

POST-MARSHALL IMPLEMENTATION:

A REPORT OF PROGRESS AND FUTURE EXPECTATIONS FOR THE
ATLANTIC POLICY CONGRESS

JULY, 2005

ACKNOWLEDGEMENT:

The authors want to thank the APC, most notably John G. Paul, Cheryl Knockwood, Heather Tubman, Oasoeg Milliea and Georgianna Barlow for their tireless efforts in making this study possible. We are also very grateful for the fulsome cooperation and support we received from government officials, notably from the Department of Fisheries and Oceans and the Department of Indian Affairs and Northern Development. Finally, our sincere thanks to the First Nation representatives who put both time and considerable thought into the completion of the multiple surveys undertaken this year.

REPORT OUTLINE

- ❑ Introduction

- ❑ Section 1: MMP First Nations' Survey Responses Re: Participation in Fisheries Management and Post Marshall Implementation

- ❑ Section 2: Emerging Policy Issues Re: Harvesting

- ❑ Section 3: Emerging Policy Issues Re: Management

- ❑ Section 4: Administrative Considerations

- ❑ Section 5: Observations for Future Action

- ❑ Appendices
 - A. Survey Questionnaires and Methodology
 - B. Population Data, Atlantic First Nations
 - C. Additional Information re: Proposed Fisheries Network
 - D. AAROM Program Parameters

EXECUTIVE SUMMARY

INTRODUCTION

In 2000, the Atlantic Policy Congress (APC) commissioned a study to determine how Mik'maq, Maliseet and Passamaquoddy (MMP) First Nations saw themselves moving into a more permanent role in fish harvesting and management commensurate with their treaty rights. As the study was conducted post the Marshall Judgement of the SCC but prior to the negotiation of interim agreements under the Federal Government's Post-Marshall Implementation Measures, it captured highly useful benchmarks of both the fisheries participation rate at the time as well as First Nation aspirations for growth in this sector reflective of the Marshall decision.

The 2000 study was based largely on a detailed survey that was conducted at the community level by APC officials.

In 2005, the APC decided to re-visit this initial work in order to track progress. The following report reflects information collected earlier in 2005 and describes a number of major considerations that First Nations and Federal Government must face and address together in order for Atlantic First Nations to achieve a thriving and sustainable presence in fisheries harvesting, management and other fisheries related commercial activities.

Thanks to the excellent participation of APC administrators once again, we had an over 80% response rate to the 2005 fisheries survey, compared to 70% in 2000. In keeping with the instructions provided in the survey, all responses have been aggregated to protect the confidentiality of individual survey responses. This year we also introduced a second survey to gauge knowledge, satisfaction and effectiveness among First Nations with respect to aspects of the Federal Government's Post-Marshall Implementations Measures. Again, the response rate was impressive at approximately 58% and offered useful insights into the perceived impact of these measures.

Beyond outlining the 2005 survey results, this report attempts to array its findings, make comparisons with 2000 and present both against a backdrop of pertinent demographic, social, economic and commercial data. By examining findings within these contexts, the report identifies what we believe will be possible opportunities and concerns to be addressed in the near future.

Before we move into our findings, the authors want to offer some initial observations about elements of the Post-Marshall Implementation initiative that eclipse while informing all of the individual findings that follow.

First, it must be noted that the expression of treaty rights through the transfer of commercial fishing assets to function within the existing regulatory framework is a very difficult fit. The fact that numerous interim, without prejudice, agreements were

reached between the Federal Government and MMP First Nations is a tribute to the flexibility and responsiveness of the parties. Significant changes in access within the Atlantic commercial fisheries sector were achieved with very little social or economic disruption.

This report will reflect the considerable benefits that have flowed to First Nations. There is more revenue, more jobs and many First Nations individuals trained to assume these positions. It will also outline areas where further work must be done to improve the productivity of assets transferred and to enhance the “fit” between treaty rights and the current commercial regulatory regime. As well, it will sketch out a general direction for growth and development in fisheries management and harvesting over the next five years.

The leadership of MMP First Nations and the Federal Government that has brought about the positive impacts experienced to date must now be prepared to continue to seek accommodations that will build on this success.

By necessity, the vast scope of the study and methodology requires that its findings be regarded as broad indicators of impacts only as opposed to precise measures. Nonetheless, it is the hope of the authors that this report, through the considerations it raises, will assist the formulation of common strategies to move forward on the joint goal of ensuring meaningful fisheries participation for MMP First Nations now and into the future.

SECTION 1 – ATLANTIC FIRST NATIONS’ SURVEY RESPONSES RE: PARTICIPATION IN FISHERIES MANAGEMENT AND HARVESTING AND POST MARSHALL ADMINISTRATION

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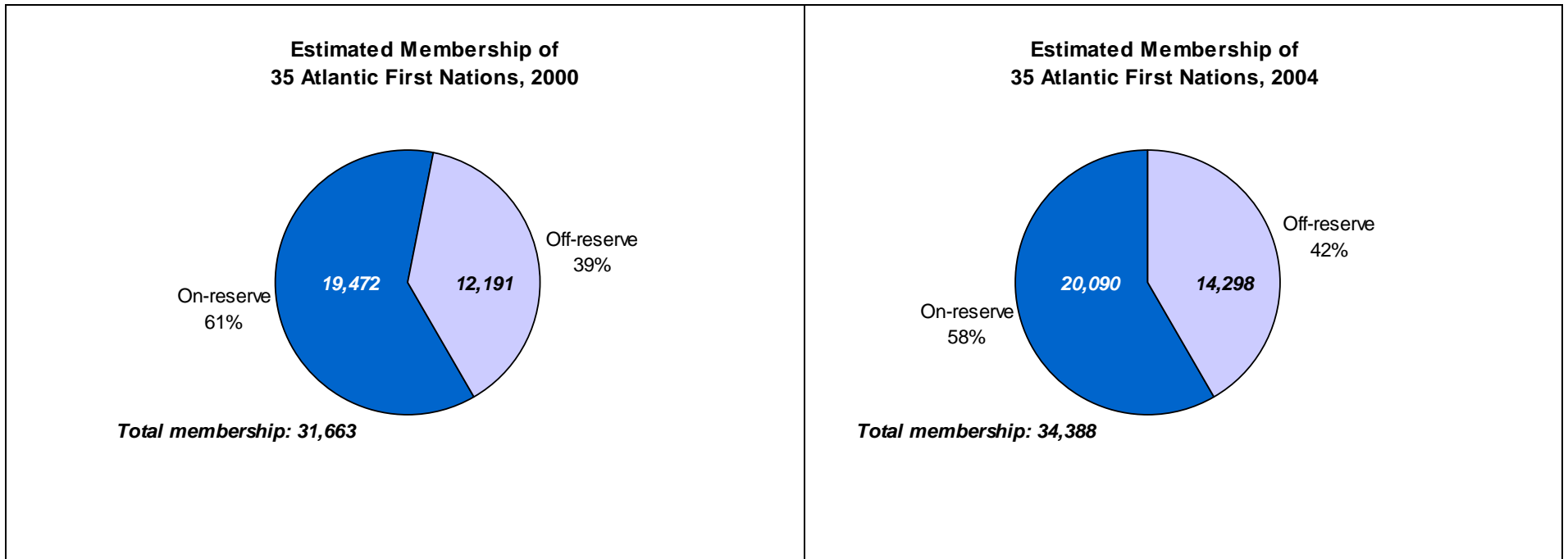
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Section 1: MMP FIRST NATIONS' SURVEY RESPONSES

RE: PARTICIPATION IN FISHERIES MANAGEMENT AND
POST-MARSHALL ADMINISTRATION

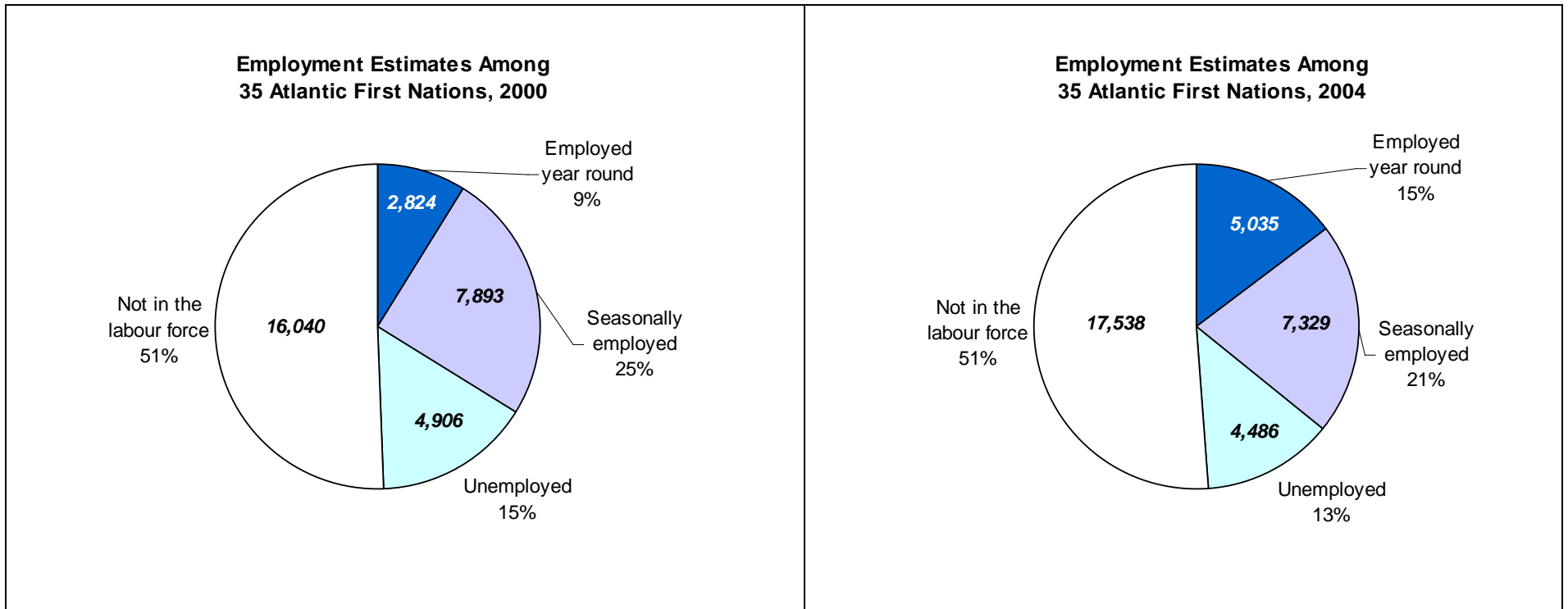
A1. POPULATION:

The membership of the 35 First Nations grew by 8.6% since 2000, compared to a decline in the Atlantic region generally.



A2. EMPLOYMENT:

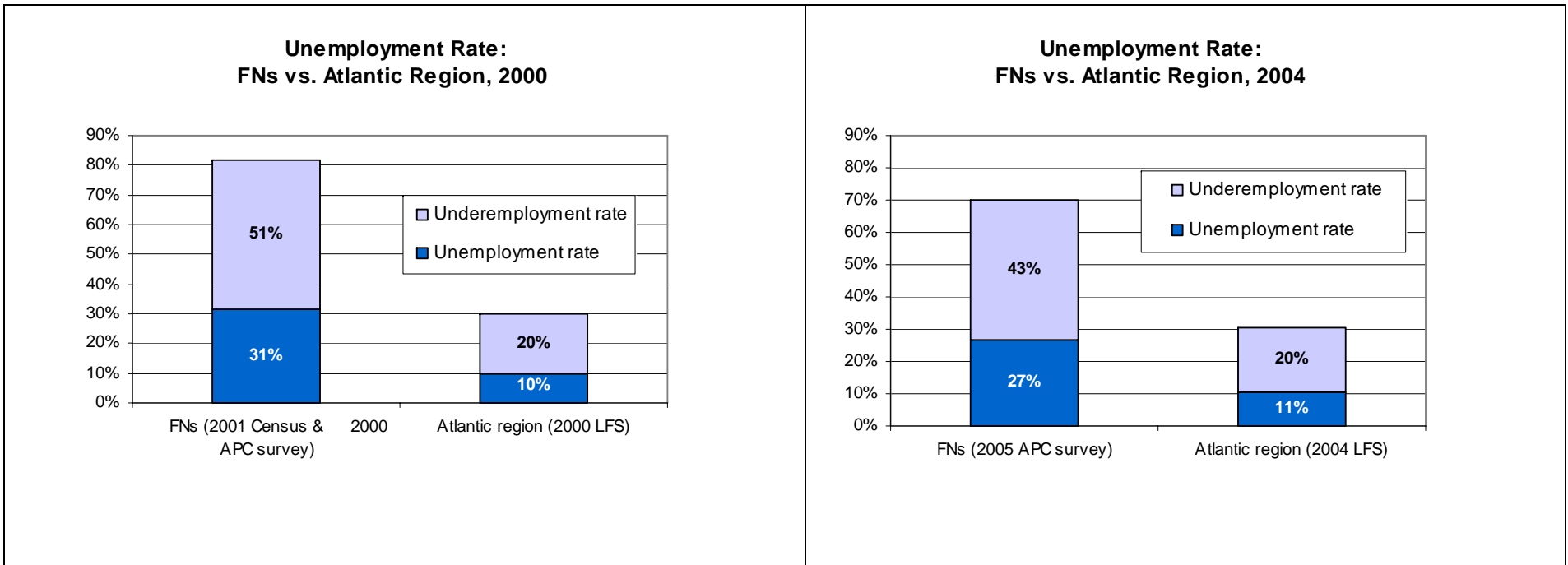
Although employment rates derived from the survey are only an indicator, it would appear that between 2000 and 2004 there was considerable improvement in employment, particularly year-round employment. This is even more impressive when considered in light of the high percentage of new labour entrants.



A3. UNEMPLOYMENT

The significant growth in employment lowered considerably the unemployment rate among the 35 communities. However, the situation is still considerably worse than the provincial average, especially if under-employment is factored in.

