



**Commission d'étude  
sur la gestion de la  
forêt publique québécoise**

# **Preparatory Document for Public Consultation**

**March 2004**

A large, stylized green tree graphic is positioned in the upper right quadrant of the page. The tree is composed of several layers of horizontal, pointed branches, creating a layered, almost abstract appearance. The color is a vibrant green, and the overall style is clean and modern. It is set against a background of soft, curved green and yellow gradients that sweep across the top and right sides of the page.

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Commission d'étude sur la gestion de la forêt publique québécoise  
800, Place d'Youville, 18<sup>th</sup> Floor  
Québec City (Québec) G1R 3P4  
Telephone: (418) 644-1902 / 1 866 319 7257 (toll free)  
Fax: (418) 644-3049  
E-mail: [info@commission-foret.qc.ca](mailto:info@commission-foret.qc.ca)  
Website: [www.commission-foret.qc.ca](http://www.commission-foret.qc.ca)

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The forest is part of the joint heritage of all Quebecers, and one for which they are deeply attached. In recent years, various concerns have been voiced about the way in which public forests are being managed and the impact on various aspects of sustainable development, including the conservation of biodiversity, multiple use of forest resources as well as the vitality of regions and businesses associated with the forest environment. More specifically, some people have been questioning the underlying justification for certain practices, notably in connection with the methods used to determine the volumes of wood that may be harvested. Others have pointed to what they consider to be major problems in relation to such elements as harvesting methods, the relationship between businesses and government, the monitoring and auditing of forest management activities, and forest workers conditions.

In order to provide an overview of the current situation, respond to concerns, define a vision for the future and regain the public's trust, the Québec government has established the **Commission d'étude scientifique, technique, publique et indépendante chargée d'examiner la gestion des forêts du domaine de l'État** (Commission for the scientific, technical, public and independent study of public forest management).<sup>1</sup>

**1** The establishment of the Commission was announced by the Québec government in October 2003. It is chaired by Guy Coulombe. For more information, see the website [www.commission-foret.qc.ca](http://www.commission-foret.qc.ca).

The objective of this document is to initiate discussions on a number of topics that will guide the public hearings to be held in coming months. To structure its work, the Commission has chosen to highlight a few key aspects of the existing forest management system, making various preliminary observations that require validation. The questions and topics brought forward are intended to facilitate input from participants. The list of issues raised is not exhaustive, and the Commission will pay careful attention to all opinions expressed during the public hearings and through its website. It will also take into consideration the many written submissions that were made during other public consultation processes in recent years.

In its final report, the Commission intends to define an overall vision of sustainable development for Québec's public forests. To this end, it will present a series of concrete recommendations, based both on suggestions made by participants in the consultation process as well as various scientific and technical opinions it has specifically called for.



## Mandate of the Commission

The mandate of the Commission is to define the current situation of public forest management in Québec from the point of view of integrated resource management, and to propose solutions to improve the overall forest management system. More specifically, the role of the Commission is to:

- ▶ Examine the administration of the Québec forest management system and the results achieved, notably in terms of maximum sustainable yields;
- ▶ Examine possible ways of improving the forest management system;
- ▶ Examine the economic, environmental, wildlife-related, social and regional dimensions, as well as the questions of regeneration, sustainability, biodiversity, management practices and sustainable development in connection with the protection and use of forests and forest resources;
- ▶ Examine the quality of forest management plans and forest surveys; the scientific and technical basis for the techniques used to calculate the maximum sustainable yield; the quality of long-term monitoring of the forest environment; the scientific and technical basis for the techniques used for annual monitoring and auditing operations (harvesting, timber scaling, silvicultural treatments and compliance with the standards prescribed in the *Regulation respecting standards of forest management for forests in the domain of the State*, enacted by Order in Council 498-96 dated 24 April, 1996); the quality of the system used to grant credits for silvicultural treatments in relation to stumpage fees; and any other matter the Commission considers relevant in order to complete its mandate in a full and proper manner;
- ▶ Take into account, in the course of its work, the amendments made in 2001 and 2002 to the *Forest Act* (R.S.Q., chapter F-4.1), and the measures announced by the Deputy Minister of Natural Resources during the hearing of the National Assembly's Committee on Public Administration held on February 13, 2003;
- ▶ Recommend any modification that it considers necessary to ensure that public forests and forest resources are managed in the best possible way, in view of the elements mentioned above, along with appropriate criteria for the management of the risks associated with calculations of the maximum sustainable yield as well as the monitoring and auditing of forest management activities, taking into consideration all the relevant wildlife-related, social, economic and environmental factors, and the key elements in an overall plan towards sustainable forest management in Québec.

The Commission has chosen to interpret its mandate in a broad way in the sense that it includes the methods and means used to administer Québec's forests, the relevance and performance of the different management systems in place and, more generally, the contribution made by these various components to the sustainable development of Québec and its regions.



## Work Schedule

The work of the Commission is divided into four phases.

### PHASE 1 JANUARY TO MARCH, 2004

- ▶ Exploratory meetings with individuals, groups and organizations to gain a clear understanding of the underlying rationale for forest management in Québec, along with the main issues and concerns, and to obtain opinions on the best way to proceed with the consultation process;
- ▶ Review of the existing literature;
- ▶ Definition of specific scientific and technical analyses (comparison with forest management systems in other jurisdictions, analysis of the submissions made at previous consultations, examination of the basis for calculating the maximum sustainable yield, etc.);
- ▶ Determination of the formula to be used for the public hearings, and production of the *Preparatory Document for Public Consultation*.

