

**PROPOSED FOREST RESOURCE
PROTECTION AND DEVELOPMENT
OBJECTIVES FOR THE GENERAL FOREST
MANAGEMENT PLANS**

**2003 PUBLIC CONSULTATIONS
REPORT**

**MINISTÈRE DES RESSOURCES NATURELLES,
DE LA FAUNE ET DES PARCS**

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INTRODUCTION

The *Forest Act* stipulates that the Minister of Natural Resources, Wildlife and Parks may assign forest resource protection and development objectives for lands in the domain of the State intended for forest production. The objectives must be integrated into the forest management plans that holders of harvesting rights must prepare and submit for approval by the Minister before undertaking any forest management activities.

The objectives were set following consultations with the national and regional agencies concerned, Native communities and the public in accordance with the provisions of the *Forest Act* and the Consultation Policy on Québec's Forest Management and Development Orientations published in February 2003.¹

This document summarizes the results of all the consultations. The first section briefly describes the procedure adopted by the organizers, and the second sets out the highlights emerging from the consultation process. The third section presents the comments and recommendations made to the Minister of Natural Resources, Wildlife and Parks by the various national and regional associations or agencies². Lastly, the comments and recommendations made by Native communities and agencies are grouped together in the fourth section.

During the public consultations, the Department noted its intention to postpone the introduction of the new forest management plans by one year. It now appears that this postponement will be extended to April 1, 2006, which will enable the Department to incorporate new variables into the allowable annual cut calculations. Thus, the general plans will enter into effect on April 1, 2007, and expire on April 1, 2012.

¹ Hereafter the policy will be referred to as "Consultation Policy." To consult this policy, visit the Department's website at: <http://www.mrnfp.gouv.qc.ca/english/publications/forest/Politique-consultation-a.pdf>

² Note that the third section has not been translated into English.

1. PROCEDURE FOR THE PUBLIC CONSULTATIONS ON THE FOREST RESOURCE PROTECTION AND DEVELOPMENT OBJECTIVES

The consultations on the proposed forest resource protection and development objectives for the next generation of general forest management plans were held in accordance with the procedure described below.

1.1 National Consultations

More than 40 national associations and agencies designated in the Consultation Policy as members of the National Table (see List I) were invited to express their views on the objectives proposed by the Department. The National Table met in Québec City on September 30, 2003. On September 3, 2003, the Department sent each association and agency documents prepared for the public consultations. Twenty-three associations and agencies submitted briefs to the Minister of Natural Resources, Wildlife and Parks.

1.2 Consultation of Native Communities

On September 3, 2003, the Department invited the Native communities (see List II) to submit their comments and recommendations on the proposed objectives. In accordance with the *Forest Act* and the Consultation Policy, the Department suggested that the communities hold separate consultations for their members, and that a consultation procedure be established with each individual community. Pursuant to the applicable provisions of the Agreement Concerning a New Relationship Between Le Gouvernement du Québec and the Crees of Québec, the James Bay Advisory Committee on the Environment was also invited to comment on the Department's proposals. Six briefs were submitted, including one from a member of the National Table, the Assembly of First Nations of Québec and Labrador.

1.3 Regional Consultations

Pursuant to the provisions of the Consultation Policy, the 13 regional development boards that oversee territory containing public forests (see List III) organized regional consultations. Specific procedures were established by each regional development board. The Department held a meeting with the representatives of the regional development boards beforehand on September 15, 2003, to establish the guidelines of the regional consultations and the available assistance.

The consultations were held between September 22, 2003, and January 15, 2004. Each regional board reported the results of their consultations to the Ministère des Ressources naturelles, de la Faune et des Parcs.

