



# Aquaculture Partnerships

A Guide for Aboriginal Communities

Aboriginal Aquaculture Association

**May 2015**

## ACKNOWLEDGEMENTS

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This guide is a companion to the *Economic Opportunities for Aquaculture in the Pacific, Central, Ontario, and Northern Regions* Report prepared by RIAS Inc. for the Aboriginal Aquaculture Association in Cooperation with the Waubetek Business Development Corporation. Readers are encouraged to consult this report for further background reading on the aquaculture industry and for an analysis of the potential economic benefits for Aboriginal communities.

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## DISCLAIMER

This document was created for the purpose of information sharing only. The information contained herein is not a substitute for legal, financial or any other professional advice relevant to the development of a business and/or agreement with third parties.

## LETTER FROM THE PRESIDENT

Dear Readers,

On behalf of the Aboriginal Aquaculture Association, we are pleased to present this Aboriginal Aquaculture Partnerships guide. Through the creation of this guide, along with its companion report, the *Economic Opportunities for Aquaculture in Western Canada* Report, we are working toward providing a foundation of knowledge to support the growth and development of Aboriginal aquaculture in Canada.

The aquaculture industry is poised for growth, and Canada's Aboriginal communities are uniquely positioned to benefit from expansion in the industry.

We recognize the potential for Aboriginal communities and entrepreneurs to become involved in aquaculture as business owners, an approach that has some major benefits over approaches based in benefit-sharing. This guide highlights many of the social and economic benefits of this approach.

This guide also highlights the need for governments, industry, and Aboriginal leaders to come together to encourage the development of the industry by creating a supportive environment. To this end, organizations such as the Aboriginal Aquaculture Association can play a role in advocating for the industry, and can provide much needed support for business development, capacity development and enhanced linkages between industry, government, and Aboriginal communities.

By releasing this report, the Aboriginal Aquaculture Association hopes to:

- Promote continued growth and development of Aboriginal partnerships in Canadian aquaculture, both between Aboriginal communities and industry partners, and between Aboriginal communities as business entities, and
- Encourage Aboriginal communities to consider taking a business-minded approach to aquaculture development, as a component of the community's overall economic development goals.

Recent successes in the development of Aboriginal aquaculture partnerships show there is great potential for the future. It is our hope that this guide will encourage more communities to take advantage of these opportunities and will prove to be a useful tool for the development of effective and productive partnerships.

Richard Harry

President

Aboriginal Aquaculture Association

May 11, 2015

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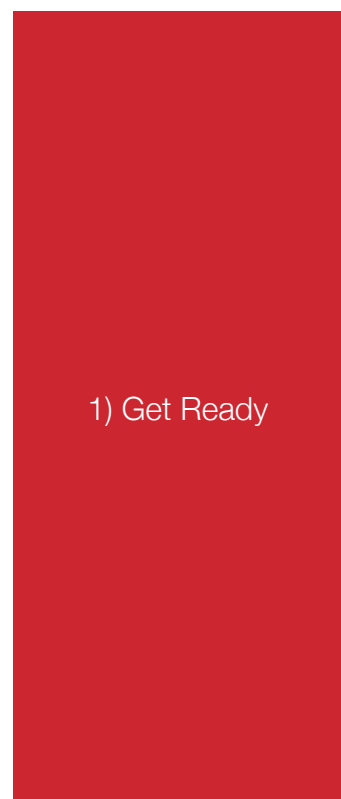
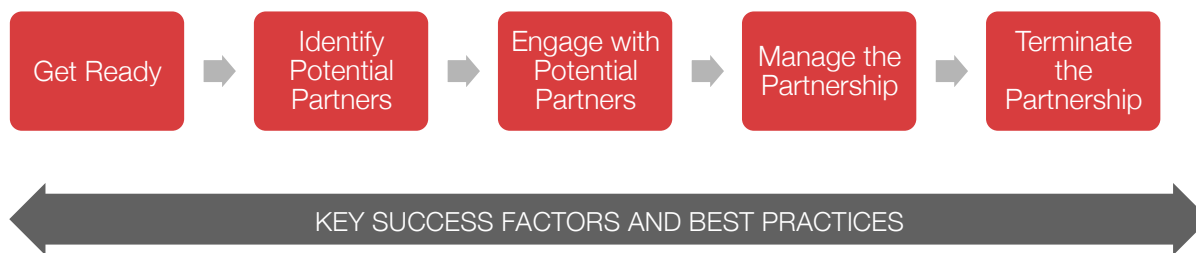
## GUIDE SUMMARY

As the aquaculture industry in Canada continues to grow in response to a worldwide demand for protein, Canada's Aboriginal communities are in a unique position to benefit. Recent legal decisions are shifting the industry approach from one of consultation and accommodation toward one of collaboration and mutual benefit. This is particularly exciting for the world of aquaculture.

By creating this aquaculture partnerships guide, the Aboriginal Aquaculture Association hopes to inspire and encourage Aboriginal communities to become more involved in the activities in their territories from a business-ownership perspective. Business-ownership provides many social and economic benefits beyond those that come from benefit-sharing scenarios.

In this step-by-step guide, readers will be taken through the main steps toward aquaculture partnership. This summary presents an overview of the key steps, as well as a summary of the key success factors and lessons learned that can be applied to new partnership development.

### Developing A Partnership – A Step By Step Guide



- 1) Form an Aquaculture Team: Your Aquaculture team should consist of 1) a Leadership Representative, 2) an Aquaculture Partnership Development Team, and 3) an Aquaculture Lead. Create a Terms of Reference document to guide the work of the team.
- 2) Assess Community Readiness: Decide if your community is ready to enter into an aquaculture partnership. If necessary, carry out community consultation to gather information about community interests and concerns.
- 3) Assess Business/Governance Readiness: Determine if your current economic development structure is appropriate for an aquaculture partnership. If there are gaps, take the time to create an effective structure at the beginning.
- 4) Take Stock of Community Assets: Consider community-based assets, leadership-based assets, and physical assets.
- 5) Engage Your Support Network: Reach out to government, industry associations, economic development organizations, and other Aboriginal communities that may assist you as you develop the partnership.
- 6) Understand the Legal and Regulatory Environment: Consult with your legal advisor to understand your particular title and rights situation and how it could impact the potential partnership.

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### 2) Identify Potential Partners

- 1) Explore Existing Relationships: Reach out into the community to learn about existing relationships and how they might relate to aquaculture partnerships.
- 2) Engage in the Industry: Attend industry events and network with your contacts to learn about potential opportunities.
- 3) Enlist Help: Consider working with an advisor to help match your community's assets and goals with an appropriate opportunity.

### 3) Engage With Potential Partners

- 1) Early Relationship Building: Do your partnership research, build a strong foundation for partnership, and establish a protocol agreement or other guiding document to formalize your relationship with the potential partner.
- 2) Create the Partnership Agreement: With the assistance of your professional advisors, prepare a partnership agreement. This agreement will set out the key details of your relationship.
- 3) Celebrate the New Partnership: Invite the partner to celebrate with the community and share in your culture and traditions.

### 4) Manage The Partnership

- 1) Engage in Continuous Capacity Development: Establish a capacity development lead to identify training and education opportunities for high potential community members.
- 2) Review, Revise, and Improve: Take an active approach to managing your relationship with your partner by checking in regularly and making sure both parties remain happy with the agreement.
- 3) Consider use of a certification program, such as the AAA Aboriginal Principles for Sustainable Aquaculture (APSA).

### 5) Terminate The Partnership

- 1) If appropriate, carry out the termination process that was set out in the partnership agreement. Maintain a professional attitude and strive to leave with a positive relationship intact.

## Key Success Factors and Lessons Learned: Summary

### Build Strong Relationships

- Building a strong relationship with a partner takes time. Don't rush it.
- Approach partners with a business friendly approach.
- Embrace a consensus-building approach to decision-making.
- Have a method for dispute/conflict resolution.
- Consider a phased approach to the number and type of operations that you will permit in your territory.

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### Find the Right Opportunity

- Take your time when evaluating opportunities.
- Bring in outside help where necessary to help make sure your community gets the maximum benefit.

### Run the Business Like a Business

- Make sure your community understands the benefits of taking a business-ownership approach.
- Put in place a good system of organization so important documents can be found even when employees and leaders change.
- Consider forming a clear division between politics and the operation of the business.

### Embrace Clear and Open Communication

- Make sure that all formal agreements are clear and can be understood by everyone involved.
- Have an agreement for how to talk to the public about your partnership.
- Create a communication plan that is agreed upon by all parties.



## ABOUT THIS GUIDE

This guide was developed by the Aboriginal Aquaculture Association (AAA) to provide a resource for Aboriginal communities that would like to see greater economic and social benefits from the aquaculture operations in their territories. The need for this guide is driven by recent trends:

- Recent legal decisions have continued to uphold and clarify Aboriginal rights and title. This is changing the way industry interacts with Aboriginal communities. In particular, we are seeing movement away from consultation and accommodation, and toward open and honest relationships built on a foundation of consent. This shift provides communities with more leverage for negotiations, and may open up opportunities for new forms of partnership.
- As Aboriginal communities become more involved in economic development, the demand for suitable investment opportunities is also increasing. Supported by business-savvy leadership and a development-friendly agenda, more and more communities are looking for opportunities to become business owners, and for support to help them along that path.
- The aquaculture industry is poised to grow. Recent changes, such as a move toward multi-year licensing, are increasing confidence in the future of the industry. This may encourage producers to make the long-term investments required for expansion and promote more involvement in the industry by Aboriginal communities.

The Aboriginal Aquaculture Association developed this guide with the following objectives in mind:

- Increase Aboriginal participation in aquaculture development and operations within their territories;
- Empower Aboriginal communities to engage with industry in mutually beneficial ways; and,
- Promote the expansion of Aboriginal business ownership in aquaculture.

### Economic Opportunities for Aquaculture Report

Seeking to understand the aquaculture opportunities available to Aboriginal communities in Canada, the AAA collaborated with Waubetek Business Development Corporation to produce a research report. Entitled *Economic Opportunities for Aquaculture in the Pacific, Central, Ontario, and Northern Regions* (The “*Economic Opportunities for Aquaculture Report*”), this report outlines the opportunities available to Aboriginal communities in selected Canadian regions. This includes detailed estimates of how the industry contributes to the economy. The areas covered by this report include:

- Current economic opportunities: Includes an overview of global and national trends, established and new species, production models and techniques, and production costs by model.
- Regulatory and policy context: Includes a review of licensing, tenure, and other relevant legislation at the federal and provincial/territorial level.
- Estimates of economic opportunity: Includes estimates of the value aquaculture could provide (in terms of direct, indirect, and induced benefits), at the national and provincial/territorial level. Also includes a review of estimating techniques, and province/territory specific considerations.
- First Nations Involvement: Includes high-level considerations for communities interested in aquaculture as an economic development opportunity.

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Rather than duplicating the above information by including it at length in this partnership guide, AAA intends the reader to supplement the use of this guide by referring to the *Economic Opportunities for Aquaculture Report* for background information and details on the economic contributions of the industry.

### Who Should Use This Guide?

If you are an Aboriginal community that is involved in or interested in becoming more involved in the aquaculture industry, this guide is for you.

As the aquaculture industry has developed in recent decades, many communities have become involved in aquaculture operations in their territories, most often in the form of benefits-sharing arrangements. Much has been written about the importance of benefits-sharing agreements and the advantages they can provide for communities.

The objective of this guide is to shine light on the other ways a community can get involved – that is, by becoming owners of aquaculture businesses by developing strategic partnerships.

Partnerships can take many different forms, from one-time service contracts, to multi-million dollar partnerships to build capital-intensive operations. In the end, all partnerships have something in common – they are about two separate groups coming together to produce something greater than what they could have done on their own.

Canada's Aboriginal communities are in a unique position to benefit from the growth in the aquaculture industry. It is our hope that this guide will help encourage communities to take advantage of these opportunities to deliver economic and social benefits to their people.

# 1 THE STATE OF ABORIGINAL AQUACULTURE

The Canadian aquaculture industry is experiencing exciting times. Global demand for sustainable protein sources continues to increase, and Canada's relatively undeveloped coastlines provide real investment opportunities for international and local businesses. Regulatory challenges have limited entry or increased the cost of doing business for new and existing industry participants; however, there are signs that federal and provincial governments are becoming more supportive of the sector, including the recognition of Aboriginal participation as an important catalyst for community development.