### PHASE 2 APRIL TO JUNE, 2004

- ▶ Collation of all written proposals received from interested parties (individuals, groups and organizations);
- ▶ Regional consultations, in the form of public hearings and discussion sessions.

### PHASE 3 JULY TO SEPTEMBER, 2004

- ▶ Analysis of the proposals received, discussion and in-depth examination of specific subjects;
- ▶ Visits to forest sites;
- ▶ Public consultation of provincial and multiregional organizations;
- ▶ Specific public consultation with First Nations;
- ▶ Other consultations to explore certain questions and verify possible solutions.

### PHASE 4 OCTOBER TO DECEMBER, 2004

- ▶ Drafting of the Commission's report and submission to the Québec government.



## General Context

In the early 1900s, under the concession system, Québec's forests were mainly used to supply pulp and paper mills; this actually allowed Québec to become one of the world's largest paper producers. Over the last forty years, an ongoing series of amendments have been made to Québec's forest management system in response to several key factors, notably:

- ▶ During the 1960s, the decision was made to abolish the concession system to ensure a more effective use of timber potential, promote the development of the sawmilling industry, and make more land accessible to the public;
- ▶ Private hunting and fishing clubs on public land were abolished;
- ▶ Solutions were sought to allow the development of First Nations communities;
- ▶ Expectations rose to use a wider range of forest resources;
- ▶ A new awareness of environmental values emerged, including the protection of Québec's forest heritage;
- ▶ New producers emerged and competition increased at the international level.

These changes, all of which occurred over a relatively short period of time, have happened in the midst of two different, although not irreconcilable, visions for development. For some, public forests are above all a source of fibre supply for the wood products industry, whereas for others, forests are a public heritage and priority should be given to access, use and protection, subordinating timber supplies to collective needs.

Given this context, there is a clear need for the government to define a vision for the future of public forests and establish a general framework to facilitate the search for consensus. To achieve this, facts and data about the forest resources must be collected and made available in a transparent way. Furthermore, management guidelines must be established and methods implemented so that compromise solutions can be defined in the context of sustainable development.

The Commission has examined Québec's current forest management system and recognized that the legislative and regulatory framework is both recent and complex. The main legislative texts are the *Forest Act*<sup>2</sup>, the *Environment Quality Act*, the *Act respecting the conservation and development of wildlife*, the *Act respecting threatened or vulnerable species*, the *Natural Heritage Conservation Act*, the *Act respecting the lands in the domain of the State* and the *Act respecting the Ministère des Ressources naturelles, de la Faune et des Parcs*.

Each one of these legislative documents relates to the values associated with Québec's forests, the activities permitted, the protection measures, the mechanisms for collaborative decision-making, etc. In the preamble to the *Forest Act*, Québec defines the parameters for its vision of sustainable forest development as follows: "*The purpose of this Act is to foster recognition of the forest as a common heritage and promote sustainable forest development in order to meet the economic, environmental and social needs of present and future generations while giving proper consideration to other potential uses of the territory.*"

<sup>2</sup> Québec's *Forest Act* was adopted in 1986 and has been amended several times since then, most recently in 2001. It stipulates that sustainable forest development must be conducive to:

- the preservation of biological diversity;
- the maintenance and improvement of the condition and productivity of forest ecosystems;
- the conservation of soil and water resources;
- the maintenance of the function of forest ecosystems as a component of global ecological cycles;
- the maintenance of the multiple socioeconomic benefits society derives from forests;
- the giving of proper consideration, in selecting forms of development, to the values and needs expressed by the populations concerned."



In recent years, the Québec government has often used public hearings to obtain input on various aspects of public forest management. Since 2001, the consultative process is permanent and compulsory, as now prescribed by the *Forest Act*. A large number of briefs, analyses and technical opinions have been tabled through major consultations. The Commission intends to use this information in its own work, concentrating mainly on documents submitted since 1996 in relation to the most recent overhaul of the forest management system. In addition to the documents tabled during hearings organized by the Ministère des Ressources naturelles, de la Faune et des Parcs (MRNFP), the Commission will examine other documents (namely from initiatives listed below). It will also take into consideration the report by the Québec Auditor General (*Rapport du Vérificateur général du Québec*) tabled in 2002, in which Chapter 4 deals with the question of forest management, as well as the information document on public forest management (*Document d'information sur la gestion de la forêt publique*) presented to the Commission by the MRNFP in January 2004<sup>3</sup>.

<sup>3</sup> These documents are available from the website [www.commission-foret.qc.ca](http://www.commission-foret.qc.ca).

## RECENT PUBLIC HEARINGS INTO PUBLIC FOREST MANAGEMENT ISSUES

- ▶ Updating of the forest management system: summary report and preparatory consultations (1997-98)
- ▶ Parliamentary committee hearing on Bill 136, *An Act to amend the Forest Act and other legislative provisions* (2000)
- ▶ Québec's Consultation Policy on Orientations for the Management and Development of the Forest Environment (2001)
- ▶ Delimitation of forest management units and the northern limit for commercial allocations (2002)
- ▶ Commission to study the maximization of economic benefits and the development of natural resources in resource regions (2003)
- ▶ Proposed forest environment protection and development objectives for the 2005-2010 management plans (2003)
- ▶ New approach to public land allocations (2003)
- ▶ Proposed protected areas for the monts Groulx and Île René-Levasseur areas in the Central Laurentian natural province (Bureau d'audiences publiques sur l'environnement, 2003)

Since January 2004, the Commission has held over fifty meetings<sup>4</sup> with individuals, groups and organizations in Québec City and several other regions. These exploratory meetings were designed to gain an overview of the general context for public forest management and to identify the key issues. The results of these discussions are currently being analyzed but, already, there appears to be general agreement about the issues on which the Commission should concentrate. The meetings have also helped define the way in which the public hearings should be organized.