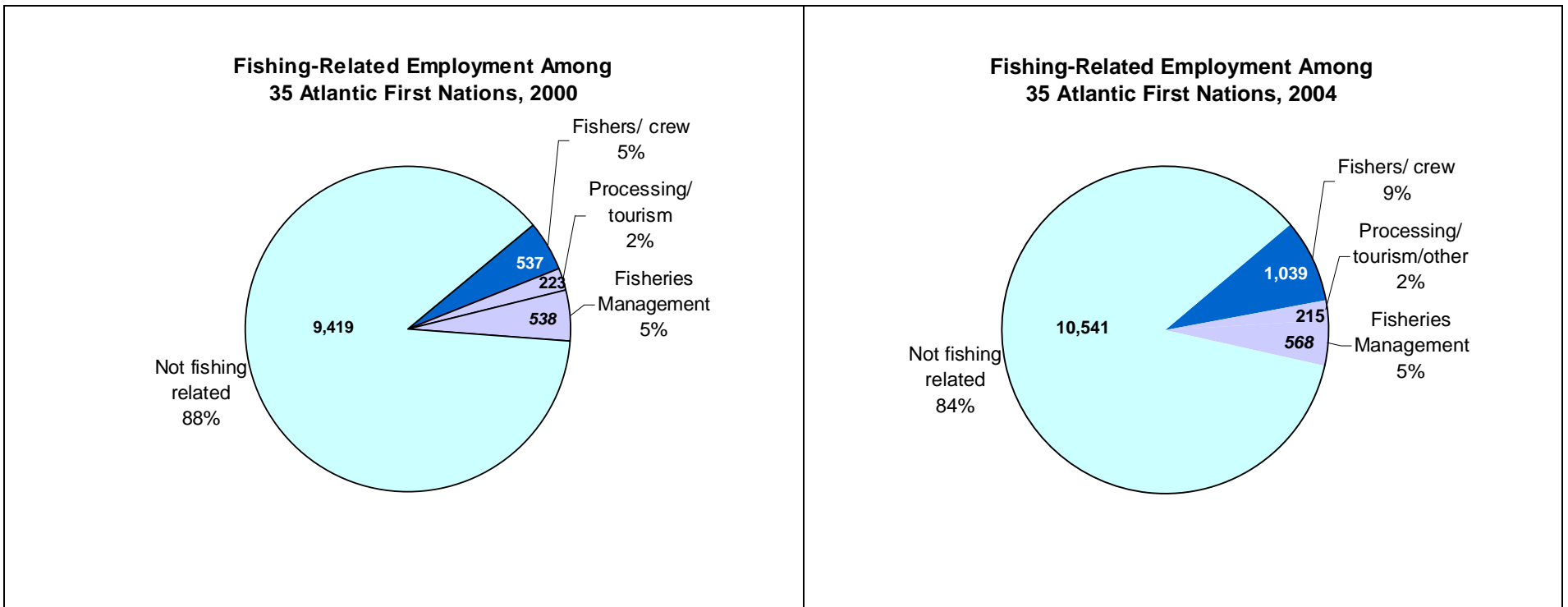
Between 2000 and 2004, the First Nation unemployment rate declined from 31% to about 27%. However, the unemployment rate is still two and half times higher than in the rest of the Atlantic region much greater still if underemployment is considered.



A4. EMPLOYMENT RELATED TO ATLANTIC FISHING

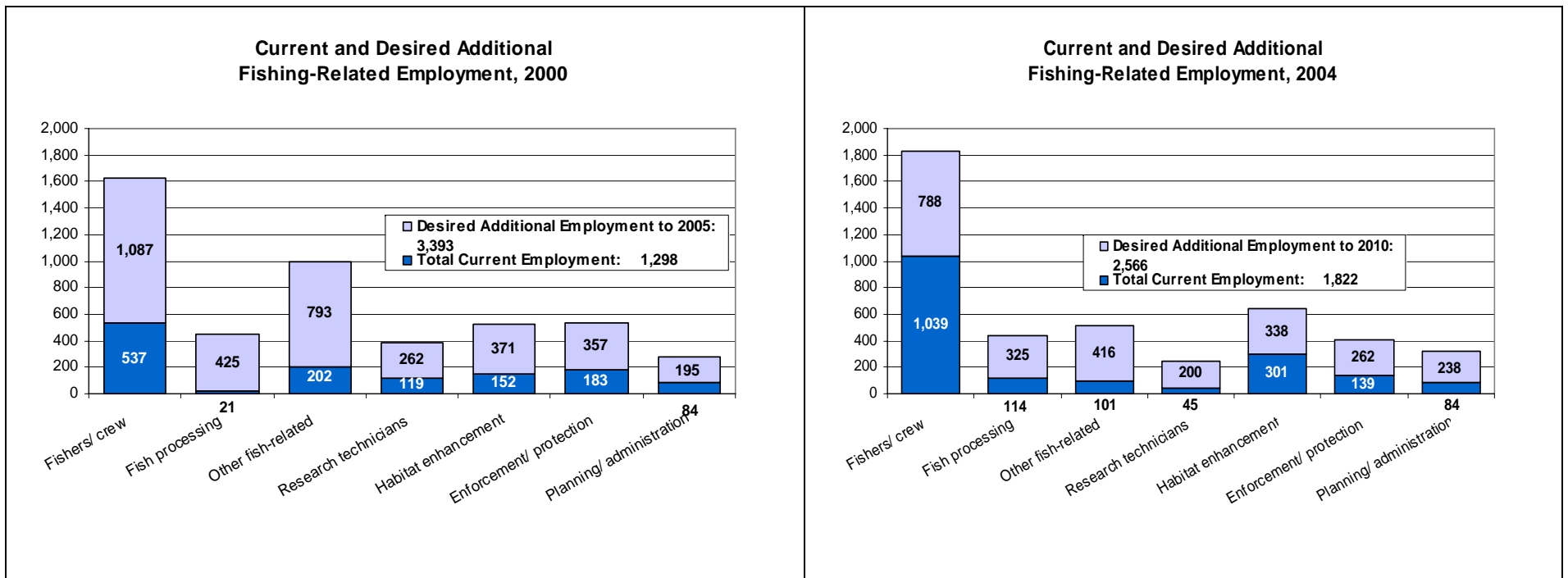
The number of fishing-related jobs increased by more than total employment (40% vs. 15%). This result can be attributed to the transfer of fishing licenses to FNs under Marshall agreements with doubled employment from harvesting. This is an underestimation of related job creation because it does not account for an expected “multiplier” effect.

However, fishing-related jobs still account for a relatively small percentage of all jobs, marginally higher than in 2000.



A5. EXPECTED ADDITIONAL GROWTH IN FISHERIES EMPLOYMENT BY 2010

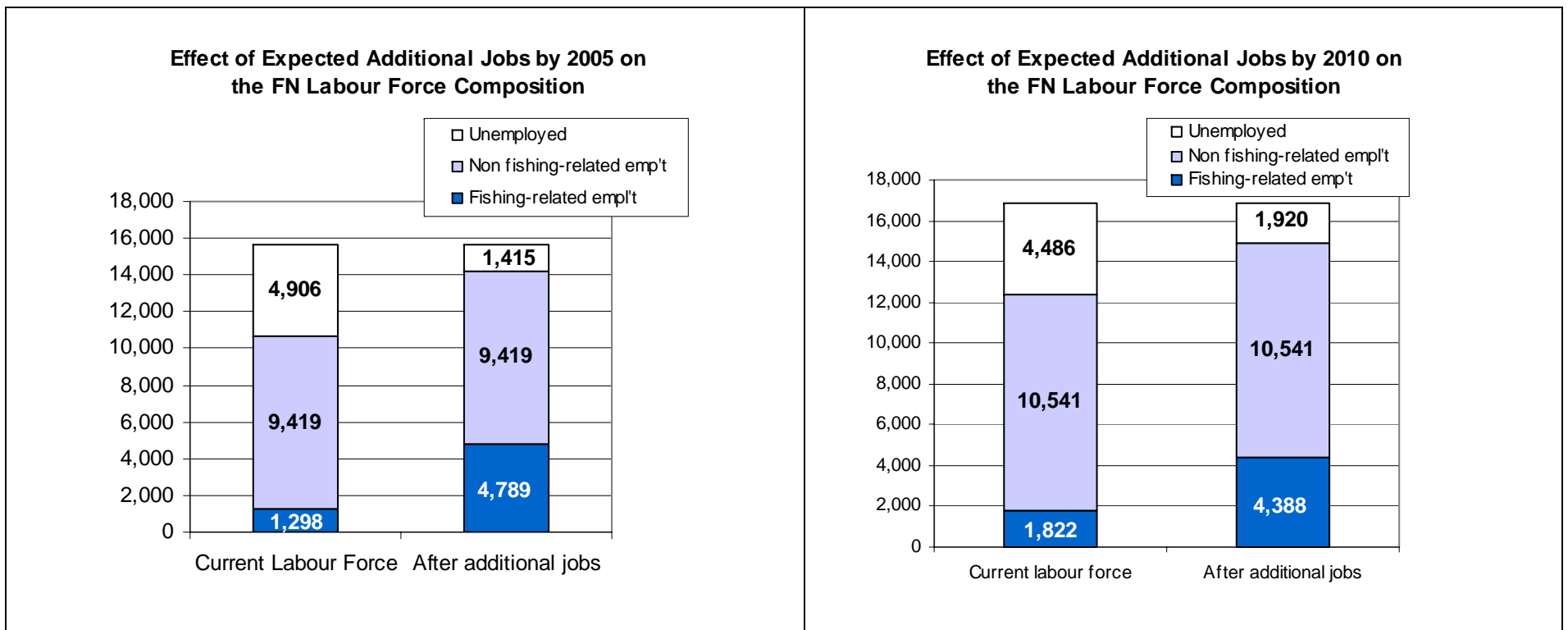
Significant gains in harvesting employment moved First Nations much closer to their stated 2000 expectations. Gains were also reported in habitat enhancement and research, but not in other categories of employment. While there remains a strong expectation of further growth, the desired margin of expansion has moderated in the face of greater experience in this sector. It is also noteworthy that proportionately First Nations going forward to 2010 are seeking more growth from management and related commercial activities than harvesting.



A6. IMPACT OF THE EXPECTED ADDITIONAL JOBS ON EMPLOYMENT

If all the expected additional jobs, the result could be a doubling of the current number of fishing-related jobs as well as significant spin-off employment. However, this is a very optimistic assumption as 1/3 of fishing jobs still go to non-FN individuals.

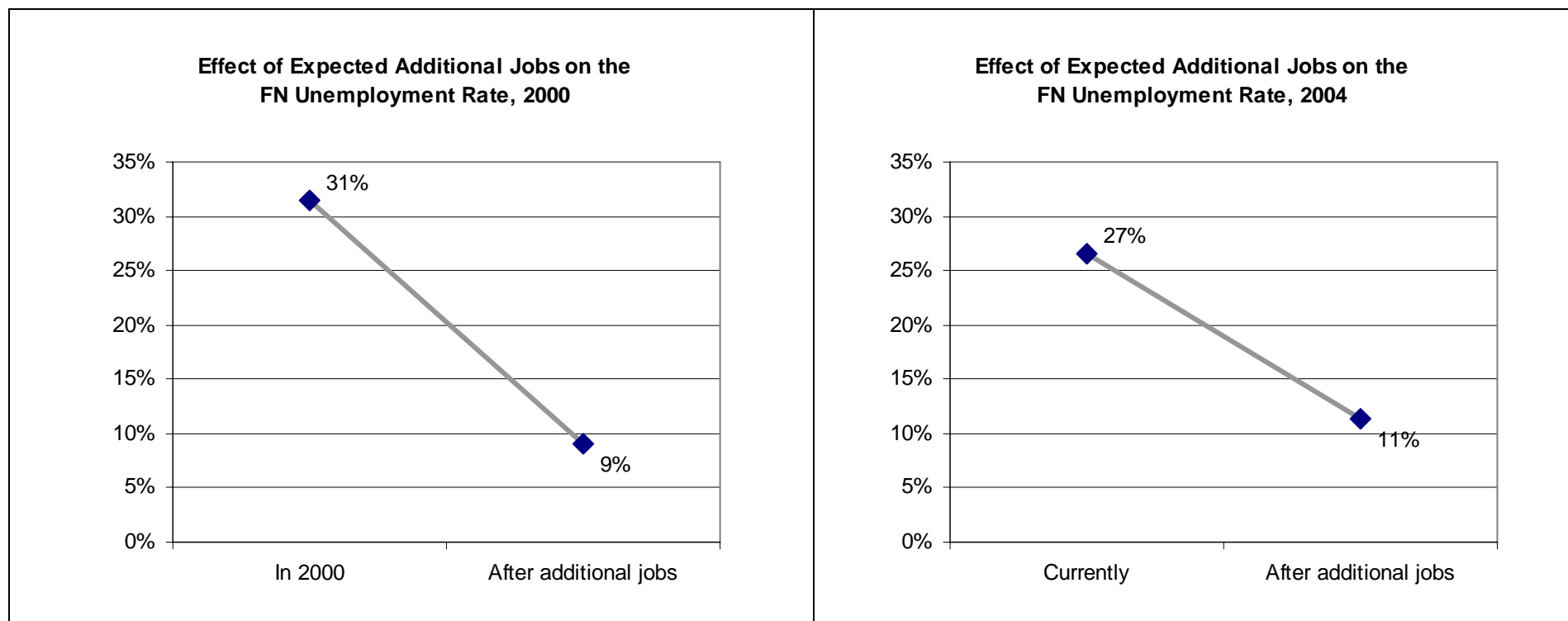
Respondents suggest the increase in fishing economic returns will not happen immediately or automatically. It will require extensive further effort in training and it will take time before the communities reach near the top of the learning curve and maximize their economic return from fishing licenses.



