled by Environment Canada. The 2015-2019 YVR Environmental Management Plan contains a goal of increasing native plants and biodiversity while “minimizing wildlife hazards to aviation safety” (Vancouver Airport Authority 2015). Marion Town concedes that the Airport has created a “false ecosystem” on Sea Island because they have to discourage certain bird species from interfering with the airplanes (Town 2019). Willard Sparrow believes the scale of ecological and cultural benefits the enhancement projects can provide are limited by the Airport’s safety requirements and available lands. He thinks if the Airport wants to support Musqueam’s stewardship goals, they should fund habitat enhancement projects within other parts of Musqueam territory beyond Sea Island, including within Musqueam reserve lands, as well as support capacity development of the Band (Willard Sparrow, Guerin, and Asadian 2019). The AHRP crew works throughout the territory with various partners but the program lacks sustainable funding. Because of this insecurity, three crew members left their positions in 2018, reducing the crew’s capacity by one third (Willard Sparrow 2019). Willard would also like to see collaborative review of the restoration outcomes to ensure they are in line with Musqueam’s goals. He believes a cultural use component is missing from the project. For Musqueam, the meaning of habitat enhancement includes
ethnobotany and supporting culture but Willard has observed that the Airport’s safety concerns “override cultural needs” (Willard Sparrow, Guerin, and Asadian 2019).

Although the scope of the project near Dinsmore bridge is small and will not singularly achieve Musqueam’s sustainability goals, it has resulted in localized changes as well as increased mutual understanding. Marion Town speaks emotionally about the power of learning directly from Musqueam people about conceptions of stewardship and connections to land and water. She says working with Musqueam on the Blue Zone Study provided her and her team deeper appreciation of the impacts the Airport causes on and around Sea Island. She says their mutually developed goals inform her team’s work, such as identifying priorities for the Salmon Safe program. The project has also established relationships and processes for carrying out collaborative environmental projects (Town 2019). YVR staff are more understanding of Musqueam perspectives; however, Musqueam does not have decision-making authority on Sea Island. Willard Sparrow recommends that the Airport at least review habitat restoration outcomes with the Band to ensure projects better reflect Musqueam stewardship values.

Musqueam cultural pride is a community objective that relates to identity, resilience, and wellbeing. Culture is much deeper than public displays of art and cultural practice; however, cultural sharing is a means of asserting Musqueam presence and associated rights and title in the territory (Musqueam First Nation 2018). For decades, Musqueam people have attempted to explain to YVR the importance of Musqueam-determined cultural expression in the Airport. Through Mary Point and the Relationship Committee, Musqueam now has a stronger say in how culture is represented at YVR. Employee education initiatives have likely contributed to greater understanding of why this is important and why non-Musqueam art and cultural representation in the Airport undermines Musqueam assertions of rights and sovereignty.

The protocol guidelines for Musqueam involvement have provided consistency in YVR’s processes for hiring Musqueam representatives. This is helping to achieve the community’s calls to assert Musqueam’s presence and educate the public by ensuring proper protocols are followed by other governments and agencies. Anecdotal accounts from Mary Point indicate that YVRAA staff learning initiatives have increased awareness and self-reflection. Musqueam interviewees speak about the importance of educating YVR employees about Musqueam and this seems to be well underway. The reach of the
initiatives should be tracked and results from these initiatives should be communicated and demonstrated to the Musqueam community. YVR’s contracting of members and facilitating relationships between artists and gift shops also helps to achieve community goals of creating economic opportunities and generating revenues for the community.

The proportion of permanent Musqueam art pieces has not yet changed, as commissioning monumental pieces takes years to plan, fund, and execute. The interpretive information associated with existing pieces has not been improved to provide context about the Airport’s location on Musqueam territory. However, the Airport is demonstrating greater understanding about the damage caused by this lack of recognition. They have plans to install additional works, including outdoor murals and a Musqueam interpretive area in the domestic terminal (Point 2019a). While the interpretive content is unknown at this time, these initiatives will provide visual cues about Musqueam’s position as territorial rights holder. The installation of banners and signage throughout the Airport with Musqueam language and relationship design is helping to establish Musqueam as an Airport partner. If observers are curious, they can read additional information online to understand the relationship. These initiatives and others are bringing the Airport closer to achieving the community’s wishes to “Musqueamize” the territory (Musqueam First Nation 2011). This research does not investigate the degree to which these initiatives are educating Airport visitors and Metro Vancouver residents about Musqueam title on Sea Island; however, this would be valuable future research.

5.3.4. Education and Employment Outcomes

The following indicators and outcomes relate to the Education and Training and Employment and Contracting articles in the Agreement.

**Education and Training**

The Agreement commits YVRAA to funding up to 10 scholarships per year at $10,000 for each successful Musqueam applicant, which will be adjusted over time, based on the Consumer Price Index.
Indicators

Indicators are summarized in Table 4 in Appendix B. Musqueam is responsible for determining the details of the program and administering the funding through the Education Department (Musqueam Indian Band and Vancouver Airport Authority 2017). Mary Point worked to implement the program shortly after being hired in early 2018. Because the Agreement was signed in 2017, Musqueam Council requested that YVRAA provide up to 20 $10,000 scholarships. YVRAA agreed but asked the Relationship Committee to vary the language to say “up to $10,000” to allow for greater flexibility in allocating funding (Point 2019a).

Mary researched other scholarships in terms of their success in encouraging applicants and providing flexibility and discussed the details with the Musqueam Education Department. They decided to tailor the scholarships to students who are returning to school after time away and would not qualify for Band scholarships. They created an application based on financial need, rather than academic merit, requiring students to pass their courses only if they will be applying for a renewal the following year (Point 2019a). The application states that “recipients will be selected based on their ability to demonstrate their openness to continuing to learn who they are, where they come from, their responsibility in carrying forward knowledge in their community and a commitment to a sustainable future,” which applicants communicate through a written personal statement (YVR 2019h, 1). Funds may cover tuition, fees, books, equipment, and other program expenses and applicants must provide a budget and two references (YVR 2019h).

Despite extensive promotion through the weekly Musqueam newsletter, Education Department, Musqueam—YVR newsletter, social media, and Relationship Committee and Council, they received eight applicants in the first year. Mary believes this unexpectedly low number was due to the short notice and lack of word-of-mouth (Point 2019b). They fully funded all applicants and seven out of the eight recipients successfully completed their year of studies. They altered the application in response to applicants’ needs, allowing the references to be from the community and allowing for living expenses to be included in the budget. In 2019 they received 13 applications and because the requests did not exceed YVRAA’s yearly limit of $100,000, all were funded. Demand appears to be increasing and Mary says they will not fund part-time or online
programs next year. They will also ask applicants how they will give back to their community. They are planning a workshop for the spring to raise awareness about the program, its requirements, and to offer application support (Point 2019a; 2019b).

In the Agreement, the YVRAA commits to collaborating with Musqueam to develop and fund an apprenticeship program, initially for up to four Musqueam members, and will evaluate and adapt it in collaboration with Musqueam (Musqueam Indian Band and Vancouver Airport Authority 2017). While working to implement the program, Mary Point spoke to YVRAA’s maintenance managers. She learned that there is an apprenticeship program for existing YVRAA employees, but it had not been accessed for nearly a decade. She also learned that the Airport only offers the scope of work required by the industry trades association for electrician and heavy-duty mechanic apprenticeships; therefore, these two trades are available for the program. She says they advertised the opportunity through the same channels as the scholarships, she outreached directly to known possible candidates, and in 2019 they advertised the positions at Musqueam’s annual career and post-secondary fair. Seven members applied but when they learned about the requirement to take an initial aptitude test, five of the applicants did not proceed. The two remaining applicants each began an electrician and heavy-duty mechanic apprenticeship. She worked with the trades association to adapt the program, which normally requires six months of coursework and six months of on-the-job training so that apprentices can work for six months and then complete their schooling. She says this way they pass their six-month probation period with YVRAA before beginning school and can feel employment security. They also work alongside trades mentors to learn about the job and upcoming schooling to “put their minds at ease about the studies and also be there to help them when they go forward with their studies” (Point 2019a, pt. 24:23). The managers are supportive of the apprentices and the YVRAA offers tutoring while they are completing the coursework. Mary says the adaptations have meant the two apprentices are proceeding well; however, one was unfortunately unable to obtain security clearance due to a past criminal record. Because they cannot work airside, YVRAA is working to find them other opportunities (Point 2019a; 2019c).

In order to address some applicants’ reluctance to proceed with testing and schooling, Mary worked to establish an alternative path. She worked with the VP of Human Resources and HR managers to establish trades helper positions. These
positions provide Musqueam members who have some trades experience the opportunity to work on teams with electricians and heavy-duty mechanics. She says the intention is to expose them to the trades opportunities at YVR as well as potential mentors. Once they pass YVRAA’s probationary six months, they can proceed with the apprenticeship if they wish or they can “grow with the company and opt for other training if they so choose” (Point 2019a, pt. 26:40). YVRAA hired two Musqueam Trades Helpers in 2019 and both plan to pursue apprenticeships in 2020.

**Do the Education and Training Outcomes Reflect Musqueam’s Goals?**

The Agreement and YVRAA interviewees emphasize that the goal of the education and training initiatives is to assist members in qualifying for employment at the Airport. While Musqueam community wants to build the capacity of members to achieve their learning and career goals and see partnerships with businesses as one means of facilitating this, employment at the Airport is not an explicit community goal. However, the Agreement provides Musqueam control over the scholarship program and input into the apprenticeship program, allowing the programs to better reflect Musqueam values and needs. Faye Mitchell, Musqueam’s Education Coordinator, believes the scholarships are helping to address the community’s educational needs by offering external funding to offset education costs (Mitchell 2019). Lindsay Gibson received a scholarship and says its flexibility has helped cover her expenses while working and pursuing a bachelor’s degree. She says she and others who have received it feel that YVR is demonstrating its support of Musqueam member education (T. Sparrow and Gibson 2019). While the scholarships cannot singularly address the extensive post-secondary funding waitlist, and frequently do not cover full schooling and living expenses, they provide supplemental support to 10 or more Musqueam students per year.

The apprenticeship program has provided trades training and mentorship to four members. Because the YVRAA apprenticeships are limited to two types of trades, the applicants’ career goals must match the limited opportunities. However, in conjunction with the education and employment program, the apprenticeship program works to achieve the community’s goal of helping members get the jobs they want. The program beneficially offers job security while members achieve certification. YVRAA’s willingness to adapt their commitments and programs to meet the unique needs of Musqueam
members has also helped achieve the community’s education and training goals. The scholarship and apprenticeship programs help recipients develop their skills, knowledge, and career opportunities, also contributing to improved economic and health outcomes for recipients and their families.