<sup>4</sup> A list of the individuals, groups and organizations met by the Commission since January 2004 is available on the website [www.commission-foret.qc.ca](http://www.commission-foret.qc.ca).



## SECTION B Framework for Discussion

The Commission is inviting all participants in these public hearings to make proposals for concrete solutions that take into account the environmental, social and economic dimensions of sustainable development. In order to provide a framework, the Commission has identified four main themes:

- 1 ▶ Sustainable development and integrated resource management
- 2 ▶ Comprehensive knowledge of forest assets
- 3 ▶ Planning, delivery and performance of forest management activities
- 4 ▶ Forest management framework and models

As much as possible, participants are invited to use this structure when making recommendations. They need only reply to the questions that are relevant to their needs and interests, and may also develop other subjects linked to the work of the Commission.

### 1. Sustainable Development and Integrated Resource Management

There is unanimous agreement that the forest is a complex environment, that its management is a complex task, and that the coexistence of activities based on different sets of values within the same area constitutes a major challenge.

The forest is a dynamic environment, supporting many different ecosystems and species as a result of major biological, geological and climatic cycles. It is used for a wide range of activities. It is part of the lifestyle of First Nations people and also of a large segment of the population in the regions. It provides work for many people, constitutes a key element in rural life, and makes a major contribution to the economy. In addition, it is a natural environment that has several environmental functions, notably in connection with water quality and soil conservation, the balance of atmospheric carbon at the planetary level, and biological diversity. In these circumstances, it is not surprising that there are many different opinions as to how Québec's forests should be managed, and that the reconciliation of short-term and long-term interests is such a challenge.

One of the main components of the Commission's mandate is to verify that the methods and processes imbedded in the forest management system are consistent with sustainable development and its environmental, social and economic dimensions.

The Commission must also ensure that the issues connected with public forest management are clearly defined. These issues include the viability of all types of businesses related to forest resources, including wood conversion mills, controlled wildlife harvesting zones (ZECs), outfitting operations and forest management companies, as well as the maintenance of jobs in the regions, the quest for optimal resource development, the protection of forest landscapes and biodiversity, the training and employment conditions for forest workers, and the maintenance of a forest environment conducive to the development of First Nations communities and publicly accessible for outdoor activities, hunting, fishing and other uses.

Any discussion of sustainable forest development necessarily raises the question of the some 16,000 men and women who work in Québec's forests. For all kinds of structural and context-based reasons, including changes in forestry practices, many forest workers are finding it difficult to improve their working conditions, including pay and job security. The statistics also show a lack of interest for the forest sector among young people, reflected in decreasing enrolment in various vocational, technical and university-level programs, despite employment prospects.



The Commission has also noted that the wood-based industry is currently facing major structural and context-related challenges, such as the emergence of new competitors, instability in the rules governing international trade, the difficulty of recruiting qualified workers, the rigidity of the current system which assigns wood allocations to specific mills, technological changes, the softwood lumber dispute with the United States, and the growing strength of the Canadian currency against the US dollar.

The Commission sees that key social, environmental and economic players in Québec seem to agree on the importance of protecting biodiversity and ensuring integrated forest resource management. This consensus was clearly demonstrated during previous public hearings, and the Commission intends to concentrate on the means to make it a reality.

The adoption of the *Forest Act* in 1986, and the subsequent amendments to the Act, have given more people access to forest resources; it has also allowed users other than wood processing companies to contribute to the planning of forest management activities, and it has led to changes in forest practices. This evolution can be traced back to various elements, including the *Regulation respecting standards of forest management for forests in the domain of the State*<sup>5</sup> and the *Forest Management Manual*<sup>6</sup>. The new measures include the requirement to use cutting methods that provide soil and regeneration protection, a ban on the use of chemical pesticides in 2001, a reduction in the size of single-block cutting areas, the identification and protection of exceptional forest ecosystems<sup>7</sup> and protected areas<sup>8</sup>, the introduction of the Forest Resource Development Program<sup>9</sup>, the introduction of territorial reference units<sup>10</sup>, the creation of new organizations to protect the forests against fire, insects and disease, and the adoption, in 2003, of a consultation policy on the main forest issues in Québec<sup>11</sup>. In essence, the forest management system has allowed a growing number of stakeholders to cohabit, although sometimes uneasily, in the forest environment.

**5** The first version of the *Regulation respecting standards of forest management for forests in the domain of the State* was published in 1988. Since then, this regulation has been revised several times and was last amended in December 2003.

**6** The *Forest Management Manual* is a document published by the MRNFP and last revised in 2003. It is used as a guide when forest management strategies are planned for each area. Among other things, it describes the methods and assumptions used to determine the maximum sustainable yield, including the expected effects of the various silvicultural treatments applied to forest stands in the area under consideration. The Manual is a compulsory point of reference for forest managers, since it is an integral part of each type of timber supply and forest management agreement awarded by the MRNFP.

**7** As of September 2003, 63 exceptional forest ecosystems had been classified. With some exceptions, no forest management activities are permitted in these areas.

**8** The government recognizes 1,200 protected areas that meet the definition of one of the six international categories for protected areas established by the World Conservation Union (IUCN). Currently, 5.3 % of Québec's territory is covered by protected areas, and the government has announced its intention to increase this percentage to 8 % by 2005.

**9** The Forest Resource Development Program was established in 1995 to promote the integrated management of forest resources, contribute to job creation in the regions as well as the development of First Nations communities, and encourage partnerships between key stakeholders in a given area.