A7. IMPACT OF THE EXPECTED ADDITIONAL JOBS ON UNEMPLOYMENT

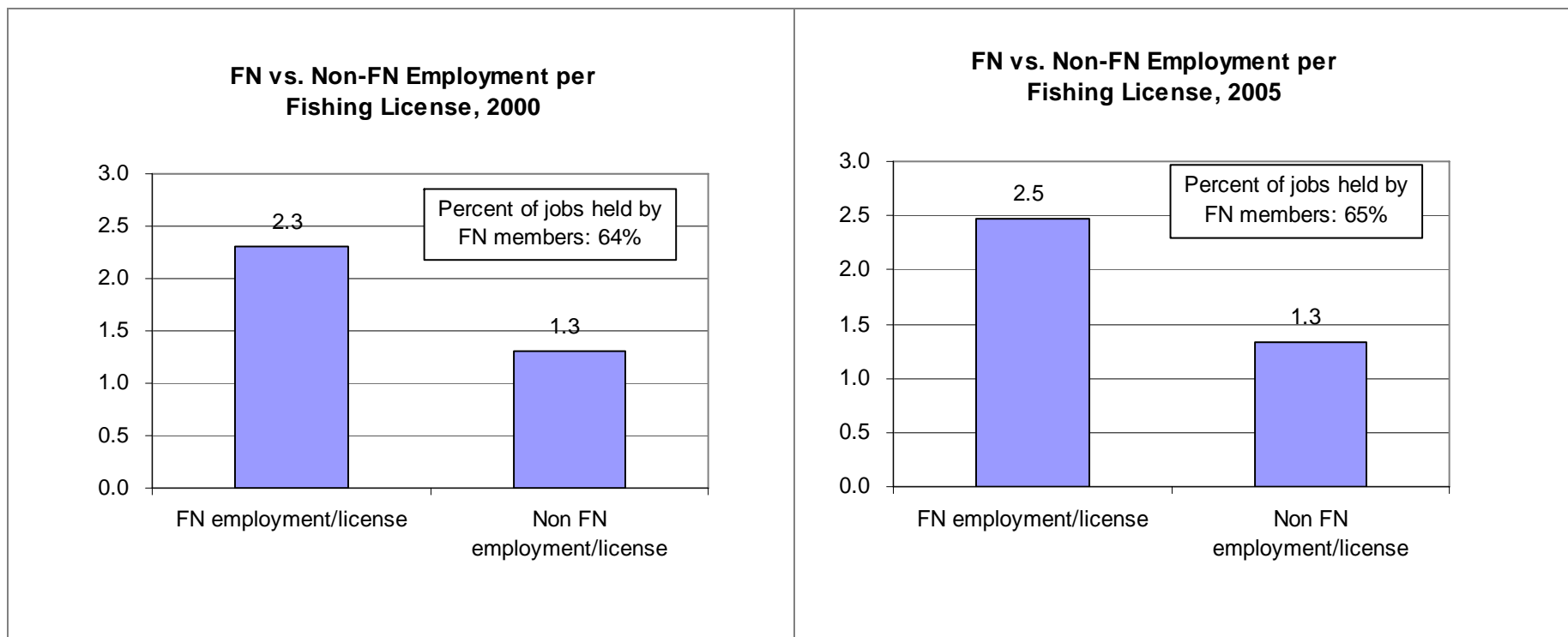
In theory, a doubling of fishing-related jobs could have a significant impact on the rate of unemployment. Under the simplistic assumptions that all new jobs go to members and that there is no further population growth, the rate of unemployment could drop to 11%, comparable to that in the rest of the Atlantic region. However, in reality the impact will be much smaller, for two main reasons:

- First, based on the experience so far, about one-third of the new harvesting jobs would likely go to non-members and significant numbers of licenses will be inactive.
- Second, and more importantly, given the fast population growth and age profile of Atlantic First Nations, there will be a continuous pressure for additional jobs to employ new entrants that exponentially exceeds labour market growth in the Atlantic region generally.



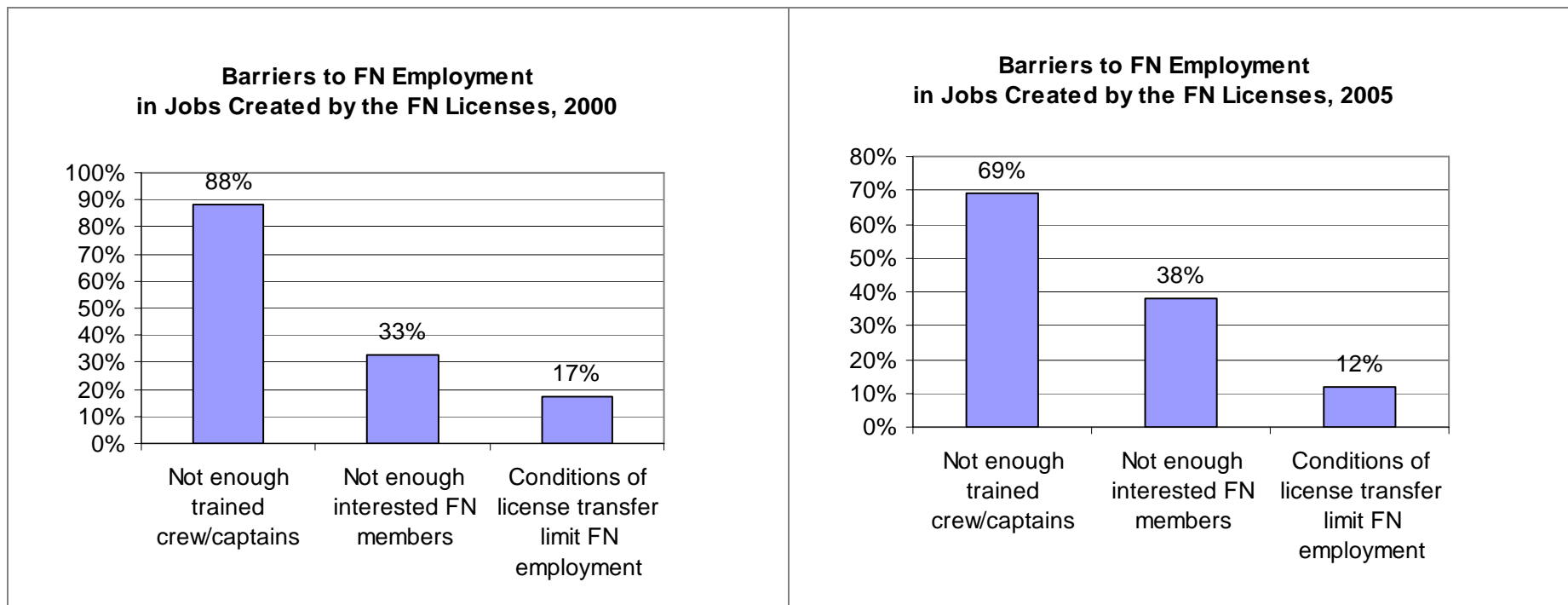
A8.FIRST NATIONS EMPLOYMENT: EMPLOYMENT PER LICENSE

The typical fishing license in 2005 creates 3.8 jobs. About one-third of the jobs go to non-members virtually the same as in 2000. However, it must be noted that over an additional 500 First Nation members are employed in harvesting since 2000 in large part due to the significant training efforts that have been made as well as the transfer of licenses.



A9. FIRST NATIONS EMPLOYMENT: BARRIERS TO CURRENT EMPLOYMENT OF FIRST NATIONS MEMBERS (HARVESTING)

Why one-in-three fishing jobs go to non-members? The most common reason cited continues to be "not enough trained crew and captains" although this has lessened since 2000. Other factors include lack of interest among FN members and conditions relating to the transfer of licenses.



A10. FISHERIES TRAINING, 2000 - 2005*

While lack of training is still identified as major barrier to employment significant training it would be useful to conduct a detailed evaluation of recent fisheries training initiatives to understand future requirements and possible synergies. Future training needs will be considerable and a comprehensive strategic plan should be formulated by First Nations.

1. Mentor Training Completed in 2004

To assist First Nations to learn skills to fish safely and effectively in inshore/midshore fisheries.

#'s of Trainees	Completion Rate	Cost
846	100%	\$4.2 M

2. Related Training Provided through Fisheries Agreements to 2006

#'s of Trainees	Completion Rate	Cost
1154	?	\$19.8 M

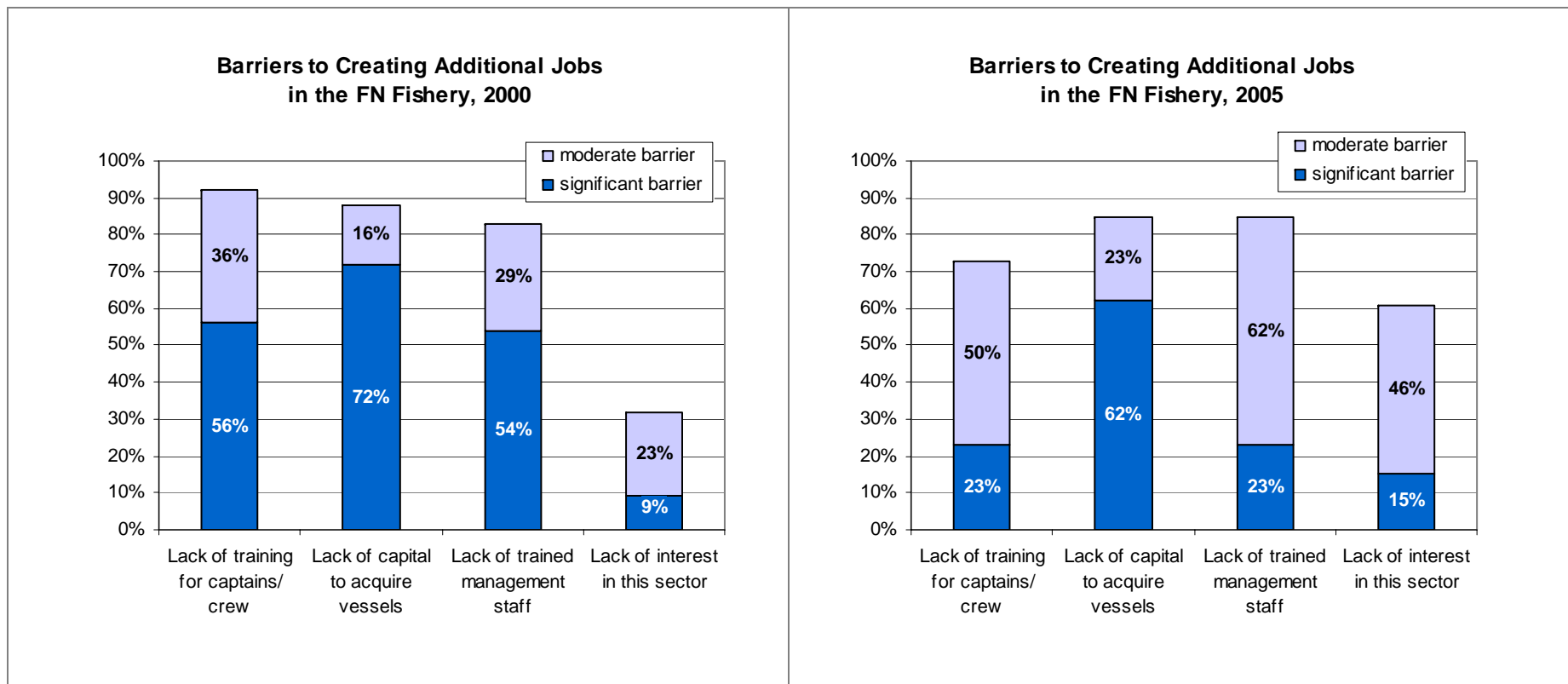
Total Targeted Training Funded (1 + 2)

#'s of Trainees	Completion Rate	Cost
2000	?	\$24 M

* Source, Aboriginal Affairs Directorate, DFO

A11. FIRST NATIONS EMPLOYMENT: PERCIEVED BARRIERS TO FUTURE FISHING EMPLOYMENT

Regarding the potential for harvesting and other growth of fishing-related opportunities in the future, lack of training and lack of capital to acquire vessels are now viewed as the primary obstacles in management. The issue of training of captain/crew while still a consideration is descending as a barrier.

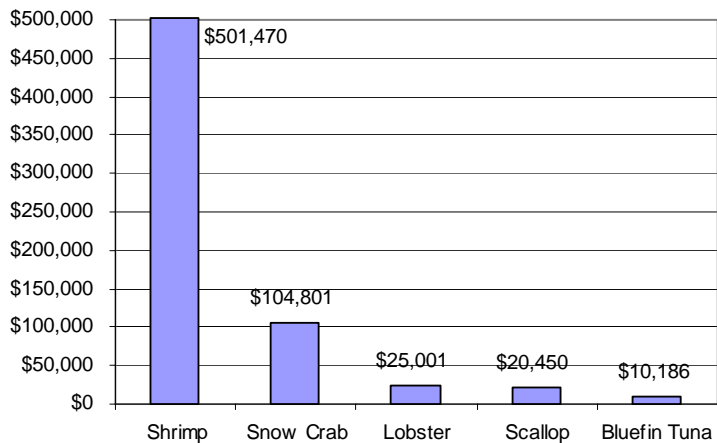


B - FISHING LICENSES AND COMMERCIAL OPPORTUNITIES

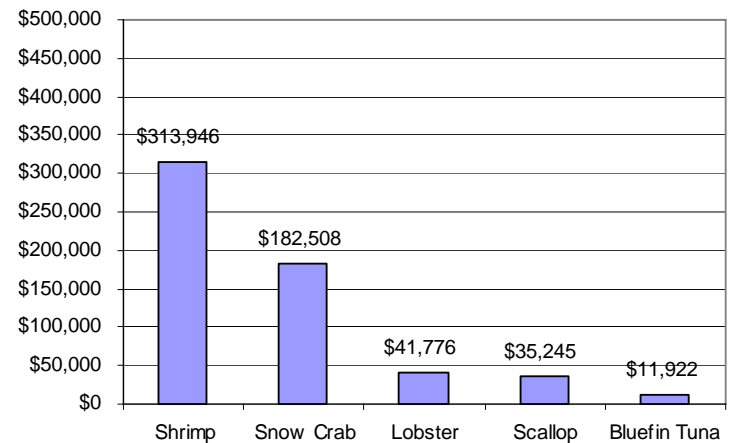
B1. ESTIMATED RETURN

The six most lucrative fisheries are listed below. It is important to note how volatile estimated returns are within commercial fisheries.