LIST I

Member Associations and Agencies of the National Table

- Assembly of First Nations of Québec and Labrador *
- Association déroulage et sciage de feuillus du Québec *
- Association des aménagistes régionaux du Québec*
- Association des biologistes du Québec *
- Association des centres locaux de développement du Québec
- Association des consultants en foresterie *
- Association des producteurs de copeaux du Québec inc.
- Association des régions du Québec
- Associations touristiques régionales associées du Québec
- Aventure Écotourisme Québec
- Canadian Religious Conference, Québec Region *
- Communications, Energy and Paperworkers Union of Canada
- Confederation of National Trade Unions
- Conférence des coopératives forestières du Québec *
- Conseil de la recherche forestière du Québec
- Ducks Unlimited Canada *
- Faculté de foresterie et de géomatique de l'Université Laval
- Fédération des clubs de motoneigistes du Québec
- Fédération des pourvoires du Québec inc. *
- Fédération des producteurs acéricoles du Québec
- Fédération des producteurs de bois du Québec *
- Fédération des trappeurs gestionnaires du Québec *
- Fédération des travailleurs du papier et de la forêt
- Fédération des travailleuses et travailleurs du Québec
- Fédération québécoise de la faune *
- Fédération québécoise des gestionnaires de zecs *
- Fédération québécoise des municipalités
- Fédération québécoise du canot et du kayak
- Fédération québécoise pour le saumon atlantique
- Fraternité nationale des forestiers et travailleurs d'usines
- Ordre des ingénieurs forestiers du Québec *
- Ordre des technologues professionnels du Québec
- Québec Forest Industry Council *
- Regroupement des associations forestières du Québec *
- Regroupement des locataires des terres publiques du Québec inc. *
- Regroupement des sociétés d'aménagement forestier du Québec *
- Regroupement national des conseils régionaux de l'environnement du Québec *
- Société des établissements de plein air du Québec *
- Solidarité rurale du Québec *
- Syndicat des métallos
- Syndicat des producteurs de bleuets du Québec
- Union des municipalités du Québec
- Union québécoise pour la conservation de la nature *
- World Wildlife Fund Canada *

* Organization having submitted a brief.

LIST II

Native Communities

- Abitibiwinni Band Council
- Anishnabe Nation Council of Lac-Simon
- Atikamekw Council of Manawan **
- Atikamekw Council of Opticivan Obedjiwan **
- Atikamekw Council of Wemotaci **
- Betsiamites Band Council
- Cree Nation of Mistissini ***
- Eagle Village Kipawa First Nation
- Essipit Montagnais Council
- Huronne-Wendat Nation Council *
- Innu Council of Ekuanitshit
- Innu Takuaikan Uashat Mak Mani-Utenam Council
- Kitcisakik Anicinapek Band Council
- Kitigan Zibi Anishinabeg Band Council
- Lac-Barrière Band Council
- Listuguj Mi'gmaq Nation Council
- Longue-Pointe First Nation
- Malecite First Nation of Viger
- Micmac Band Council of Gesgapegiag
- Micmac Nation of Gespeg *
- Mohawk Council of Akwesasne
- Mohawk Council of Kahnawake
- Mohawk Council of Kaneshatake
- Montagnais Council of Lac-Saint-Jean
- Montagnais Council of Natashquan
- Montagnais Council of Pakuashipi
- Montagnais Council of Schefferville
- Montagnais Unamen Shipu Band Council
- Nemaska Band Council ***
- Odanak Band Council
- Oujé-Bougoumou Cree Council ***
- Timiskaming Band Council
- Waskaganish Band Council ***
- Waswanipi Band Council ***
- Wolf Lake First Nation
- Wôlinak Abenaki Band Council

* Native community having submitted a brief.

** The views of the Atikamekw communities were submitted by the Atikamekw Nation Council.

*** The Crees participated through joint working groups established in accordance with the Agreement Concerning a New Relationship Between Le Gouvernement du Québec and the Crees of Québec.