The expansion of aquaculture in Canada brings with it great opportunity for Aboriginal communities. Many communities are increasingly seeking economic development opportunities that are a fit with their people and their land. On these fronts, aquaculture has a lot of potential. Changes in the legal landscape are also leading industry to take a fresh approach to relationships with Aboriginal communities. Rather than carrying out limited consultation and accommodation negotiations, many businesses now seek to build cooperative relationships based on the recognition of consent and mutually beneficial partnerships.

In this section, we expand on these ideas to provide an overview of Aboriginal aquaculture in Canada. We begin with a short overview of how the aquaculture industry has grown and changed over time, as well as the prospects for the future of the industry. Next, we review aquaculture in the context of Aboriginal involvement. As case law continues to define how Aboriginal rights and title are applied, it is clear that the involvement of Aboriginal communities will be an essential part of a successful aquaculture operation.

## 1.1 AQUACULTURE: THE PAST, PRESENT, AND FUTURE<sup>1</sup>

Although Aboriginal people have practiced sustainable aquaculture in their territories for millennia, commercial aquaculture in Canada has a relatively short past. Since the early days of aquaculture in the 1970s, production has expanded, as has the number of species cultivated. Today, 56 different species of finfish, shellfish, and aquatic plants are commercially cultivated.<sup>2</sup> Total national production (including both shellfish and finfish) rose from approximately 49,600 tonnes in 1991 to over 172,000 tonnes in 2013, an annualized growth rate of 5.8 percent. This growth hasn't been stable; however, with downturns in production from 2003 to 2006 as well as from 2007 to 2011.<sup>3</sup> Production over time is presented graphically in **Figure 1**.

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<sup>1</sup> For a comprehensive overview of aquaculture statistics and an overview of the industry's economic opportunities, consult the *Economic Opportunities for Aquaculture Report*.

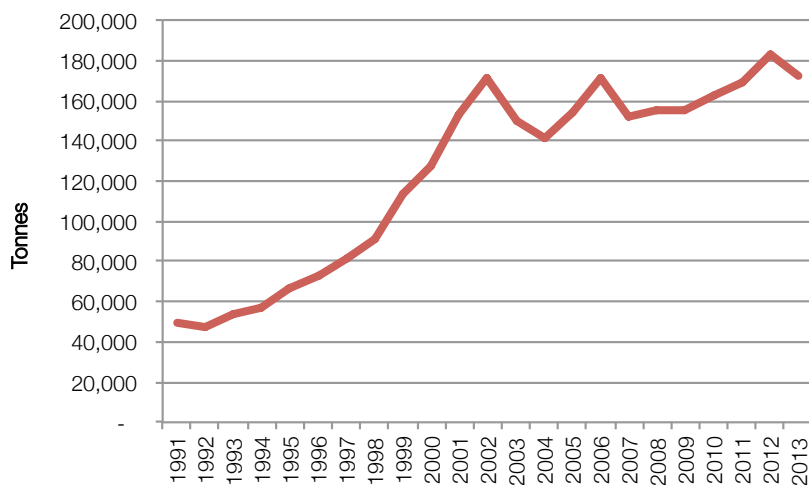
<sup>2</sup> RIAS and the Aboriginal Aquaculture Association: *Economic Opportunities for Aquaculture Report* (2014)

<sup>3</sup> Statistics Canada Table 003-0001 – Aquaculture, production and value, annual (Accessed March 19, 2015)

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Figure 1: Canadian Aquaculture Production (1991 – 2013)



Source: Statistics Canada: Cansim Table 003-0001

Since 2003, growth of the Canadian aquaculture industry has fallen short of many expectations. For example, one 2003 report by the Department of Fisheries and Oceans (DFO) anticipated that Canadian aquaculture production levels could reach 577,000 tonnes by 2015 based on current levels of growth. This growth has yet to materialize. Today, Canadian output makes up just a fraction of worldwide output. In 2013, Canada produced just 172,000 tonnes, which is less than half of one percent of global production.<sup>4</sup>

Internationally, growth of the industry has been strong. Since 1970, annual worldwide production has increased from 2.6 million tonnes to almost 60 million tonnes in 2010, an annualized growth rate of 8.25 percent.<sup>5</sup> This overall worldwide growth trend is expected to increase in the coming decades as demand for protein puts a strain on the world's food production capabilities. Recent projections by the Food and Agriculture Organization (FAO) suggest the aquaculture industry could reach annual output of nearly 94 million tonnes by 2030.<sup>6</sup>

## 1.2 ABORIGINAL RIGHTS AND AQUACULTURE

As outlined above, there is considerable room for growth in Canada's aquaculture industry. However, the realities of Aboriginal rights and title mean that development by industry will require close collaboration and partnership with Aboriginal communities.

Beginning with the affirmation of Aboriginal and treaty rights in Section 35 of the *Constitution Act*, Canadian case law has continued to define the application of these rights. Supreme Court cases in 1990 (Sparrow), 1997 (Delgamuukw), 2004 (Haida Nation), and 2014 (Tsilhqot'in Nation) create precedents for un-extinguished rights, award of title (2014) and the duty of the Crown to consult, accommodate and ultimately seek consent for activity/projects in traditional territory. The potential impact on aquaculture of the 2009 (Aghousah) case regarding commercial fishing rights is still to be determined.

Prior to the Tsilhqot'in decision, consultation and accommodation was the norm. Post-Tsilhqot'in has seen a movement toward consent for projects within traditional territory. As a result, businesses increasingly

<sup>4</sup> FAO, *The State of World Fisheries and Aquaculture* (2012) p.28

<sup>5</sup> Ibid p.27

<sup>6</sup> Ibid p.205

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approach Aboriginal communities and leaders with a view towards partnership and mutual benefit, rather than one of fulfilling regulatory requirements.

A discussion of the full implications of this decision is out of the scope of this guide; however, readers are encouraged to consult the references available in Appendix A for more information.

### 1.3 THE FUTURE OF ABORIGINAL AQUACULTURE

With millennia of experience in fisheries and/or aquaculture in their territories, Canada’s Aboriginal people are well positioned to employ their political access, experience, know-how, and labour to the aquaculture sector. To reach this potential, communities and industry will need to work together as partners.

#### 1.3.1 The Potential of Aboriginal Aquaculture

In 2011, over 50 Aboriginal communities in Canada were involved in aquaculture business ventures and partnerships.<sup>7</sup> This number is expected to grow as industry moves toward a model of collaboration, and as Aboriginal communities continue to pursue business and investment opportunities. Expansion of the industry will provide many benefits to communities beyond training and employment opportunities.

In addition to supporting direct jobs related to aquaculture, aquaculture businesses also support ‘upstream’ and ‘downstream’ jobs. For every person employed in primary aquaculture, it is estimated that approximately one additional person is employed to provide related supplies and services.<sup>8</sup>

In the *Economic Opportunities for Aquaculture Report*, the authors estimate the potential employment benefits to Aboriginal communities from growth in the aquaculture industry. These values were estimated by allocating a portion of the total growth in the industry to Aboriginal communities. These potential economic benefits are summarized in Figure 2.

**Figure 2: Potential Benefits from Aquaculture: Ten-Year Estimate<sup>9</sup>**

ECONOMIC DEVELOPMENT BENEFITS	BRITISH COLUMBIA	PRAIRIES	ONTARIO
Total Potential New Jobs	8,961	380	741
Total Potential Labour Income	\$410 million	\$22.5 million	\$40.5 million
Share of Gains Accruing to First Nations	40%	20%	40%
Potential New Aboriginal Jobs	3,600	76	300
Potential Aboriginal Labour Income	\$164 million	\$4.5 million	\$16.2 million

#### 1.3.2 How to Support Aboriginal Aquaculture

The above statistics and projections show that there is great potential for aquaculture to bring economic and social benefits to Aboriginal communities. Partnership with industry is one way for communities to take advantage of these opportunities.

Figure 3 brings together these ideas and shows how collaborative partnerships can be supported by industry, government, and Aboriginal initiatives.

<sup>7</sup> RIAS Inc. for the AAA and Waubetek Business Development Corporation, *Economic Opportunities for Aquaculture Report* (2014) p.7

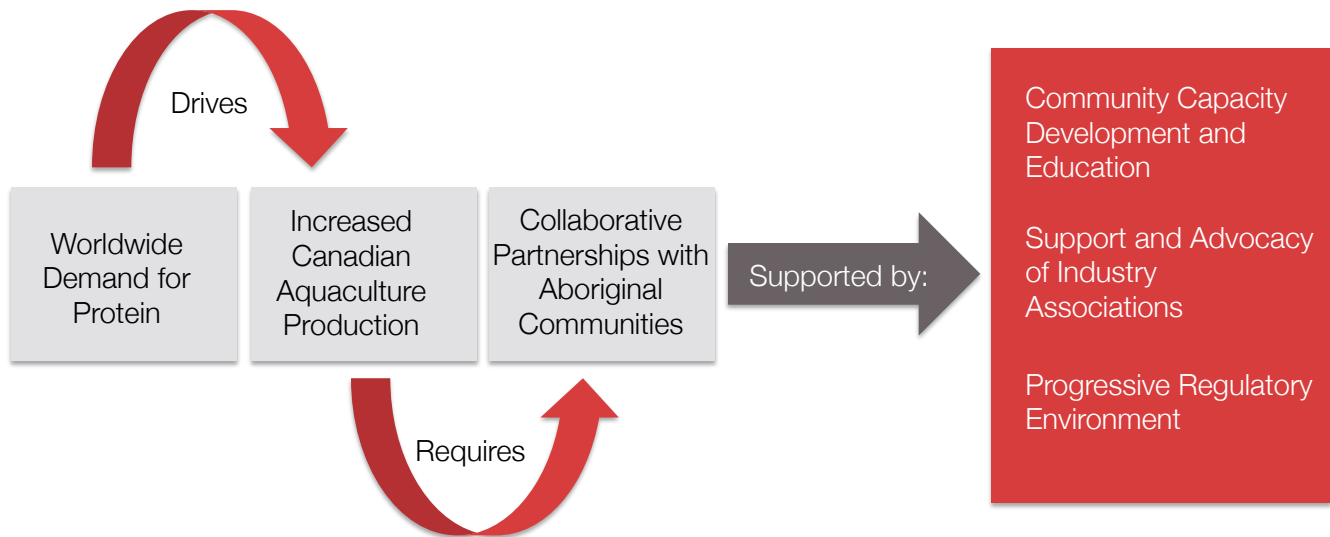
<sup>8</sup> *ibid* p.27

<sup>9</sup> *ibid* p.44

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Figure 3: Support for Aboriginal Aquaculture Partnerships



As outlined above, we have identified three conditions that can contribute to a supportive environment.

### 1. Community Capacity Development and Education

A common challenge for Aboriginal communities is a shortage of community members with the mix of skills and abilities that matches the jobs available. This includes both day-to-day operational staff (technical capacity), and managerial staff (management capacity). In addition, communities often face an absence of institutional capacity, or in other words, the political and economic institutions that support community and economic development. Taken together, capacity in these areas will help Aboriginal communities down the path to becoming successful business owners.

#### Technical Capacity

Technical capacity refers to the skills employees need to carry out the day-to-day operations of the business. Filling these gaps will require a long-term approach to funding for capacity development and education at the community level. If not already in place, communities should work to develop relationships with local post-secondary schools to provide aquaculture-based programs. Communities should also take steps to match educational opportunities with people who show enthusiasm and talent for aquaculture, and who have shown that they are career-ready.

#### Management Capacity

Management capacity refers to the skills managers and leaders need to plan, execute, and lead day-to-day operations. Managers must also be skilled at recruiting, motivating and retaining staff, and carrying out strategic and financial planning. Many management skills can be learned through post-secondary training, but on-the-job training and mentoring of high-potential employees can be more effective.

#### Institutional Capacity

Building institutional capacity requires community leaders to look beyond technical and managerial training and education, and toward the development of policies and practices that support good institutions. This may include the following:

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- Sharing information and knowledge between internal organizations;
- Developing systems for organizational memory;
- Building effective partnerships with internal and external organizations; and,
- Promoting good governance through training and a commitment to excellence.

#### 2. Progressive Regulatory Environment

The barriers put in place by the regulation of aquaculture frustrate many Aboriginal leaders and businesspeople. Movement toward a more efficient structure will require a coordinated effort by Aboriginal and industry groups to engage with government. In this area, Aboriginal groups have unique political leverage.

From the perspective of environmental and social responsibility, programs such as the Aboriginal Principles for Sustainable Aquaculture (APSA) provide a complement to regulations as a third party certification, which helps build consumer confidence in aquaculture products.<sup>10</sup>

#### 3. Support and Advocacy of Industry Associations

Further development of Aboriginal aquaculture will also rely on the continued support of industry associations. These organizations play an important role by helping with business planning and capacity development, providing technical and professional development support, and advocating for the industry.