**Employment and Contracting**

The Agreement states that YVRAA will allocate positions for at least five Musqueam members, depending on availability of qualified and interested candidates and YVRAA will determine the terms of employment. They also commit to working with Musqueam annually to review resumes and interview each candidate and provide feedback. YVRAA also commits to requiring cleaning, customer care, and security contractors to make at least 10 full-time equivalent positions available to Musqueam members upon contract renewals. Prior to the renewals, the Airport will encourage them to meet these requirements. Musqueam commits to providing YVRAA a list of Musqueam businesses and the two parties will collaborate to add interested Musqueam businesses to YVRAA’s list of interested parties (Musqueam Indian Band and Vancouver Airport Authority 2017). There is no requirement for Musqueam businesses to be preferred in the Airport’s contracting process (Point 2019a).

**Indicators**

Indicators are summarized in Table 4 in Appendix B. Once the Relationship Manager was hired, she went to work creating postings with YVRAA managers, promoting opportunities with the Musqueam community, and talking one-on-one with applicants and determining their interests and employment goals. She soon realized that the Airport Authority did not have adequate positions to match all applicants’ interests and skills so she started “knocking on doors of restaurants and the other companies” at YVR, such as baggage operators (Point 2019a, pt. 33:10). By the end of 2018, 127 people had applied to the Airport and 88 were employed, five of whom worked for the Airport Authority. By the end of 2019, a total of nearly 200 people had applied, 125 had received offers, and over 90 were employed, 11 of whom work for YVRAA (Point 2019c). Of the approximately 900 Musqueam members who are of working age (between 18 and 65), 10% are employed at YVR. Mary says that taking the time to talk to applicants about their aspirations to match them to opportunities that they feel comfortable with and excited about has been important for retention. However, several applicants do not
accept job offers or resign shortly after being hired. Mary says every situation is different and reasons include undiagnosed mental health issues or learning disabilities, difficulty finding care for dependents, a lack of reliable transportation, fear and anxiety about change or the scale and pace of the organization, wanting to retain social assistance, and issues with the onerous hiring and security clearance processes (Point 2019a). Terry Sparrow says most of the people that work at YVR are entry level. He hears from some people who leave their positions that the work is simply not what they wanted or they have issues with their coworkers (T. Sparrow and Gibson 2019).

The types of positions with Airport contractors are as follows: 19 are in construction; 17 are with baggage operations and screening; 17 are within restaurants and include cooks, servers, and dishwashers; 9 are in wildlife management, landscaping, and habitat restoration; 7 are in airport and aircraft cleaning; 3 are parking attendants; 3 are with customer care; 2 are in security; 2 are electrician contractors; and, one is a sales associate for an Indigenous gift shop. Six of the positions with the YVRAA are junior or entry-level and include two Trades Helpers, an Indigenous Relations Assistant, a Trades Apprentice, a Junior Technical Analyst, and an Indigenous Relations Cooperative Education position. Five are mid-level administrative positions and include two Office Coordinators, a Document Controller, a Stock keeper, and a Procurement Administrator. YVRAA also employs an Airside Operations Specialist from Musqueam - a highly skilled position. The Indigenous Relations Manager is at the upper management level. YVRAA has previously hosted two other cooperative education positions and a trades apprentice held by Musqueam members. Many of the positions Musqueam community members occupy at the Airport are entry level; however, several require experience and training, which they may bring to the job or receive at YVR. Craig Richmond says his dream is that “the Airport will be seen as the place you work. Not the only place, but much like a mill town up north, your uncle, your niece, your mom, your dad worked there so you just naturally go there when you’re in high school” (Richmond 2019, pt. 17:46). He envisions some Musqueam members making their entire careers at the Airport and thinks it is a likely possibility that the CEO will one day be from Musqueam. He also understands that people will receive training at the Airport and move on to other opportunities, which he sees as a positive outcome (Richmond 2019).

YVR’s hiring processes and requirements have been adapted to meet the needs of Musqueam applicants. After relaying many of the challenges with retention, Terry
Sparrow notes that managers at YVR are willing to give Musqueam employees second chances. Once people have security clearance, they can more easily move to other jobs at YVR. Mary Point makes it clear to job seekers that if a position at YVR does not work for them, she is willing to find other opportunities within that field or a different industry (T. Sparrow and Gibson 2019). Mary has also worked with hiring managers from YVRAA and other businesses at YVR to ask them to adapt their requirement that employees in certain positions must have completed grade 12. Employers have agreed that if Musqueam candidates are qualified for certain positions but have not finished grade 12, they can work to complete it within the first year (or so) of being hired. The Employment and Training Department (E&T) assists employees with registering for high school programs, providing space to complete assignments with tutoring support, and offering psychoeducational assessments so people can understand their learning styles if they are experiencing issues (Point 2019a). Although the Agreement focuses on creating opportunities for Musqueam members, Mary also assists non-Musqueam family members seeking employment (T. Sparrow and Gibson 2019). YVR understands that when one person in a Musqueam family is provided economic opportunities, it lifts several Musqueam community members up. Anne Murray and Craig Richmond speak about seeing the positive multigenerational effects resulting from employment at YVR (Murray 2019a; Richmond 2019). Mary Point says at first, most job seekers from Musqueam were from the skilled job market. Over time, more young people have started asking about employment opportunities because their parent, grandparent, or other family member is working at YVR (Point 2019a).

In addition to supporting grade 12 completion, the Employment and Training Department assists members with job readiness. They support applicants with their resumes and references, they fund and provide necessary gear and transit fare, they assist with completing onboarding paperwork, including the intensive security clearance process, they assist with arranging daycare, and they help people obtain identification and bank accounts. They also support employment retention through an Elder mentorship program. The mentor will go to interviews with applicants, assist them with assignments, and provide encouragement and emotional support. Mary Point calls the E&T staff the “superheroes” of Agreement implementation (Point 2019a, pt. 31:25). The E&T focus group expressed gratitude for the high number of varied employment opportunities for community members but also frustration about the number of clients
who leave their positions at YVR, despite the time and funding they contribute. They say the pace of hiring at YVR is creating demand for their support above their department’s capacity. They recognize that Mary Point is working hard to quickly achieve all the commitments in the Agreement and has limited time for follow-up and monitoring. However, they would like to focus next steps on understanding barriers to employee retention and creating collaborative strategies to use time and resources efficiently. For example, they suggest spending more time screening applicants to ensure the right fit for positions, and providing more employee supports. They also think Mary needs more assistance at YVR related to employment and contracting (T. Sparrow and Gibson 2019).

Once hired, Mary Point worked with Musqueam to receive a list of Musqueam businesses and contractors. She says Musqueam has several small businesses, of which a large proportion have registered with YVRAA’s supplier database. YVRAA held information sessions and meet-and-greets with YVR representatives for Musqueam businesses and contractors to learn about opportunities and processes (Point 2019a). By the end of 2019, four businesses completed the health and safety requirements to be eligible to bid on Airport construction and maintenance projects. These include a groundskeeping company, an electrician business, and two construction companies (note that the groundskeeping and electrician companies are also counted above as positions with contractors). Over twenty vendors have registered with YVRAA to provide other services, including 11 protocol contractors, 3 caterers, 3 newsletter deliverers, one artisan, 4 language teachers from Musqueam’s Language Department, and the Musqueam Fisheries Department’s invasive species management team with 4 members (YVR 2019i).

Mary Point says that although there is no requirement for the Airport to preferentially contract Musqueam businesses, YVRAA is hiring them when possible. One project manager she spoke to about a tree removal contract told her, “There is no question in my mind that we are going to hire [company name]. They’re the Musqueam business and we committed to Musqueam” (Point 2019a, pt. 39:40). The number of hours Musqueam contractors worked in each year is not available. Given the nature of construction and maintenance work, businesses may be awarded contracts for several consecutive days, weeks, or months. The other contracts are assumed to be sporadic and short-term opportunities offered on a monthly or less frequent basis. The invasive
species management contracts are outlined in the Culture, Environment and Sustainability Outcomes section.

**Do the Employment and Contracting Outcomes Reflect Musqueam’s Goals?**

Most interviewees speak about Musqueam employment at YVR as one of the most notable successes of the Agreement. The speed of hiring large numbers of Musqueam members has exceeded expectations of leadership from both organizations (Point 2019a; Richmond 2019). Craig Richmond says it is a true win-win situation because the labour market has high demands for workers and several Musqueam people are looking for jobs and careers (Richmond 2019). Musqueam E&T staff speak about the benefits of being able to refer entry-level, student, or highly skilled and experienced job seekers, as well as people who have been out of the labour force for several years, to employers who have a variety of opportunities and are usually flexible in their accommodation of Musqueam employees’ needs. Terry Sparrow and Lindsay Gibson say the larger relationship, as well as Mary’s liaison work, has been helpful in achieving trust, commitment, and flexibility with various Airport employers. Terry credits the high number of Musqueam hires to Mary’s efforts, her established connections with the community, word-of-mouth within the community, and a critical mass of Musqueam people at YVR who make new job seekers feel comfortable and welcome.

Types of positions at YVR are varied, such as entry-level to experienced cooking and cleaning positions, positions requiring varying skills in construction, logistics, and baggage handling, and entry-level to upper-management positions in the administration. Positions may be full or part-time and some require shift work. A high proportion of the contractor positions are within the service industry. The contractor requirement section of the Agreement assumes that members will be interested in cleaning, customer care, and security positions. These types of positions often do not require formal education and may be low paying; however, as Craig Richmond mentions, there are thousands of positions at the Airport and employees frequently move around and upward. The variety of positions also provides opportunities for all facets of community members.

YVRAA and Airport businesses’ willingness to adjust hiring requirements and try new approaches to supporting employees has likely helped establish and retain a high proportion of the 90 employees. Anne Murray says they acknowledge that “different members of Musqueam are at different places, and we need to address that. It’s not one
size fits all” (Murray 2019a, pt. 31:24). However, all YVRAA interviewees note the challenges related to retaining about a quarter of Musqueam employees. The E&T Department would like to collaboratively improve applicant screening and placement process and tracking of employees. They provide large amounts of resources and want to better understand successes and retention issues to increase efficiencies. This would better allow them to help members obtain employment that suits them, whether it is at the Airport or elsewhere.