**10** Territorial Reference Units (UTR) have been part of the *Regulation respecting standards of forest management for forests in the domain of the State* since 1996. These units are meant to ensure adequate forest cover for wildlife. The area of each UTR varies, depending in which major forest zone it is located.

**11** The Québec's Consultation Policy on Orientations for the Management and Development of the Forest Environment is available on the website [www.commission-foret.qc.ca](http://www.commission-foret.qc.ca).



Despite the existence of legislative and regulatory provisions concerning the integrated management and the protection of forest resources, the Commission notices that it is still mainly through the management and allocation of wood volumes that the government administers most public forest activities. This is in part due to the social and economic importance of the wood-based industry, including its historical significance. While recognizing the importance of benefits generated by wood harvesting and processing activities, Québécois have increasingly indicated their expectation to see a more diversified use of the forest environment. Although the government has announced that 8 % of Québec will be covered by a network of protected areas by 2005, concerns have been raised about the difficulty of ensuring an adequate geographical distribution for the fully-protected areas, given that harvesting rights have already been awarded under contracts covering practically all of Québec's public forests.

Among the concerns voiced during previous public hearings, and repeated during the preliminary work of the Commission, is the question of landscape, soil and water conservation. Over the years, the MRNFP has implemented various measures to reduce the impact of forest management activities. These requirements include harvesting methods that protect regeneration and soils, special measures to leave buffer zones along riverbanks and lakeshores, increased monitoring of rutting and river crossings, and visual protection of landscapes. The Commission would like to hear the point of view of participants in the public hearings concerning the effectiveness of these measures, and other possible approaches.

During its preliminary work, the Commission also noted that a number of people are dissatisfied with the mechanisms introduced for public consultation, harmonization and inter-sectoral coordination of forest management activities. It also appears that the ability of the various stakeholders to take part in these processes and influence management priorities and decisions at the local, regional and provincial levels is quite unequal, reflecting the disparity in the means and information at their disposal. In some circumstances, these factors appear to undermine the possibility of creating a management plan for a given area that is truly the result of concerted decision-making by all local and regional stakeholders.

To support its work, the Commission would like to receive suggestions on how to give concrete effect to the public forest management mechanisms designed to ensure sustainable development and the integrated management of forest resources. Participants in the public hearings are invited to consider the following questions as a guide in their reflection:

- 1.1 ▶ What innovative elements are needed to establish a sustainable development vision for Québec's forests? What constraints would need to be overcome?**
- 1.2 ▶ What changes should be made to the current management framework to improve the harmonization of activities in our public forests, to ensure that the needs, values and aspirations of the various stakeholders are taken into consideration, and that the ecological integrity of the land is protected?**
- 1.3 ▶ Given that wood harvesting and processing is one of the main driving forces behind Québec's economy, how can the social and economic impacts resulting from a decrease in wood allocations, to allow other uses of forests, be reduced?**



- 1.4 ▶ Considering existing regulations and standards, how could landscape, water and soil protection measures be improved?
- 1.5 ▶ From an operational point of view, what area of land should be the basic unit used for the integrated management of forest resources?
- 1.6 ▶ What steps could be taken to improve employment conditions for forest workers?
- 1.7 ▶ In a context of integrated resource management, how should roles and responsibilities be shared between the government, forest professionals and forest users?
- 1.8 ▶ What should be done to improve education, awareness and communication systems for the general public, young people in particular?

## 2. Comprehensive Knowledge of Forest Assets

By forest assets, the Commission means all the resources associated with the forest environment: trees, wildlife, plants, water, soil, landscapes, etc. It is the use of these assets that generate benefits for present and future generations. As Québec's public forests are meant to be managed with a view to achieving sustainable development, it is important that all forest-related values be taken into consideration.

During its preliminary work, the Commission was apprised of numerous concerns relative to the difficulty of obtaining both a general and a more specific profile of each forest resource and its benefits, including evolution over time. This is due partly to the complexity and diversity of forest ecosystems, the size of the territory and the time before the real impacts of forest management decisions on resource availability and condition can be known. The unequal importance traditionally ascribed to each particular resource is also a factor.

### 2.1 ▶ What is your overall evaluation of the condition of timber and non-timber resources in Québec's public forests?

As far as the wood resource is concerned, one of the major elements of Québec's public forest management process is the calculation of the maximum sustainable yield (MSY)<sup>12</sup>. In each forest management unit<sup>13</sup>, the MSY is established for various groups of species linked to prioritized wood conversion segments. The general purpose of the maximum sustainable yield calculation is to establish the volumes of wood that may be harvested while ensuring a constant supply to the mills, year after year.

<sup>12</sup> In the *Forest Act*, the maximum sustainable yield is defined as the maximum volume of annual timber harvest that may be obtained in perpetuity from a particular forest management unit without reducing the production capabilities of the forest.

<sup>13</sup> When the *Forest Act* was revised in 2001, the concept of "common area" was replaced by that of "forest management unit" (FMU). Basically, a forest management unit is the land base used by the MRNFP in its forest planning activities and maximum sustainable yield calculations, and to establish special resource protection and development objectives. Public consultations were held in 2002 on the proposed FMU boundaries, and a special consultation took place for FMUs located within the area covered by the *Agreement Concerning A New Relationship Between the Government of Québec and the Crees of Québec*. As a result, the 114 common areas were replaced by 74 FMUs. The FMUs have an average area of 5,015 km<sup>2</sup>, although their individual sizes vary considerably (from 142 km<sup>2</sup> to 24,842 km<sup>2</sup>).