Taken together, the three above conditions will help provide a supportive environment for the development of Aboriginal aquaculture partnerships. For some of the conditions, there may be a need for financial and other forms of support. Governments, industry, and Aboriginal communities must collaborate to ensure sustainable funding is made available to support the growth of the industry.

### 1.4 What is the Aquaculture Value Chain?

While the main activity associated with aquaculture is the grow-out of fish and shellfish in marine and fresh water, other activities in the aquaculture value chain can provide opportunities for Aboriginal participation. The range of activities mean there are opportunities to suit different skill sets and capacities for investment and partnership. Furthermore, the increasingly integrated nature of production, processing, and marketing of wild and cultivated products is forcing industry players to capture margin and mitigate risks throughout the value chain.

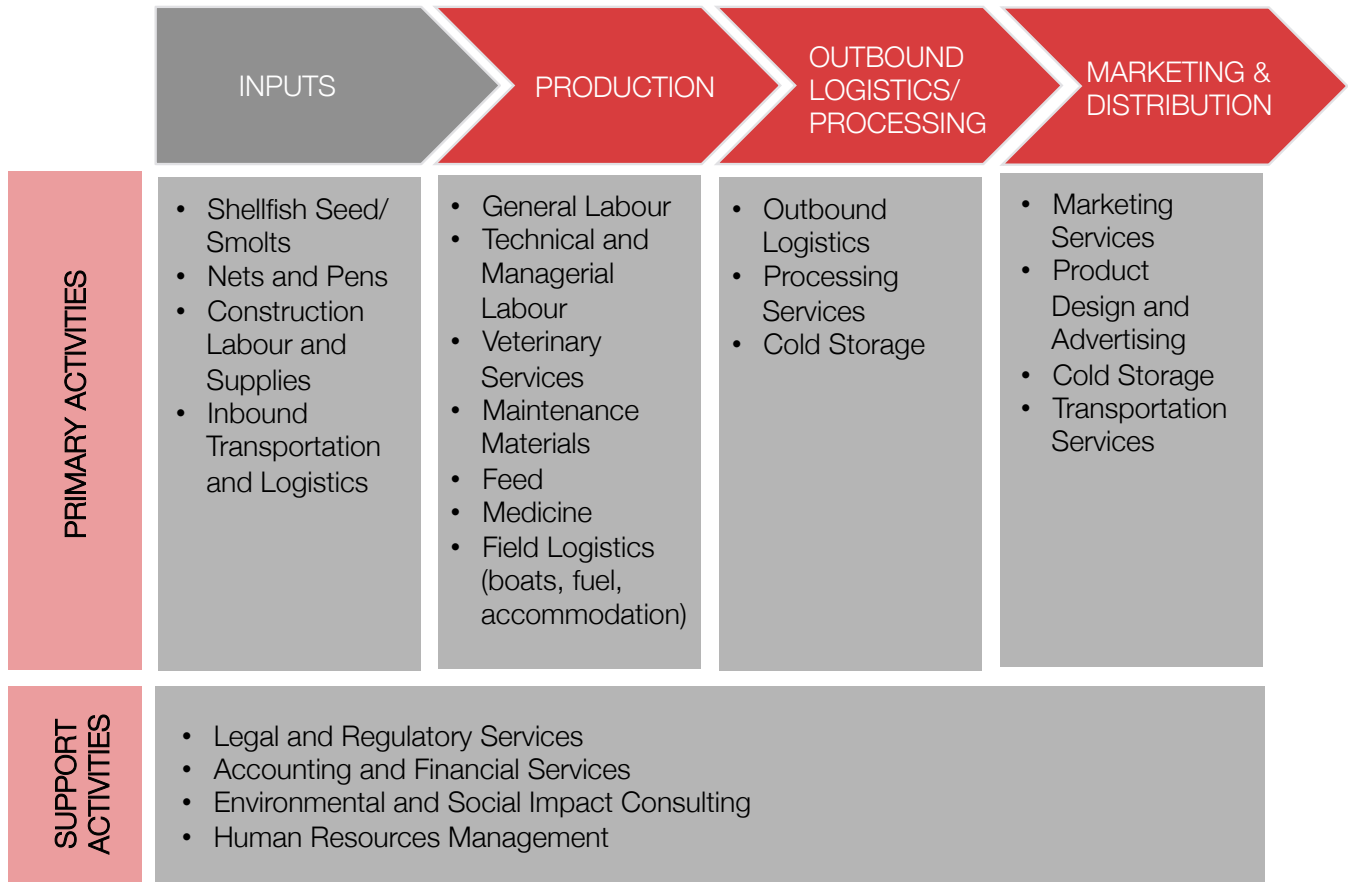
Figure 4 provides an overview of some of the activities and services that make up the aquaculture value chain. If your community would like to get more involved in aquaculture, you may wish to refer to this list for new ideas.

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<sup>10</sup> Aboriginal Aquaculture Association, *Aboriginal Principles for Sustainable Aquaculture (APSA)* (2010). Accessed at: <http://www.aboriginalaquaculture.com/aboriginal-certification/>

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**Figure 4: The Opportunities of the Aquaculture Value Chain**





## 2 PARTNERSHIPS: UNDERSTANDING THE BENEFITS AND RISKS

The changing legal environment in Canada is leading more businesses to take an approach of cooperation and mutual benefit when approaching Aboriginal communities. This shift presents great opportunities for Aboriginal communities to participate as active owners of aquaculture businesses.

This section looks at two potential forms of Aboriginal participation in aquaculture businesses: *benefit-sharing* versus *business-ownership*. Fundamentally the difference between the two is in the level of participation. In the case of a *benefit-sharing* scenario, Aboriginal participation in the operation is generally passive, versus active involvement in the ownership of the business under a *business-ownership* scenario.

We also look at the benefits and challenges of partnership, both from the perspective of the Aboriginal community, and from the perspective of industry.

### 2.1 FORMS OF PARTICIPATION: BENEFITS-SHARING VS. BUSINESS-OWNERSHIP

Until recently, few Aboriginal communities have taken an active approach to making investments in the businesses that operate in their territory. The community often provides land, political capital, and a pool of employees, among other contributions; however, these contributions do not generally lead to the community gaining an equity stake in the business. For the purposes of this guide, we will refer to this form of participation as a *benefit-sharing approach*. Although many would consider *benefit-sharing* as a form of partnership, for the purposes of this guide this approach will be considered a form of *participation*, rather than a form of *partnership*.

On the other hand, communities are increasingly becoming involved in businesses as equity owners. The direct ownership of shares in a corporation or units of a partnership, in return for capital or other forms of contribution (e.g. land, political access, tenure, etc.) is referred to as a *business-ownership* approach for the purposes of this guide. References to partnership in this guide are with regard to this *business-ownership* approach.

These two forms of participation have many things in common; however, there are also some important high-level distinctions. In practice, these distinctions may not apply in all situations, and will vary depending on the terms of the agreements that the parties sign. We highlight some of these general distinctions in Figure 5.

**Figure 5: Benefit-Sharing and Business-Ownership Approaches**

BENEFIT-SHARING APPROACH	BUSINESS-OWNERSHIP APPROACH
Approach based on legal entitlements and negotiations, usually seen as “cost of doing business” by industry.	Approach based on desire for value creation, collaboration, and a return on investment.
Limited potential for the community to leverage aquaculture involvement to raise capital.	Potential for the community to leverage equity ownership to raise capital and invest in other business opportunities.

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BENEFIT-SHARING APPROACH	BUSINESS-OWNERSHIP APPROACH
Community does not have a financial stake in the operation, which may lead to negative feelings and conflict if there are misunderstandings.	Ownership promotes a positive relationship between partners. Community members feel pride of ownership and work to find constructive solutions to disagreements.
Negotiation process can be politically-driven or adversarial since the First Nation may have no decision-making influence over operations.	Depending on the governance structure of the business, the business is insulated from political interference and has a duty to provide financial returns to the community.
Limited contribution to decision-making, depending on the framework negotiated in formal agreements.	Potential for greater say in decision-making. If the community has a majority voting share and board membership, decision-making authority can be significant.
Community faces limited financial risk, coupled with limited control over the running of the business.	Community shares some financial risk with the industry partner, coupled with greater control over the running of the business.

As the above table outlines, there are some important distinctions between the *benefit-sharing* and *business-ownership* approaches. In addition to the above, there is one additional distinction that deserves special attention: The risk/reward trade-off.

In business and finance, the idea of the risk/reward trade-off is that investments with low risk are associated with low returns. On the other hand, investments with high risk are associated with higher returns. Put another way, earning a return on your investment generally requires that you take some risk.

This is a key distinction between the two participation approaches: in a *benefit-sharing* scenario, the benefits are negotiated in advance, and the community collects the benefits without putting in a financial investment. In the *business-ownership* approach, however, the community makes an investment, whether financial or otherwise, and in return for the risk they are taking by making that investment, the community has the potential to receive greater returns.

The *business-ownership* approach has the potential to provide more benefits to the community in the long run. The trade-off is that this comes with some risk. The *benefit-sharing* approach provides potentially fewer benefits, but with less risk.

Each community will have its own tolerance for risk, and it is important for leaders to understand how their communities feel about it. Leaders should not necessarily shy away from taking risks, especially when some of the risks can be mitigated through strategic partnerships.

**2.1.1 Benefit-Sharing Approach**

In a *benefit-sharing* approach, the relationship with industry may come about through an existing relationship, or as an entirely new relationship. These two arrangements are described in Figure 6.

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**Figure 6: Forms of *Benefit-Sharing* Arrangements**

ARRANGEMENT	DESCRIPTION
Pre-Existing Relationship	<p>Aboriginal communities that have a history of aquaculture operations in their territories likely have an existing relationship with industry producers. <i>Benefit-sharing</i> agreements in this case generally fall into two categories:</p> <ol style="list-style-type: none"> <li>1) Renegotiation or revision of agreement for existing development: Intensity of negotiations can range from low to extreme, depending on the health of the existing relationship and the community’s view of the benefits of the relationship compared to the costs.</li> <li>2) Negotiation of agreement for new development or substantial expansion: Negotiations begin with relationship-building and establishing protocols for how the parties will work together for the new project.</li> </ol>
New Relationship	<p>When a community is approached by a business they do not have an existing relationship with, the process begins with relationship building and establishing protocols for how to work together. After the relationship is established, the parties can begin negotiating an agreement to address potential impacts on Aboriginal rights and title.</p>

In many communities, particularly on the coast of British Columbia, existing relationships with aquaculture operators began decades ago. In the early days, these relationships were formed for the purpose of fulfilling regulatory requirements. Today, many *benefit-sharing* relationships have evolved into collaborative relationships that seek to provide direct and indirect economic benefits to the Aboriginal communities. With that said, a key distinction of *benefit-sharing* is that it is rooted in the concept of accommodation. That is, the community is being compensated for the potential impacts of the use of the territory.

In some cases, the *benefit-sharing* approach may be the ideal, or indeed only, approach to take for a development in your community. For example, your community might not be ready to enter into a business partnership, or may have a long-standing relationship with industry that you are happy with. It is also possible that the aquaculture company operating in your territory might not be able to enter into a partnership due to their own corporate structure (for example, if they are publically traded). Each community will need to take an individual approach to determining what is right for them.

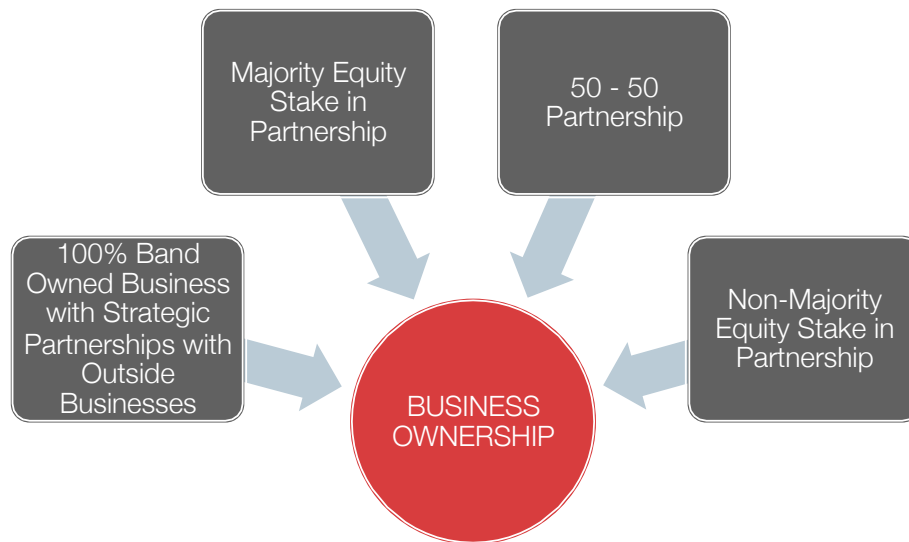
**2.1.2 *Business-Ownership* Approach**

In the *business-ownership* approach, the Aboriginal community makes the decision to make an equity investment in a business. As summarized in Figure 7, *business-ownership* can take a variety of forms, based on stake the community puts into the business. This has implications for decision-making, exposure to risk, and other considerations.