The contractor and business opportunities provide varying economic opportunities to Musqueam individuals. While the contractors are benefitting from adding YVR to their client lists, they are generally not able to solely rely on contracts with YVR for continuous revenue sources. The approximately 90 employees at YVR and 24 contractors are partially achieving Musqueam’s goals of helping members get the jobs they want, achieving financial self-sufficiency, improving wellbeing, and supporting Musqueam youth. Further research should examine the socio-economic impacts of employment opportunities at YVR, such as Musqueam employee satisfaction, position income levels, job mobility over time, and retention issues and solutions.

Other Business Opportunities

The Agreement states that the parties will explore mutually beneficial business opportunities for Musqueam and Musqueam businesses at the Airport that would enhance the relationship (Musqueam Indian Band and Vancouver Airport Authority 2017). One of the impetuses for the negotiation was Musqueam’s frustrations about seeing the Airport benefit from the McArthurGlen mall development on their core territory, without recognizing Musqueam title and rights. In addition to the revenue-sharing article, this article in the Agreement provides the Band the opportunity to benefit economically as a result of their territorial rights and title.

Indicators

Indicators are summarized in Table 4 in Appendix B. Mary Point says that several business ventures arise at the Airport, but Musqueam has not yet been involved, apart from the opportunities for contractors. Once she was in her position, she would hear about business discussions happening between Airport tenants, YVR representatives, and Musqueam individuals or the Musqueam Capital Corporation, but
there was no coordination to move them forward. She says Musqueam Council supported her proposal in late 2018 to streamline business opportunity processes through a protocol. This protocol designates the Relationship Manager as a single point of contact for Musqueam businesses or individuals seeking to lease space or land or provide goods or services at the Airport, and for the Vancouver Airport Authority or Airport tenants who have identified a potential commercial opportunity for Musqueam. The Relationship Manager organizes meetings, provides key information, connects appropriate parties, and updates the Relationship Committee. Musqueam and the YVRAA formed a working group in 2019, comprised of representatives from both parties, to oversee business partnership processes and decisions (Point 2019a). She says she is excited about “real potential business opportunities for Musqueam ahead” such as being a part of new hotel and hangar developments, and supplying seafood to Airport businesses (Point 2019a, 41:24; 2019c).

**Do the Other Business Opportunities Reflect Musqueam’s Goals?**

Other than the opportunities underway for Musqueam contractors, Musqueam Band and businesses have not yet established business agreements at the Airport. Dianne Sparrow says in hindsight, she would negotiate for the wording to change from “explore business opportunities” to “provide…” in order to require action (D. Sparrow 2019, pt. 24:30). Mary indicates that opportunities are upcoming; however, this portion of the Agreement is not yet meeting Musqueam community goals of achieving financial self-sufficiency through economic development.

**5.4. Lessons for relationship-building**

This section aims to answer the research question, *what lessons does the case offer for relationship-building in consideration of reconciliation and Indigenous self-determination?* While other sections of the paper also offer explicit and implicit lessons about relationship-building, this section summarizes interviewees’ advice for Indigenous and non-Indigenous organizations entering this type of agreement-building process. It concludes with an analysis of the Agreement and relationship’s reflection of meaningful collaborative planning between Indigenous communities and non-Indigenous governments and organizations. While not stated as an explicit intention of the parties,
scholars believe reconciliation and Indigenous self-determination are key factors in redressing colonial harms.

With the authority gained from over 10 years of working in the Title and Rights department at Musqueam, Dianne Sparrow says, “It’s always better to be talking at first than litigating” (D. Sparrow 2019, pt. 38:07). She adds that this approach allows parties to learn “what's on the table and... bring it back to the community” for decision making (D. Sparrow 2019, pt. 38:26). Once the parties decided to begin the agreement-making negotiations, they each had to determine the scope and their goals for the negotiation and its outcomes. Dianne Sparrow says this process is facilitated if the community and leadership have an established vision for the community. This vision and associated objectives and actions are articulated in Musqueam’s comprehensive community plans. Dianne points out that communities will change over time and their needs will not always be the same (D. Sparrow 2019). Therefore, it is beneficial to understand the community’s priorities in the present and anticipate how they might change over time and as agreement outcomes are manifest. Katherine Wheatley, former Major Projects Coordinator at Musqueam, says she finds that long-term agreements rarely have associated frameworks to evaluate outcomes. She thinks it is key to measure and evaluate the impacts they are having in the community so that implementation approaches can be modified when necessary and other negotiations can build off the outcomes (Rathbone and Wheatley 2019).

Dianne also advises that Indigenous communities be persistent in their assertions of Aboriginal rights and title and associated interests in lands and resources in order to get to a place of negotiation (D. Sparrow 2019). Wendy John and Leona Sparrow recount decades of Musqueam effort to get the federal government and YVR to acknowledge their title assertions and demands for negotiations (John 2019; L. Sparrow 2019).

Communities should also exercise patience once the negotiation table is established. All interviewees who were part of the negotiation recommend that parties take the time to educate one another and establish relationships built on trust and mutual understanding (John 2019; Wilson 2019; D. Sparrow 2019; Richmond 2019; Murray 2019a). Aaron Wilson and Anne Murray speak about the value of taking time to establish baseline levels of understanding about organizational values, goals, and
authority or ability to implement requested items. Marion Town speaks about the importance of making space for explicit and open conversations about organizational/community goals and values in order to find commonalities, establish priority actions, and build relationships (Town 2019). She credits the successful outcome of the Musqueam–YVR negotiations to the teams of negotiators. She says with sincerity, “You manifest a new reality based on who shows up” and recommends building a negotiating team with individuals who have “an understanding of what their bottom line is and are willing to crack themselves open a bit to be openhearted; to not expect a specific outcome and let some of that be a journey” (Town 2019, pt. 28:16). Wendy John’s insistence that YVR fire the “Aboriginal advisors” reflects the importance of ensuring the core negotiating team is comprised of people embedded in the organization/community.

Once the negotiations are taking place, Anne Murray suggests that parties find points of agreement, write them down, and move on in order to save time and energy for tougher conversations (Murray 2019a). Craig Richmond says the YVR team used this well-known negotiation tactic when the teams hit a sticking point. They would leave the issue aside and find other areas of agreement, as this progresses the negotiation while continuing to build trust and familiarity among the teams (Richmond 2019). Anne advises, “Be quick and generous if you’re going to agree to something” and adds that teams do not have to work out details and formulae for each element if they trust one another (Murray 2019a, pt. 44:49). As noted in the outcomes section, this technique resulted in a handful of short, general sections in the Agreement. This leaves their interpretation open and dependent on the goodwill, motivation, and capacities of parties involved in implementation. This may have positive outcomes when implementers have constructive relationships and the capacity to carry initiatives forward. For example, the habitat restoration project has been collaboratively undertaken by staff at both organizations and has resulted in habitat improvements. However, the Musqueam team points out the limitations of restoring habitat beside a busy airport and wishes YVR committed more support to the Musqueam crew on and off Sea Island (Willard Sparrow, Guerin, and Asadian 2019). Dianne Sparrow points out that the ‘Other Business Opportunities’ section is vague and lacks commitments (D. Sparrow 2019). Two years in, there are no business agreements, which may be due to the lack of specific obligations or because appropriate opportunities have not arisen. Due to Mary Point’s efforts, a process is now in place to carry business opportunities forward. Discussions
are taking place, which have the potential to provide significant economic benefits for Musqueam Band in the future (Point 2019a).

Anne Murray credits the efficiency of the negotiations to the momentum created by an aggressive schedule. She says they set meetings every two weeks, alternating between administrations, and reserved breakout rooms for individual team discussions (Murray 2019a). She adds that lawyers are helpful in reaching an agreement when that is their mandate. The teams would communicate agreed upon topics to the lawyers and they would draft the language for review at the table (Murray 2019a). She also thinks it is vital for groups entering this type of process to set an intention to reach an agreement through respectful negotiations, rather than negotiate for negotiation’s sake. Craig Richmond echoes that both parties need to be driven by their goals for outcomes. From his perspective, Musqueam was motivated to share in the Airport’s benefits and YVR wished to have closer relationships with First Nations to ensure sustainable operations of the Airport (Richmond 2019). The Musqueam negotiator stresses the importance of community and leadership buy-in. He says the team achieved this through regular Council updates and community outreach and education. Understanding these concerns and needs is important in ensuring the Agreement reflects the community’s goals (Negotiator 2019).

Several interviewees stress the importance of discussing how the agreement will be implemented and building these strategies into the document (D. Sparrow 2019; John 2019; Rathbone and Wheatley 2019). Wendy says they have learned over time that “we can negotiate the best agreements, but if we don't have an implementation strategy, they usually fall to the wayside” (John 2019, pt. 14:15). Musqueam staff interviewees and focus group participants mention the labour and resource intensity of carrying implementation forward. They would like to see more support allocated to existing and new positions at both organizations devoted to implementation. Dianne says in the future, she would negotiate to build resourcing in for implementation (D. Sparrow 2019).

Mary Point says that during implementation, it is vital to regularize communication with staff, leaders, and the community to maintain momentum. She works to involve all levels in implementation, including Musqueam’s Chief and YVR’s CEO, so that everyone feels included and invested in its success (Point 2019a). As mentioned in the Outcomes of the Agreement section, the Relationship Manager
position is mentioned by several interviewees as a key element of successful implementation. Anne Murray says the fact that the position is embedded in the YVRAA helps educate staff and change the culture of the organization. Craig Richmond says the position is at the management level and has the ability to affect change from the top. He adds that it is important for the manager to be from the community and well acquainted with its members, understand community issues, and be deeply connected to its values (Richmond 2019). Wendy John says the right person needs to be selected to implement the Agreement and Mary Point, with her hands-on approach and care for the community, is the right fit (John 2019). Wendy also thinks the Relationship Committee is vital to ensuring implementation stays on track. They meet on a regular basis, which maintains relationships between the organizations and allows for regular information-sharing. The committee members hold leadership positions at each organization and regularly report back to Musqueam Council and the YVR Board of Directors. This keeps members invested in ensuring successful implementation (John 2019).

5.4.1. Key Principles of Reconciliatory Relationship-Building

This section examines the outcomes of the Musqueam–YVR Agreement in consideration of principles that Indigenous planning scholars consider fundamental to collaborative and equitable relationships between Indigenous communities and settler planning authorities: reconciliation and self-determination. The Musqueam–YVR Agreement intends to foster friendship and sustainability, but it does not reference reconciliation or Musqueam self-determination. The following analysis is not based on Musqueam and YVRAA’s explicit intentions in creating the Agreement, rather it reflects themes that Indigenous planning scholars explore in their writings about Indigenous inclusion in mainstream planning.