Estimated Economic Return of 2000 Licenses:
Selected Species (based on 1994-98 averages)



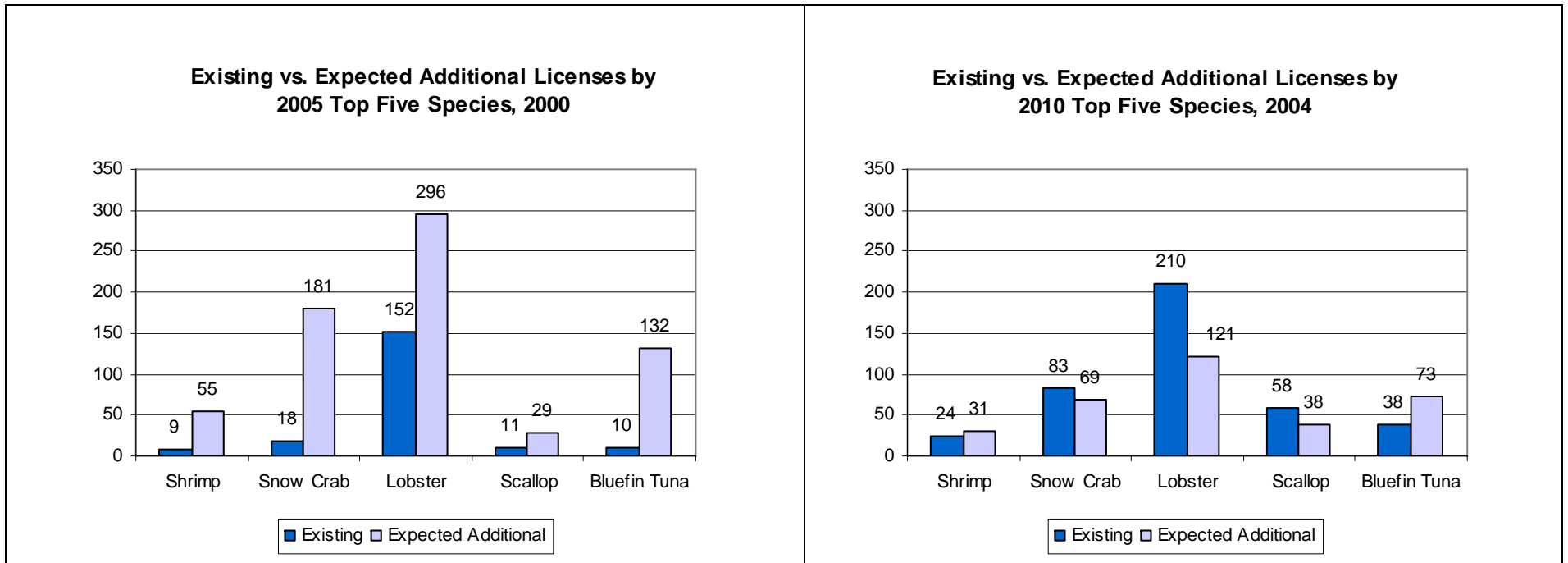
Estimated Economic Return Licenses in 2004
To Five Species (based on 2000-03 averages)



B2. EXISTING AND EXPECTED ADDITIONAL FISHING LICENSES – TOP SPECIES

There has been a change in the mix of existing and expected additional fishing licenses between 2000 and 2005.

In 2000, 54% of the expected additional licenses were for lobster, snow crab, and shrimp. Today, First Nations are looking for a more diversified range of licenses, presumably to address volatility issues. Expectation of future growth have also moderated.



B3. COMPARISON OF EXISTING AND EXPECTED ADDITIONAL FISHING LICENSES

Atlantic First Nations have experienced remarkable growth in license holdings across most species but still see room for expansion. Some anomalies were reported re: existing licenses that are being reviewed.

2000 Survey

2005 Survey

<i>Existing and Expected Additional Licenses by 2005</i>		
	2000 Existing	Additional
Bluefin Tuna	10	132
Eels	94	19
Gaspereau	13	8
Groundfish	16	50
Herring	35	82
Lobster	152	296
Mackerel	23	0
Pelagic bait	4	0
Scallop	11	29
Sea Urchin	21	46
Seals	3	0
Shrimp	9	55
Snow Crab	18	181
Rock Crab	15	59
Squid	3	4
Swordfish	5	17
Oyster	30	5
Mussels/ clams	97	0
Halibut (Turbot)	1	0
Smelt	11	0
Quahaug	2	0
Sea Cucumber	1	2
Pollock	1	0
Redfish	1	5
Shellfish	18	0
Total	594	990

<i>Existing and Expected Additional Licenses, to 2010</i>		
	2004 Existing	Additional
Bluefin Tuna	38	73
Eels	94	36
Gaspereau	48	33
Groundfish	64	63
Herring	127	50
Lobster	210	121
Mackerel	78	25
Pelagic bait	78	23
Scallop	58	38
Sea Urchin	37	33
Seals	1	11
Shrimp	24	31
Snow Crab	83	69
Rock Crab	44	17
Squid	16	10
Swordfish	34	31
Oyster	59	40
Mussels/ clams	66	48
Halibut (Turbot)	11	21
Smelt	75	57
Quahaug	6	38
Sea Cucumber	3	6
Pollock	7	17
Redfish	6	19
Shellfish	3	21
Total	1,269	931

B4. FIRST NATION LICENSES AS A SHARE OF ALL ATLANTIC LICENSES

This table illustrates that 2000 to 2004 study period has been volatile both in terms of total numbers of licenses as well as respective economic returns per license in the major fisheries.

FN Fishing Licenses as a Share of All Atlantic Licenses, 2000

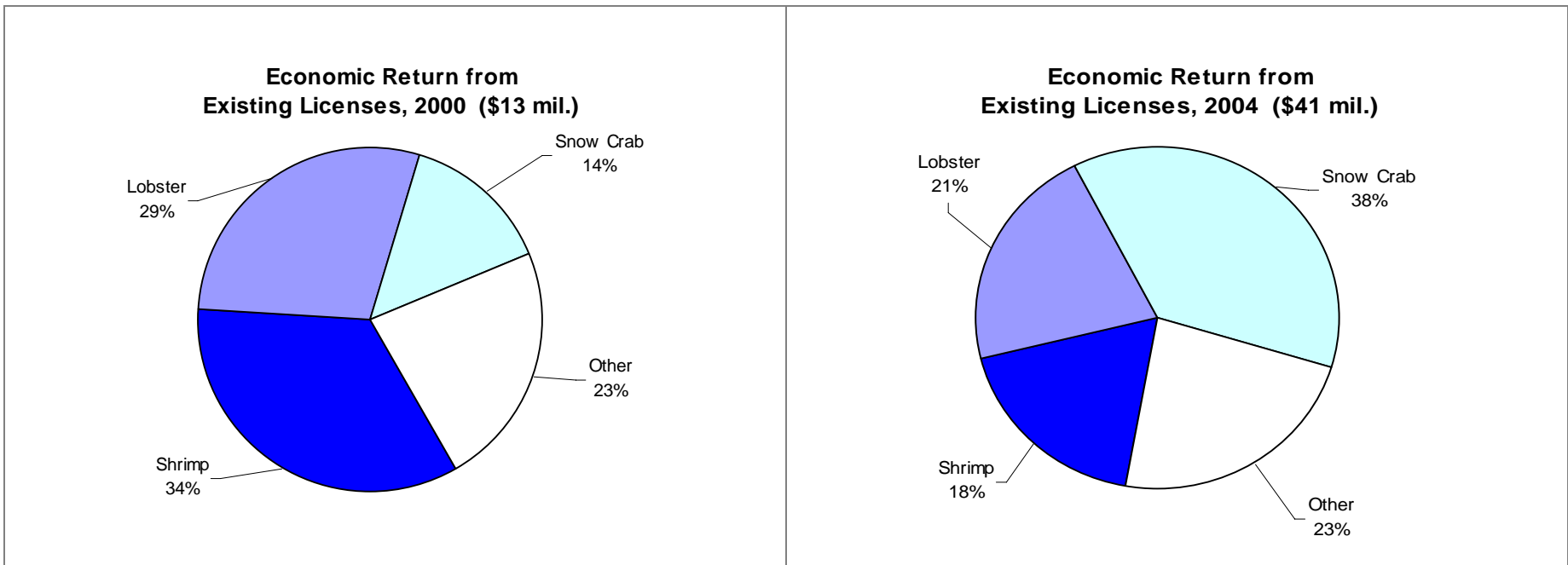
	FN licenses			Total Atlantic licenses	FN licenses as a share of total Atlantic licenses		
	Current	Expected Additional	Total		Current	Expected Additional	Total
Shrimp	9	49	58	334	3%	14%	17%
Snow Crab	18	162	180	2,565	1%	6%	7%
Lobster	152	273	425	8,862	2%	3%	5%
Bluefin Tuna	10	127	137	677	1%	19%	20%
Scallop	11	29	40	4,044	0%	1%	1%
Mussels/clams	97	0	97	3,807	3%	0%	3%

FN Fishing Licenses as a Share of All Atlantic Licenses, 2004

	FN licenses			Total Atlantic licenses	FN licenses as a share of total Atlantic licenses		
	Current	Expected	Total		Current	Expected additional	Total
Shrimp	24	31	55	584	4%	5%	9%
Snow Crab	83	69	152	1,770	5%	4%	9%
Lobster	210	121	331	9,770	2%	1%	3%
Bluefin Tuna	38	73	111	790	5%	9%	14%
Scallop	58	38	96	2,249	3%	2%	4%
Mussels/clams	66	48	114	2,800	2%	2%	4%

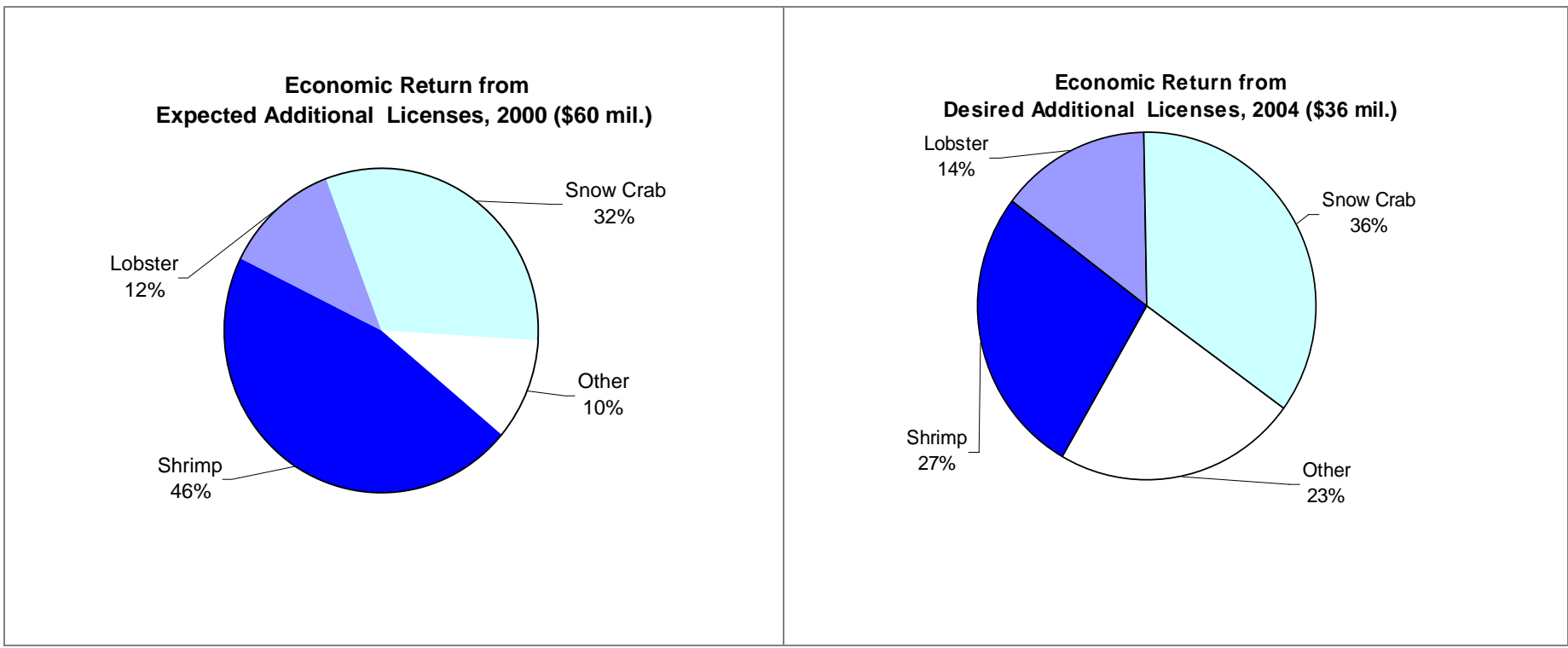
B5. REVENUES FROM FN FISHING LICENSES

Fishing licenses generated an economic return of about \$41 million in 2004, compared to \$13 million in 2000. Returns are now more concentrated in Snow Crab reflecting both the distribution of newly transferred licenses and significant market and stock abundance changes since 2000.



B6. EXPECTED GROWTH FROM REVENUE FROM ADDITIONAL FISHING LICENSES

It should be noted that when combined with current licenses in 2005, the total potential economic return will be approximately \$77 M annually if expected additional licenses are achieved (based on 2000-2003 average returns).