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Figure 7: Forms of *Business-Ownership* for Aboriginal Communities



1. 100 Percent Community-Owned with Strategic Partnerships:
  - The community owns all of the business, either as a band-owned entity, or through a limited partnership structure or economic development/corporate entity.
  - The community has full decision-making power for the business, executed via the business' governance and decision-making structures.
  - The community must raise any necessary capital independently.
  - As an Aboriginal business, there may be funding opportunities available for business planning/feasibility analysis, capacity development, and business development, as well as access to Aboriginal-focused procurement opportunities.
2. Majority Equity Stake:
  - Community owns a majority share of the business, with an equity stake of 51 percent or greater.
  - The community has significant authority in decision-making, depending on how the governance structure has been organized. As the majority shareholder, the community may hold control over decision-making, although decision-making will likely be collaborative.
  - The community and the partner can work together to raise capital for the business.
  - As a majority-owned Aboriginal business, there may be funding opportunities available for business planning/feasibility analysis, capacity development, and business development, as well as access to Aboriginal-focused procurement opportunities.
3. 50 – 50 Partnership:
  - The community and the partner each hold an equal share of the business.
  - The nature of a 50 – 50 partnership implies that no one partner holds control over decision-making, although this can vary depending on the business governance structure. This can create challenges when the parties do not agree on strategic issues. Conflicts over decision-making can cause the business to lose out on opportunities, and can even lead to the end of the partnership.
  - The community and the partner can work together to raise capital for the business.

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- With less than a 51 percent share of Aboriginal ownership, the business may not qualify for Aboriginal procurement set asides, such as those under the Procurement Strategy for Aboriginal Business under AANDC.

#### 4. Non-Majority Equity Stake:

- Community owns some portion of the business, with an equity stake of 49 percent or lower.
- The community has some authority in decision-making, depending on the how the governance structure has been organized. As the holder of the majority stake, the other partner may choose to exert this control in some aspects of decision-making. In practice, if you have developed a strong relationship, decision-making will be collaborative.
- The community and the partner can work together to raise capital for the business.

In addition to the above approaches, the parties may wish to consider bringing in additional minority shareholders, particularly if the business has the potential to provide attractive financial returns. Minority shareholders typically hold a small number of shares in the business, and generally do not become involved in the day-to-day operations of the business. Minority shareholders can provide additional capital and expertise, and can also provide additional perspective for decision-making.

#### 2.1.3 Dynamic Structures

The above structures show some of the potential ways that an Aboriginal community can become involved in owning a business. In practice, however, relationships tend to change and evolve over time. In fact, it is not uncommon for partnership agreements to contain provisions that allow communities to increase their equity stake over time. The following are hypothetical examples of how ownership could change over time.

- Buy-in Options: This is an agreement between the community and the industry partner that guarantees the community the right to buy into the business at some point in the future, usually at a pre-determined price, or at the market price.
- Performance-Based Recognition: Under this arrangement, the community and the industry partner may agree to sell or give shares of the business to the community in exchange for certain terms being met. This type of arrangement is very flexible and could be used to compensate communities for their non-financial contributions to the success of the business.

## 2.2 RAISING CAPITAL: APPROACHES FOR ABORIGINAL COMMUNITIES

There is growing consensus for the need to support initiatives that provide Aboriginal communities with access to capital. Recent reports suggest that access to capital can lead to more opportunities for wealth creation, equity participation, and long-term sustainability.<sup>11</sup>

In the current environment, raising the capital required to start businesses and/or make investments remains a challenge for Aboriginal communities. To participate in *business-ownership* opportunities, communities may be required to raise money for up-front costs. This might include legal and business advisory fees for structuring the partnership, or money to hold community meetings and compensate the Development Team. Funding may also be required to make a financial investment in the business.

Depending on the community's relationship with the partner, the industry partner may offer to contribute some funding to the community to allow them to undertake planning activities. This option should be discussed early on.

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<sup>11</sup> For additional discussion, see Public Policy Forum. *Building Authentic Relationships: Aboriginal Participation in Major Resource Development* (2012) p.7

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Figure 8, below, provides a summary of capital-raising approaches for Aboriginal communities.

**Figure 8: Capital Raising Approaches for Aboriginal Communities<sup>12</sup>**

FUNDING SOURCE	DISCUSSION
Debt Financing	Debt financing by taking out interest bearing loans is a common approach to raising money for a new business. Historically, this option was often difficult to access for Aboriginal communities. A number of Aboriginal and non-Aboriginal financial institutions now provide credit to wide range of Aboriginal governments and businesses.
Resource Revenue Sharing	Resource revenue sharing agreements can provide communities with a means of raising capital based on redistributions of government royalties to Aboriginal communities. Revenue sharing agreements rely on negotiations with government, which can require significant time and effort to complete. Communities with large resource wealth may be able to leverage resource wealth in this way to raise capital for business investments.
Venture Capital	Under this approach, an investor provides capital to a new business in exchange for a portion of the equity. Generally, these investments are high risk, and the investor is attracted by the potential for a high return. Although this form of financing is uncommon for Aboriginal communities, it could become more popular as investor confidence in Aboriginal-owned business grows.
Own-Source Revenues	Communities may also raise financing through own source revenues, such as those gained through taxation, Impact Benefits Agreements, and business profits distributed to the community.
First Nations Finance Authority	First Nations that are authorized to borrow through the First Nations Finance Authority have access to a variety of borrowing options. Borrowed funds can be used to finance community and economic infrastructure to deliver local services and promote social and economic development. <sup>13</sup>
Alternative Arrangements	Some communities are exploring the option to negotiate equity stakes as a component of negotiations with industry. Under these arrangements, the community may negotiate a minority equity stake in exchange for non-financial contributions to the business, and may be given an opportunity to purchase more shares in the future.

Also, remember that not all businesses require a large upfront investment. As you think about business opportunities, revisit the aquaculture value chain in Figure 4. Are there any goods or services with low upfront costs that your community could provide to existing aquaculture businesses?

**2.3 VALUE PROPOSITION/BENEFIT STREAM AND CHALLENGES**

Entering into a partnership is a serious decision. There are many benefits to partnership; however, communities must weigh these benefits against the challenges and risks. In many cases, partnership provides a way to mitigate risk for both parties.

<sup>12</sup> Public Policy Forum. *Building Authentic Relationships: Aboriginal Participation in Major Resource Development* (2012) p.22

<sup>13</sup> First Nations Finance Authority. *Eligible Projects*. Accessed at: <http://www.fnfa.ca/en/financing/eligible-projects/>

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A list of the potential benefits of partnering with industry from a community perspective is provided in Figure 9. Communities should also be aware of the strengths and advantages that they can bring to the table. These benefits for potential partners are provided in Figure 10. This is followed by a discussion of the potential challenges that both partners may face when building their relationship.

#### 2.3.1 Entering into a Partnership: Benefits

**Figure 9: Partnership Considerations: Benefits for Aboriginal Communities**

BENEFITS FOR ABORIGINAL COMMUNITIES	
Access to Working Capital	Aquaculture projects operate for long periods of time, and it may take many years of operations before becoming profitable. Because of this risk, Aboriginal communities may have difficulty securing the funding they need to build the business – especially if the community does not have a track record with aquaculture. By partnering with a company with experience, it may be easier to secure working capital and outside investments if necessary.
Access to Managerial Expertise	If the community is new to aquaculture, it is unlikely that manager-level employees will be available internally. Working with an established partner may make it easier to find, attract, and retain talent.
Access to Operational Expertise	Many Aboriginal communities have existing traditional knowledge that can be used for the development of aquaculture operations, but large-scale operations can present unique challenges. Partnering with industry players with operational expertise can help make the operations more efficient and effective.
Access to Partner's Networks	Partners, particularly those that are established, may have other connections that Aboriginal communities can take advantage of. For example, they may help secure access to hatcheries, processing facilities, transportation services, and cold storage facilities.
Capacity Development	Although formal educational opportunities may be available for potential employees, on-the-job training is the most effective way to train staff. Partners can help train people from the community for a long-term benefit.

**Figure 10: Partnership Considerations: Benefits for Industry Partners**

BENEFITS FOR INDUSTRY PARTNERS	
Access to Land	With community ownership, industry partners can demonstrate that they have the consent of the community to operate – a significant asset in the regulatory process.
Access to Employees	Aquaculture is a challenging business and it can be hard to find people to staff operations in remote communities. Local community members may be easier to recruit and more likely to stay for the long term.



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BENEFITS FOR INDUSTRY PARTNERS	
Clear Communication Path	Community members will have a clear path of communication when they are unhappy with the impacts of the business. The Aboriginal partner also has a deep understanding of the history of their territory, and can identify any potential siting and/or operational issues early on.
Potential Access to Funding Opportunities	Aboriginal communities may have access to funding and development programs that would not otherwise be available. For example, funding may be available for feasibility studies and business plans, capacity building, and education/training. Communities may also have access to trusts that are held for economic development purposes.
Operational Certainty	Working in partnership with the community, industry partners can have greater confidence that operations will not be interrupted, and will be better able to estimate the project's schedule and costs.
Aboriginal Branding	Aboriginal-branded products may have an advantage in the marketplace, especially if the buyer perceives that the brand is more environmentally and socially conscious.

**2.3.2 Entering into a Partnership: Challenges**

As outlined in the previous section, there are benefits to entering into a partnership from both an industry and community perspective. However, there are also a number of challenges, many of which are based in differences in communication styles and culture. Key challenges are discussed below.

**Cross-Cultural Communication**

Aboriginal culture is steeped in oral tradition, and many communities will have their own long-established approaches to communication and decision-making. From the partner's perspective, this may mean learning a new way of communicating. Community members will need to be patient with industry partners and help them to understand their preferred communication style. Consider holding communication workshops at the beginning of the relationship to address common problems before they happen. Partners may also be unfamiliar with your community's culture. Take the time to explain your traditions and invite potential partners to cultural activities when appropriate.

**Perceptions of Time**

Aboriginal communities tend to take a longer-term view when making development decisions. Potential partners must be aware of this and strive to understand the community's timelines and expectations. Protocol agreements and Memorandums of Understanding should include timeframes for decision-making, however unforeseen delays should be expected. The industry partner may wish to talk to other businesses with partnership experience to learn more about what the process can look like in practice.

**Each Community is Unique**

All Aboriginal communities are unique, and each will have its own established way of making decisions and approaching economic development. Potential partners must be aware of this, and should approach all communities with a fresh approach. Do not be afraid of discussing your community's unique characteristics openly with potential partners when you first begin discussions.



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#### Business Must Come First

One crucial point for all communities is the need to treat the business like a business. This can be a challenge for communities that do not have a history of involvement in community-owned enterprises. In particular, leaders must take steps to protect business decisions from political interference. This could mean leaving political issues aside when making certain decisions.

### 3 DEVELOPING A PARTNERSHIP: A STEP BY STEP GUIDE

The previous sections of this guide have painted an optimistic future for aquaculture in Canada. From an Aboriginal economic development perspective, expansion of the industry will require industry to form cooperative and collaborative relationships with Aboriginal communities. The recent Tsilhqot'in decision marks a shift in how industry must work together with Aboriginal communities when pursuing development. So how should Aboriginal leaders move forward? How can these opportunities be harnessed for the greatest benefit of communities?

No two communities are the same – each has their own combination of strengths, challenges, and assets. Each community also has its own history and relationships with industry. Because of this, successful partnerships will always contain different ingredients. With that in mind, this guide outlines a high level process - a process that we hope can guide communities at any stage of aquaculture involvement.

We've broken down the partnership development process into five stages, summarized in Figure 11, below.

**Figure 11: The Steps of Developing Aquaculture Partnerships**



For each step, we will outline component activities at a high level, and will highlight the main questions that you should ask throughout the planning process. To conclude, we follow with a summary of key success factors and best practices to consider throughout the process.