The maximum sustainable yield calculation is currently based on the following key elements:

- ▶ The forest area where forest management activities are allowed
- ▶ Forest surveys<sup>14</sup>
- ▶ Forest stand dynamics<sup>15</sup>
- ▶ Forest management strategies (in accordance with the standards for forest management (RSFM) and the Forest Management Manual)<sup>16</sup>

As part of its mandate, the Commission has been asked by the government to look closely at the maximum sustainable yield calculation procedure. First and foremost, the Commission notes that the methods used to take into account the biophysical and socio-economic uncertainties and risks inherent to the calculation are by no means explicit, and in some cases totally ignored. This observation is consistent with the comments made in the 2002 report of the Auditor General of Québec.

Following its initial analysis, the Commission has grouped the risks associated with the maximum sustainable yield calculation and wood allocation process under the following:

- ▶ Risks related to the basic MSY calculation mechanism (SYLVA model), how the model is used, variations in basic data and their impacts on the model's sensitivity;
- ▶ Risks related to the assumptions underlying the calculation, especially storey groupings, storey returns and growth curves;
- ▶ Risks associated with the selection of forest management strategies;
- ▶ The actual impacts of silvicultural treatments on wood volumes and quality, as compared to the assumed impacts;
- ▶ Risks due to natural disturbances (insects, diseases, fires, climate change, etc.);
- ▶ Operational-type risks, e.g. the implementation of silvicultural treatments in accordance with good practice, the availability of labour and the condition of the land and the road network;
- ▶ The impacts of global government policies targeting more general elements, such as protected areas, exceptional forest ecosystems and integrated resource management, and more local elements such as changes over time to forest protection and development objectives for each forest management unit;
- ▶ Risks relating to the residual nature of mill allocations from the public forests compared to priority supplies from private forests, imports and recycling.

**14** So far, three 10-year forest surveys have been carried out in Québec. The most recent survey, which began in 1991, was completed in 2003.

**15** The maximum sustainable yield calculation takes two key stand dynamics elements into account, namely stand growth and succession following harvesting or senescence. Based on the survey data, yield tables are established for each species according to site quality, relative density and stand age. The yield tables are then used in the MSY calculation to simulate changes in the merchantable volume by species over time. The simulation is influenced by all the factors that affect stand growth over the years, such as silvicultural treatments, natural disturbances and so on.

**16** Spatial and temporal distribution and the way in which forest development activities are carried out (planting, harvesting, silvicultural work, forest roads, etc.) have a significant impact on the maximum sustainable yield calculation.



In view of these risk elements, the Commission concludes that the task of determining the maximum sustainable yield in such a way as to preserve or even increase employment and economic activity in the regions while ensuring the sustainability of the resource is subject to considerable uncertainty. Without presuming of any solution at this time, it nevertheless believes that, unless these elements of risk are managed in an explicit, transparent and dynamic way, the wood allocation process, even if volumes are revised every five years, will continue to be vulnerable to irreversible impacts and fluctuations that are incompatible with the quest for continuity.

To fuel its reflections, the Commission is therefore seeking concrete proposals aimed at improving the foundations and mechanisms of the maximum sustainable yield calculation process, with a view to managing the risks in a transparent way and fostering a relationship of trust with the general public. Consultation participants are therefore asked to consider the following elements:

- 2.2 ▶ What deficiencies do you feel are present in the current maximum sustainable yield calculation process, and what can be done to overcome them?**
- 2.3 ▶ On what territorial scale should the maximum sustainable yield be established?**
- 2.4 ▶ Based on your own appreciation of the various uncertainties, what percentage of the maximum sustainable yield could represent the allowable annual cut and still constitute an acceptable level of risk?**
- 2.5 ▶ What approaches should be applied and what knowledge needs to be acquired to incorporate economic, spatial and non-timber considerations into the maximum sustainable yield calculation, so that this wood potential is based on all forest-related values?**

Chapter 6 of the Information Document <sup>17</sup> prepared for the Commission by the MRNFP presents the department's overview of the wood resources in Québec. The Commission invites consultation participants to examine this description; it is important, in looking to the future, to establish a consensus on the current state of our resources.

**17** The Information Document given to the Commission by the MRNFP in January 2004 is available (in French only) on the Commission's website at [www.commission-foret.qc.ca](http://www.commission-foret.qc.ca).

The Commission has observed a specific problem concerning the degradation of hardwood forests in Québec. This reality is a direct consequence of past silvicultural practices, which have had a negative impact on stand quality. The situation is such that significant volumes of hardwoods must now be imported to meet the mills' supply needs, although the harvest level of hardwoods in Québec is below the maximum sustainable yield, due to the shortage of good quality wood. The same dynamics exist in many mixed forest stands where it has become impossible to harvest softwoods at a competitive cost because no purchasers are interested in the poor quality hardwoods. The Commission would be interested in hearing potential solutions to this key issue.



To support its work, the Commission is seeking proposals that will help improve the monitoring of forest resources and lands, and make information more widely available to interested parties. The following list of questions, while not exhaustive, offers some elements for reflection:

- 2.6 What is your assessment of the current state of the forest as a source of wood?
- 2.7 ▶ How could Québec's key forest resources monitoring systems be improved?
- 2.8 ▶ What roles and responsibilities should the various stakeholders have in the monitoring process, and how could their expertise be best used?
- 2.9 ▶ What principal elements should be included in a strategy to restore the quality of Québec's hardwood and mixed forests?