B7. IMPACT OF EXISTING AND EXPECTED ADDITIONAL FISHING LICENSES ON FN INCOMES

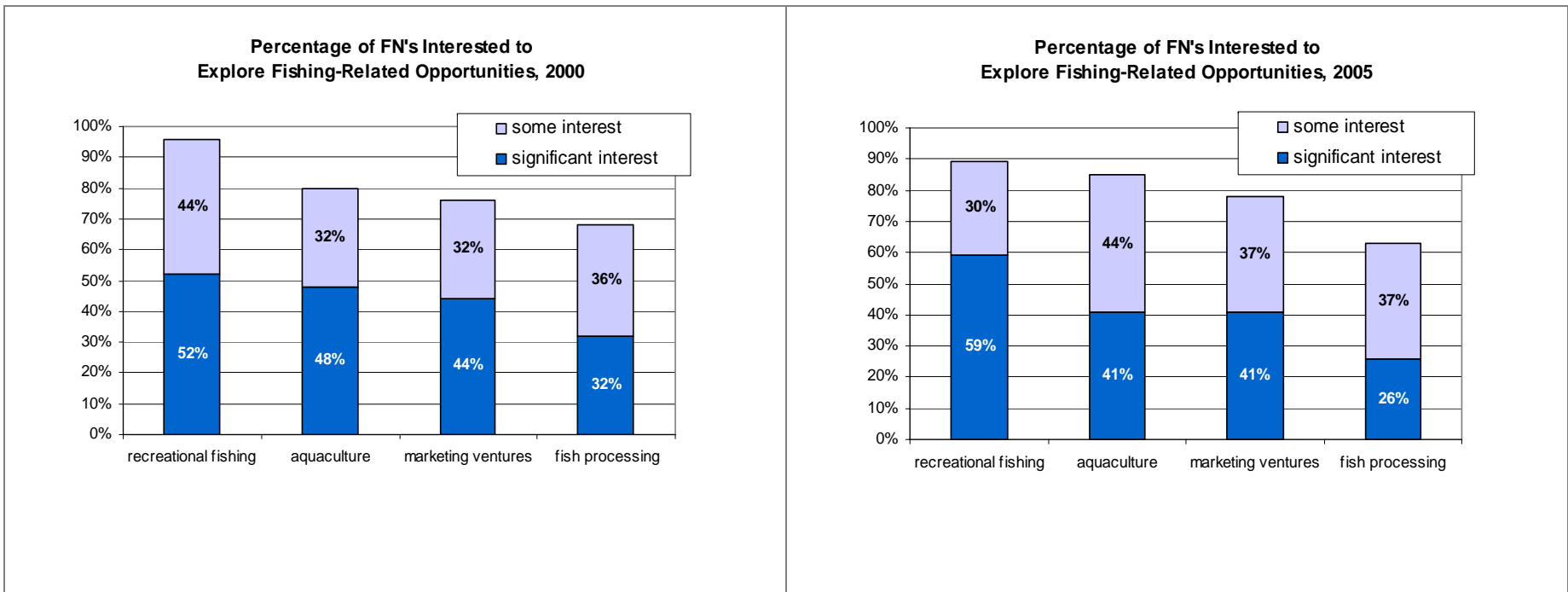
The transfer of licenses to date has had a positive impact on incomes lowering income gap by 9% from direct revenue. However, even with the current and expected growth in incomes derived, First Nation incomes on average will lag Atlantic average incomes by over 25%.

Potential Impact of Fishing Licenses on the Household Income Gap Between FNs and the Rest of Atlantic Region. 2004	
Total fishing economic return (\$mil.)	2004
- from current licenses	\$41.0
- from desired additional licenses	\$35.5
Population	2004
- total membership	34,388
- average household size	3.4
- number of households	10,114
Fishing economic return per household	2004
- from current licenses	\$4,050
- from desired additional licenses	\$3,513
Average household income (Census)	2001
- FN's	\$27,141
- Atlantic Region	\$47,618
- Income gap	\$20,477
Income gap	2001
- actual income gap in 2001	43%
- after inclusion of economic return of current licenses	34%
- after inclusion of economic return of additional licenses	27%

B8. FIRST NATIONS' INTEREST IN DEVELOPING FISHING-RELATED OPPORTUNITIES

Despite the barriers, it is encouraging that respondents see a strong interest in their communities for developing job opportunities beyond fish harvesting -- such as recreational fishing, aquaculture (where possible), fish processing, and marketing ventures.

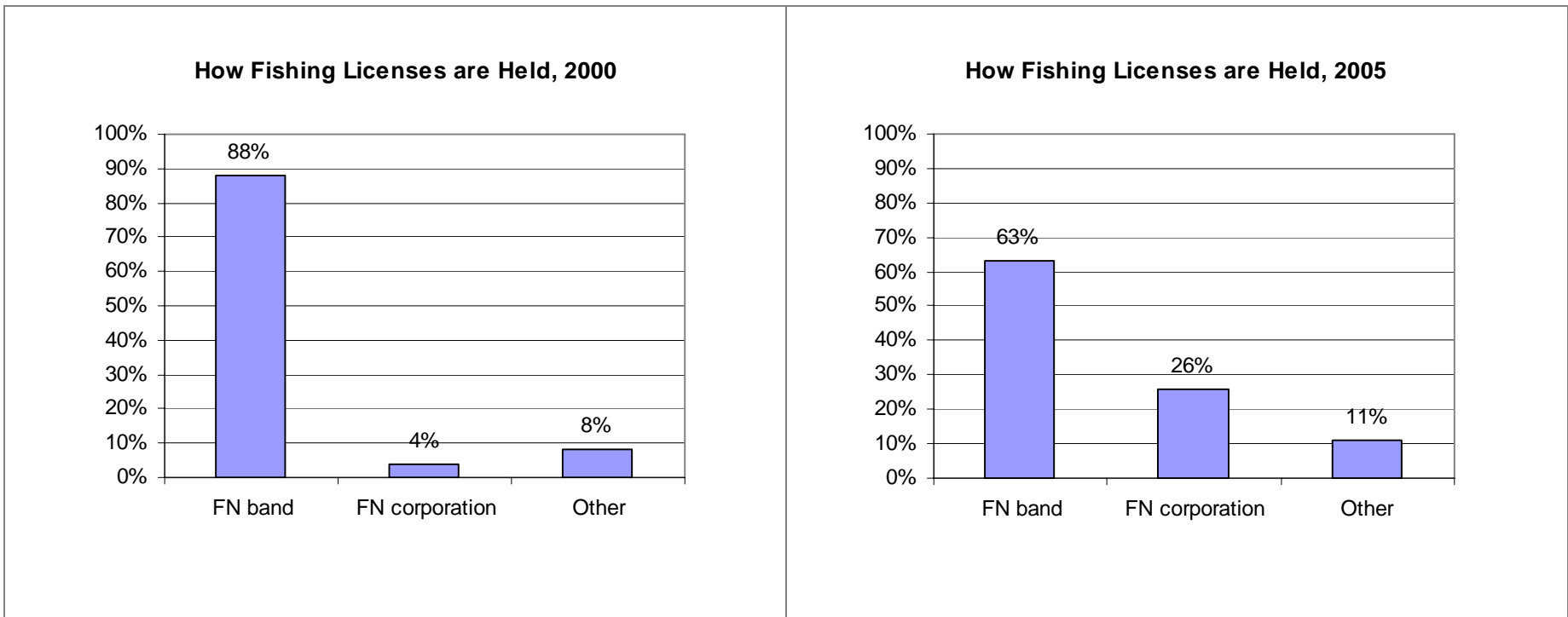
Given the desperate lack of job opportunities among FN's, it is essential that in addition to the transfer of adequate harvesting resources, every effort is made to fully capitalize potential spin-off opportunities as well as harvesting endeavours. As shown on page 12, except for modest progress in processing, these spin-offs are not being captured yet despite First Nation's increasing presence in the fishery.



C. GOVERNANCE

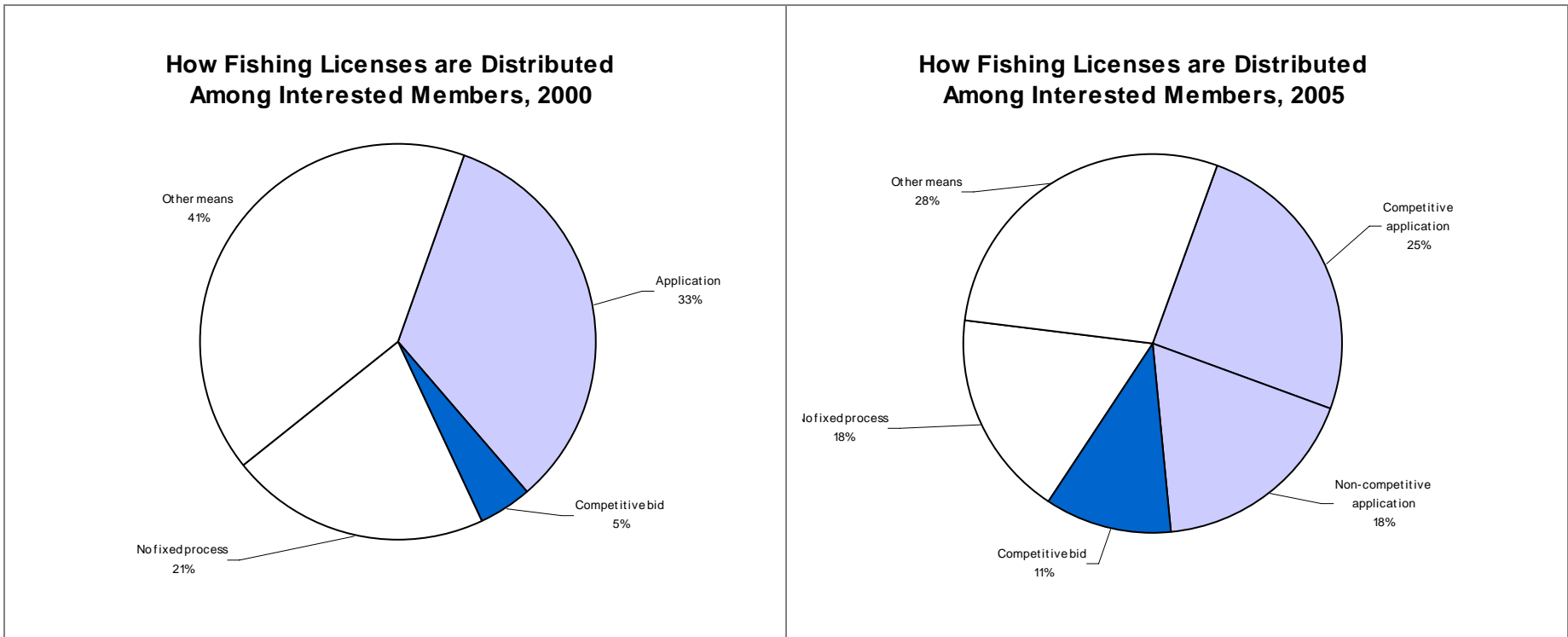
C1. CORPORATE GOVERNANCE: HOW LICENSES ARE HELD

Since 2000, there is a growing utilization of corporate structures for the administration of commercial fishing assets among First Nations. This reflects the findings of the APC's Strategic Alliances' Workshop where corporate governance was deemed beneficial for revenue generation and asset utilization.



C2. CORPORATE GOVERNANCE: HOW LICENSES ARE DISTRIBUTED

Since 2000, First Nations are moving to more defined processes for license distribution, however there is still considerable room to formalize these processes. Transparent procedures to access licenses will allow First Nation members to fully understand what criteria they must meet to qualify and the conditions under which they are authorized to utilize a First Nation asset.



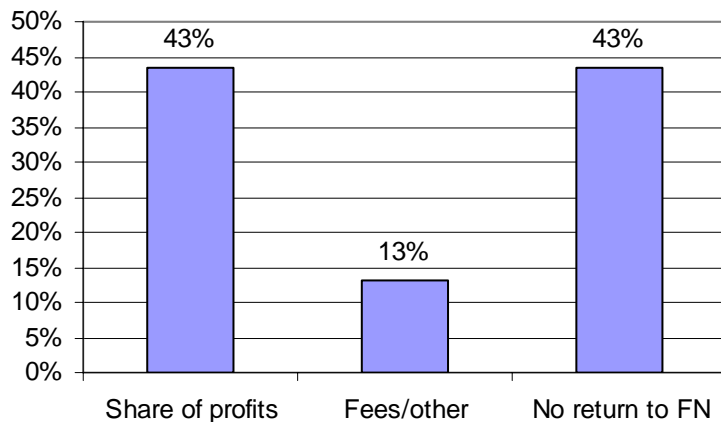
C3. CORPORATE GOVERNANCE: TYPE OF FINANCIAL RETURN TO FIRST NATION

Fully 75% of First Nations are now taking a financial return from their commercial licenses beyond the earnings of fishers, a significant increase since 2000.

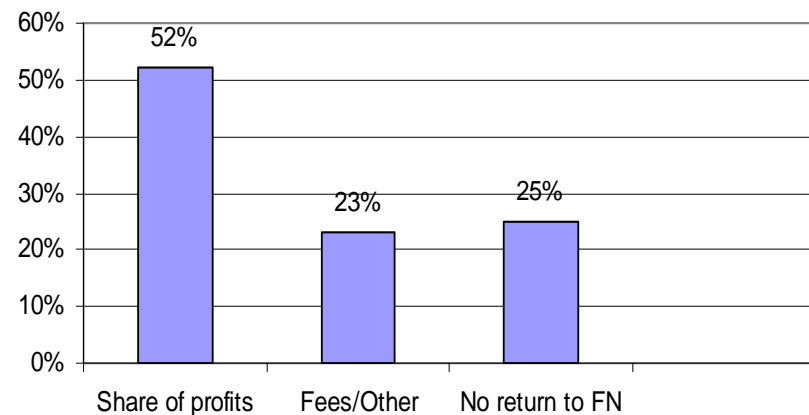
95% of First Nations believe that own source revenue will increase over the next five years; 70% anticipate future annual returns in the range of \$1M.

- Two reported factors may mitigate against reaching higher own source revenues in future:
 - Current utilization of First Nation returns is as General Revenue (68%) with only 20% reporting a primary focus on fisheries re-investment for own source revenue derived from fishing.
 - There is a significant occurrence of inactive licences held by First Nations. 81% of First Nations reported some inactive licences compared to 26% in 2000.

Type of Financial Return to FN from the Use of Fishing Licenses by Members, 2000



Type of Financial Return to FN from the Use of Fishing Licenses by Members, 2005

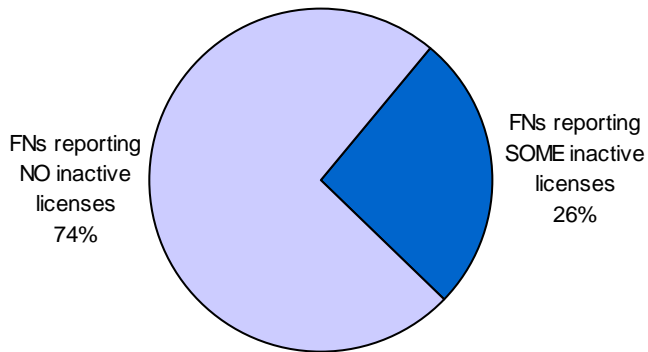


C4. CORPORATE GOVERNANCE: INACTIVE LICENSES

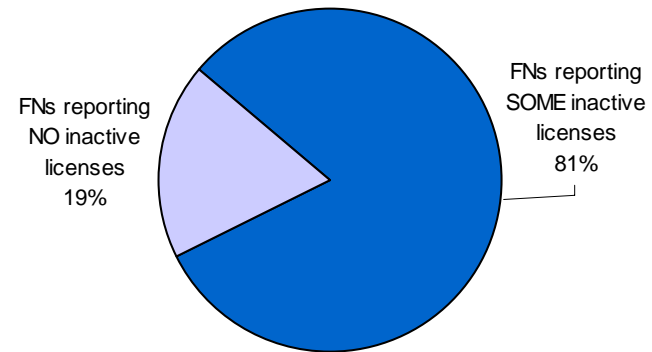
A disturbing trend since 2000 has been the escalation of inactive licenses held by First Nations. 81% in 2005 compared to 26% in 2000. This will have to be addressed to maximize productivity.