#### Timing and Timelines

Before we get started with the planning process, there are a few important things to think about regarding timing and timelines for your aquaculture project. In some cases, it could take only a few months to get your business started. In other cases it could take many years. Here are some things to consider from a timing perspective:

- Time of Year: Aquaculture can be a seasonal business, with more labour required at certain times of year. Make sure you understand the seasonal aspects of the business early on. When does product go into the water? When is it harvested?
- Lead Times: Some businesses will need significant lead-time for certain activities. For example, it may take six months or more from the time you order shellfish seed until the time you receive it. If special supplies need to be ordered, for example, from overseas, that can add months of time as well.
- Regulations: All types of businesses will require some form of licensing and will face some regulatory requirements. Meeting some of these requirements could add delays, so make sure

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you have some understanding of what will need to be done, with whom, and how long it could take.

### 3.1 GETTING READY: A CRITICAL FIRST STEP



When faced with a new opportunity, it is tempting to jump into discussing the details right away. However, communities that take the time to get ready will usually have a better experience. The community will potentially be entering a very long-term relationship with an outside partner. Going through the necessary steps up front may save the community from misunderstandings and lost potential down the road.

We have broken this step into six main activities: 1) Form an Aquaculture Team, 2) Assess Community Readiness, 3) Assess Business/Governance Readiness, 4) Take Stock of Community Assets, 5) Engage your Support Network, and 6) Understand the Legal Environment. We go into more detail about these six steps below.

#### 3.1.1 Form an Aquaculture Team

Your community might already have a person or group of people in place who lead fisheries and/or aquaculture activities. Your community may also have a well-developed economic development arm that handles most business opportunities. In some cases, these same people will lead the development of aquaculture partnerships. However, this is not always the case. Before any discussions with potential partners begin, leaders must come together to decide who should be involved in decision-making for this project. Consider filling the following three roles:

##### 1) Leadership Representative

When a potential partner is interested in working with a community, it can be difficult for them to know which person they should contact first. Some communities have established a procedure for how to forward these types of ‘cold calls’, often forwarding them to either a member of Chief and Council or the person who leads the community’s economic development. In any case, leaders should come to a decision about who that point of contact should be for aquaculture. Once this person is established, all aquaculture leads should be forwarded to this person, who will manage the relationship from the leadership level, and will be the face of community leadership to the potential partner. One benefit of this approach is that it gives the potential partner confidence that they are dealing with the person who has the authority to move the discussion further. This does not mean that other leaders can’t participate in partnership development, just that they must work together rather than independently.

##### 2) The Aquaculture Partnership Development Team

The Aquaculture Partnership Development Team (the “Development Team”) is responsible for overseeing the process of partnership development from start to finish. They will work together collaboratively, under the guidance of community leaders, to develop the opportunity. This group will meet regularly to discuss potential opportunities, review partnership approaches, and to support negotiation of final agreements. After the partnership is formed, this group may take on a role as an advisory committee for the business.

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When choosing who should sit on the Development Team, leaders should consider the following:

- How should elected leadership be represented? Some communities decide that elected leaders should not sit directly on these types of teams due to the potential for political interests to interfere with business interests. Not including elected officials can also create some stability because the make-up of the Development Team will not change even when new leaders win elections. In this scenario, instead of taking day-to-day direction from elected leaders, the Development Team can instead take strategic guidance from leaders based on high-level community and economic development strategies. On the other hand, some business-minded communities have great success with direct involvement from Chief and Council, so there is no single best solution.
- Should the Development Team include a community representative such as an elder? Elders hold irreplaceable knowledge about the community's territory, culture, and traditions and can be valuable advisors. If an appropriate individual elder is not available to sit on the Development Team, the team may consider consulting a group of elders periodically about strategic issues.
- Do Development Team members represent a range of knowledge and skills? The Development Team will be involved in very detailed discussions about the environment, business, and resource development. Not all team members can be experts on all topics; however, it will be helpful to draw from a range of backgrounds to help the Development Team make knowledgeable decisions. Important areas of subject matter expertise include:
  - Technical aquaculture knowledge
  - Knowledge of environmental and other regulatory requirements
  - Knowledge of business and finance
  - Traditional and cultural knowledge
  - Political and negotiating skills
- Does the individual want to sit on the Development Team? Team members will be required to commit considerable time and energy to developing partnership opportunities.

If the necessary skills are not available within the community, you might consider bringing in professional advisors to consult on specific issues when necessary.

Remember also that if a project has the potential to affect title, rights, or territory, an official representative of the community may be required to take on a larger role in the process. The level of involvement will depend on the community and its unique circumstances.

### 3) Aquaculture Lead

After the Development Team has convened, one person should be designated as the Aquaculture Lead. This person will be responsible for coordinating the work of the team and will work with the Leadership Representative to manage opportunities.

When choosing who should be the Aquaculture Lead, you should consider the following:

- Do they have the time to commit to the role? When choosing an Aquaculture Lead, consider what their other commitments are. Do they have other responsibilities that might take away from this role? How can their responsibilities be distributed to free up time?

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- Do they have good knowledge of the technical aspects of aquaculture? If not, do they have the time and energy to commit to increasing their knowledge? Who can be called upon to help them learn?
- Do they have experience with negotiations and interactions with industry? Part of this role requires developing a strong relationship with industry partners. As such, the lead will need to be able to speak articulately with industry and should understand the negotiation process.
- Do they have a good attitude toward industry partnerships? Developing a partnership with industry requires an open mind and an appreciation for the realities of business. The selected person must be able to work through problems with patience, and with an understanding that progress may be challenging and slow at times.

### Terms of Reference

After the team has been brought together, it should put together guidelines for how it will operate. This need not be a complicated or drawn out process. In most cases, all that is needed is a well thought out terms of reference. Once the document is prepared, all Development Team members should sign a copy to indicate their understanding.

As a starting point, consider the following components:

**Figure 12: Aquaculture Partnership Development Team: Terms of Reference Considerations**

CATEGORY	CONSIDERATIONS
About the Development Team	<ul style="list-style-type: none"> <li>- What is the role of the Development Team?</li> <li>- What activities will the team carry out?</li> <li>- How often will the team meet, and how? (E.g. In person, by teleconference).</li> </ul>
Roles and Responsibilities	<ul style="list-style-type: none"> <li>- If team members have specific roles (such as the Aquaculture Lead and Leadership Representative), what are their specific responsibilities?</li> <li>- Who will act as chair of the Development Team? (The Aquaculture Lead will likely take this role).</li> </ul>
Reporting	<ul style="list-style-type: none"> <li>- Who will the Development Team report to, and how often?</li> <li>- How will reporting be carried out? (E.g. in person presentations, formal status reports, annual reports).</li> </ul>
Decision Making	<ul style="list-style-type: none"> <li>- What decisions can the Development Team make without approval from Chief and Council? What decisions will require official approval?</li> <li>- What constitutes quorum for decision-making?</li> </ul>
Collaboration	<ul style="list-style-type: none"> <li>- What other community groups will the Development Team collaborate with, and how?</li> <li>- How will the Development Team interact with outside organizations and industry representatives? How will they interact with other Aboriginal communities?</li> <li>- May community members sit in on meetings? If so, under what circumstances?</li> </ul>
Disputes and Changes to the Team	<ul style="list-style-type: none"> <li>- How will disputes be handled?</li> <li>- What is the process to make changes to the terms of reference?</li> </ul>

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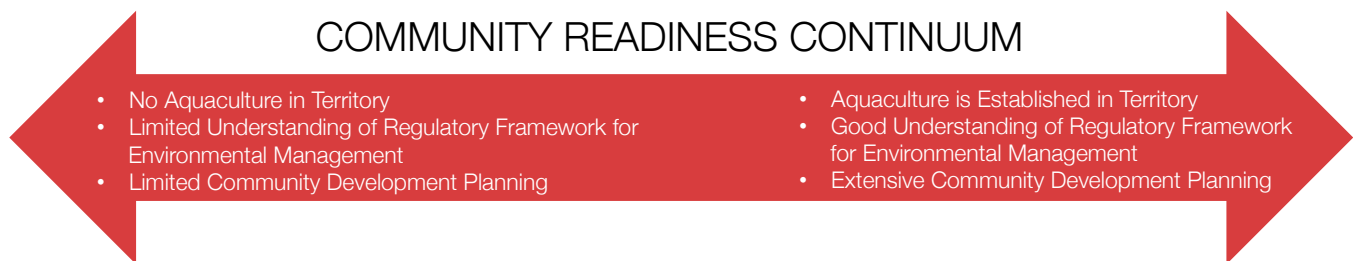
### 3.1.2 Assess Community Readiness

Every community is different, and within each community there will be a range of opinions about how to pursue aquaculture development in the territory. In some cases, information and educational materials distributed through forums such as community meetings, open houses, and social media can go a long way to gaining support. Depending on the community and its experience with economic development, this stage could be formal or informal, wide in scope or narrow in scope. You know the needs of your community the best, and are the best judge of when it is time to move forward.

The Readiness Continuum

Figure 13 below, describes community readiness as a continuum.

**Figure 13: Community Readiness Continuum**



Looked at this way, if a community has 1) little experience with aquaculture, 2) limited understanding of the regulatory framework for environmental management, and 3) limited engagement on issues of community development planning, some work may need to be done before moving forward with aquaculture. On the other hand, a community on the right-hand side of the continuum is likely to have more community support and may face less resistance.

At this point, take some time to think critically about your community. How have they reacted to developments in the territory in the past? What were the main objections?

#### Community Consultation

After establishing that the community is ready to consider aquaculture development, a next step may be to undertake some level of community consultation to determine if there are any big concerns to consider. When negotiations with your industry partner begin, they will be looking for evidence that leadership has a mandate from the community to move forward.

Each community will need differing levels of consultation, and it will be the responsibility of leadership to determine what level is required. In the case of aquaculture, there may be specific concerns that leaders need to know about.

For many communities, some aspects of community consultation may have already been completed as a component of a bigger economic development and community planning process. In these communities, it is common to have an established set of goals that the Chief and Council and/or economic development entity have a mandate to work towards. If the community has not completed a planning process like this, it may be helpful to undertake this process before moving forward with any partnerships.

A comprehensive discussion of methods and approaches to community consultation and planning is not in the scope of this guide. However, many guides on this topic have already been developed and can be very helpful for those in the planning stages. A list of documents is provided in Appendix A.

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#### 3.1.3 Assess Business/Governance Readiness

In recent decades, Aboriginal communities have increasingly become involved in economic development. As such, much has been written on how to structure community-owned businesses and the importance of setting a structure that provides separation between business and politics. If you are seeking a *business-ownership* relationship, now is the time to start thinking about how your side of the business will be structured. While there are some structures that have been successful for many communities, there is no single approach that will work for all Aboriginal communities.

Potential business structures for your partnership may include:

- Incorporation
- Limited Partnerships
- Joint Ventures (Project-Based or Otherwise)
- Agreements for Service Provision

In communities that already have an established approach for economic development and business structures, this may be more straightforward. In communities that have not formalized their business development activities, you may want to consider doing this work first.<sup>14</sup>

Deciding on a structure for your partnership is a complicated and important process. We recommend that you get in touch with your legal and business advisors at an early stage to make sure your community's economic development activities are well structured and that you will be ready to enter into a partnership. By doing this work in advance, you can help ensure the partnership structure will meet your requirements for decision-making, raising capital, and accessing funding and procurement initiatives for Aboriginal business.

#### 3.1.4 Take Stock of Community Assets

An important part of preparing for a partnership is taking stock of your community's assets. That is, when you begin discussions with potential industry partners, what does your community bring to the table? If you've gone through a community planning process, you may have already carried out activities such as skills surveying and asset mapping, which can help with this step. Figure 14 lists some examples of community assets. In addition to physical assets, you should also consider less-tangible assets, such as the enthusiasm and support of the community and leadership.

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<sup>14</sup> For further guidance and information on how to get started, readers may wish to consult the *Economic Development Toolkit for First Nations Economic Development Officers, Chiefs, and Councils and Community Members* referenced in Appendix A.

Figure 14: Community Assets

COMMUNITY ASSETS		
Community-Based	Leadership-Based	Physical Assets
<ul style="list-style-type: none"> <li>• Skills and Education Attainment (Members are Job-Ready)</li> <li>• Support for Aquaculture Development</li> <li>• Support for Industry Partnership</li> <li>• Knowledge of Culture and Traditions</li> </ul>	<ul style="list-style-type: none"> <li>• Business and Financial Know-How</li> <li>• Desire to Build a 'Win-Win' Relationship</li> <li>• Takes a Long-Term View to Economic Development</li> </ul>	<ul style="list-style-type: none"> <li>• Tangible Assets and Infrastructure (Processing Facilities, etc.)</li> <li>• Access to Capital</li> <li>• Aquaculture Sites in Territory with Good Characteristics for Production</li> </ul>

### 3.1.5 Engage your Support Network

As a part of the planning process, the Aquaculture Partnership Development Team should reach out to any groups or organizations that could help as you develop your partnership. A list of organizations and the potential benefits of engaging with them are included in Figure 15.