### 3. Planning, Delivery and Performance of Forest Management Activities

As part of its work, the Commission must analyze the planning and delivery of forest management activities. It also feels important to examine the extent to which silvicultural investments produce positive results for the economy of Québec, local communities and the forests themselves.

The MRNFP takes into account priority sources of fibre supplies (private forests, imports and recycling) when granting agreements and contracts that allow their holders to harvest, each year, a pre-determined volume of wood. Depending on the type of holder, its harvesting rights are granted in the form of a timber supply and forest management agreement<sup>18</sup> (TSFMA), a forest management agreement<sup>19</sup> (FMA) or a forest management contract<sup>20</sup> (FMC).

In exchange for these harvesting rights, agreement and contract holders must fulfill a number of obligations, which are incorporated into a range of forest management plans, each covering a different period of time. Generally speaking, the forest planning process is divided into two main steps: the general forest management plan (GFMP) and the annual forest management plan (AFMP).

<sup>18</sup> TSFMAs, granted to wood processing mills, are for an initial term of 25 years. Once every five years, holders must prove that they have complied with their commitments and with legislative and regulatory requirements in order to maintain their harvesting rights for the next 5-year period. According to the MRNFP, there were 244 TSFMAs in force in November 2003, for an annual harvesting wood volume of approximately 35 million cubic metres. Most TSFMA holders are sawmills. In addition to lumber, the sawmills produce chips that are used by pulp and paper mills, as well as sawdust and shavings, used to manufacture certain types of boards and other products.

<sup>19</sup> The FMA is a new type of agreement introduced as part of the 2001 review of the *Forest Act*. They are granted to individuals and organizations that do not have mill operating permits.

<sup>20</sup> The MRNFP first began to grant FMCs in 1993. FMCs last between one and five years. They are granted to municipalities, First Nations communities and joint management agencies.



The general forest management plan, when approved by the Minister, opens the door to harvesting rights over a period of 25 years. As part of its key characteristics, it is based on both the maximum sustainable yield calculated over a period of 150 years, and the 5-year plan of forest management activities<sup>21</sup>. Holders must produce an annual review of their management activities and carry out surveys to support the silvicultural treatments proposed in their annual plans. They must also take into account the special forest protection and development objectives<sup>22</sup> set by the MRNFP for each forest management unit. Before being approved by the Minister, the plans must be made available to other forest users and interested parties for consultation. To maintain their supplies from the public forests, holders must also prove that they have achieved certain forest management, environmental and industrial performance objectives, for which they are jointly responsible with other agreement and contract holders on the same forest management unit.

**21** In the *Forest Act*, forest management activities include those required to cut down and harvest trees, create and maintain infrastructures, carry out silvicultural work (including reforestation and the use of fire) and deal with insect epidemics, diseases and competing vegetation, as well as all other activities with an impact on the productivity of a given forest area.

**22** The *Forest Act*, as revised in 2001, states that the MRNFP must establish forest protection and development objectives for each forest management unit in the public forests of Québec. In its Information Document submitted to the Commission ([www.commission-foret.qc.ca](http://www.commission-foret.qc.ca)), the MRNFP indicates that public consultations on these objectives will be completed in January 2004.

In the last review of the *Forest Act*, it was decided that the maximum sustainable yield will now be determined by the MRNFP. On the other hand, the development of the management strategies, that are based on the MSY calculations, along with the 5-year plans, continue to be under the responsibility of the agreement and contract holders. Amendments adopted since 2001 will come into full force with the next round of annual and 5-year plans in 2006.

Consultation of local stakeholders is mandatory during preparation of a general plan, and the Minister will not approve the plan unless such consultations have taken place. Further amendments may also be required, adding to both the complexity and length of the planning process. Moreover, 5-year plans are based on the 10-year survey, which does not appear to be sufficiently detailed to allow for proper planning of forest management activities. The next stage, namely the annual plan, is based on surveys of harvested and treated areas, performed by the holder, and results are not integrated with those of the government's 10-year survey. The annual plan must nevertheless be consistent with the orientations of the 5-year plan.

In short, many stakeholders have commented on the difficulty of reconciling long-term planning requirements with those of the 5-year and annual plans. The Commission is therefore soliciting proposals that would help improve the planning of forest management activities and ensure that stakeholders are held accountable proportionally to their level of participation in the planning process. The following list of questions, while not exhaustive, offers some food for thought on this subject:

- 3.1 ▶ Can you suggest possible ways of rationalizing and integrating the various surveys, to improve the forest planning process?**
- 3.2 ▶ Should the various processes required for forest surveys, maximum sustainable yield calculations, planning and monitoring be the responsibility of a single stakeholder or multiple stakeholders? Who should be involved, and why?**



- 3.3 ▶ Which elements would allow for greater flexibility in the planning process while upholding the values and goals of all stakeholders as well as protecting and developing forest assets?
- 3.4 ▶ Which elements would help to improve the planning process and the division of roles and responsibilities between the MRNFP, contract or agreement holders and other forest users?
- 3.5 ▶ What additional coordinating measures could be envisaged to enhance the complementary between public and private forests?

As part of its work, the Commission also believes it is important to consider the extent to which silvicultural investments produce positive impacts for the economy, the communities and the forests of Québec.

The *Forest Act* states that dues are payable for wood harvested in public forests. The amount of these dues is based on private forest stumpage values, and is established mainly in relation to species, wood quality, logging costs and other variables characterizing the value of wood from public forests. Dues are payable in cash to the government, or in the form of prescribed silvicultural work. The Forest Resource Development Program and a percentage of the cost of the *Société de protection des forêts contre le feu* (SOPFEU) and the *Société de protection des forêts contre les insectes et les maladies* (SOPFIM) are funded from these stumpage fees.