LIST III

Regional Development Boards

Conseil régional de concertation et de développement
du Bas-Saint-Laurent (01)

Conseil régional de concertation et de développement
du Saguenay–Lac-Saint-Jean (02)

Conseil régional de concertation et de développement
de la région de Québec (03)

Conseil régional de développement de la Mauricie (04)

Conseil régional de développement de l'Estrie (05)

Conseil régional de développement de l'Outaouais (07)

Conseil régional de développement de l'Abitibi-Témiscamingue (08)

Conseil régional de développement de la Côte-Nord (09)

Conseil régional de développement de la Baie-James (10)

Conseil régional de concertation et de développement
de la Gaspésie et des Îles-de-la-Madeleine (11)

Conseil régional de concertation et de développement
de Chaudière-Appalaches (12)

Conseil régional de développement de Lanaudière (14)

Conseil régional de développement des Laurentides (15)

2. HIGHLIGHTS

There was strong consensus among participants concerning the seriousness of the Department's proposals and the accuracy of the issues raised. Oftentimes virtually unanimous, the majority of participants supported the adoption of the proposed forest resource protection and development objectives. They were also in favour of the Department's intent to establish local targets for each objective based on regional socio-economic and forest realities. However, while participants commented at length and made many recommendations, they did not agree on what the future targets should be, how to achieve them and the time frames.

Agencies and businesses expressed some reservations about the Department's proposals, deeming them too stringent or too lenient, as the case may be. Some participants claimed that they would reduce allowable annual cuts, destabilize the supply of processing plants and increase the costs of forest management operations. Some believe the Department's proposals would threaten the survival of certain wood processing plants and local economies. Others believe the proposed measures should be strengthened to ensure even greater protection of the forest environment and better preservation of biological diversity. They also underscored the need to extend the scope of several of the proposed objectives (e.g., eliminate or reduce soil erosion problems caused by old forest roads in order to better protect aquatic habitats).

The participants would have liked to receive more information on the socio-economic effects and the impact on allowable annual cuts of the proposed measures. The majority would have liked the Department to propose forest resource development objectives, mainly to maintain economic activity related to the processing of timber. Numerous participants suggested the following objectives: intensify forest management, increase wildlife potential, and improve planning and management of the forest road network.

Others noted that some of the Department's proposals seemed divergent. For example, the measures proposed to protect salmon river watersheds by maintaining deforested areas at or below 50% of the total deforested area could lead to an increase in the density of forest roads, while another of the Department's objectives is to minimize losses of productive area due to the development of this very same network. Some participants requested that there be a global vision for forest management. Participants also agreed with the Department on the importance of assuring the synergy between the various measures that will be adopted to ensure the attainment of the objectives retained by the Minister, in order to minimize socio-economic impacts.

Participants noted the need to:

- take into account, in the establishment of forest strategies, the effect of other protection measures already in place as a result of government or departmental initiatives (e.g., the creation of protected areas that contribute to the maintenance of biological diversity);
- hone our knowledge of resources and the forest environment (and to invest the necessary funds);
- prioritize the completion of the protected area network;
- use certain areas such as wildlife reserves for experimenting with new silvicultural techniques;
- ensure compliance with agreements between holders of harvesting rights and local agencies (municipalities, Native communities, forest users, etc.); and
- provide technical and financial support for the application of required measures.

Some participants noted the need to revise the *Regulation respecting standards of forest management for forests in the domain of the State*. Others reiterated the importance of the controls that the Department would exercise to ensure application of the measures required to attain the objectives. Some agencies requested that the Department delay the adoption of objectives until it had evaluated socio-economic impacts and could include the recommendations of the Scientific and Technical Public Independent Study Commission on Management of the Forests in the Domain of the State. These recommendations should be announced in December 2004.

Some Native communities commented on the Department's proposals, either directly or through various organizations and working groups. Overall, the proposals were well received. However, they were said to fall short in that they give insufficient consideration to the rights, values and needs of Native communities. These communities also had some requests concerning their participation in forest management.