Figure 15: Potential Support Network Organizations

ORGANIZATION	POTENTIAL BENEFITS OF ENGAGEMENT
Industry associations and sector-specific organizations, such as the Aboriginal Aquaculture Association.	<ul style="list-style-type: none"> <li>- Provide support for planning, developing, and implementing your aquaculture opportunity.<sup>15</sup></li> <li>- Provide coordination between other aquaculture operations and potential partners.</li> <li>- Provide technical and business development assistance for First Nation communities and entrepreneurs.</li> <li>- Provide advocacy and support at a regional level, including helping to coordinate new initiatives.</li> <li>- In the case of AAA, provides an Aboriginal specific certification, the Aboriginal Principles for Sustainable Aquaculture (APSA) program, which provides greater assurance that aquaculture operations within a traditional territory are achieving the sustainability goals of both the First Nation and the aquaculture operator.</li> </ul>

<sup>15</sup> A full description of the services offered by the Aboriginal Aquaculture Association is provided in Appendix B



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ORGANIZATION	POTENTIAL BENEFITS OF ENGAGEMENT
Economic development agencies, such as: Western Economic Development Canada, Regional Economic Development Organizations, Provincial Economic Development Organizations	<ul style="list-style-type: none"> <li>- May be able to connect your community to potential funding opportunities, partners, and sales opportunities.</li> <li>- Provide connections to other businesses for networking purposes.</li> </ul>
Department of Fisheries and Oceans	<ul style="list-style-type: none"> <li>- To provide advance notice of your intention to apply for an aquaculture license (if applicable).</li> <li>- To remain informed on current and proposed regulations.</li> </ul>
Provincial Government	<ul style="list-style-type: none"> <li>- Provide early notice of intention to apply for tenure (if applicable).</li> </ul>
Other Aboriginal Communities	<ul style="list-style-type: none"> <li>- Knowledge sharing and potential collaboration.</li> <li>- To begin dialogue on land use in the case of neighbouring territories.</li> </ul>

### 3.1.6 Understand the Legal Environment

Before entering into a partnership, the community must have a clear understanding of where they stand on title and rights issues from a legal perspective and how this may impact the potential partnership. If this is not already understood, take the time to get legal advice on issues specific to your community and aquaculture development.

## 3.2 IDENTIFY POTENTIAL PARTNERS



Now that you have determined the community is ready to pursue an aquaculture partnership, the next step is to focus on identifying potential partners. In some cases, you may have already identified your potential partners. This is especially likely if aquaculture producers already have operations in your territory. On the other hand, you may be interested in developing new relationships. In this section we provide some tips on how to identify partners.

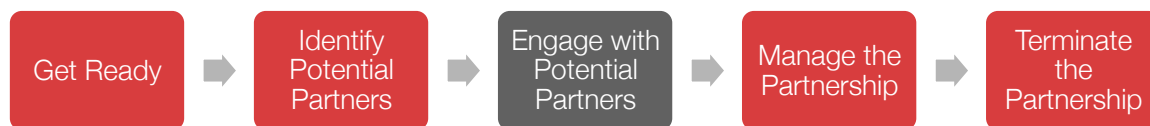
- **Explore existing relationships:** The aquaculture industry in Canada is relatively small. Chances are, your community already has relationships with potential partners. To start, take the time to brainstorm your existing relationships to see if there are any that match with your objectives:
  - Take the time to ask community members about their connections.
  - Consider getting on the agenda of a Chief and Council meeting to ask the group about contacts.
  - Don't forget to consider businesses from across the value chain.

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- Engage in the industry: When the community is ready to find partners, it is important to send the message that you are open for business. This is especially the case if you are seeking partners for a joint venture or other equity-stake investment.
  - Contact local industry associations to learn about upcoming events and conferences.
  - Attend relevant events and come prepared to discuss your community's objectives in detail. Your contacts are more likely to pass along good leads if they have a clear understanding of your goals.
  - Take the time to learn about industry players. Keep up to date on industry news by setting up news alerts to your email and regularly visiting the websites of potential partners.
- Enlist help: If your community already has clear ideas about the types of business they are interested in, consider bringing in an outside consultant or advisor to help. A good advisor will be able to help you find the best potential partners based on your goals and vision. A consultant will also be able to take inventory of the community's assets to determine which types of opportunities will be the most profitable.

### 3.3 ENGAGE WITH POTENTIAL PARTNERS



At this stage, you have brainstormed, conducted some research, and have identified one or more potential partners. The next step in the process is to engage with these partners. In this section, we review the main stages of engagement. We begin with relationship building, followed by a discussion of creating and celebrating the partnership agreement.

#### 3.3.1 Early Relationship Building

##### Do Your Partnership Research

In the process of identifying potential partners, you likely carried out high-level research about them. Once you have decided to move forward with discussions, take the time to dig deeper by looking at publically available information and reaching out to your networks to learn about first hand experiences.

- Research their track record with Aboriginal communities: Does this company have a track record of successful relationships with Aboriginal communities? Consider reaching out to leaders of other communities to discuss their experiences working with the company.
- Check for aligned values: Look at their annual reports and website to learn about the company's values and strategic vision. Do their values and vision align with the goals of the community?
- Look into the company's involvement in the broader community: Are they a good corporate citizen? Reach out to relevant organizations to verify their philanthropic activities.
- Reach out to the company's Aboriginal relations representative: Many companies, especially those that are large, may have an internal employee who is responsible for managing and overseeing the business' relationships with Aboriginal communities. If that is the case for you, reach out to this person early on to learn more about the business and the potential for partnership.

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#### Build a Strong Foundation

Before starting formal discussions, invite the partner to your community for a ceremonial introduction. This is an opportunity for them to get a feel for the community, and it gives members an opportunity to put a face to the organization. Because this is an important meeting, top leaders from both sides should be present. From the community's perspective, this is a good time to gauge how committed the partner is to the project.

Remember that a good relationship starts with respect. In your early meetings with the potential partner, do they:

- Send their top leaders to attend?
- Show they recognize the value of the community's assets?
- Show respect for the community's culture and traditions?
- Seek to learn new things about your community?
- Show a sincere understanding of the community's concerns?
- Respect the community's decision-making process and timelines?

#### Establish Protocols and/or Terms of Reference

By this time, you've had some informal discussions, and the industry representatives have visited the community. You're happy with how the relationship is progressing, and would like to start discussing things in greater detail. It's now time to develop a formal document that sets out the rules and standards that you will both use to guide your relationship. In most cases, this will take the form of a formal protocol agreement, but depending on the scope of the partnership, something less formal may be appropriate. In any case, it is always a good idea to formalize some aspects of the relationship in writing. Before entering into a partnership, both sides are likely to have particular concerns. By discussing these concerns and formalizing them into a protocol agreement, both parties can be certain they have been understood. This document will set the stage when you begin to develop the actual partnership agreement.

Depending on the size and scope of the proposed development, communities may wish to develop protocol agreements with other parties as well. This may include agreements with neighbouring First Nations, provincial, territorial, and/or federal governments.

Protocol agreements can be very important documents, and should potentially be developed with the help of a legal advisor. Figure 16, below, provides a list of some of the potential components of a protocol agreement for information purposes only. You should consider these components during early discussions with potential partners.

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**Figure 16: Potential Components of a Protocol Agreement**

COMPONENT	KEY QUESTIONS	CONSIDERATIONS
Parties	<ul style="list-style-type: none"> <li>- Who does the agreement apply to?</li> </ul>	<p>The agreement may apply to the business entities of both the industry partner and the Aboriginal community. If the community does not have a corporate entity (For example, an economic development corporation), the Development Team should choose how the community should be represented.</p>
Purpose And Objective	<ul style="list-style-type: none"> <li>- What is the purpose of the agreement?</li> <li>- What are the parties hoping to achieve through future discussions about partnership?</li> </ul>	<p>Describe the purpose of the agreement as specifically as possible. For example, if you know what kind of aquaculture project you are pursuing, include the details here. You may also wish to include some details about the history of the relationship.</p>
Guiding Principles	<ul style="list-style-type: none"> <li>- What are the general principles that will be used to guide the relationship?</li> </ul>	<p>The guiding principles are a place for the parties to capture the spirit of the agreement, and to acknowledge mutual respect and an understanding of what is important for each party. For example, you may consider:</p> <ul style="list-style-type: none"> <li>- That it is a new relationship built on trust and respect.</li> <li>- Recognition of the Aboriginal community's assertions of title and rights (if applicable) and how this applies to the agreement.</li> <li>- Commitments to preserve the environment and cultural traditions.</li> </ul>
Roles And Responsibilities	<ul style="list-style-type: none"> <li>- Are there specific roles to be undertaken?</li> <li>- Who will be the lead contact person for both parties?</li> <li>- What is the role of each party in the process?</li> <li>- What particular aspects of the process will each party be responsible for?</li> </ul>	<ul style="list-style-type: none"> <li>- Select a representative from each party to be the lead contact person.</li> <li>- Select a process for selecting a new contact person if necessary.</li> <li>- Describe at a high-level how the two parties will work together.</li> </ul>

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COMPONENT	KEY QUESTIONS	CONSIDERATIONS
Relationship Protocol	<ul style="list-style-type: none"> <li>- How will the parties communicate internally and externally?</li> <li>- What information can and cannot be shared?</li> <li>- What types of information will be shared between the parties?</li> <li>- Will formal reporting be carried out to evaluate progress? How?</li> <li>- Is there a need for a non-compete clause?</li> </ul>	<ul style="list-style-type: none"> <li>- Record the contact information for each party, including mailing addresses and phone numbers.</li> <li>- Describe the process for sending formal communication. For example, you may wish for some important documents to be sent through the mail rather than email.</li> <li>- Describe the types of information that will be shared between the parties and what will be kept confidential.</li> <li>- Consult with your legal advisors to determine whether non-compete or other clauses should be included.</li> </ul>
Dispute Resolution And Termination	<ul style="list-style-type: none"> <li>- If the parties have a disagreement about something, how will this be resolved?</li> <li>- What principles will the parties use to guide the resolution of disputes?</li> </ul>	<ul style="list-style-type: none"> <li>- Describe the process for terminating the agreement. In many cases, this will involve either of the parties providing advance written notice that they wish to terminate the agreement.</li> <li>- Describe the process for dispute resolution. Outline a high-level process for collaborative approaches to avoid litigation.</li> </ul>
Exclusions	<ul style="list-style-type: none"> <li>- What is not included in the scope of this document?</li> </ul>	<ul style="list-style-type: none"> <li>- Exclusions will vary depending on the partners; however, this section should highlight areas that are of particular concern for either party.</li> </ul>
Effective Date	<ul style="list-style-type: none"> <li>- When does the agreement come into force?</li> </ul>	<ul style="list-style-type: none"> <li>- The effective date will likely be the date that the document is signed by all parties, unless some other arrangement is made.</li> </ul>
Acknowledgements	<ul style="list-style-type: none"> <li>- Who are the signatories?</li> <li>- How will the agreement be witnessed?</li> </ul>	<ul style="list-style-type: none"> <li>- The appointed representatives of each partner will sign the agreement. Your legal advisor will provide advice on how to properly execute the agreement.</li> </ul>

**3.3.2 Create the Partnership Agreement**

In the previous stages, you got to know your potential partner, and developed a protocol agreement to guide your discussions. The next step is to negotiate the actual agreement that will guide the work of the partnership. Partnership agreements are formal documents that outline how the two parties will share the responsibility of running the business. As a formal document, it is again critical to consult with legal and business advisors to ensure it will meet the community's needs now and into the future. Common components of a partnership agreement are provided for information purposes in Figure 17.