To reiterate elements of argument from the Literature Review in Chapter 3, settler governments and state-based planners own a colonial legacy that continues to disposess Indigenous peoples of their lands and exclude them from land use decision-making processes on their territories. Matunga believes that to redress these past and ongoing harms, state-based planners must pursue reconciliation and partnership-building with Indigenous communities (Porter et al. 2017). The TRC states that reconciliation involves establishing respectful relationships and repairing damaged trust through reparations and concrete actions to make societal change (Truth and
Reconciliation Commission of Canada 2015a, 16). Many scholars insist that restitution and redress are fundamental components of reconciliation, which may involve land transfers and payments to compensate Indigenous communities for impacts to their rights (Alfred 2017; Regan 2010). They warn about the dangers of enacting restitution without examining and reforming the systems that continue to inflict colonial harms. Alfred speaks about the importance of shifting relationships among human beings and between humans and the natural environment in ways that subvert colonial systems (Alfred 2017). Regan notes that governments and institutions must honour Indigenous sovereignty and rights to self-determination in order to advance true reconciliation.

Sovereignty relates to control over lands and resources, socio-cultural continuity, and political autonomy (Lane and Hibbard 2005). Coulthard says sovereignty over lands and resources has always been foundational to the settler colonial agenda and warns that settler states continue to be “structurally committed to maintain” this control, often using negotiations to achieve it (Coulthard 2014, 7). Settler colonial governments also maintain sovereignty by upholding a system that necessitates crown recognition of Indigenous rights, which contradicts principles of Indigenous self-determination (Coulthard 2014). Differing conceptions of issues, ‘truths,’ and worldviews often cause conflicts during negotiations; however, Porter and Barry advise that mainstream planners question the dominant system and become attentive to different lifeworlds, sovereignty, laws, and Indigenous planning intelligence. They should recognize and examine their otherness as well as the cultural norms that influence their positions (Porter and Barry 2016). Dories critiques planners who fail to recognize their complicity in denying Indigenous sovereignty and self-determination by attempting to include Indigenous participation within status quo planning processes that affirm state jurisdiction (Dorries 2014, 36). Therefore, entities with state-sanctioned authority over Indigenous territorial lands and resources need to confront the implications of Indigenous rights and title, as well as reflect on their moral obligations to seek reconciliation with Indigenous peoples.

Although the Agreement does not name reconciliation, interviewees on Musqueam’s negotiation team mention increased public and YVR awareness of reconciliation as a perceived factor that led to the establishment of a negotiation table (D. Sparrow 2019; Wilson 2019). Dianne Sparrow thinks one of the notable successes of the Agreement is that it is a “point of reconciliation between the Airport and Musqueam”
Katie Wheatley says the Agreement gets to the core of reconciliation. She invokes Justice Lamer’s remark in the Delgamuukw case, “We are all here to stay,” to suggest that the Agreement is an example of Musqueam and the Airport working to reconcile Musqueam’s claims and YVRAA’s desire to continue operating as an airport. Aviva Rathbone thinks protecting archaeological heritage is a core consideration when working towards reconciliation and the Agreement has enabled positive collaborative work on the matter (Rathbone and Wheatley 2019). Marion Town says the new relationship has helped foster a deeper understanding of what reconciliation means; personally and in her team’s environmental stewardship work (Town 2019). Mary Point sees the new and positive multigenerational impacts in the community, resulting from employment and contracting opportunities, as a counterpoint to the colonial legacy of intergenerational trauma and an example of reconciliation in action (Point 2019a).

The outcomes of the Agreement negotiation and implementation show that the relationship is advancing certain tenets of reconciliation, as outlined in the Literature Review. The Agreement and its implementation are leading to respectful relations and increased trust between the parties through regular communication and engagement. All interviewees mention the improved relations as an outcome that they consider successful. For example, Aaron Wilson speaks positively about the relationship and trust that developed out of the negotiations and thinks they have grown through implementation (Wilson 2019).

The TRC cites reparations and other concrete actions as means of achieving reconciliation. The revenue share and other benefits, such as the scholarships, are a form of economic compensation; however, the share does not compensate Musqueam for the 25 years of YVR’s impacts on Musqueam rights. This is iterated by several interviewees who clarify that the Agreement does not recognize Musqueam rights and title. The revenue share benefits Musqueam Band by providing a significant injection of funds each year into the Band’s budget. It also fundamentally benefits YVR in that it motivates Musqueam to support the Airport’s success and growth. Because it is a not-for-profit organization, growth in Airport revenue translates to expansion of service levels and employment, and investment into facilities, environmental initiatives, and giving initiatives. Craig Richmond says the Airport is a strategic asset for the province and for the people of Canada and its “job is to enable businesses and jobs” (Richmond 2019,
The mandate given the Airport by the federal government is to “provide social and economic benefit to our community” and the reinvestments facilitated by revenues uphold the Airport’s brand (YVR 2019a).

The other benefits offered by the Airport, such as providing employment and training for a certain number of Musqueam members, arts and cultural contracts and opportunities, environmental enhancement projects on Sea Island, and collaborative reworking of archaeological procedures and emergency response protocols provide significant benefits to YVRAA as well. These elements of the Agreement contribute to YVR’s branding as a community asset, sustainable business, and progressive organization. While the employment, cultural expression, and signage increase Musqueam’s presence and visibility at the Airport, they also advertise YVR’s brand as a partner and friend to Musqueam. Craig Richmond says the Airport has been hoping to improve relations with Indigenous peoples. He also says the Airport requires more employees in several sectors and the Musqueam employees are filling these labour needs. YVR can point to the collaborative environmental enhancement projects as evidence of the Airport’s commitment to sustainability and reconciliation. A collaborative review and revision of YVRAA’s archaeological and emergency response procedures benefit the Airport in providing clarity about Musqueam’s expectations, helping to prevent conflict due to breaches in protocol. The business opportunities will be mutually beneficial to all partners involved, as that is a key aspect of joint business ventures.

Beyond restitution and redress, scholars think true reconciliation requires a fundamental shift in the way current systems uphold power structures that benefit settler governments and businesses and inflict ecological, social, and cultural harms (Alfred 2017; Regan 2010). The Constitution Act recognizes and affirms Aboriginal rights and title (Hanson 2009c). The UNDRIP, which has been enshrined in British Columbia law, clearly outlines the content of Indigenous rights, which include the “right to the lands, territories, and resources which they have traditionally owned, occupied or otherwise used” as well as the right to self-determination (United Nations 2008, sec. 26; Province of British Columbia 2019). Musqueam is in negotiations with the federal government regarding their territorial rights and title, including self-governance. A key reason the Airport agreed to negotiate with Musqueam is because Musqueam’s unresolved claim to Sea Island casts uncertainty over the Airport’s authority over these lands. Craig Richmond and Anne Murray both say a major goal for the negotiation was certainty in
terms of the relationship and Musqueam’s ongoing support of the Airport. Aaron Wilson says the Agreement is Musqueam essentially saying, “Airport, you’re here to stay and we’re going to work together and we’re going to put that metaphorical blanket around you. We’re not here to shut down the Airport. We’re not here to go after the Airport because of its impact” (Wilson 2019, pt. 24:07).

The Agreement does not contain any statements of intention to advance Musqueam’s rights to self-determination. However, the Title and Rights focus group spoke about rights recognition as an important community goal for negotiations (Rathbone and Wheatley 2019). The Environmental Stewardship focus group mentioned the desire for co-management as a goal for the relationship (Willard Sparrow, Guerin, and Asadian 2019). The interviewees who were involved in the negotiations spoke less about self-determination than staff who are implementing the articles. This indicates that negotiators are aware of the Agreement’s limitations in offering Musqueam full rights recognition, including self-determination.

While the Agreement does not “fix” Musqueam’s rights to Sea Island, as Porter and Barry caution can be the outcome of resolving rights claims, the Agreement guarantees that if Musqueam becomes title holder to all or part of Sea Island, the YVRAA will maintain its authority over the Airport and will operate unhindered (Porter and Barry 2016). Musqueam has agreed to support the Airport and its operations on their territory for at least 30 years. The Musqueam–YVR Agreement does not shift current power structures and the relationship does not provide Musqueam cooperative management powers over the Airport. This power structure has the potential to shift significantly, depending on the outcomes of Musqueam’s title negotiations with the federal government. While Musqueam can provide input into the Airport’s decision-making and can oppose major developments, such as a new runway, non-airport uses, or developments that would impact ancestral remains or the conservation area, the Agreement itself does not guarantee Musqueam’s right to determine the way Sea Island is used, governed, and developed economically and culturally. It is an example of incremental change to a mainstream planning and business management system that makes room for, but does not guarantee, Musqueam self-determination.
Chapter 6. Conclusion

Musqueam peoples hold a strong claim over Sea Island, stemming from their ancient and ongoing ties to the lands, waters, plants, and animals on and around Sea Island. The history of the Musqueam–YVR relationship is fraught with conflicting notions about rights and jurisdiction over Sea Island. Musqueam Band has never ceded its territorial rights and has continuously objected to colonial infringements on these rights (Musqueam First Nation and Museum of Anthropology n.d.). However, municipal and federal governments who have or continue to claim ownership over the airport lands have never officially recognized nor honoured these rights.

Musqueam’s assertions intensified in the 1970s when Musqueam submitted a statement of claim in the same decade the federal government informed Musqueam of its intention to expand a runway onto Musqueam’s Sea Island Reserve #3. Despite Musqueam Band’s objections, the runway expropriation went ahead (Environmental Assessment Panel 1991). Glimmers of rights recognition began in the 1990s when YVR resumed plans to expand the runway. The Environmental Assessment Panel found that “no effective steps have been taken to address [Musqueam’s] claims and stop the erosion of its rights.” However, the panel’s recommendations that Musqueam’s interests, such as environmental and archaeological concerns, cultural recognition, and economic opportunities, be considered by the Airport did not reflect a recognition of Aboriginal rights (Environmental Assessment Panel 1991). Musqueam negotiated directly with the federal government and obtained compensation for the loss of access to their lands, which the Band used to purchase the Fraser Arms lot at čəsnaʔəm (L. Sparrow 2019). Despite these small wins, Musqueam interviewees recall frustrating discussions with the federal government and YVRAA because both refused to consider Musqueam rights and title (John 2019; L. Sparrow 2019). It was not until the 2014 Tsilhqot’in decision that Musqueam was able to effectively assert its claim and essentially threaten YVR with legal action (Negotiator 2019).