TABLE 1

SUMMARY OF THE COMMENTS ON THE PROPOSED OBJECTIVES

OBJECTIVE	COMMENTS
Reducing rutting	- Majority of participants in agreement. - Targets too high or insufficient, depending on the participant; proceed with regionalization of objectives. - Deadlines either too short or too long, depending on the participant. - Difficulty reconciling the objective with the current requirement to restrict circulation of forest machinery to a limited number of trails. - Relaxing of the regulations required to allow for other practices (circulation of machinery).
Minimizing losses of productive forest area	- Majority of participants in agreement. - Requests to expand the scope of the objective to cover more land. - Anticipated difficulties reconciling the various requirements (e.g., minimizing losses of productive area with the distribution of logging areas). - Adjustments proposed for assessment methods. - Several participants requested to be consulted on the local improvement targets. - Proposals concerning the management of the forest road network (e.g., better planning, closing and reopening of sections of roads). - Reforestation recommended for some unproductive areas.
Protecting aquatic habitats	“Sediment Generated by the Road Network” component - Majority of participants in agreement. - Need to clarify some notions (exceptional circumstances, recent management activities, etc.) as well as the planned time frames. - Requests for closer monitoring of erosion problems (e.g., erosion caused by old forest roads). - Proposal to include all stakeholders in the development of improvement plans and to extend the responsibility of forest companies beyond the periods during which operations are carried out. - Requests to prioritize certain areas (wildlife reserves, etc.). - Proposals concerning management of the road network (e.g., application of the guide to best management practices for forest roads, reduction in the number of watercourse crossings and training for machinery operators). “Increases in Peak Flows of Atlantic Salmon Watersheds” component - Approach well received by the participants. - Virtually unanimous support for the objective to limit reforested area to 50% in the target watersheds. - Requests to review the decrease in total area of the watersheds in question. - Need to expand the watershed approach to include species other than Atlantic salmon. - Concerns about the socio-economic impacts of the proposed measures.

	- Requests for the establishment of an objective for wetlands and riparian habitats, and to review the <i>Regulation respecting standards of forest management for forests in the domain of the State</i>.
Maintaining a quantity of mature and overmature forests	- Majority of participants in agreement. - Questioning of the scientific value of the 33% threshold and the proposed measures. - Concerns about the impacts of the proposed measures on allowable annual cuts. - Time frames for attaining the final target deemed too short or too long, depending on the participant. - Requests to prioritize application of the proposed measures for structured wildlife territories. - Requests from the regions to participate in the establishment of biological refuges. - Importance of prioritizing the completion of the protected areas network. - Importance of scientifically validating adapted silvicultural practices before they are implemented.
Applying spatial distribution patterns for logging	- Majority of participants in agreement. - Participants doubt social acceptability of the proposed cutting patterns for spruce-moss forests. - Make existing mechanisms more flexible to adjust spatial distribution of cuts, when necessary. - Questioning by many participants of the relevance or sufficiency of maintaining one large closed forest in every forest management unit in the spruce-moss domain. - Area of large closed forests considered insufficient or too great, depending on the participant. - Importance of developing options for mosaic cutting in the hardwood, mixed and fir forest domains. - Concerns about the effects of the measures on allowable annual cuts and local economies. - Concerns about the effects of the development of forest roads on the preservation of biological diversity.
Protecting the habitats of threatened or vulnerable forest species	- All participants in agreement. - Number of species targeted deemed insufficient. - Proposal to increase resources allocated to inventories and monitoring. - Suggestion to introduce support measures for harvesting rights holders. - Need for the transmission of information to harvesting rights holders concerning habitats to be protected early in the forest management plan preparation process.
Maintaining the visual quality of forest landscapes	- Majority of participants in agreement. - Classification grid deemed too stringent in some cases or unsuited to local conditions. - Requests for recognition of the specific status of some territories (e.g., wildlife reserves). - Apprehensions concerning the imbalance of power between the forest companies and other users of the territory. - Concerns about the possible impacts of the proposed measures on the supply of processing plants and on regional economies.

Conserving dead wood in managed forests	- Few comments received. - Participants who did comment were in agreement. - Increased use of variable retention harvesting strategies. - Proposals for the number of snags to protect. - Need to protect larger trees for snag renewal. - Consideration of total dead wood requirements in calculations on sites unfit for or exempt from the harvest. - Concerns about the possible costs and impacts of the proposed measures on allowable annual cuts. - Consideration given to the safety of forest workers.
Controlling precommercial thinning practices	- Few comments received. - Participants who did comment were in agreement. - Application of the scientific consulting committee recommendations in the Forest Management Manual. - Need to establish spatial and temporal distribution of precommercial thinning treatments at a sectoral level and in the forest management units. - Need to conserve shrubs and fruit trees.