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**Figure 17: Components of a Partnership Agreement**

COMPONENT	KEY QUESTIONS	CONSIDERATIONS
Objective	<ul style="list-style-type: none"> <li>- What is the objective of this partnership?</li> </ul>	<ul style="list-style-type: none"> <li>- Describe the goods or services that the partnership will create, as well as how the partners will contribute at a high-level.</li> </ul>
Term	<ul style="list-style-type: none"> <li>- For what period of time is the agreement in effect?</li> </ul>	<ul style="list-style-type: none"> <li>- The term will likely start when the agreement is signed. If you have discussed a partnership that will last for a set period of time, describe that arrangement here. Also include a process for how to extend the term of the agreement.</li> </ul>
Roles And Responsibilities	<ul style="list-style-type: none"> <li>- What are the roles and responsibilities of each partner?</li> </ul>	<ul style="list-style-type: none"> <li>- Roles and responsibilities will vary depending on the nature of the business. However, make sure that this area is discussed and that each partner is aware of their obligations.</li> </ul>
Contributions	<ul style="list-style-type: none"> <li>- What will each party contribute to the business?</li> </ul>	<ul style="list-style-type: none"> <li>- Discuss the investment that each party will make, taking into consideration both financial and non-financial contributions.</li> <li>- Decide when contributions will be made.</li> </ul>
Distributions	<ul style="list-style-type: none"> <li>- How will profits be distributed?</li> </ul>	<ul style="list-style-type: none"> <li>- Decide on a process for determining what percentage of profits will be distributed to shareholders versus reinvested in the business.</li> </ul>
Employment/Staffing	<ul style="list-style-type: none"> <li>- What approach will be taken to employment?</li> <li>- How will a preference for Aboriginal hiring be taken into account?</li> </ul>	<ul style="list-style-type: none"> <li>- Consider processes for hiring, compensation, promotions, termination, and training and development.</li> <li>- Consider that it may not always be advisable to set strict requirements for hiring – for example, a requirement to hire a certain number or percentage of community employees may prove difficult to fulfill if community members are not yet trained to do the job.</li> </ul>
Buy-Out/Investment Options	<ul style="list-style-type: none"> <li>- Will there be there an opportunity for the community to acquire additional shares in the business?</li> </ul>	<ul style="list-style-type: none"> <li>- Discuss the potential for the community to buy additional shares in the business in the future. This may be in exchange for a financial contribution, or for significant non-financial contributions.</li> </ul>

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COMPONENT	KEY QUESTIONS	CONSIDERATIONS
Financial Management	<ul style="list-style-type: none"> <li>- How will business finances be managed?</li> <li>- How will parties be remunerated for providing goods and services that are not included in the agreement?</li> <li>- How will management and board members be compensated?</li> </ul>	<ul style="list-style-type: none"> <li>- Decide who will have cheque-signing authority and what value of spending will require additional approvals.</li> <li>- Identify potential goods and services that might be delivered by either of the parties outside of the agreement and decide on a process for handling these situations fairly.</li> <li>- Decide on compensation for board members, including a schedule for when to review compensation, and how to determine an appropriate amount.</li> </ul>
Reporting	<ul style="list-style-type: none"> <li>- How will the business report results to the community?</li> </ul>	<ul style="list-style-type: none"> <li>- Consider inviting community members to annual meetings.</li> <li>- Decide how often the business will report to community leadership.</li> <li>- Decide whether the business will prepare and distribute a formal annual report.</li> </ul>
Property	<ul style="list-style-type: none"> <li>- What property is included in the partnership?</li> <li>- In what ways may the partners use business property?</li> </ul>	<ul style="list-style-type: none"> <li>- Establish clear guidelines for use of business assets, including how the business will be compensated for loss or damage to property.</li> </ul>
Dispute Resolution	<ul style="list-style-type: none"> <li>- Through what process will disputes be managed?</li> </ul>	<ul style="list-style-type: none"> <li>- Decide on when processes of mediation should be used.</li> <li>- Consult with professional advisors to develop a dispute resolution mechanism.</li> </ul>
Procurement	<ul style="list-style-type: none"> <li>- How will a preference for procurement of goods from Aboriginal business be taken into account?</li> </ul>	<ul style="list-style-type: none"> <li>- If procurement from Aboriginal-owned businesses is a priority, include specific terms in the agreement. You may wish to include a specific guideline for how to evaluate a vendor, including describing mandatory criteria.</li> </ul>
Dissolution	<ul style="list-style-type: none"> <li>- What is the process for breaking up the partnership?</li> </ul>	<ul style="list-style-type: none"> <li>- Consider terms for one partner buying out the other partner's share of the business.</li> <li>- Consider which business valuation methods would be most appropriate for assigning a value to the business.</li> <li>- Determine how the news will be communicated internally and externally.</li> </ul>

**Principles for Negotiation**

Entering into a partnership agreement is a serious activity, and the process of negotiation will involve some give and take from both sides of the partnership. If you have taken the time to build a strong relationship, by this point you should already have a good understanding of your partner and what is important to them. You should also have a good understanding of your community and what they want out of the business

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opportunity. Take this information with you to the table, and be ready to make concessions to make the partnership work.

Consider the following principles before you enter negotiations:

- Focus on the business agreement as a business agreement: Although it is difficult to completely separate business and politics, especially when land use is concerned, a successful business relationship must be based in mutual respect and trust rather than a show of political power.
- Keep discussions relevant: When entering into business negotiations, it may be tempting to discuss a wide range of issues, even those that are unrelated to the negotiation at hand. These discussions can be useful when they add context to the discussion. On the other hand, focusing too much on issues that are not related to the negotiation can be distracting and may impact the final agreement.
- Come to the table with a unified voice: It will be important for your partner to be confident that the partnership has the support of the community, especially from leadership. When you arrive at the negotiating table, internal issues should be put aside so all parties can focus on moving forward together.
- Promote understanding: There may be people sitting at the negotiation table that have different levels of business and technical knowledge. Make sure throughout the process that everyone is clear on what is being discussed. Remember also that some people may be uncomfortable with speaking up in front of the group when they need more information or clarification.

#### 3.3.3 Celebrate the New Partnership

When the agreement has been finalized, take the time to celebrate the agreement within the community. This will provide an opportunity for community members to learn more about the partnership and celebrate the start of a new beginning. Consider organizing a community gathering or feast to share your culture and traditions with the new partner.

### 3.4 MANAGING THE PARTNERSHIP



Once the negotiations are complete and the business is up and running, it will be the responsibility of employees and management to carry out the day-to-day work of the business, likely under the guidance of a board of directors, and dictated by the partnership agreement. During the operational stage, other aspects of the partnership must be managed as well. This includes engaging in continuous capacity development, promoting cultural exchange, and reviewing, revising, and improving the partnership. These activities are discussed in greater detail here.

#### 3.4.1 Continuous Capacity Development

Like all businesses, the partnership will eventually encounter issues with recruitment and retention of staff. Address this by being proactive and engaging with high potential employees early on. This may mean identifying high-potential youth and mentoring them with the hopes of them eventually becoming trained and employed by the business.



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Aboriginal people, and youth in particular, face many challenges with accessing educational opportunities. Potential barriers to consider are included in Figure 18.

**Figure 18: Barriers to Accessing Long-Term Employment**

BARRIER	POTENTIAL APPROACH
Lack of Funding or Lack of Support to Access Funding	Take inventory of existing and potential funding opportunities and make this information widely available.
Lack of Suitable Role Models	Provide mentorship opportunities to high potential youth. Create guidelines and goals for the mentors and mentees and check-in regularly to ensure the relationship is working.
Preference to Stay in the Community	Work with regional colleges and universities to develop targeted training programs that can be offered close to your community. Some community members may be more likely to succeed in the training if they are not required to be away from home for an extended period.

To carry out the above activities, consider assigning one person on the Development Team to the role of coordinating capacity development and training activities.

#### 3.4.2 Promote Cross-Cultural Exchange

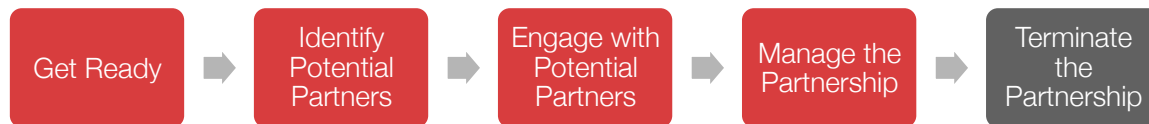
Throughout the relationship, it is essential to provide opportunities for cross-cultural exchange at all levels. This can help improve communication and instill pride in your community. Consider consulting with community members to see how they prefer to share their culture. Potential activities could include:

- Taking employees on a tour of the territory;
- Inviting an elder to share appropriate stories and traditions;
- Inviting employees to a feast or ceremony; and
- Taking employees on a tour of community organizations such as the daycare and school, if appropriate.

#### 3.4.3 Review, Revise, and Improve

Entering into a partnership is a long-term commitment, and both parties must be committed to being open and honest, especially in the early stages of the business. After the agreements are signed and the partnership is official, it then becomes essential to enter into a process of continuous improvement and relationship building. Both parties must work together to periodically review, revise, and improve, both in operational matters and in how the two parties work together. If the parties have a strong relationship, this may be as simple as a regular meeting between key leaders to casually discuss issues and concerns. If the relationship has come under strain, these meetings may become more formal, including pre-circulated agendas, wide invitation lists, and adherence to rules of order. Whatever the case may be it is always best to address small issues before they have a chance to grow and become more serious. The partnership agreement should also be reviewed periodically to make sure it still fits the needs of the parties.

### 3.5 TERMINATING THE PARTNERSHIP



At some point, either partner may decide that it is necessary to terminate the partnership. If the parties are on good terms when the relationship ends, the process of termination can be straightforward and trouble-free. On the other hand, partnerships can end negatively, which impacts the potential for the partners to work together harmoniously in the future. Some reasons for terminating a partnership include:

- The partnership was intended to operate for a limited period of time, and the desired outcome has been achieved.
- The partners realize their goals and vision for the partnership are no longer aligned. When you are not aligned on strategic issues, it can be best to end the partnership while you are on good terms. This gives you the chance to salvage a positive working relationship for the future.
- One of the partners does not honour the partnership agreement, or behaves in a manner that does not show respect toward the other partner. If efforts for open and honest communication do not address the issue, it may be necessary to end the partnership. Taking legal action should be used only as a last resort, and only if the partner acted in a way that has caused irreparable harm.

Ending the partnership is a serious activity, and should not be taken lightly. Partners should consider engaging a dispute resolution specialist to help work through any major problems. A third-party can provide a neutral view of disputes and may be able to help the sides come together.

When the decision is made to end the partnership, the process should be straightforward – apply the procedure for termination laid out in the original partnership agreement. The process, however, will vary depending on whether the business will continue operations, or if it will cease operations altogether.

Depending on how the agreement was structured, this process for your partnership might include:

- Valuation of the business;
- Negotiation of a buy-out price based on the business valuation; and
- Communication to internal and external stakeholders about the termination of the partnership.

Ending a partnership can be a challenging process. Above all, it is important to maintain a professional attitude and seek to salvage a positive relationship, even if it means making compromises. If you leave the partnership on good terms, the other party is likely to speak highly of the community, which could lead to future opportunities with other businesses.

## 4 CONCLUSION: KEY SUCCESS FACTORS AND LESSONS LEARNED

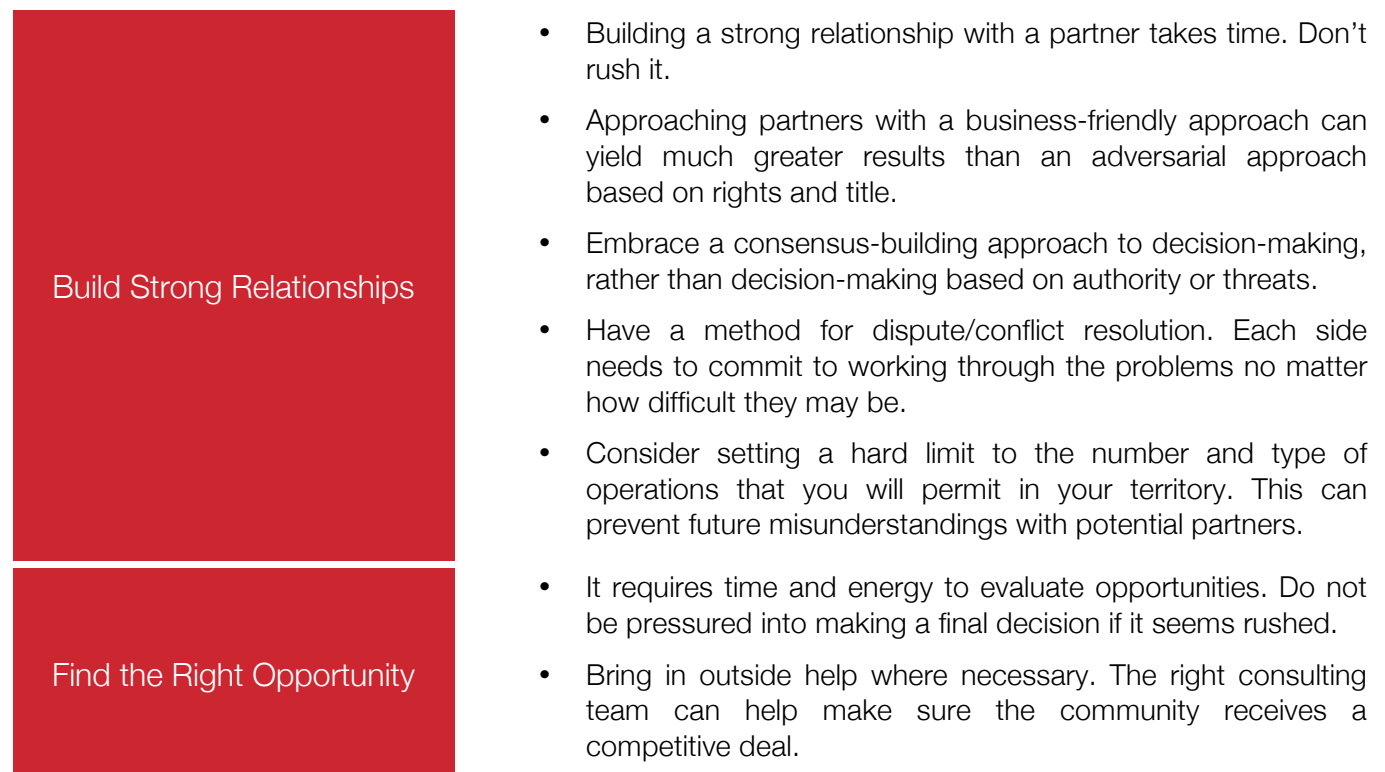
Throughout this guide, we have touched on some important key themes. In this final section, we summarize two of these important themes and present key success factors and lessons learned from existing partnerships.