The Agreement negotiations were tense and difficult until the Airport allowed that revenue sharing would be a consideration. Although negotiators clarify that the Agreement is not a recognition of title, the inclusion of economic opportunities implies recognition that Musqueam has the right to benefit from its territorial claims (Wilson
Musqueam is currently in negotiations with the federal government to assert its title claims (Point 2019a). Ultimately, the Agreement provides benefits to both parties. The Airport benefits greatly from the certainty that if they follow engagement processes in the Agreement, Musqueam Band will support the Airport and its operations. It also benefits from the branding opportunities, labour, environmental and cultural knowledge, and Indigenous relations experience and credibility afforded by the partnership.

The Musqueam negotiators express satisfaction with the results and Wendy John describes the Agreement signing as “a new beginning” and “one of the most emotional days I’ve ever had” (Richmond News 2017). All Musqueam interviewees have positive things to say about many aspects of the outcomes. Two years after the signing, several outcomes, such as Musqueam employment, education support, cultural expression, and sharing of cultural teachings with airport users, staff, and leaders have exceeded their expectations. Many at the Airport appear to be grasping the depth of Musqueam connections to Sea Island, if not Musqueam’s rights to Sea Island, and the resulting importance of working collaboratively and flexibly with the Band and membership. The Agreement and its implementation have improved communication and feelings of trust between the two parties. Musqueam staff are positive about the engagement processes and collaborative work that facilitate discussion about rights protections on Sea Island. Musqueam has been supportive of Airport plans and projects to-date because the Band is informed in advance and can express concerns and discuss solutions. The Environmental focus group notes, however, that Musqueam does not have equal decision-making power. They would like to see an eventual co-management arrangement as well as support for Musqueam rights and goals that extend benefits beyond Sea Island, given the limitations of environmental stewardship beside a busy airport (Willard Sparrow, Guerin, and Asadian 2019). The presence of Musqueam people and cultural expression at the Airport act as a subtle public assertion of Musqueam’s title to Sea Island. In addition, they provide Musqueam members personal economic and social benefits. The revenue share also provides benefits to membership in the form of direct dividends, infrastructure improvements, and increased supports, services, and initiatives that fulfil community planning goals. As Willard Sparrow points out, when individuals are lifted up, the benefits spread around the community and help support extended families and community and cultural initiatives (Willard Sparrow, Guerin, and Asadian 2019).
Musqueam’s comprehensive community plans capture the community’s self-determined visions and objectives for the future. Examined alongside the community’s objectives and recommended actions, the outcomes of the Agreement are at least partially meeting several Musqueam goals. The revenue share advances Musqueam’s goal to use its rights and title to derive benefits from the territory and contributes to the Band’s financial self-sufficiency. However, several interviewees would like to see more financial support for capacity-building and for initiatives that support implementation. Also, the Agreement does not explicitly recognize Musqueam’s rights and title and provides no compensation for impacts, which interviewees state is a federal government responsibility.

The Agreement’s engagement processes require Musqueam and the YVRAA to discuss the Airport’s plans and initiatives and identify concerns and mitigation measures. This allows Musqueam to have input into the Airport’s decision-making. If YVR adheres to the spirit of the Agreement, which CEO Craig Richmond verbally promised Musqueam Chief Sparrow, YVRAA will work to accommodate and implement Musqueam’s requests (Richmond 2019). Musqueam must support future authorizations but can refuse to support major developments including new runways, new non-aeronautical amendments to the Lease, and projects that would impact ancestral remains and the conservation area (Musqueam Indian Band and Vancouver Airport Authority 2017). However, Musqueam does not have the power to veto the YVRAA’s plans and projects. The engagement processes, alongside the duties of the Relationship Committee and Relationship Manager, advance Musqueam’s goal of protecting rights and title through consultation and accommodation but they do not guarantee it.

The culture, environment, and sustainability-related outcomes of the Agreement partially meet Musqueam’s goals of protecting environmental, natural, and cultural resources. In addition to the commitments in the Agreement, the improved relationships and YVRAA staff’s cultural learnings are helping achieve better protection because the YVRAA is working to apply Musqueam’s values and support collaborative projects. However, the relationship as it stands does not provide a cooperative management arrangement or power-sharing. The safety requirements of the Airport also limit achievement of the community’s goals for habitat enhancement and cultural use. Members cannot freely access most lands on Sea Island and certain species, namely large birds and the species that attract them, must be discouraged from inhabiting Sea
Island because they may interfere with aircraft. Opportunities for cultural expression and teaching at the Airport, including interpretive information, art, performances, welcomes, and cultural teachings have contributed to the fulfilment of the community’s goals of advancing cultural pride, practicing culture, providing economic development opportunities for members, and asserting Musqueam presence in the territory.

The employment, contracting, training, and education supports are directly helping large numbers of Musqueam members meet their education and career goals. Scholarships support Musqueam students with their education and living costs. YVRAA has adapted the apprenticeship program to meet community members’ needs and it is providing trades development opportunities. The Airport and its businesses offer hundreds of varied job opportunities and YVR and its contractors are learning about ways of retaining Musqueam employees by understanding barriers and appropriate supports. Musqueam’s Employment and Training department is getting stretched to its limits by YVR’s requests for supports for job seekers and employees. Musqueam E&T staff are calling for more screening, retention, and capacity supports from the YVRAA. Certain jobs may be low-paying and entry-level may not be meeting members’ career goals; however, they provide income, training, experience, and the opportunity to move to other positions at the Airport. These opportunities are therefore partially meeting Musqueam’s financial self-sufficiency goals and are supporting youth and potentially increasing community wellness. The other business opportunities are not yet meeting Musqueam’s economic development goals but Mary Point indicates that significant opportunities are upcoming (Point 2019a).

Indigenous and non-Indigenous people are all living under a colonial system in Canada that unjustly took/ takes lands and resources from, and imposed/ imposes laws and governance systems on, Indigenous peoples to allow colonial governments and European settlers to benefit from territorial lands and resources. Indigenous communities in this country are living through continuous trauma and injustice due to racist assumptions about the superiority of western European people and culture and entitlement to lands and resources. The Musqueam–YVR Agreement does not on its own remedy these injustices. It is an example of an approach to relationship-building that creates tangible, mutual benefits for the parties. Its successes and the critiques provided offer lessons to those seeking improved relationships with Indigenous communities. While the Agreement and its outcomes do not currently achieve full
recognition of Musqueam rights, including self-determination, nor fully redress the impacts and harms inflicted by the Airport on Musqueam peoples, they do demonstrate that the parties have vastly improved their relationship and have achieved several tenets of reconciliation.
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Appendix A.

Interview Questions

Interview Questions for Musqueam staff/leaders

1. Can you briefly describe your position with Musqueam as well as your role in the development of the Musqueam-YVR Agreement? How long have you been involved in the Musqueam-YVR relationship?

2. a. Can you briefly tell the story, from your perspective, of the development of the Musqueam-YVR relationship over time, leading to the Agreement?

   b. What was the impetus (stimulus, driving force) for starting work on creating the Agreement?

   If part of development of Agreement, answer Qs 3 to 8, if not, skip to 9

3. Can you briefly describe the process of negotiating the agreement? How were agreements usually reached? (e.g. compromise, consensus, vote)

4. a. What were the Musqueam negotiation team’s overarching goals in negotiating the Agreement? (1 or 2 main goals, perhaps distinguish between stated positions and underlying goals)

   b. How did you determine these goals?

5. What did you perceive YVR’s goals to be?

6. a. Are you familiar with Musqueam’s Comprehensive Community Planning goals and objectives (in the 2011 CCP and/or updated 2018 CCP)?

   b. Did you as an individual or as a group explicitly look to Musqueam’s 2011 Comprehensive Community Planning goals and objectives in determining the terms for the negotiations? If not, how did you determine the community’s goals and aspirations to include in the Agreement?

7. Can you recall some key moments in the negotiations, either conflicts, points of contention/contradiction, breakthroughs, or interesting lessons? Can you explain what happened and why?

8. For each of the articles, what were Musqueam’s objectives or goals for the outcomes when they were created? We can look at each of the articles and you can describe the intended or hoped-for results.
9. a. From your understanding, what are the outcomes of the Agreement up to this point? We can look at my summary of the different clauses and my understanding of the outcomes to guide us.

   b. Have any outcomes been surprising?

10. Do you feel Musqueam goals are reflected in the Agreement and outcomes? Are there any missing elements?

11. For my assessment of the outcomes of the Agreement, do you have any suggestions for indicators of success?

12. What are the biggest successes of this relationship? What are the biggest challenges?

13. Do you have any advice for other Indigenous groups entering this kind of process?

14. Are there other staff who you’d recommend I talk to about this, either involved in the Agreement or with knowledge/ experience on the topic? Are there any documents I should find or that you can provide me?

15. With your permission, I may contact you again to clarify or ask follow-up questions. Feel free to contact me if you have any questions or concerns in the meantime.
Interview Questions for YVR staff

1. Can you briefly provide a description of your position with YVR as well as your role in the development or implementation of the Musqueam-YVR Agreement? How long have you been involved in the Musqueam-YVR relationship?

   If part of development of Agreement ask Qs 2 to 6, if not, skip to 7

2. a. Can you briefly tell the story, from your perspective, of the development of the Musqueam-YVR relationship over time, leading to the Agreement?

b. What was the impetus (stimulus, driving force) for starting work on creating the Agreement?

3. Can you briefly describe the process of negotiating the agreement? How were agreements usually reached? (e.g. compromise, consensus, vote)

4. a. What were your organization’s overarching goals in negotiating the Agreement? (1 or 2 main goals, perhaps distinguish between stated positions and underlying goals)

b. How did YVR determine these goals?

5. Can you recall some key moments in the negotiations, either conflicts, points of contention/ contradiction, breakthroughs, or interesting lessons? Can you explain what happened and why?

6. For each of the articles, what were YVR’s objectives or goals for the outcomes when they were created? We can look at each of the articles and you can describe the intended or hoped-for results.

7. a. From your understanding, what are the outcomes of the Agreement and relationship up to this point? We can look at my summary of the different clauses and my understanding of the outcomes to guide us.

b. Have any outcomes been surprising? (If there are reports or written materials outlining outcomes, do I have permission to review and cite them?)
8. Do you feel YVR’s goals are reflected in the Agreement and outcomes? Are there any missing elements?

9. What do you understand the Musqueam community’s goals to be in developing and formalizing this relationship with YVR? Do you think they are reflected in the Agreement and outcomes?