The most common reasons for inactive licenses in 2005 were: not economically viable (50%); lack of trained staff (44%); lack of vessels/equipment (38%). Respondents frequently gave multiple reasons.

Percentage of FNs Reporting that Some Fishing Licenses are Inactive, 2000

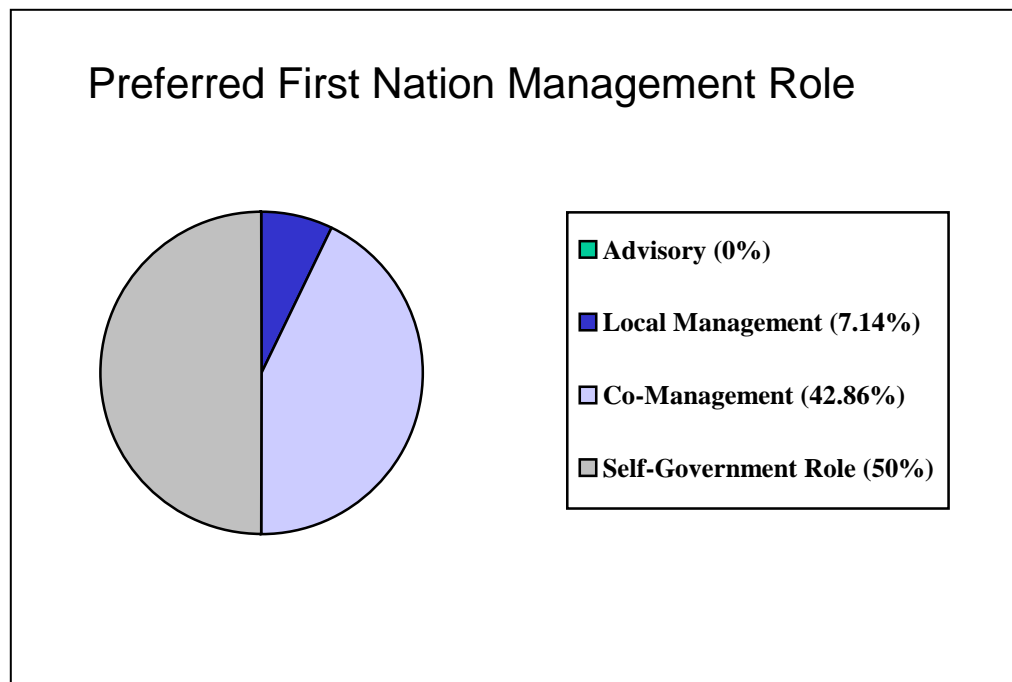


Percentage of FNs Reporting that Some Fishing Licenses are Inactive, 2005



C5. FIRST NATIONS MANAGEMENT: FUTURE FIRST NATION ROLE IN FISHERIES MANAGEMENT AND POLICY MAKING

Currently, only 18% of First Nations report being involved in local advisory bodies. The survey shows that First Nations have a much higher expectation of involvement at every level of fisheries management and policy making in future and view advisory processes as an inadequate mechanism to reflect their interests.

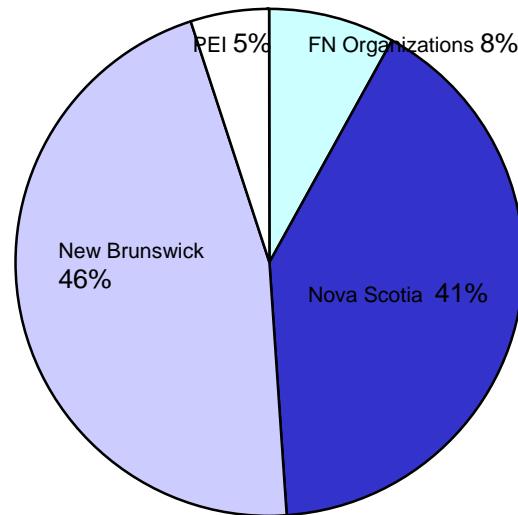


D. POST-MARSHALL ADMINISTRATION

D1.DISTRIBUTION OF DIAND FUNDING

DIAND funding* was provided for economic development, capacity building, and other related activities. This funding leveraged another \$36 M from other sources and created approximately 640 jobs.

DIAND Funding
2001-2002 to 2004-2005



Total 32.5 M

* All figures provided by DIAND, Atlantic Region

D2. FIRST NATION SATISFACTION WITH FEDERAL SERVICE LEVEL

On balance, First Nations were moderately satisfied with service level across all aspects of the Post-Marshall Implementation measures. Lack of timelines/co-ordination of approval processes was reported as a significant concern. Close to 80% of First Nations had a positive or neutral overall impression of these measures.

Impact of federal Marshall Strategy on FN	<u>Worsened</u>	<u>Neutral</u>	<u>Improved</u>
Relationship with federal government	21	43	36
	<u>Yes</u>	<u>No</u>	
Clarity of process	62%	38%	
Helpful/Knowledgeable staff	77%	23%	
Efficient	46%	54%	
Timely Financial Administration	46%	54%	
Appropriate Reporting Requirements	54%	46%	

D3. DEPARTMENTAL BREAKDOWN: PARKS CANADA

Parks Canada programming met its goal of initiating a more positive relationship and increased comprehension of its mandate.

	<u>Yes</u>	<u>No</u>	<u>N/A</u>
First Nations Understanding of Mandate	64%	36%	-
Improved Working Relationship	57%	21%	22%

D4. DEPARTMENTAL BREAKDOWN: DIAND

Economic Development and Capacity Building

First Nations generally reported a significant improvement in economic opportunities in their community but did not align improved economic climate to a specific program initiative. Overall, First Nations were confident in their ability to deliver and achieve long-term benefits.

First Nations reported one consistent concern; the lack of timeliness and coordination among government partners to obtain final approvals for projects.

	Low	Fair	High	N/A
First Nations Satisfaction Level	31%	50%	13%	6%
First Nation Satisfaction with Partners	24%	36%	7%	36%

Report of Project Success

	Yes	No	N/A
Building Capacity	80		20
Diversification	80		20
Personal Income	80	7	13
First Nation Government Indebtedness	67	20	13

D5. DEPARTMENTAL BREAKDOWN: DIAND

Community Planning

First Nations were most positive re: community planning initiatives. While Additions to Reserves are seen to be very important the process was seen to be long and cumbersome.

	<u>Yes</u>	<u>No</u>	
Recent Experience	86	14	
If yes, was it	<u>Poor</u>	<u>Ave</u>	<u>Good</u>
	8	33	54
Additions to Reserves	<u>Yes</u>	<u>No</u>	
Recent Experience	53	47	
If yes, overall satisfaction level	<u>Poor</u>	<u>Ave</u>	<u>Good</u>
	63	25	12
If addition completed,	<u>None</u>	<u>Ave</u>	<u>Significant</u>
1) Impact on FN land management capacity		20	80
2) Impact on socio-economic opportunities			100
If addition is in progress,	<u>None</u>	<u>Ave</u>	<u>Significant</u>
1) potential impact on land management capacity			100
2) potential socio-economic opportunities			100
Negotiation Preparedness	<u>Yes</u>	<u>No</u>	
Participation in negotiation preparedness initiative	47	53	
Describe FN experience with Negotiation	<u>Poor</u>	<u>Ave</u>	<u>Good</u>
Preparedness Initiative	14%	5%	29%

D6. ENVIRONMENT CANADA

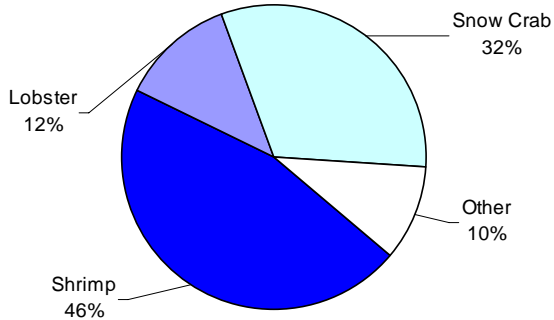
- | | <u>Yes</u> | <u>No</u> |
|--|------------|-----------|
| • For funded projects, were they successful? | 100% | |
| • Nature of Projects: Examples include species at risk, local species research, PAWIS, contaminants etc. | | |
| • Issues raised: More funding, more DOE interaction, timing issues. | | |
| • Did project(s) increase awareness of migratory birds and conservation issues? | | |

- | | <u>Yes</u> | <u>No</u> |
|--|------------|-----------|
| Community Members | 100% | |
| Chief and Council | 100% | |
| Surrounding FN Communities | 100% | |
| Surrounding Non-FN Communities | 74% | 26% |
| • Were issues regarding migratory birds raised by Chief and Council or FN membership | 12% | 88% |

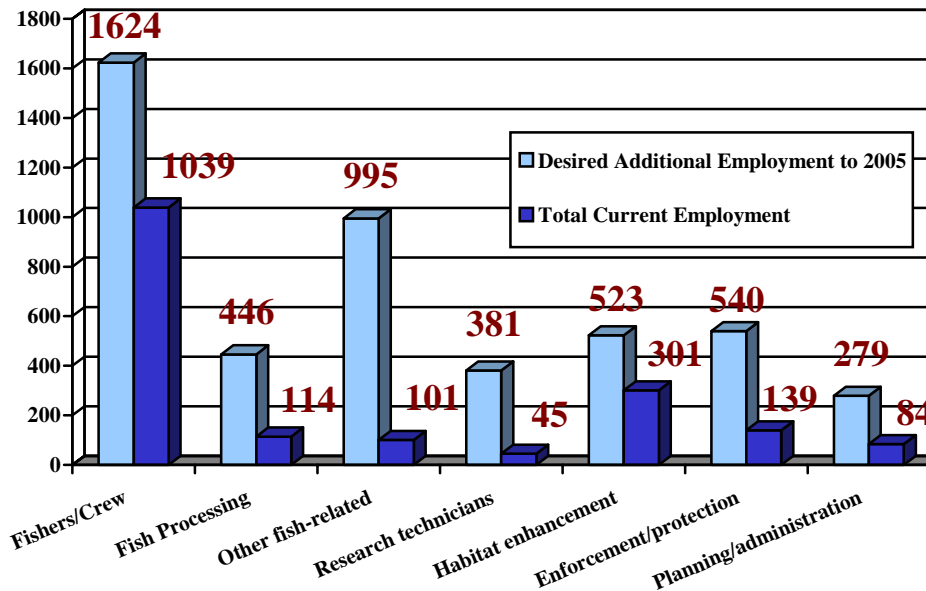
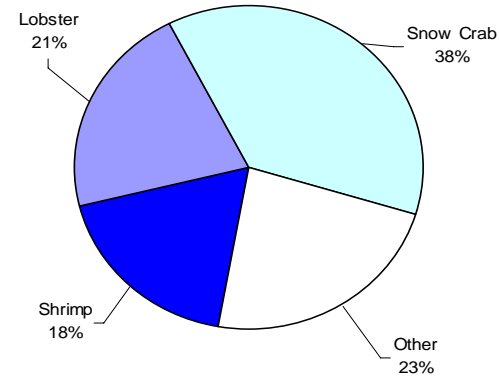
E. FUTURE DIRECTIONS

E1. COMPARISON OF EXISTING REVENUE AND EMPLOYMENT TO EXPECTATIONS REPORTED IN 2000.

Economic Return from Expected Additional Licenses, 2000 (\$60 mil.)



Economic Return from Existing Licenses, 2004 (\$41 mil.)



E2. SNAPSHOT OF MMP FIRST NATIONS FISHERIES PARTICIPATION IN 2010

- First Nations see fisheries management, harvesting and related commercial activities providing up to 35% of total employment. At present, it represents on average 16% of employment.
- \$77 M of annual revenue generation from fisheries harvesting anticipated.
- First Nations envisage a further significant transfer of fishing assets.
- First Nations see more relative increases in employment from management and related commercial activities than harvesting.
- Fully 70% of First Nations expect to derive \$1M annually of own source revenue from fishing assets.
- First Nations expect to attain a co-management or self-governing role in fisheries management that substantially differs from current limited advisory role.

E3. CONCERNS IDENTIFIED IN SURVEY RE: CURRENT FISHERIES HARVESTING ARRANGEMENTS

- Licenses are inappropriate surrogate for treaty rights – too limited
- Quota Reductions
- Proximity/area restrictions limit access to high value licenses/offshore for many First Nations
- DFO regulations/area boundaries frustrate joint ventures
- Non-transferability of licenses
- Poor condition of transferred vessels and cost of repair

CONCERNS IDENTIFIED IN SURVEY RE: CURRENT FISHERIES MANAGEMENT ARRANGEMENTS

- Inadequate conservation and habitat protection by DFO
- Lack of aboriginal role in management process

E4. SURVEY IMPLICATIONS FOR HARVESTING GOING FORWARD TO 2010

- Need to find mechanism to continue to address expectations of growth in harvesting participation.
- Need to achieve common ground on proximity/area restrictions that are limiting First Nation fisheries access.
- Need to address inactive licenses.
- Need to consider risk exposure of non-transferability of licenses.
- Need to address means to minimize erosion of current participation level given unique demographic profile.
- Need to consider options to increase First Nation employment from licenses/harvesting and other fisheries activities.
- Need to establish capital pool to facilitate access/vessels and equipment acquisition and diversification.