4. CONSULTATION OF NATIVE COMMUNITIES AND ORGANIZATIONS

4.1 Huron-Wendat Nation Council

The Huron-Wendat Nation Council was in favour of all the proposals presented by the Department. The Council underscored the social, regional and adaptive character of the proposed objectives. It also made the following recommendations:

► Conservation of water and soil resources

- Review the construction of watercourse crossings to increase their service life.

► Preservation of biodiversity

- Provide for the participation of the Huron-Wendat Nation in forums and decision tables concerning the preservation of exceptional areas and the creation of protected areas.
- Provide for the consultation and cooperation of the Huron-Wendat Nation concerning all conservation projects involving the natural environment on its traditional territory.
- Systematically designate as biological refuges all inaccessible areas within a forest management unit.
- Maintain a protective strip measuring at least 50 metres around large-diameter older trees that dominate the skyline.
- Review the protection standards for riparian habitats to take into account wildlife needs and shoreline sensitivity.
- Implement mosaic cutting at a regional level (dispersion and reduction of logging areas, maintenance of the visual quality of landscapes, use of harvesting methods with reduced impact on wildlife, intervention schedule adapted to forest users, and continual funding for the maintenance of forest roads).
- Examine the possibility of implementing a road network consisting of loop trails.
- Implement measures to designate and protect threatened or vulnerable species and their habitat.

► **Maintenance of the multiple socio-economic benefits society derives from forests**

- Set objectives that take into account the socio-economic concerns of forest artisans.
- Determine forest lands that could be set aside for intensive timber production.

Lastly, the Council:

- recommended that forest policies and standards be developed regionally in cooperation with local players; and
- advocated the implementation of consultation mechanisms adapted to the needs of Native communities.

4.2 Atikamekw Nation Council

The Atikamekw Nation Council noted that the Department's proposals include economic, social and environmental factors, and that they are aimed at regional development and further provide for the integration of regional concerns.

The Atikamekw Nation Council recalled, however, that the Atikamekw do not recognize the authority of the Québec government over Atikamekw ancestral territory and that:

- the Atikamekw must have free access to the territory;
- management and development of the land must first and foremost meet the needs of the Atikamekw (maintenance of their lifestyle and traditional activities, as well as ancestral rights on logging sites and harmonization of forest activities with Native activities); and
- the Atikamekw must be involved in decisions concerning management and development of the territory.

The Council also made the following requests:

► **Preservation of biodiversity**

The maintenance of mature and overmature forests, the spatial distribution of logging areas and the protection of threatened or vulnerable forest species are important to the Atikamekw. They have requested to participate in the establishment of protected areas, the determination of mature and overmature forests, biological refuges, patches of old-growth forest and habitats to be protected.

► **Maintenance of forest landscapes**

The Council recommended that the criteria used to measure landscape sensitivity be expanded to include landscapes or environments important to the socio-economic development of the Atikamekw.

► **New objectives to incorporate to ensure Native rights are respected**

The Council requested that specific objectives concerning the respect of Native rights and the harmonization of management and intervention methods be established in cooperation with First Nations. The Council also proposed:

- an assessment of the condition of the territory;
- an adjustment in the maintenance of forest ecosystem productivity to include Atikamekw family territories (which should be used as the basis for dividing the management units into territorial reference units);
- the implementation of an adaptive and participative management approach to tailor silvicultural operations to the ecological realities and Native occupation of the territory;
- to require holders of harvesting rights to consult the overseers of family territories on an annual basis and in a significant manner to determine which areas to protect, and to prescribe or adapt silvicultural treatments;
- to prioritize the protection of resources on which the Atikamekw depend; and

- to review the provisions of the *Regulation respecting standards of forest management for forests in the domain of the State* to better protect family settlements and allow occupants to use the surrounding resources.