First, we have seen that there is no single approach to partnership development that will work for each community. Each community will be at its own stage of economic development, community development, capacity building, and governance. This means that each community must take their own approach to partnership development. No one will understand your community better than you.

Second, we have seen that getting involved in aquaculture as a business owner is much different than involvement in *benefit-sharing*. While taking a *benefit-sharing* approach may sometimes be the only way to get involved in a project, we encourage communities to look for opportunities to take a *business-ownership* approach when possible. The *business-ownership* approach may come with more risk, but it also has the potential to provide much greater long-term social and economic benefits to your community. Skills learned through the partnership can be applied to other areas of business, resulting in benefits throughout the community.

To conclude, we have put together a list of key success factors and lessons that other communities have learned as they developed partnerships. These points come from a review of existing reports, as well as from discussions with aquaculture industry stakeholders. We hope that these lessons can help foster the growth of sustainable and successful aquaculture partnerships throughout Canada.

**Figure 19: Key Success Factors and Lessons Learned**



Run the Business Like a  
Business

Embrace Clear and Open  
Communication

- The community must become accustomed to the notion of operating as a profit-seeking business, and that this approach will yield the greatest results for the community.
- Throughout, the business and the community's policies on corruption and breach of trust must be clear and understood. Depending on the community, this may include prohibiting community leaders and/or Development Team members from accepting any form of gifts, or 'wining and dining'.
- Partnerships are likely to live on beyond the group of elected officials that were in power when it was formed. Make sure your office has a good system of organization so important documents can be found even when employees and leaders change. Insist on good record keeping, especially for meetings where decisions are made.
- Depending on the community, there is value to making a clear division between politics and the operation of the business.
- Make sure that all formal agreements are clear and can be understood by everyone involved. Engage with the community to make sure they know what the agreement means for them. There should be no surprises, and having a signed document is meaningless if the community leaders do not fully understand all of the components.
- Have an agreement for how to talk to the public about your partnership.

## APPENDIX A: ADDITIONAL RESOURCES

RESOURCE	AUTHOR	ACCESSED AT:
AQUACULTURE		
Economic Opportunities for Aquaculture in the Pacific, Central, Ontario and Northern Regions (2014)	RIAS Inc.: For the AAA and Waubetek Business Development Corporation	Contact the Aboriginal Aquaculture Association
Marine Finfish: Integrated Management of Aquaculture Plan (2013)	Fisheries and Oceans Canada	<a href="http://www.pac.dfo-mpo.gc.ca/consultation/aquaculture/docs/imap-pgia/finfish-poissonsdemer-eng.pdf">http://www.pac.dfo-mpo.gc.ca/consultation/aquaculture/docs/imap-pgia/finfish-poissonsdemer-eng.pdf</a>
Responding to Finfish Aquaculture in Your Territory (2003)	Lani E. Gibson: Environmental Law Centre Society	<a href="http://www.elc.uvic.ca/projects/2003-02/FinFishAquaculture.pdf">http://www.elc.uvic.ca/projects/2003-02/FinFishAquaculture.pdf</a>
Improving Access to Aquatic Resources for First Nations (2005)	Aquamatrix Research: For the Aboriginal Aquaculture Association	<a href="http://static1.squarespace.com/static/532c61f8e4b0d901d03ed249/t/536d21d4e4b0627babc3c036/1399661021861/Improving-Access-to-Aquatic-Resources-for-First-Nations.pdf">http://static1.squarespace.com/static/532c61f8e4b0d901d03ed249/t/536d21d4e4b0627babc3c036/1399661021861/Improving-Access-to-Aquatic-Resources-for-First-Nations.pdf</a>
Charting a Course: Shellfish Aquaculture and Indigenous Rights in New Zealand and British Columbia (2006)	Chris Tollefson and Robert Scott	<a href="http://ojs.library.ubc.ca/index.php/bcstudies/article/viewFile/690/736">http://ojs.library.ubc.ca/index.php/bcstudies/article/viewFile/690/736</a>
Socio-Economic Impact of Aquaculture in Canada (2013)	Department of Fisheries and Oceans	<a href="http://www.dfo-mpo.gc.ca/aquaculture/sector-secteur/socio/index-eng.htm">http://www.dfo-mpo.gc.ca/aquaculture/sector-secteur/socio/index-eng.htm</a>
Aquaculture in Canada (2013)	Thai Nguyen and Tim Williams: Library of Parliament	<a href="http://www.parl.gc.ca/Content/LOP/ResearchPublications/2013-12-e.pdf">http://www.parl.gc.ca/Content/LOP/ResearchPublications/2013-12-e.pdf</a>
The State of World Fisheries and Aquaculture (2012)	The Food and Agriculture Organization of the United Nations	<a href="http://www.fao.org/docrep/016/i2727e/i2727e.pdf">http://www.fao.org/docrep/016/i2727e/i2727e.pdf</a>

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IBA Community Toolkit: Negotiation and Implementation of Impact and Benefits Agreements (2010)	Ginger Gibson and Ciaran O’Faircheallaigh – Commissioned by the Walter & Duncan Gordon Foundation	<a href="http://www.ibacommunitytoolkit.ca/pdf/IBA_toolkit_March_2010_low_resolution.pdf">http://www.ibacommunitytoolkit.ca/pdf/IBA_toolkit_March_2010_low_resolution.pdf</a>
Aboriginal Mining Guide: How to Negotiate Lasting Benefits for your Community (2009)	Canadian Centre for Community Renewal	<a href="http://www.communityrenewal.ca/sites/all/files/resource/Aboriginal_Mining_Guide.pdf">http://www.communityrenewal.ca/sites/all/files/resource/Aboriginal_Mining_Guide.pdf</a>
<b>PARTNERSHIPS AND RELATIONSHIP BUILDING</b>		
Best Practices Guide: Creating Resort Partnerships with First Nations (2007)	O’Neil Marketing & Consulting, Brian Payer & Associates, and Brent Harley & Associates Inc: Prepared for the BC Resort Task Force	<a href="https://www.for.gov.bc.ca/ftp/mountain_resorts/external!/publish/web/guide_to_creating_resort_partnerships.pdf">https://www.for.gov.bc.ca/ftp/mountain_resorts/external!/publish/web/guide_to_creating_resort_partnerships.pdf</a>
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<b>CONSULTATION, ACCOMODATION, AND CONSENT</b>		
Aboriginal Consultation and Accommodation: Updated Guidelines for Federal Officials to Fulfill the Duty to Consult (2011)	The Government of Canada	<a href="http://www.aadnc-aandc.gc.ca/eng/1100100014664/1100100014675">http://www.aadnc-aandc.gc.ca/eng/1100100014664/1100100014675</a>
Resource Development in Canada: A Case Study on the Ring of Fire (2014)	Jed Chong, The Library of Parliament	<a href="http://www.parl.gc.ca/Content/LOP/ResearchPublications/2014-17-e.htm">http://www.parl.gc.ca/Content/LOP/ResearchPublications/2014-17-e.htm</a>
Laypersons Guide to Delgamuukw (1999)	BC Treaty Commission	<a href="http://www.bctreaty.net/files/pdf_documents/delgamuukw.pdf">http://www.bctreaty.net/files/pdf_documents/delgamuukw.pdf</a>
Impacts of Tsilhqot'in Part I – VI (2014)	Rob Miller, Miller Titerle	<a href="http://www.millertiterle.com/what-we-say-article/tsilhqotin-impacts/">http://www.millertiterle.com/what-we-say-article/tsilhqotin-impacts/</a>
Good Practices in Community Engagement and Readiness: Compendium of Case Studies from Canada's Minerals and Metals Sector (2014)	Energy and Mines Ministers' Conference	<a href="http://www.nrcan.gc.ca/sites/www.nrcan.gc.ca/files/www/pdf/publications/emmc/Good_practice_Compendium_e.pdf">http://www.nrcan.gc.ca/sites/www.nrcan.gc.ca/files/www/pdf/publications/emmc/Good_practice_Compendium_e.pdf</a>
Best Practices for Consultation and Accommodation (2009)	MNP for: New Relationship Trust	<a href="http://www.newrelationshiptrust.ca/downloads/consultation-and-accomodation-report.pdf">http://www.newrelationshiptrust.ca/downloads/consultation-and-accomodation-report.pdf</a>
Free, Prior, and Informed Consent in Canada (2012)	Boreal Leadership Council	<a href="http://borealcouncil.ca/publication/fpic-report-english/">http://borealcouncil.ca/publication/fpic-report-english/</a>

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Governance Best Practices Report (2009)	National Centre for First Nations Governance for: New Relationship Trust	<a href="http://www.newrelationshiptrust.ca/downloads/governance-report.pdf">http://www.newrelationshiptrust.ca/downloads/governance-report.pdf</a>
Community and Commerce – A Survey of Aboriginal Economic Development Corporations (n.d.)	Canadian Council for Aboriginal Business	<a href="https://www.ccab.com/uploads/File/Community-and-Commerce-Final-Report.pdf">https://www.ccab.com/uploads/File/Community-and-Commerce-Final-Report.pdf</a>
<b>COMMUNITY DEVELOPMENT</b>		
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CCP Handbook - Comprehensive Community Planning for First Nations in British Columbia- (2013)	Aboriginal Affairs and Northern Development Canada	<a href="http://www.aadnc-aandc.gc.ca/DAM/DAM-INTER-BC/STAGING/texte-text/ccphb2013_1378922610124_eng.pdf">http://www.aadnc-aandc.gc.ca/DAM/DAM-INTER-BC/STAGING/texte-text/ccphb2013_1378922610124_eng.pdf</a>



## APPENDIX B: ABOUT THE ABORIGINAL AQUACULTURE ASSOCIATION

Established in 2003, The Aboriginal Aquaculture Association (AAA) is a sectoral organization designed to assist, support and facilitate meaningful participation of First Nations and Aboriginal entrepreneurs in sustainable aquaculture development. It serves as a coordination, certification and resource body to First Nations and entrepreneurs providing guidance and advice with respect to the sustainable development, regulation and management of aquaculture. The AAA also influences aquaculture policy at the federal and provincial levels. It believes that aquaculture development has the potential to play a major role in the diversification, strengthening and revitalization of regional economies of First Nations.



The Association's vision is for First Nations to play a key role in the development and management of a healthy and sustainable aquaculture sector with a mission to promote and assist the development of First Nations' aquaculture that respects and supports First Nation communities, culture and values. A key principle is respect for each First Nation's autonomy.

Services provided by the AAA:

- Identification of opportunities, new innovations, approaches and best practices
- Support for new or expanded commercial production, including shellfish, finfish and freshwater operations.
- Development and operation of businesses in the aquaculture supply and services sector
- Assistance with planning, feasibility analysis and preparation of business development plans
- Support for business plan implementation
- Identification and facilitation of partnership and joint venture opportunities
- Advisory services and support
- Provide linkages to government, industry, academia and non-government organizations, bringing additional expertise to the initiative

[www.aboriginalaquaculture.com](http://www.aboriginalaquaculture.com)