The Commission notes that the net amount of dues peaked in 1997-1998 at \$267.2 million, out of a gross total of \$377.0 million. Since then, the gross amount of dues has declined to around \$300.0 million per year following a drop in harvesting levels and reference prices, while the value of the activities funded through these dues (mainly silvicultural work) has increased. In 2002-2003, net dues are expected to total approximately \$78.0 million.

In view of the new funding mechanism introduced in 2003-2004 for the Forestry Fund<sup>23</sup>, and the intensification of silvicultural work identified in the management plans, the Commission notes that, unless the prevailing conditions change significantly, the net amount of dues paid to the government will continue to decline in the coming years.

Since 1970, a total of \$2.5 billion (in constant 2002 dollars) has been invested in silvicultural work – an average of \$23 million per year in the 1970s, \$46 million per year in the 1980s, \$127 million per year in the 1990s and \$150 million per year from 2000 to 2003. This steady increase in the average annual investment is linked, among other things, to the growing importance of pre-commercial thinning activities in the last ten years; dues credits for this treatment alone totalled more than \$75 million per year in 2002 and 2003.

<sup>23</sup> The Forestry Fund serves basically to support the production of seeds and seedlings for reforestation, the production and updating of forest surveys, forestry research and development, the forest protection agencies (SOPFEU and SOPFIM), governmental scaling audits, silvicultural treatments and so on. It is funded by contributions from the industry and the government. In February 2003, the MRNFP announced that the industry's contribution would be limited to seedlings production, thus eliminating private funding of governmental auditing, surveying and R&D activities.



Following a preliminary analysis, the Commission notes that there is no clear proof that these investments have produced economic gains or increased forest yields. This can be illustrated by the case of pre-commercial thinning for which a fairly recent scientific opinion suggests that volume gains should no longer be ascribed to this type of treatment.

To help the Commission formulate its conclusions on the timber dues system and the return on the government's silvicultural investments, participants are asked to present their thoughts and solutions. The following elements, among others, may be considered:

- 3.6 ▶ What criteria should be used to assess the socio-economic returns from silvicultural investments?**
- 3.7 ▶ What would be the best silvicultural approach to (1) maximize returns for the government, (2) enable forest management and wood processing companies to remain profitable and competitive, and (3) ensure a level of forest management that will maintain if not increase Québec's forest assets?**
- 3.8 ▶ How could silvicultural work be improved to produce both increased volumes and better stem quality?**

## **4. Forest Management Framework and Models**

The Commission is interested in the framework of the public forest management system in Québec, and it will also be looking at different forest development models. In this regard, it acknowledges the MRNFP's recent plan of action, which addresses certain management deficiencies in the areas of control and monitoring, including those identified by the Auditor General of Québec. Despite implementation of this plan of action and the gradual application of the legislative and regulatory amendments adopted since 2001, the Commission would still like to examine ways of redirecting the management process and eventually make recommendations.

Based on its preliminary work, the Commission notes that the MRNFP applies a fairly uniform management model to all its public forests. Although a centralized formula does have certain benefits, it offers little flexibility to take into account regional differences in forest ecosystems, labour, markets or social and environmental values. The mill-by-mill wood allocation system, with the obligation to harvest every year, appears to constitute a serious obstacle to adjustments required by markets.



During its preliminary work, the Commission observed that new regulations and standards are frequently devised as a way of solving problems. This approach generates costs and administrative complexities, and is likely to have a negative impact on inter-stakeholder relationships. For forest professionals, the result is an increasingly complex and rigid structure that limits their potential contribution. Indeed, the Commission is aware of numerous concerns about the limited flexibility available to forest professionals in applying their expertise to the management and development of Québec's forests.

The Commission questions the long-term effectiveness of this approach in fostering sustainable forest development, promoting innovation, gaining public trust, stimulating the competitive capacity of businesses and supporting job creation. In prior consultations, many participants said they would prefer a form of result-based management rather than by regulations. In its Information Document, the MRNFP sets out certain orientations in this respect. Given that the complexity of any forest management system should not exceed the collective capacity to manage and control it, the Commission will be particularly attentive to suggestions on ways to achieve result-based management, along with real and effective accountability for all stakeholders. The proposed changes must nevertheless allow the government to play its role as owner and global manager holding responsibility for the integrity of Québec's forest assets.

The Commission has also identified a specific problem relating to official timber scaling activities – an element that is of strategic importance to the management of Québec's forests, since it provides data on compliance with the maximum sustainable yield, is often used to calculate compensation for forestry work, and is also a factor in the collection of stumpage fees. Despite this key role and the considerable amount of resources allocated by the MRNFP to scaling activities, many stakeholders have questioned the official scaling process, especially as it pertains to its accuracy, reliability and control.

The Commission therefore invites participants to propose concrete solutions that would improve the public forest management framework, in the context of forest sustainability. The following questions could be considered:

- 4.1 ▶ What management mechanisms would allow adaptation to specific regional situations while protecting our forest assets and Québec's ability to maintain a coherent vision of sustainable forest development?**
- 4.2 ▶ How could we improve the current monitoring and auditing systems?**
- 4.3 ▶ Which accountability and reporting mechanisms would help achieve result-based management in the public forests of Québec?**
- 4.4 ▶ What improvements could be brought to the official timber scaling system?**
- 4.5 ▶ Would forest certification granted by an independent third party help achieve result-based management?**



**4.6 ▶ Which management mechanisms would allow the government to exercise adequate control over public forests while allowing forest professionals to best use their expertise?**

**4.7 ▶ What can be done to ensure that forest management decisions are based on all available knowledge?**

The Commission is also interested in different forest development models. Clearly, public forest management in Québec has not remained static over time. Several different models have been used or tested (timber concessions, Crown forests, inhabited forests, integrated resource management projects, community forests, model forests, forest tenant systems, etc.), with varying levels of support and success. As part of its work, the Commission intends to analyze certain models used in Québec and elsewhere, in order to identify their success factors and relevance to the legal and forest management context in Québec.