10. What are the biggest successes of this relationship? What are the biggest challenges?

11. Do you have any advice for other Indigenous groups and non-Indigenous organizations entering this kind of process?

12. For my assessment of the outcomes of the Agreement, do you have any suggestions for indicators of success?

13. Are there other staff who you’d recommend I talk to about this, either involved in the Agreement or with knowledge on the topic? Are there any documents I should find or that you can provide me?

14. With your permission, I may contact you again to clarify or ask follow-up questions. Feel free to contact me if you have any questions or concerns in the meantime.
### Appendix B.

**Indicator Data Tables**

<table>
<thead>
<tr>
<th>Table 1 - Revenue Sharing Indicators</th>
<th>2017</th>
<th>2018</th>
<th>2019</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amount of dollars in revenues shared each year</td>
<td>N/A</td>
<td>$5,288,239.39</td>
<td>$5,644,148.00</td>
</tr>
<tr>
<td>YVR revenue share as proportion of total Band revenue</td>
<td>N/A</td>
<td>8%</td>
<td>Unknown</td>
</tr>
<tr>
<td>List of Band programs, services, and initiatives that were supported by YVR monies, related to CCP priorities</td>
<td>N/A</td>
<td>Repaying borrowings and replenishing reserves Member Dividend Public Works Infrastructure Fund CCP priorities (education, housing, language &amp; culture, health)</td>
<td>Repaying borrowings and replenishing reserves Member Dividend Public Works Infrastructure Fund CCP priorities (education, housing, language &amp; culture, health)</td>
</tr>
<tr>
<td>YVR budget for relationship initiatives (does not include revenue sharing or salaries and benefits)</td>
<td>$0</td>
<td>Relationship budget of $130,000</td>
<td>Relationship budget of $154,000 + $100,000 for canoe carving project. E.g. Food, welcomes (M pays for facilities)</td>
</tr>
<tr>
<td>Relationship Committee</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>------------------------</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Indicators</strong></td>
<td><strong>2017</strong></td>
<td><strong>2018</strong></td>
<td><strong>2019</strong></td>
</tr>
<tr>
<td>Number of RC meetings per year held</td>
<td>3</td>
<td>2</td>
<td>5</td>
</tr>
<tr>
<td>Number of discussions/decisions reached per year</td>
<td>35+ tasksCompleted draft Terms of Reference for RC and job description for RM</td>
<td>9 tasksCompleted TOR approval; review of scholarship applicants; developed employment &amp; hiring process; habitat restoration project location &amp; AHRP hired; 3 Musq businesses and 11 independent contractors added into contracting system; outreach to artisans; protocol for language use and involving Musqueam in YVR events created; approval of Musq-YVR annual report, newsletter, blog post &amp; webpage; waiving of gr 12 as hiring requirement by YVRAA and contractors</td>
<td>14 tasksCompleted review of scholarship applicants and suggested changes to procedures; discussed and reviewed YVR’s Land Development Strategy, emergency response plans, and Environmental Management Plan; discussed Musqueam business contracting processes; developed process for evaluating potential business opportunities &amp; established working group to oversee the process; refined protocol for language use and involving Musqueam in YVR events</td>
</tr>
</tbody>
</table>

| Did Musqueam reps raise concerns? If so, what were they? | RM hiring process | Minimal because informing through multi-layered approach | Minimal because informing through multi-layered approach |
| Were changes made to accommodate Musqueam? | Yes, 1 | N/A | N/A |

<table>
<thead>
<tr>
<th>Relationship Manager</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Indicators</strong></td>
</tr>
<tr>
<td>Number of presentations to Musqueam Council</td>
</tr>
<tr>
<td>Number of presentations to external organizations</td>
</tr>
<tr>
<td>Number of media interviews</td>
</tr>
<tr>
<td>Number of unique visits to Musqueam-YVR website</td>
</tr>
<tr>
<td>Number of newsletters sent to Musqueam community in year</td>
</tr>
<tr>
<td>Status of Indigenous Engagement Strategy</td>
</tr>
<tr>
<td>Musqueam engaged in its creation? If so, how and to what degree?</td>
</tr>
</tbody>
</table>

**Engagement Process and Musqueam's Support of the Airport**

<table>
<thead>
<tr>
<th>Indicators</th>
<th>2017</th>
<th>2018</th>
<th>2019</th>
</tr>
</thead>
<tbody>
<tr>
<td>Musqueam consultation during creation/revision of Master Plan - Did Musqueam raise concerns? If so, how many? Amendments made to accommodate Musqueam? If so, how many?</td>
<td>M Staff: 4 overall suggestions, 1 incorporated; 10 report edits suggested, all incorporated Musq Community: 23 suggestions and comments, 4 fully incorporated, 11 partially incorporated, 8 not incorporated (noise and air quality concerns)</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Musqueam Support for Master Plan and Land Use Plan?</td>
<td>Yes - Submitted to Minister Dec 2017</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Number of meetings between YVRAA and Musq Intergov Working Group held each year</td>
<td>0</td>
<td>10</td>
<td>3</td>
</tr>
<tr>
<td>Number of projects shared with Musqueam (annual projects list, Master Plan, Land Use Plan)</td>
<td>0</td>
<td>225</td>
<td>175</td>
</tr>
<tr>
<td></td>
<td>1 out of 1</td>
<td>2 out of 2</td>
<td>2 out of 2</td>
</tr>
<tr>
<td>--------------------------------</td>
<td>------------</td>
<td>------------</td>
<td>------------</td>
</tr>
<tr>
<td>Number of letters of support from Musqueam vs Number of projects each year</td>
<td>1 out of 1</td>
<td>2 out of 2</td>
<td>2 out of 2</td>
</tr>
<tr>
<td>Number of changes to YVR projects and procedures</td>
<td>0</td>
<td>1 - Added question in project planning ‘will this project require Musqueam involvement?’</td>
<td>0</td>
</tr>
<tr>
<td>Adequate support, capacity, and resources (staff in both orgs, time, and funding) for Musqueam review, input, and discussions?</td>
<td>N/A</td>
<td>No but making do</td>
<td>No but making do</td>
</tr>
<tr>
<td>Musqueam participation in committees – how many reps?</td>
<td>2 Noise &amp; Environment</td>
<td>2 Noise &amp; Environment</td>
<td>2 Noise &amp; Environment</td>
</tr>
<tr>
<td>Does Musqueam have veto power? Is so, for what levels of projects?</td>
<td>Musq agreed to support Future Auth and Major Devel but reserve right to protest and take legal action re: Maj Devel</td>
<td>Musq agreed to support Future Auth and Major Devel but reserve right to protest and take legal action re: Maj Devel</td>
<td>Musq agreed to support Future Auth and Major Devel but reserve right to protest and take legal action re: Maj Devel</td>
</tr>
<tr>
<td>Is Musqueam providing ongoing support for Airport?</td>
<td>N/A</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Any threats raised about commencing proceeding or claims against YVR?</td>
<td>Not since 2015</td>
<td>No</td>
<td>No but YVR alert to Federal negotiations bc Sea Island considered part of Musqueam territory and Musq may become landowner</td>
</tr>
<tr>
<td>Does Musqueam leadership, staff, and community feel the spirit of the Agreement is being adhered to? Aka, sustainable, friendship, respect, trust</td>
<td>Just signed</td>
<td>Yes, by staff and leadership, unsure about community</td>
<td>Yes, by staff and leadership, unsure about community</td>
</tr>
<tr>
<td>Table 3 - Culture, Environment and Sustainability Indicators</td>
<td>Emergency Response Program</td>
<td></td>
<td></td>
</tr>
<tr>
<td>----------------------------------------------------------</td>
<td>-----------------------------</td>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>Indicators</td>
<td>2017</td>
<td>2018</td>
<td>2019</td>
</tr>
<tr>
<td>Number of meetings about emergency response</td>
<td>0</td>
<td>0</td>
<td>3</td>
</tr>
<tr>
<td>Outcomes and next steps</td>
<td>N/A</td>
<td>N/A</td>
<td>Draft 5-year plan to share with M Emerg Response Ctte</td>
</tr>
<tr>
<td>Number of points of contact between staff regarding emergency response planning</td>
<td>0</td>
<td>0</td>
<td>3 - Chatted w Courtenay, Laurence, Lawrence</td>
</tr>
<tr>
<td>Outcomes and next steps</td>
<td>N/A</td>
<td>N/A</td>
<td>Lawrence will lead</td>
</tr>
<tr>
<td>Collaboration w Musqueam on emergency response and rehabilitation program/ plan?</td>
<td>No</td>
<td>No</td>
<td>Awaiting ctte</td>
</tr>
<tr>
<td>Clarification of roles, command centre, training of personnel – complete or required?</td>
<td>No</td>
<td>No</td>
<td>To begin in 2020</td>
</tr>
<tr>
<td>Any emergency events? If so, was communication and coordination with Musqueam carried out successfully?</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Noise Management Plan</th>
<th></th>
<th>2018</th>
<th>2019</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Indicators</td>
<td>2017</td>
<td>2018</td>
<td>By RC and Morgan Guerin through Environment Committee, standing agenda item for RC</td>
<td></td>
</tr>
<tr>
<td>Musqueam input into noise management plan</td>
<td>N/A</td>
<td>N/A</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Annual community workshop - Number of attendees, number of pieces of feedback, how was feedback incorporated into plan or operations?</td>
<td>N/A</td>
<td>1 in Fall 2018, 40 attended, have been able to report back to community - social media, door-to-door - provides education, awareness. Noise monitor allows info to be shared better (e.g. Musqueam IR in no-fly zone)</td>
<td>Not this year - held Environment Workshop so too many meetings (will be bi-annual)</td>
<td></td>
</tr>
<tr>
<td><strong>Noise monitor installed in Musqueam?</strong></td>
<td>No</td>
<td>Yes, in fall 2018</td>
<td>Yes, still monitoring</td>
<td></td>
</tr>
<tr>
<td>----------------------------------------</td>
<td>----</td>
<td>------------------</td>
<td>----------------------</td>
<td></td>
</tr>
<tr>
<td><strong>Community still expressing concerns?</strong></td>
<td>12 complaints from 3 households</td>
<td>6 complaints from 2 households</td>
<td>1 complaint</td>
<td></td>
</tr>
<tr>
<td><strong>Number of noise complaints per year</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Noise monitoring findings – any reductions in noise levels year to year?</strong></td>
<td>N/A</td>
<td>35 aircraft overhead per day, 23 non-aircraft events, av 65 decibels</td>
<td>Same levels but allowing community to report incidents and YVR reporting back helps</td>
<td></td>
</tr>
<tr>
<td><strong>Archaeological and Environmental Monitoring</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Indicators</strong></td>
<td><strong>2017</strong></td>
<td><strong>2018</strong></td>
<td><strong>2019</strong></td>
<td></td>
</tr>
<tr>
<td>Number of projects monitored in each year by Musqueam Archaeology and Environmental staff</td>
<td></td>
<td>5</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>Number of projects reviewed by Musqueam Archaeology Dept</td>
<td>Unknown</td>
<td>Shared 200 projects, Musq sent monitors to 5</td>
<td>Shared 175 projects, Musq reviewed ~10 of interest, 3 monitors</td>
<td></td>
</tr>
<tr>
<td>Did any archaeological or environmental protocol breaches or protection issues come up in year? How were they dealt with?</td>
<td>Unknown</td>
<td>Short-notice requests - 1 pipe burst, 1 scope change</td>
<td>Involve Musqueam leaders in decision making</td>
<td></td>
</tr>
<tr>
<td>Number of meetings between Archaeology Dept and YVR in year</td>
<td>N/A</td>
<td>~3</td>
<td>~1</td>
<td></td>
</tr>
<tr>
<td>Number of meetings between Environment Dept and YVR in year</td>
<td>N/A</td>
<td>~10</td>
<td>~12</td>
<td></td>
</tr>
<tr>
<td>Number of Environment community meetings held in Musqueam per year</td>
<td>0</td>
<td>1 (noise, 40 attendees)</td>
<td>2 (5-year environment man plan workshop - 12 attendees, and open house)</td>
<td></td>
</tr>
</tbody>
</table>
Collaborative development of new Archaeological Protocol - New procedures created? Being followed? | N/A | No
---|---|---
Draft outlines how Musqueam assesses archeological projects at YVR and at what point M is consulted and at what point YVR just liaises with private consultants. To be reviewed by Musqueam leadership