E5. SURVEY IMPLICATIONS FOR FISHERIES MANAGEMENT GOING FORWARD TO 2010

- First Nations have high expectations of greater involvement in fisheries management that are not now being addressed.
- Minimal progress has been made since 2000 on any element of First Nation management participation.
- First Nations' management role will need to reflect three separate management aspects: shared responsibility for resource management; corporate governance; a greater role for harvester input in established consultative practices.
- As an integral part of their management role, First Nations need to develop with government a next generation training strategy to meet emerging needs in fisheries.
- First Nations need to curtail expectations of massive employment growth from management role while still isolating limited priority areas for greater on the ground management responsibilities.
- There are no acknowledged models/best practices for First Nation management role.
- Need to re-build federal/FN dialogue around a comprehensive approach to management integration at multiple levels to meet the varied roles First Nations play in fisheries.
- In the interim, First Nations need to engage more activity in existing DFO advisory processes in order to exert sufficient influence to ensure their interests are protected. As well, participation in AAROM should be encouraged to build technical capacity.

Section 2: EMERGING POLICY ISSUES RE: HARVESTING

SECTION 2: EMERGING POLICY ISSUES RE: HARVESTING

Introduction

In many respects, the policy concerns regarding harvesting that the study identifies are all related to the overriding challenge of trying to utilize commercial licenses within a pre-existing regulatory regime as a delivery mechanism for the exercise of treaty rights (if only on an interim and partial basis). While clearly the parties are trying to make these arrangements work, there are areas of increasing dissatisfaction that will have to be addressed in order to ensure a solid foundation for future growth. The following issues related to harvesting will require additional flexibility or policy change on the part of DFO and other federal Departments. However, when viewed in the context of the considerable progress already made, finding solutions wherever possible is strongly encouraged.

2.1 Limitations on Licenses

License assets transferred to Atlantic First Nations under interim agreements are deemed non-transferable. The rationale of government for imposing this restriction is to ensure that such collective assets offer long-term access to First Nation membership instead of a one time windfall profit to current First Nation membership. First Nations share this objective. However, there are problems with this limitation that should be fully considered and if possible remedied.

The lack of transferability exposes First Nations to greater financial risk in an already volatile sector. Other fishers can assess market and resource fluctuations and determine if it would be financially prudent to exit a particular fishery. First Nations cannot. They will be obligated to participate in fisheries through downturns and will not have the negotiable asset base to either diversify or exit in a timely manner. Even the potential to use these assets as collateral has been jeopardized.

A range of possible solutions can be explored. For example a mutually acceptable time limit on non-transferability could be negotiated. Alternatively, while government can not readily affect prices, it could insulate First Nation license holders from quota cuts to a greater extent than other commercial licensees as a means of offsetting the risk exposure of non-transferability.

While options for a solution abound, the challenge at this juncture is to initiate a productive dialogue to seek a resolution.

2.2 Maximizing First Nation Benefits: Employment and Revenue Generation

An overarching goal of both the federal government and MMP First Nations has been to increase access to fisheries in order to stimulate direct employment, revenue generation and spin-off commercial activity. It is this mutual objective that has driven the progress that has been made to date. Further the survey demonstrates that First Nations have a considerable appetite for additional growth over the next 5 years in fisheries both in terms of management and harvesting. It is incumbent on all parties to examine how current First Nation fishing assets can be maximized so that future growth requirements can be assessed

against an accurate evaluation of the potential benefits associated with any further asset transfer.

First Nations have experienced substantial gains in harvesting activity. This has resulted in greater employment and revenue generation. Nonetheless there are concerns identified by the survey that warrant further investigation in order to realize the mutual goal of maximum benefit.

2.2 A Inactive Licenses

One of the most disturbing aspects of the community survey this year was the exponential growth in the unused licenses reported since 2000. Fully 81% of First Nations are now reporting such licenses up from 26% in 2000. Generally most First Nations cited multiple examples of inactive licenses across a number of less lucrative fisheries. Examples include herring, gill net, gaspareau, eels, clams/mussels, oysters, scallops, smelt, squid, tuna, groundfish, mackerel, pelagic bait, rock crab, swordfish, sea urchin, shrimp trap, etc. Reasons for inactivity ranged from lack of training/lack of vessels/lack of sufficient quota, lack of financial viability and/or lack of ability to pool quota due to area restrictions.

This is a problem which requires DFO and First Nations to find a mutually acceptable set of resolutions to stimulate usage at the earliest opportunity. Failing this, the non-transferability aspect of these licenses will negate any benefit accruing for the recipient First Nation in terms of either employment or revenue. As a consequence, Canadians are not receiving good value for the public funds expended to acquire and transfer these licenses. It simply would make common sense that both DFO and First Nations strive to identify specific solutions for the majority of inactive licenses. Something as simple as allowing temporary transfers of licenses and quotas among First Nations would be a starting point.

2.2 B Diversification

The survey demonstrates that there has been a consistently high interest in fisheries related economic diversification such as processing, marketing and tourism. However, there has been surprisingly little progress in these areas reported. INAC has tried to stimulate commercial activity through the Post-Marshall Implementation Measures funding depicted in chart D1, on pg 32. It may simply be the case that it will take more time for secondary commercial activities to be engaged. Two factors seem to be key: there will be an ongoing need for access to capital and there will be a necessity for First Nations to actively seek out joint ventures both among themselves as well as with private sector partners to make diversification into these sectors possible.

With respect to fisheries harvesting, there is a recognition among First Nations that a greater presence in the mid-shore and offshore harvesting will be a key future direction. Once again though, this will necessitate both capital and joint venture structures that can sustain a long-term corporate management role for significant asset values. Similarly it must be noted that harvesting activities are somewhat more concentrated today than in 2000 in one high value fishery, snow crab. This leaves First Nations exceedingly vulnerable to stock reductions or marketing downturns, a phenomenon already being experienced among First Nation harvesters.

2.3 Access to Capital

Frequent concerns were articulated in the survey regarding the high cost of vessel repairs many First Nations faced under recent interim agreements. It is now recognized that to put commercial harvesting and other fisheries related commercial activities on a stable and expanding path, ready access to capital will be a necessity. It will be a particular requirement of strategies to encourage individual entrepreneurship among First Nation members who may be expected to develop initial fishing skills and equity by operating a First Nation license in preparation for acquiring their own individually or as part of a consortium. This is a growth strategy under consideration by a number of First Nations.

While First Nation own source revenues derived from fishing assets could be a source of capital for fisheries re-investment only 20% do so. The vast majority of own source revenue is treated as General Revenue to deal with the plethora of financial challenges First Nations face. For First Nations that see expansion or development in fisheries as a priority, the future utilization of their revenues will have to be a key factor.

However, to build individual entrepreneurial capacity in the aboriginal fishing sector, access to capital must be addressed in a different manner. One of the possible options would be to re-capitalize the Atlantic Aboriginal Capital Corporation to become an effective commercial lender in this sector. This would provide an accessible lender, familiar with this First Nation clientele, that offers business planning and ongoing counselling services to this emerging marketplace. Growth in this sector needs to be at least in part supported through private investment. The problems that First Nation members face with respect to conventional lenders are well known, and the ACC option would simply build on an established model. Other possible approaches exist and should be considered but none would be so readily implementable should there be sufficient interest on the part of the federal government, Atlantic First Nations and the ACC leadership.

2.4 DFO Regional Boundaries/Proximity to Fish Resources

Survey respondents often cited DFO's area restrictions as significant barriers to First Nations working in partnership to maximize their fishing activity. Opportunities to pool quota that is otherwise not economically viable as well as share equipment/vessels are seen to be frustrated by DFO's area designations. Similarly there are strong concerns that proximity to fish resources is seen as a determinant in whether various First Nations can negotiate access to lucrative fisheries in non-adjacent areas.

Both types of area limits are seen to work against First Nation ventures and more fundamentally against the spirit and intent of a treaty right vs. an access privilege. Both related issues warrant a thorough policy discussion to determine if and how some of these concerns can be accommodated within DFO's policy framework and which may have to be addressed as a treaty implementation issue.

2.5 Evergreen Treaty Provisions

The experience of the last five years has acquainted many First Nations with the fluctuations in markets and fish resources that can greatly impact profitability in various fisheries. Further, management measures such as changes to quota/issuance of new licenses/authorizing experimental/emerging fisheries all have the ability of altering their access to fisheries, in effect potentially lowering or increasing earning power and relative access to fisheries.

Atlantic First Nations are facing significant numbers of new labour market entrants over the next decade because of their specific demographic profile. Therefore, they must be concerned about erosion in their current share of employment from the fisheries sector as more job entrants come forward every year.

A treaty which assures a “moderate likelihood” from the resource can clearly be affected by quantities of fish stocks, prices and the numbers of people dependent on the resource for their livelihood.

It would be very useful for government and First Nations to enter discussions to determine how treaty provisions can effectively offer an appropriate level of fisheries access over the long-term to meet the needs of First Nations. Clearly the survey demonstrates that Atlantic First Nations do not believe that acceptable harvesting levels have yet been achieved. While growth is their objective, curtailing relative erosion of fishing access is also a consideration that should be addressed at an early opportunity.

Section 3: EMERGING POLICY ISSUES RE: FISHERIES MANAGEMENT

SECTION 3. POLICY ISSUES RE; FISHERIES MANAGEMENT

While the MMP First Nation's involvement in fisheries harvesting has exponentially increased over the past 5 years, progress on management participation has been disappointing. In fact, First Nations report that their input remains primarily concentrated at the local advisory level as in 2000. Similarly First Nation total staffing for management and habitat related functions under the AFS, while redistributed has only changed marginally since 2000.

This is in stark contrast to the high priority that MMP First Nations place on a more integral role in management (pg 31).

As well, there is a strong interest in increased employment from management activities (pg 12) which can be interpreted once again as a tangible demonstration of the desire to be fully involved in conservation and protection as well as harvesting.

In the Feb 2005, Building Strategic Alliances Conference, MMP First Nation representatives established the following key objectives for fisheries management and harvesting participation. They are strongly echoed in the survey findings:

1. Implement a First Nation Management regime to improve self-rule in the fishery with an emphasis on conservation and integration of traditional knowledge;
2. Develop and enhance key First Nation human resource capacity on a tribal basis to meet the spectrum of management and harvesting requirements;
3. Seek out partnerships/collaborative approaches to generate improved employment and revenue opportunities in fisheries management, harvesting and other related commercial activities.

It is the position of the authors that to realize these objectives, the First Nation management role must be addressed in three distinct, but related, component parts. These are: the role of harvesters within management/advisory structures; the corporate governance that must be exercised by First Nations or First Nation Corporations to maximize benefits; and most significantly the role of MMP First Nations working with DFO in overall fisheries management and policy making.

Role of Harvesters

It is clear that the focus since 2000 has been to greatly enhance harvesting access and training for captains and crew to ensure trained, qualified First Nation members and assume new positions. This was a shared priority of both the federal government and MMP First Nation leadership. In the face of considerable success, the reality now exists that there may be advantages to be pursued in the voluntary organization of harvesters. Through such an association, harvesters could work together to seek standardization of skills training/certification, to ensure better working conditions and safety provisions, to develop access to important insurance and benefits coverage (ie. liability and disability) that is not available through some First Nation employers, to offer technical assistance on gear/vessel maintenance and look at potential areas of related commercial development such as marketing. This approach may also be useful in encouraging greater entrepreneurial initiatives by

establishing “best practice” of transition models for individual harvesters from First Nation fleets to private ownership.

Given their need to be intimately informed of management arrangements and expectations for specific fisheries, it is likely First Nations will want their harvesters to be involved in area advisory committees in a consistent and orderly manner. Given that only 18% of First Nations reported regular involvement in such committees in the 2005 survey, this is an area that requires attention and needs to be regularized to ensure effective on-the-ground communications with First Nation harvesters.

It is understood that association models are under consideration (ie. BC Native Fisherman’s Association) and this development should be encouraged. However, harvester participation cannot be considered a surrogate for a more integrated role in fisheries management by First Nations.

Corporate Governance

Another defined role that First Nations must play is as the “owner” of valuable fishing assets and the survey demonstrates that progress is being made on key aspects of this role (ie. pg 28). There is clearly a need to consider collective/partnership approaches to some issues however. Issues such as the treatment/disposition of own source revenue from fishing, the detailed evaluation of inactive licenses or a go-forward training strategy may require policy direction by First Nation leadership. As well, approaches to increase direct First Nation harvesting employment may be another area for the development of policy guidance.

Related issues which have not yet emerged but will likely do so in upcoming years are matters such as fleet maintenance and harbour access. As corporate leaders, First Nations will have to start looking at a broad range of cost-effective strategies that create stability and longevity for fishing capacity. Further they will have to approach DFO to alter any existing administrative policies that work against the efficient structuring of partnerships among First Nations.

Finally, MMP First Nations must also consider how they should organize and represent their collective corporate interests to ensure that their collective influence is felt by DFO in matters regarding harvest access for existing licenses/quotas. This is a role that has not yet been fully explored but deserves careful consideration by MMP Chiefs.

MMP First Nation Role in Fisheries Management

Completely separate from the foregoing roles, MMP First Nations wish to pursue a direct role with DFO in fisheries and habitat management and policy making. They perceive this role as providing a needed vehicle for the incorporation of traditional knowledge and for the protection of treaty rights within fisheries management. As well, it represents a mechanism to ensure that consultation and accommodation standards, as stipulated by the Supreme Court, are met in a robust and proactive manner. Clearly, to be an efficient and effective management structure, collective interests rather than individual First Nations would have to be represented in this body.

Given the relative inactivity on this front over the past five years, it will be important for First Nations to signal to the federal government that this is an important topic for future discussion.

Timely policy issues identified in the survey appropriate to this First Nation role would be: measures to prevent the erosion of current fisheries harvesting access; a go-forward process for the transfer of incremental harvesting capacity; a review of federal fisheries policy measures that are counter to effective treaty implementation; and proposed structures for the gradual integration of a greater MMP First Nation presence within fisheries management at the local, regional and where appropriate national level.

Mechanisms to Achieve the Three Distinctive Roles Related to Effective Management Participation

The authors consider it to be of concern that respondents to the survey lacked any specific models for First Nation participation in management. This suggests that there is a dire need for the development of models/options that address each specific role. Ideally, this is an opportunity for cooperation between the Federal Government and MMP First Nations to analyse existing models and provide further input in this regard in the near future.

Given the lack of progress generally with respect to management participation, the authors would like to re-visit a proposed structure from the 2000 report designed to provide competent and efficient technical support for First Nation fisheries management input. This particular proposal for a Fisheries Network could offer a consolidated and varied range of essential expertise, to First Nation harvesters and First Nations, both in their corporate governance and integrated fisheries management roles.

