



la Convention
de la Baie-James
et du Nord québécois

Comité consultatif
pour l'environnement
de la Baie-James

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**MINUTES OF THE 105th MEETING
OF THE JAMES BAY ADVISORY COMMITTEE
ON THE ENVIRONMENT
(ADOPTED)**

- DATE:** November 12, 1998
- LOCATION:** Cree Regional Authority
277 Duke St.
Montréal
- PRESENT:** Yves Désilets, Canada
Willie Iserhoff, CRA
Ginette Lajoie, CRA, Acting Vice-Chairperson
Claude Langlois, Canada, Chairperson
Jacques Lefebvre, Québec
Diom Romeo Saganash, CRA
Harm Sloterdijk, Canada
- Denis Bernatchez, Secretary
- GUEST:** Robert Beaulieu, CRA (observer)
Pierre Corneillier, MRN
René Dion, CRA (observer)
Henrico Laberge, MRN
Gilles Lavoie, MRN
André Paul, MRN
Alan Penn, CRA (observer)
Denise Tardif, MRN
- ABSENT:** Luc Bouthillier, Québec
Susanne Hilton, CRA



1. **CALL TO ORDER AND ADOPTION OF THE AGENDA**

Chairperson Claude Langlois welcomed the members and guest participants and then called the 105th meeting of the JBACE to order.

The following agenda was adopted.

1. Call to order and adoption of the agenda
2. Updating of Québec's forest system
3. Reorganization of MRN's Forest branch
4. Senate subcommittee
5. Varia
6. Date and location of next meeting

2. **UPDATING OF QUÉBEC'S FOREST SYSTEM**

In a letter dated September 24, 1998, the Minister of Natural Resources, Guy Chevrette, submitted his newly released consultation document on the review of Québec's forest system for the Committee's consultation and comments. The review is primarily aimed at updating the forest system through amendments to the Forest Act. The regional consultations are being organized by the regional development boards.

The JBACE was asked to comment on the document because of its mandate, especially as a consultative body to responsible governments. It has until November 15, 1998, to submit its comments to the Minister. The Minister also informed the JBACE that similar steps had been taken to give Native organizations, including the CRA and the Cree communities, the opportunity to express their views on the forest system review. The regional directors of Forêt Québec have been mandated to provide information and receive comments.

The JBACE had invited MRN representatives to come and explain the review procedure and answer the members' questions.

Pierre Corneillier outlined the procedure using overheads. Below are the highlights of his presentation:

Objectives of the forest system introduced in 1986;

- Status report: main observations:
 1. Protection of all forest resources;
 2. Timber allocation and harvesting that respect the allowable cut;

3. Accountability of forest companies;
4. Development of the forest sector;
5. Protection of the public interest;

Forest management for and by the people: major issues and specific objectives;

- Sustainable management

For the biosphere and the natural environment: major issue and specific objectives;

For resources and for the economy: major issue and specific objectives;

- For the implementation of sustainable forest management: specific objectives;
- Objectives of the updated forest system:
 - Respect the values of the population and meet its needs;
 - Preserve the viability of forest ecosystems;
 - Increase the socioeconomic spinoffs from forest use;
 - Increase the transparency of forest management;

Main recommendations:

- Increase participation by the population, the communities, Native people and local or regional institutions in the forest management process;
- Increase the spinoffs from forest use and development at the local and regional levels and in the Native communities;
- Conserve biological diversity;
- Maintain the ecological functions of forest ecosystems;
- Ensure economic use of resources;
- Increase resource production;
- Favour optimal timber use;
- Improve the competitiveness of Québec's industry and resource processing;
- Guarantee a fair return for the State from the use of public forest resources;
- Improve the reporting process;
- Ensure transparency of roles.

Mr. Corneillier's presentation was followed by a question period. The members learned that, while the MRN did not study forestry issues affecting the James Bay territory in depth before proposing the review of the forest system, it did identify a number of problems that it intends to correct in the updated system. Common areas have been combined, thereby changing their geographical boundaries. There are only a few common areas left in northern Québec that could still be combined. Because some of these areas are very small, they must be combined in order to streamline administration.

A CRA-appointed member felt that traplines should be used as the basic management unit in calculating the annual allowable cut. The volume of timber allocated should be evenly distributed throughout the trapline so that harvesting is not concentrated in one area. It is also important to remember that some common areas are very large and cover more than one trapline.

As regards the Regulation respecting standards of forest management for forests in the public domain, the MRN wants to change its approach by making TSFMA holders responsible for meeting specific objectives rather than complying with specific standards. The purpose is to give agreement holders greater freedom in their choice of techniques.

JBACE members are not entirely certain this approach will be effective. For example, when planning water crossings, TSFMA holders will be able to use whatever technique they want to build culverts and bridges to ensure unhindered fish movement. The question is whether or not the MRN will conduct the monitoring needed to see that these techniques are effective. The MRN even admits in its status report that it has difficulty ensuring on-site monitoring. Some of the JBACE members feel that the MRN is trying to unload its monitoring and control responsibilities onto the forest companies.

MRN representatives reassured the members that the review will not affect the deadline for submitting general forest management plans, which is the beginning of April.