New site potential map created? | N/A | No
---|---|---
No Aviva/ Morgan say awaiting review by YVR before sent to FNs

Any communication to community about new archaeological or environmental procedures at YVR? | N/A | N/A
---|---|---
Not yet - once procedures finished and when repatriation of artifacts happens - community dinner

### Enhancement or Restoration Projects

<table>
<thead>
<tr>
<th>Indicators</th>
<th>2017</th>
<th>2018</th>
<th>2019</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of habitat enhancement projects in partnership with Musqueam underway</td>
<td>0</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Kgs of invasive species removed (or other measure)</td>
<td>N/A</td>
<td>10,000 kg</td>
<td>5,000 kg</td>
</tr>
<tr>
<td>Proportion of land area restored in year (total land area with completed restoration work/total YVR land area)</td>
<td>N/A</td>
<td>2,480 m²</td>
<td>2,305 m²</td>
</tr>
<tr>
<td>Key results of habitat restoration – Brief description, e.g. Native plants successful? New fauna? Species changes?</td>
<td>N/A</td>
<td>Increase in wildlife in the area (fish nesting and beavers)</td>
<td></td>
</tr>
<tr>
<td>How much time did Musqueam habitat restoration crews work in the year? (# of hours or days)</td>
<td>0</td>
<td>6 months</td>
<td>2 weeks, 2 weeks committed to in Sept</td>
</tr>
<tr>
<td>Water quality test results in year - water samples with levels above Canadian Glycol Guideline level of 100mg/L</td>
<td>6</td>
<td>1</td>
<td>Unknown</td>
</tr>
<tr>
<td><strong>Direct Emissions of CO2 (Airport generated)</strong></td>
<td>9,398 tonnes</td>
<td>8,531 tonnes</td>
<td>Unknown</td>
</tr>
<tr>
<td><strong>Indirect Emissions (Sea Island emissions)</strong></td>
<td>355,007 tonnes</td>
<td>est 367,728 tonnes</td>
<td>Unknown</td>
</tr>
<tr>
<td><strong>Sea Island air quality results in year</strong></td>
<td>See chart below</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>


Sulphur Dioxide (SO2) (ppb) 2012-0.8, 2013-0.7, 2014-0.6, 2015-0.4, 2016-0.2, 2017-0.4, Metro Van objectives - 5


Ozone (O3) (ppb) 2012-18, 2013-16, 2014-17, 2015-16, 2016-16, 2017-17, Metro Van objectives - No annual average

<p>| <strong>Culture</strong> | <strong>2017</strong> | <strong>2018</strong> | <strong>2019</strong> |
| <strong>Indicators</strong> | | | |
| Culture Protocol created? Musqueam input? Plans for revisions or additions? | No | Yes | Yes, yes, yes |
| Cultural protocols being followed? | N/A | Yes | Yes |
| Number of initiatives to educate YVR staff about Musqueam culture and history | 0 | 18 Staff workshops: 2 Musqueam teaching kit, timeline; 2 cedar weaving and chat; drum making; 6 residential school and M today, relationship, language; 6 performances in terminal - carving demo; Heart Strings music performance and weaving demo | 12 Staff workshops: singing, drumming, traditional games, 6 language lessons, 2 cedar weaving (roses and ropes), cedar bowl carving (from canoe). Canoe carving project - ocean-going canoe, 10 M families and YVR staff |
| Total number of staff participants | 0 | Workshops always full (seat 25) | Workshops always full (seat 25), canoe carving involved dozens of staff |</p>
<table>
<thead>
<tr>
<th>Demonstrated effects on staff understanding and actions to the benefit Musqueam? – In all areas – environment, archaeology, employment, business, education and training</th>
<th>N/A</th>
<th>No data</th>
<th>Really engaged, want to know more about history of ppl on land, changing things for staff, active listening</th>
</tr>
</thead>
<tbody>
<tr>
<td>Evidence that staff at YVR and other businesses are undertaking personal growth and education about reconciliation and Musqueam – anecdotal, specific initiatives</td>
<td>N/A</td>
<td>No data</td>
<td>Many are asking good questions and are proposing ideas, staff are following through on investigating things e.g. offensive image on salmon package and adding info about where caught</td>
</tr>
<tr>
<td>Number of pieces of Musqueam public art in YVR – permanent and temporary – in comparison to number of pieces by other artists (Indigenous and non). Explanation about Musqueam territory and ongoing presence?</td>
<td>4 permanent Musqueam pieces - 20 permanent other pieces (19 Indigenous) - little contextual information except on website</td>
<td>4 permanent Musqueam pieces - 20 permanent other pieces (19 Indigenous) - little contextual information except on website</td>
<td>4 permanent Musqueam pieces - 20 permanent other pieces (19 Indigenous) - little contextual information except on website; 2 rotating Musqueam exhibits (of 49 display cases, 7 Musqueam exhibits since beginning of program</td>
</tr>
<tr>
<td>Number of opportunities for Musqueam artists since June 2017</td>
<td>0</td>
<td>Registration for gift shops &amp; duty free (126 artists registered, 12 selling products), relationship design contest, 3 artist demos, artist-led lunch and learns (paid)</td>
<td>Contest design used on pins, blankets, banners, hoarding signage; Agreement to install 2 murals in 2020</td>
</tr>
<tr>
<td>Number of contracts, commissions awarded to Musqueam artists &amp; total number of Musqueam artists involved</td>
<td>0</td>
<td>0</td>
<td>0 Will have Musqueam domestic terminal to showcase host community over next 5 years</td>
</tr>
<tr>
<td>Number of informational signs, plaques, materials about Musqueam in YVR and Sea Island. Visibility/legibility. Explanation about Musqueam territory and ongoing presence?</td>
<td>Macarthur Glen interpretive area</td>
<td>Macarthur Glen interpretive area</td>
<td>Banners on Grant McConachie Way, 40-50 welcome signs with ḥən̓q̓ə BCE through airport, design along new walkway</td>
</tr>
<tr>
<td>Indicators</td>
<td>2017</td>
<td>2018</td>
<td>2019</td>
</tr>
<tr>
<td>---------------------------------------------------------------------------</td>
<td>-----------------------------------------------------------------------</td>
<td>----------------------------------------------------------------------</td>
<td>----------------------------------------------------------------------</td>
</tr>
<tr>
<td>Number of scholarships provided per year / number of applicants</td>
<td>0 (but in 2018 offered up to $100,000 additional)</td>
<td>8 out of 8 (up to $10,000 each)</td>
<td>13 out of 13 (requests did not exceed total of $100,000)</td>
</tr>
<tr>
<td>Number of students who stay in their programs per year</td>
<td>N/A</td>
<td>7 out of 8 - 1 did not go to school and will not get renewal. Only tracking renewal</td>
<td>Unknown</td>
</tr>
<tr>
<td>Scholarship opportunities communicated via what channels?</td>
<td>N/A</td>
<td>Newsletter, RC, C&amp;C reports, Facebook, YVR newsletter (goes door-to-door, on social media, on YVR website)</td>
<td>Same as 2018. Will go into M newsletter next year. Will do workshop next year</td>
</tr>
<tr>
<td>Number of students who mention incorporating Musqueam culture into education and goals; Number who mention intention to contribute to Musqueam community; Number who mention working towards sustainable future – (based on applications)</td>
<td>N/A</td>
<td>All</td>
<td>All say - RC wants to see commitment of how they will give back to community, want it to be trackable to narrow field.</td>
</tr>
<tr>
<td>Has application process been responsive to students’ unique needs – any changes made to process year to year?</td>
<td>N/A</td>
<td>Changed academic reference to professional, academic, or elder/community - students are reluctant to ask ppl for references</td>
<td>Funds tuition, books, fees, living expenses eligible, will hold session to explain application process and eligibility. Will change deadline from April 1 to May 1. Automated incomplete notice if apply without all info. Funds will now be provided at start of term instead of lump sum. Will host workshop in spring to raise awareness and provide application support</td>
</tr>
<tr>
<td>Number of students funded who wouldn't otherwise be able to attend school. Merit and need considered?</td>
<td>Not in place but offered additional money in 2018. Only 8 applied.</td>
<td>Say it's merit based but do help with students who don't have adequate M funding - 85%</td>
<td>5 of 13 have full tuition covered by Musqueam Education so get assistance with other things.</td>
</tr>
<tr>
<td>---</td>
<td>---</td>
<td>---</td>
<td>---</td>
</tr>
</tbody>
</table>