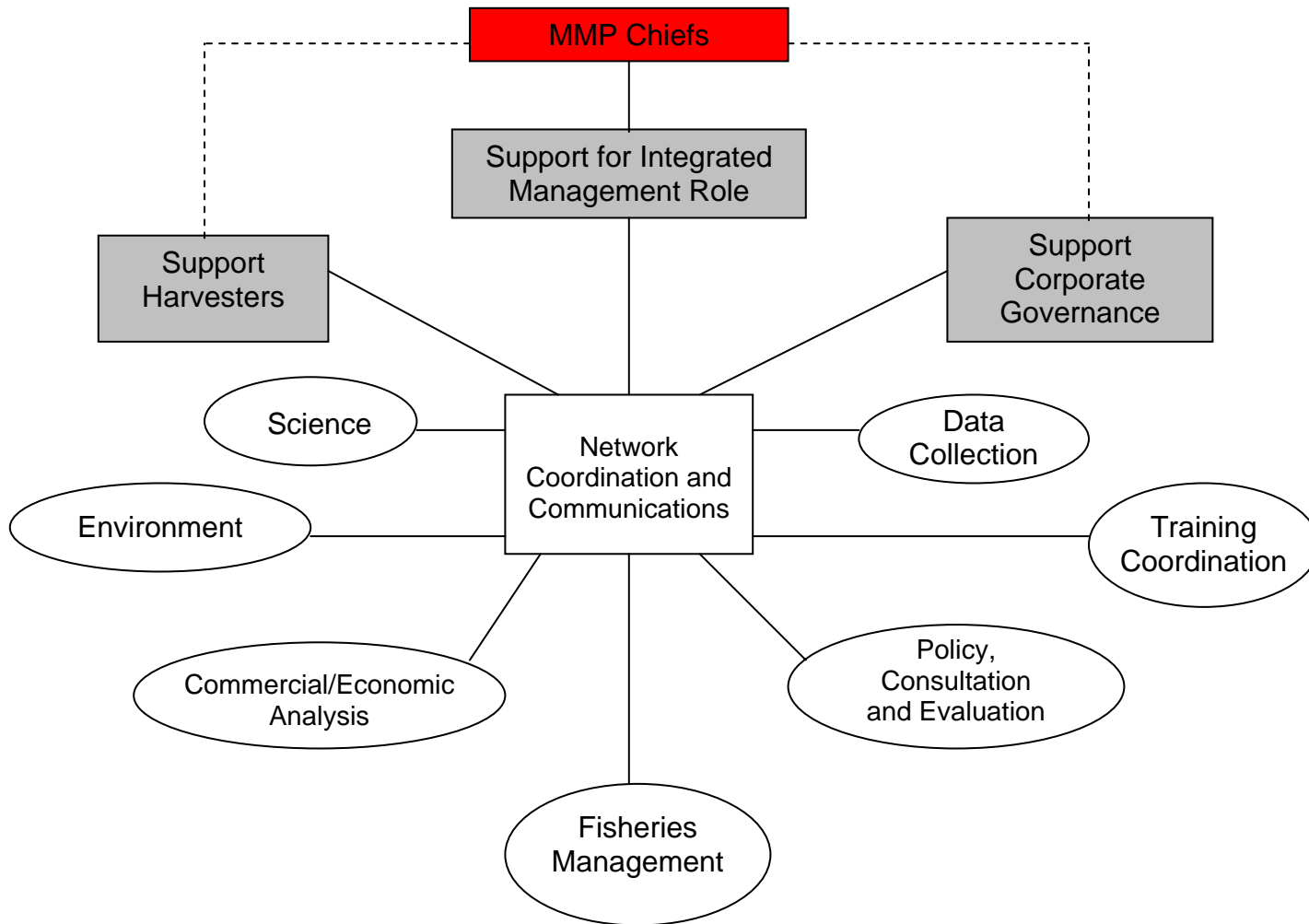
The recommended components of such a Network are the following:

1. Fisheries Management
2. Data Collection and Management
3. Science
4. Commercial/Economic Analysis and Development
5. Training Coordination
6. Consultation and Evaluation
7. Environmental Protection
8. Network Coordination and Communications

Beyond these areas of expertise, basic administrative services would be established to service the entire Network.

Section 3: Chart A

Network Components



Further details of the proposal Network structure are attached in Appendice C. It is an added advantage of this proposed structure that it could easily be expanded to apply to all facets of MMP resource management, both renewable and non-renewable. Broadening its scope as treaty implementation progresses will allow MMP First Nations to assume active roles in the full range of resource issues that will shape their economic futures.

It is important to note that through the introduction of the Aboriginal Aquatic Resources and Oceans Management Program (AAROM, and other programming initiatives, program details Appendice D) DFO has established a potential funding vehicle to assist the development of such a management tool for fisheries. While the Network or other such structures do not replace the need to negotiate an evolving and integrated management role for First Nations, the establishment of an effective technical capacity represents a useful advance that should be actively pursued through AAROM without prejudice to more fulsome treaty implementation discussions. It is understood that federal AAROM funding has increased in 2005-06. As there is only sporadic coverage in the Atlantic region to date, a strategic plan as to how MMP First Nations shall seek to advance a comprehensive proposal(s) to AAROM should be developed on a priority basis.

Training

As illustrated on pg. 17, significant resources have been allocated to training and tangible benefits have resulted particularly in the area of harvesting. However, while the need for training has lessened somewhat in the harvesting sector, there will still be required going forward an aggressive training strategy targeted at achieving a more diversified presence in the fisheries sector. MMP First Nations should consider taking on the task of assessing in detail training efforts to date and establish future priorities for training expenditures to meet the evolving needs of Post-Marshall implementation. The authors commend the training efforts undertaken by all parties to date but it is essential that a more refined vision for future training priorities now be re-calibrated by MMP First Nation leadership. Taking the initiative to build a balanced, cost-effective training strategy is an essential part of the self-governing role First Nations envision for fisheries participation. Hopefully, this is an area in which MMP First Nations should attempt to liaise and coordinate planning fully with the appropriate federal agencies as it is a vital ingredient to ensuring the common goal of maximizing revenue and employment for First Nation members.

Section 4: ADMINISTRATIVE CONSIDERATIONS

SECTION 4. ADMINISTRATIVE CONSIDERATIONS

A new feature introduced this year were two secondary surveys that attempted to gauge First Nation reaction to the broader range of activities undertaken as part of Marshall implementation. As well, these surveys canvassed broad perspectives on the quality of administration encountered as part of this initiative.

Overall Impression of Administration

First Nations respondents had a diverse experience which they brought to the survey. Some had participated in no Marshall related programming, some very little and others had expansive experience. With this in mind, it must be expected that satisfaction levels will in part reflect whether First Nations felt there was appropriate access to programming and/or that programming sufficiently captured the scope of their treaty rights. Therefore, to achieve a rating of close to 80% of a neutral or improved impact on First Nation relationships with the federal government based on the Marshall Strategy is not insignificant.

Breaking down First Nation reaction to specific elements of federal service, a common theme emerged that timeliness of administration was the predominant concern. There was more positive reaction to the clarity of process requirements and effective federal staff interaction, but overall efficiency, timeliness of financial administration and reporting requirements were generally seen as problematic.

Parks Canada

Survey responses suggest that Parks Canada generally met its broad objectives of increasing comprehension of its mandate and an improved working relationship. Given the scale of funding involved, broadly articulated goals make sense and it seems that a good base for ongoing relations was generated for many MMP First Nations.

Dept. of Indian Affairs and Northern Development

The survey canvassed input regarding a spectrum of programs, specifically economic development and capacity building, community planning, additions to reserves and negotiations preparedness. Reactions varied considerably.

The most positively received program element was community planning; the least, additions to reserves. In the latter case First Nations confirmed that they believed incremental reserve holdings would be extremely beneficial in terms of both governance and economic objectives, but found the lengthy process and delays frustrating. The negotiations preparedness initiative was not widely accessed by respondents but enjoyed a moderately positive satisfaction level among those groups that did participate.

With respect to Capacity Building and Economic Development, a lower than average satisfaction level was expressed with these components both in terms of First Nations experience with INAC as well as partner agencies. The consistent concern expressed by First Nations was the lack of timeliness and perceived ill-coordination among government partners to obtain final approvals.

An omission noted in the range of programming was a mechanism to encourage individual entrepreneurship through the provision of access to debt equity. This could be an important element of continued growth in First Nation members' participation in commercial fishing related activities. A catalyst for individual investment may well be in part addressed through increased capitalization of Ulnooweg, an ACC, to assist growth of this nature.

The authors wish to point out that all responses to specific program elements should be assessed in the broader context that First Nations are generally much more confident about their economic prospects than 5 years ago and believe increasingly that they have the capacity to deliver programming to achieve long-term benefits. It also should be noted that this programming was successful in covering considerable additional funding into First Nation communities. The job creation expectation for the total funding provided was 385.5, however it is not known whether these jobs are sustainable beyond the period funded.

Environment Canada

This survey component was circulated to the following limited range of Atlantic First Nation organizations:

Tobique First Nation

Union of NB Indians

Elsipogtog First Nation

Fort Folly First Nation

Eel River Bar First Nation

Mi'kmaq Confederacy of PEI

Confederacy of Mainland Mi'kmaq

Unamaki Institute of Natural Resources

Eskasoni Fish and Wildlife Commission

All organizations canvassed had participated in programs sponsored by Environment Canada. As a consequence, the survey is significantly different from the other two survey components which targeted all First Nations whether they had participated in

programming or not.

Given this selective audience, it could be expected that a more positive overall reaction would be reported.

Nonetheless, it is noteworthy how positive participants First Nations were in their responses. Clearly, project coordinators believe these initiatives were useful as well as successful. Further DOE's aspiration of generating increased awareness of migratory bird issues was fully met.

This initiative seems to have established an excellent platform for enhancing DOE's relationship with the surveyed organizations and bodes well for future growth in programming.

Section 5: OBSERVATIONS FOR FUTURE ACTIONS

SECTION 5. OBSERVATIONS FOR FUTURE ACTIONS

Much progress has been made since 2000 and MMP First Nations and the Federal Government should both be given credit for the significant steps taken together predominantly on training and harvesting initiatives. This survey provides the broad indicators of direct benefits that have accrued to First Nations. However, in a more nuanced interpretation of survey responses, it is equally important to note the general spirit of economic confidence and the sophistication of harvesting knowledge that is now reflected by respondents at the local level. While this report focuses on direct measurable gains, those gains are coming more quickly than originally expected and are being achieved in a manner that is sustainable because an impressive level of expertise has been developed on the ground.

Nonetheless, this report is only partly about success; it is also about capturing opportunities and addressing concerns that will facilitate MMP First Nations and the Federal Government building on this strong base. Clearly for MMP First Nations it is about creating an ongoing relationship with Government and ensuring a fulsome and “evergreen” treaty implementation in a manner that supports a strong fisheries sector for all participants.

The following represent measures, large and small, that the study has identified as requiring further treatment. Some will necessitate flexibility by First Nation harvesters, by First Nation leadership and by the Federal Government. The authors hope that the parties will approach this next phase with the same spirit of cooperation that characterized the progress made between 2000 and 2005.

Measures Regarding Harvesting

1. The clear message of the survey is that there remains considerable appetite for growth in fisheries harvesting. It is recommended that First Nations and Government open discussions shortly on the mechanism(s) to be employed for addressing additional growth aspirations of MMP First Nations.
2. Discussions should be engaged between MMP First Nation leadership and the Federal Government on both the broad policy parameters of whether proximity/adjacency criteria should be applicable as a determinant to individual MMP First Nation access to lucrative commercial fisheries and the related issue of whether DFO’s area boundaries should restrict potential First Nation cooperative fishing ventures. Even outside of the treaty context, the latter issue warrants review by the parties as an administrative consideration in order to reduce barriers to productivity where feasible.
3. First Nation leadership should conduct a more detailed review of inactive licenses and develop a strategy to engage greater utilization.

4. While an often used convention of federal license transfer programs, non-transferability restricts flexibility and increases First Nation risk exposure to downturns. DFO and First Nations should open discussions on whether this is the best vehicle to ensure long-term sustained First Nation involvement in commercial fisheries.
5. MMP First Nations have a population growth rate and a demographic profile that will bring a huge percentage of new job entrants into the labour market over the next decade, far in excess of the Canadian average. This will have a net effect of diluting the “moderate livelihood” provision offered by the current level of fisheries access when projected across all MMP members. Further, resource declines , quota changes and market fluctuations can also impact the current standard. Therefore, MMP First Nations and DFO should open discussions regarding potential measures to prevent the erosion of current participation rates.
6. MMP First Nation leadership should review internal policies to determine how First Nation employment levels can be increased in the harvesting sector. As the study demonstrated, 1/3 of new jobs continue to be held by non-First Nation fishers. This percentage should be reduced to increase direct benefits from license assets.
7. First Nation leadership and Government should investigate measures to create a venture capital pool to encourage increased harvesting access and most notably, diversification opportunities. First Nations can consider the greater utilization of own source revenues for re-investment. However, this should be complemented by a mechanism to stimulate individual entrepreneurship to “grow” benefits. A re-capitalization of Ulnooweg may be a potential solution to be considered.

Measures regarding Management

8. First Nation leadership need to curtail expectations of massive employment growth in management related activities and focus on limited essential growth that offers a high level of technical expertise for First Nations to draw upon.
9. First Nation leadership needs to consider models for integrated participation in management to bring forward in discussion with DFO.
10. Beyond a model for fisheries management participation with DFO, First Nations will need to develop approaches/best practices to improve their corporate governance role as well as encourage First Nation harvesters to establish organizational structures that enhance their performance in the commercial sector.
11. First Nations should develop a detailed go forward training strategy to meet the emerging needs of First Nation harvesting and management priorities.

12. With initial concepts fleshed out, First Nations should then seek to engage the federal government in a dialogue to move forward on a comprehensive approach to integrating MMP values, knowledge and leadership in fisheries management at multiple levels.
13. In the interim, First Nation leadership need to encourage greater participation in existing advisory processes and to seek from DFO greater Atlantic representation in the AAROM program to bolster technical capacity to facilitate a greater management role.

While these measures may seem ambitious, taken together they set the agenda for the next phase of Marshall implementation. With good will, it will be as successful as the phase just completed.