A CRA representative asked whether the MRN was considering introducing a separate regulation respecting standards of forest management for the James Bay territory with traplines as the basic management unit. Precedents have already been set by laws that establish separate systems for southern and northern Québec, such as the Environment Quality Act, which establishes two different environmental assessment and review procedures under Chapter 2, the Act respecting the conservation and development of wildlife and the Act respecting hunting and fishing rights in the James Bay and New Québec territories. The MRN could use these precedents as a basis. A Québec-appointed member felt that the new forest system should demonstrate a real will to practise integrated resource management and have multidisciplinary monitoring and control teams on site.

Pierre Corneillier said that the bill to amend the Forest Act should be tabled by February 1, 1999, and that a parliamentary committee will hold hearings in the spring. Given its status, the JBACE will be invited to go before the parliamentary

committee or present its views behind closed doors. The JBACE's brief should be forwarded to the MRN before Christmas.

The members resumed their discussion of the forest system review after lunch to decide whether the JBACE would submit a brief and, if so, who would work on it.

A CRA representative informed the other members that the GCCQ had submitted a brief in 1986 asking that a separate forest system be established for the James Bay territory. A similar request was made by the Cree/Québec forestry committee. As overseer of the application of the environmental and social protection regime, the JBACE must take the same position. The members agreed that it would be important for the JBACE to submit a brief but that it would be impossible to prepare one by the November 15 deadline. The members proposed December 20, 1998 as the deadline and the MRN accepted.

The brief will include the following elements:

1. Role and mandate of the JBACE;
2. JBACE's comments on the MRN's consultation procedure;
3. Specific comments on such aspects as:
 - establishment of land use plans;
 - recognition of the Crees' rights under the JBNQA, separate standards of forest management for the James Bay territory that would protect the moose habitat, among other things;
 - recognition of traplines as the basic forest management unit;
 - preparation of management plans according to the interim guidelines submitted to the MRN by the JBACE;
4. Separate forest system for the James Bay territory based on integrated resource management (precedents have been set). Ginette Lajoie and Romeo Saganash will submit a draft text by December 4, 1998;
5. Monitoring and follow-up based on the integration of sustainable forest development criteria and indicators into the next set of general forest management plans;
6. Problems with monitoring and control if forest management targeted TSFMA holders' meeting objectives rather than complying with standards, as proposed by the MRN. The MRN would be better off implementing integrated resource management;
7. Summary of recommendations.

The members were concerned about the fact that, according to the MRN, 10% of allocated volumes of timber are not harvested. The MRN wants to ensure that the entire volume is harvested so that the annual allowable cut is attained (100%). The

members fear that this kind of attitude will lead the MRN to exceed the annual allowable cut and hence the sustainable yield.

Another important point is that the MRN proposes the use of other forest resources, such as branches, bushes, fungi, moss and so on, to achieve Objective 3 of the updated forest regime (increasing the socioeconomic spinoffs from forest use). The members feel that there are major risks involved in harvesting the entire biomass, as it could seriously threaten forest renewal.

The JBACE informed the MRN that it would like to present a brief at the parliamentary committee hearings on the forest system review in spring 1999.

3. REORGANIZATION OF MRN'S FOREST BRANCH

Denise Tardif informed the members that Jean-François Gravel, coordinator of Native affairs at the MRN, now holds the same position at Forêt Québec, which will become an independent service unit.

Forêt Québec and the Forest branch of the MRN are two separate entities, although the sharing of powers has not yet been determined and other changes are planned. A council of partners representing the deputy ministers of the MRN, the Association des industries forestières du Québec (AIFQ) and the Association des producteurs de bois du Québec (APBQ) is in the process of defining the responsibilities of each entity.

The Forest branch establishes policies and orientations, whereas Forêt Québec is in charge of operations. The regional offices are part of Forêt Québec.

4. SENATE SUBCOMMITTEE

The Canadian Senate formed a subcommittee on the boreal forest within the Standing Senate Committee on Agriculture and Forestry. The main purpose of the Committee is to determine how quickly Canada's forest management practices are moving toward the national goals of sustainable forest management and protection of biodiversity.

The Senate Committee was in Rouyn on October 27-28, 1998, as part of its fact-finding tour. The JBACE's invitation arrived too late to attend the meeting and, besides, the Senate Committee already had a full agenda. The JBACE was invited to make a private submission in Ottawa on December 2, 1998. A representative of

each party comprising the JBACE, plus the Secretary, have been authorized to meet with the subcommittee, which will assume their travelling and living expenses.

The subcommittee is studying matters related to:

1. The environment/biodiversity
2. Industry/employment
3. Native peoples
4. Federal/provincial issues
5. Wildlife conservation

Luc Bouthillier, Claude Langlois and Diom Romeo Saganash were designated to represent their respective parties. They will be accompanied on their trip to Ottawa by JBACE Secretary Denis Bernatchez. Prior to meeting the subcommittee, the four members will hold a conference call to identify the general issues to be discussed.

5. VARIA

MRN representatives will meet with the JBACE on January 13, 1999, to explain the changes to the management plans received by the JBACE since its last meeting.

6. DATE AND LOCATION OF NEXT MEETING

The JBACE will hold its next meeting on November 27, 1998, at 10:00 a.m.



DENIS BERNATCHEZ
Secretary

98-11-16