Lastly, the Council noted its dissatisfaction with the manner in which the Aboriginal consultations are conducted. It requested that mechanisms be implemented and that financial support be provided to enable the Atikamekw to participate in decision-making processes, as well as planning and management strategies concerning the development of the territory and its resources.

4.3 The Crees of Québec

In accordance with the Agreement Concerning a New Relationship Between Le Gouvernement du Québec and the Crees of Québec, the Minister Responsible for Natural Resources, Wildlife and Parks received proposals from the joint Cree-Québec working groups on the proposed forest resource protection and development objectives. The Minister also consulted the Cree-Québec Council and the James Bay Advisory Committee on the Environment, which recommended that it act on the joint working groups proposals.

The working groups recognized that the proposed objectives would contribute to better integration of the concerns surrounding sustainable development. They also considered the objectives to be a good example of forest regime tools that are compatible with the terms of the Agreement. The following comments were made:

- reducing rutting and minimizing losses of productive forest areas: encourage the use of adapted machinery;
- protection of aquatic habitats by avoiding sediment inputs in watercourses: protect sturgeon habitat (given its importance to the Crees);
- maintenance of mature and overmature forests: plan to implement the proposed measures (biological refuges, patches of old-growth forest and adapted silvicultural practices) with master trappers and joint working groups;
- distribution of logging areas: apply the related measures outlined in the Agreement Concerning a New Relationship Between Le Gouvernement du Québec and the Crees of Québec;

- protection of threatened or vulnerable forest species: apply the protection measures for the habitat of targeted species in addition to the provisions of the Agreement, making sure not to infringe on the species sought after by the Crees; and
- protection of forest landscapes: adapt the methodology developed by the Department to Cree values.

The joint working groups also proposed other objectives that take into consideration other factors of sustainable forest development:

- create, in cooperation with the Crees, long-term economic development possibilities deriving from forest management;
- ensure environmental conditions favourable to the use of the territory by the Crees;
- assure sustainable, quality wildlife habitats of species important to the Crees;
- continuously improve Cree participation in forest management.

4.4 Micmac Nation of Gespeg

The Micmac Nation of Gespeg expressed concern about the preservation, protection and management of forest resources. It deemed the objectives proposed by the Department relevant, but noted that they would have little impact on forest practices. The Nation would have liked to see the Department propose forest improvement objectives (application of partial cuts in mixed forests, etc.).

The Micmac Nation of Gespeg also mentioned that the time frame for the consultations was tight and that more means should be made available in the future to facilitate participation in consultations held by the Department. It advocated compliance with the Consultation Protocol of the First Nations of Québec and Labrador, adopted by the Assembly of First Nations of Québec and Labrador.

4.5 Assembly of First Nations of Québec and Labrador

The Assembly of First Nations of Québec and Labrador noted that the objectives proposed by the Department were important, yet incomplete and fragmented. It also pointed out the lack of objectives regarding the human aspect of the forest environment and that, in the eyes of the Québec government,

respecting the rights of First Nations still did not appear to warrant the establishment of specific objectives.

The Assembly of First Nations of Québec and Labrador recommend that:

- forest management and development practices take into account the social realities of First Nations, who traditionally approach management from a community perspective; and
- the consultation process include a consent process with First Nations that provides for actual participation.

The Assembly of First Nations of Québec and Labrador also recommended that:

- First Nations be granted a major role in the governance of forests;
- a functional local co-management process with decision-making power be implemented, in which First Nations would play a key role;
- special consultations be held and communication approaches adapted to the realities of First Nations be adopted;
- support be given to the participation of communities in the revision of forest management plans;
- elements contained in the Sustainable Development Strategy for Québec and Labrador First Nations be included in all references to sustainable development; and
- compatibility be assured between forest resource development activities and the maintenance of traditional lifestyles, among other things.

CONCLUSION

The Minister Responsible for Forests, Wildlife and Parks will announce the forest resource protection and development objectives to be incorporated in the general forest management plans. The objectives will be discussed in a separate publication.