The Commission also notes that other approaches to forest management are currently being explored. One of these is the *Triad*, which comprises complete protection, extensive forest management and intensive forest management, applicable to different sites and areas. The notions of clonal forestry (tissue culture), genetically improved trees and genetically modified trees are also being discussed. In addition, proposals have been made for timber production that would involve a general approach integrating forest management (intensive silviculture based on zoning), harvesting and processing practices. Another proposal would involve entrusting forest management to new resource production structures.

The Commission therefore invites participants to:

**4.8 ▶ Present models that would have potential for Québec's public forests, provide arguments in favour of those models and, where applicable, propose initiatives.**

Although the Commission is working to a very tight schedule, it nevertheless wishes to engage in dialogue with as many participants as possible in the consultation process, listen to their concerns and study proposed solutions.

## By Taking Part in the Regional Consultations

Consultations will take place in all regions between mid-April and mid-June 2004. All sessions will be open to the public and the schedule is available on the Commission's website<sup>24</sup>.

<sup>24</sup> For an up-to-date version of the regional consultation schedule, go to [www.commission-foret.qc.ca](http://www.commission-foret.qc.ca).

To help the Commission organize the meetings, participants are invited to register in advance. To that effect, simply contact the Commission by e-mail, telephone or fax, stating your name, organization, contact information and the city in which you wish to participate.

- ▶ **E-mail: [info@commission-foret.qc.ca](mailto:info@commission-foret.qc.ca)**
- ▶ **Telephone: (418) 644-1902 / 1 866 319 7257 (toll free)**
- ▶ **Fax: (418) 644-3049**

Generally speaking, the regional meetings will be divided into three parts:

- ▶ 1. Presentation of the region's forests by a speaker;
- ▶ 2. Hearing of written proposals;
- ▶ 3. Discussion forum or workshop.

In addition to presenting written proposals, participants will have an opportunity to make comments during the discussion period following the speaker's presentation, as well as the discussion forum or workshop. Although most meetings will be conducted in French, the Commission will also welcome questions and discussions in English.

Schedules will be adjusted to suit each region's requirements – for example, the number of individuals, groups and organizations wishing to present written proposals at the hearings. Generally, however, each consultation will begin during the evening and continue the following day.

Public consultations for provincial and multiregional organizations will take place in Québec City and Montreal between mid-August and early September 2004. A specific public consultation for First Nations will also be held during that period.



## By Submitting Written Proposals

All individuals, groups and organizations with an interest in Québec's forests and their management may submit written proposals, if possible prior to June 30, 2004.

The Commission is especially interested in proposals addressing the issues raised in this document, but is open to other issues as well. Given the scope of the consultation, participants are invited to select questions of particular relevance to their own situation and, where necessary, to develop other elements of interest to the Commission. Given that concerns and issues have already been expressed in prior consultations, the Commission plans to concentrate its efforts on potential solutions and their applicability.

All proposals submitted to the Commission should be respectful of other participants and must not contain remarks attacking the dignity, honour, reputation or private life of anyone.

All written proposals received by the Commission will be made public, namely on the Commission's website. It is therefore important that they contain only the information required to support the arguments and to identify their signatories. All personal information, including addresses and telephone numbers, should be provided on a separate sheet.

The Commission invites the authors of written proposals to be concise. If your text has more than fifteen pages, a 3-page or less summary would be most appreciated. Complementary information, including the description of the submitting organization, should be presented as attachments.

Where possible, written proposals should be submitted by e-mail ([info@commission-foret.qc.ca](mailto:info@commission-foret.qc.ca)), in English or French, in Word, PowerPoint or PDF format. They may also be sent by mail, with an electronic version where available, to:

**Commission d'étude sur la gestion de la forêt publique québécoise  
800, Place d'Youville, 18<sup>th</sup> Floor  
Québec City (Québec)  
G1R 3P4**

All proposals submitted to the Commission will be examined thoroughly, and no additional weight will be given to those that are presented at the hearings.



## By Presenting your Proposals at the Hearings

The Commission intends to hear all those that wish to present their written proposals at a public hearing.

However, the Commission may be forced to make choices, depending on the number of requested presentations in a given region. In such cases, it will attempt, when selecting applicants for the hearings, to foster a broad range of viewpoints and solutions. Documents submitted by groups will also be considered favourably. The Commission will be especially interested in proposals addressing environmental, social and economic aspects aimed at achieving sustainable forest development.

Individuals, groups and organizations wishing to present their written proposals at the hearings should notify the Commission of their interest at least two weeks prior to the hearing, wherever possible. The Commission should receive copies of the documents at least ten days prior to the meeting, so that it can make them available on the website, examine the proposals and prepare the discussions.

Presentations can be made in English or French. Aside from exceptional cases, a maximum of 15 minutes will be allowed for each submission, divided into five minutes for the presentation itself and ten minutes for discussion with Commission members. Given that these will have read the document beforehand, there is no need to describe the organization or its mandate during the oral presentation. The time limits will be strictly enforced, to give as many presenters as possible an opportunity to be heard, and to remain within schedule.





[www.commission-foret.qc.ca](http://www.commission-foret.qc.ca)