**Apprenticeship Program**

<table>
<thead>
<tr>
<th>Indicators</th>
<th>2017</th>
<th>2018</th>
<th>2019</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of apprenticeships with active Musqueam participants at end of year</td>
<td>N/A</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>Number of Musqueam trades helpers at end of year</td>
<td>N/A</td>
<td>2</td>
<td>2 (exposed to environment, met mentors, got experience, both pursuing apprenticeships next year)</td>
</tr>
<tr>
<td>Number of applicants or members who expressed interest. If didn't follow-through, reasons?</td>
<td>N/A</td>
<td>7 interviewed, 5 backed out because didn't want to do schooling/tests</td>
<td>No additional but both Trades Helpers are going to pursue apprenticeships in 2020</td>
</tr>
<tr>
<td>Opportunities communicated via what channels? Number of points of direct and indirect contact</td>
<td>N/A</td>
<td>Same as scholarship, some direct outreach by RM</td>
<td>Same as 2018 + E&amp;T Career fair</td>
</tr>
<tr>
<td>Are YVR managers supportive and responsiveness to unique needs? Any changes made to program year to year?</td>
<td>N/A</td>
<td>Yes, all specialized for Musqueam - didn't have apprenticeship program for 11 years. Designed program for Musqueam - had to do assessments before hired, then 6-month probation, then schooling</td>
<td></td>
</tr>
<tr>
<td>Apprenticeship support services available?</td>
<td>N/A</td>
<td>RM supports, Managers support, mentors support - when in school will get a tutor</td>
<td>RM supports, Managers support, mentors support - tutor when in school</td>
</tr>
<tr>
<td>Types of apprenticeships</td>
<td>N/A</td>
<td>Electrician and Heavy Duty Mechanic</td>
<td>Heavy Duty Mechanic</td>
</tr>
<tr>
<td>Amount of training or certification each apprentice received at YVR</td>
<td>N/A</td>
<td>Security clearances (1 issue because of past criminal record and can't go airside)</td>
<td>2nd year apprenticeship hours completed</td>
</tr>
<tr>
<td>Employment and Contracting Opportunities</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>-----------------------------------------</td>
<td>----------------</td>
<td>----------------</td>
<td>----------------</td>
</tr>
<tr>
<td>Number who received promotions at YVR or left for higher paying/ more stable jobs</td>
<td>N/A</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Number of Musqueam member employees on Airport lands (at end of year)</td>
<td>N/A</td>
<td>88</td>
<td>90</td>
</tr>
<tr>
<td>Number of Musqueam member employees at YVRAA (at end of year)</td>
<td>N/A</td>
<td>5</td>
<td>11</td>
</tr>
<tr>
<td>Number of Musqueam member employees per contractor</td>
<td>N/A</td>
<td></td>
<td>See YVR Job Data tab</td>
</tr>
<tr>
<td>Proportion of all Airport (YVRAA and contractor employees who are Musqueam (Musqueam employees/YVR employees)</td>
<td>N/A</td>
<td>1%</td>
<td>1%</td>
</tr>
<tr>
<td>Proportion of Musqueam community (working age) employed on Airport lands (Musqueam employees at YVR/ working age Musqueam community)</td>
<td>N/A</td>
<td>10%</td>
<td>10%</td>
</tr>
<tr>
<td>Total cumulative number of applicants for all Airport</td>
<td>N/A</td>
<td>127 by end of year</td>
<td>200 by end of year</td>
</tr>
<tr>
<td>Number of members per category of job at YVRAA (e.g. entry-level, executive level)</td>
<td>N/A</td>
<td>No data</td>
<td>6 junior or entry-level, 5 mid-level administrative, 2 specialist/ manager</td>
</tr>
<tr>
<td>Number of members who have received promotions at YVR or left for higher paying/ more stable jobs</td>
<td>N/A</td>
<td>No data</td>
<td>1 moved, some leave and come back, some don’t take promotions but get raises, 2 trades helpers, 1 Office Coordinator moved up (entry level to get knowledge about organization to prep them to move into other positions). Many get off SA and get full-time work, some take months to get through security and training (e.g. G4S 3-4 month training)</td>
</tr>
<tr>
<td>---</td>
<td>---</td>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>Opportunities communicated via what channels?</td>
<td>N/A</td>
<td>Newsletter, Facebook, YVR website, Musqueam Job Fair</td>
<td>Newsletter, Facebook, YVR website, Musqueam Job Fair</td>
</tr>
<tr>
<td>Support provided by Musqueam Employment &amp; Training staff for Musqueam job applicants/ businesses &amp; contractors</td>
<td>N/A</td>
<td>Assist with resumes and references, fund and provide necessary gear and transit fare, assist with completing onboarding paperwork including intensive security clearance process, assist with arranging daycare, help people obtain identification and bank accounts, support interview process and employment retention through Elder mentorship program</td>
<td>Assist with resumes and references, fund and provide necessary gear and transit fare, assist with completing onboarding paperwork including intensive security clearance process, assist with arranging daycare, help people obtain identification and bank accounts, support interview process and employment retention through Elder mentorship program</td>
</tr>
<tr>
<td>YVR management staff supportive and responsiveness to unique needs?</td>
<td>N/A</td>
<td>Yes, e.g. waiving gr 12 as req for hiring by YVRAA and contractors</td>
<td>Able to attend funerals if help with it but use vacation day or make-up hours</td>
</tr>
</tbody>
</table>

**Contracting**

<table>
<thead>
<tr>
<th>Indicators</th>
<th>2017</th>
<th>2018</th>
<th>2019</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of Musqueam businesses in supplier database</td>
<td>0</td>
<td>3 businesses, 11 other independent contractors</td>
<td>4 businesses (JB Horizons with limited partnership (because need safety plan and certifications), Salish Environmental, Delta Tech, Salish construction), 20+ other independent contractors</td>
</tr>
<tr>
<td>--------------------------------------------------</td>
<td>---</td>
<td>------------------------------------------------</td>
<td>--------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Number of businesses that have completed certifications</td>
<td>3</td>
<td>4</td>
<td></td>
</tr>
</tbody>
</table>

### Other Business Opportunities

<table>
<thead>
<tr>
<th>Indicators</th>
<th>2017</th>
<th>2018</th>
<th>2019</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of other business opportunities referred to RM</td>
<td>0</td>
<td>0</td>
<td>4</td>
</tr>
<tr>
<td>Number of other business opportunities under discussion with Musqueam</td>
<td>0</td>
<td>0</td>
<td>4 - Hotel, hangar, business ctr, Musqueam-caught seafood supply to restaurants</td>
</tr>
<tr>
<td>Number of other business opportunities proceeding/ signed</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

**Business opportunities protocol developed?**
- **Implemented? Functioning effectively?**
  - No
  - Not yet

Protocol developed and reviewed by RC. Working Group established w reps from MIB and YVRAA to oversee, met in May - all business ops available for M partnership if originate w YVR or tenant, flows through Mary who evaluates and takes proposal to RC, if MIB goes to Council. M can invest. M business ideas are considered.

<table>
<thead>
<tr>
<th>Number of Musqueam members benefitting from opportunities</th>
<th>0</th>
<th>0</th>
<th>0</th>
</tr>
</thead>
<tbody>
<tr>
<td>Revenues from other business going to Musqueam administration annually</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>
Appendix C.

Musqueam Research Permit

Musqueam Indian Band
6735 SALISH DRIVE
VANCOUVER, BC V6N 4C4
TELEPHONE: 604-263-3261
FAX: 604-263-4212

MUSQUEAM INDIAN BAND
PERMIT TO CONDUCT RESEARCH
IN MUSQUEAM TRADITIONAL TERRITORY

PERMIT NUMBER _MIB-19-100-EDU_

This is to certify that the Musqueam Indian Band Council authorizes

______________________________
Jessica Carson MA Candidate in Urban Studies, SFU
(Name of Researcher)

To conduct educational research in Musqueam Traditional Territory.

To learn more about the Musqueam – YVR Sustainability and Friendship Agreement and to
assess how it is doing at meeting Musqueam’s goals

(Research description if applicable)

Consisting of: investigating Musqueam-YVR relationship, reviewing publicly available documents,
interviews and focus groups with Musqueam staff, and councilors as well as representatives from YVR

Subject to the following conditions:

1. The Permit Holder will obtain prior approval and make all necessary arrangements for
   the final deposition of research materials, upon authorization from the Musqueam Band
   Referrals, Research and Engagement Coordinator or designate and any associated
documentation with the

   Musqueam Indian Band Archives & SFU Summit repository
   (Name of approved repository)

2. The Permit Holder will review, with persons designated by the Musqueam Band
   all film, audio recordings, images, and documents generated during the period of this
   permit to properly determine which field documents should be copied for deposit with the
   Musqueam Indian Band Archives.

3. The Permit Holder will adhere to all Policies of the Musqueam Indian Band relating to
   heritage resources.

4. The Permit Holder will adhere to the standards and guidelines accepted by the
   Musqueam Indian Band.

Other: _See attached for full project description_
Musqueam Indian Band

6735 SALISH DRIVE
VANCOUVER, BC V6N 4C4
TELEPHONE: 604-263-3261
FAX: 604-263-4212

Time Frame and Other Terms:

The duration of this permit is from January 7, 2019 – October 31, 2019 inclusive, to review, edit, prepare, and finalize materials.

This permit is subject to review, revision, extension or cancellation at the discretion of the Referrals, Research and Engagement Coordinator or other person designated by Musqueam.

The Permit Holder will:

- Contact the Musqueam Indian Band representative; Larissa Grant, Referrals, Research and Engagement Coordinator of the Title and Rights Department before commencing work.

- Report periodically to Larissa Grant on the status and nature of research to date.

- Adhere to all policies of the Musqueam Indian Band relating to research and heritage resources and confidentiality as they apply to the project proposal.

- Contact Larissa Grant, or other designated person, prior to contacting any band members. Where it is determined appropriate, Larissa will provide appropriate contacts, introductions, and guidelines as necessary for acquiring individual consent prior to any interview or contact.

- Conduct research and present research, data and results in a culturally appropriate and positive or constructive manner in collaboration with the project supervisor and Musqueam representative.

- Maintain confidentiality of individuals and their information unless the individuals give and express written release; ensure observers are informed they are not authorized to reproduce the language, ceremony or related activities.

- A copy of all research data and materials will be provided to the Musqueam Indian Band archives and each participant will be provided a copy of the information they provide.

- The Permit Holder agrees to destroy all film, audio recordings, images, and documents generated from the project unless the interviewee asks for them to be held “in trust” by the MIB Archives.

- A copy of the final thesis will be provided to MIB Archives

ADDITIONAL PROTOCOLS ADDED AS REQUIRED