





Government (CNG) and the Eeyou Istchee James Bay Regional Government (EIJBRG) in the participation process for planning forest management activities.

The AFR applies to Category II and III lands<sup>5</sup>. This regime allows for the identification of sites of interest to the Cree (1%) that are excluded from forest management activities. It also provides for the conservation of forested areas of wildlife interest to the Cree (25%) to improve the level of harmonization between traditional activities and forest management. With a view to developing economic opportunities for the Cree, the RFA also ensures access to forest resources for the Cree through an annual volume of timber and promotes prospects for employment, contracts and partnerships.

In addition to the Cree and Jamesian citizens of the Territory, the implementation of the AFR and the resulting forestry planning involve the collaboration and consultation, at various levels, of several entities, namely the MRNF, the CNG, the Cree-Québec Forestry Board, the Joint Working Groups (JWGs), the Integrated land and resource management panels (TGIRTs – Tables de gestion intégrée des ressources et du territoire in French), the Integrated resource management tables (TGIR – Tables de gestion intégrée des ressources in French) and the JBACE. They must be consulted on any legislative or regulatory changes that apply to the territory.

### Cree participation and consultation in forest management planning

As stipulated in the Paix des Braves and subsequent agreements, the process for developing forest management plans involves Cree participation. In compliance with paragraph 22.3.34 of the JBNQA, the JBACE has, in past years, reviewed the Tactical plans for integrated forest development (PAFITs – Plans d'aménagement forestier intégré tactique in French), with special attention paid to the process for their development. As part of the 2018-2023 and 2023-2028 PAFIT reviews, the JBACE provided a number of recommendations and opportunities for improvement to the MRNF that could be taken into consideration in the current exercise. Some of these concerned the development process in particular, including:

- Understanding the PAFIT drafting process: The production of PAFITs is an important planning step because subsequent actions are based on this plan. It is at this level that the major directions for the region are decided. Since strategic planning is a somewhat abstract concept, it needs to be made more accessible to the general public. Moreover, there seems to be a certain amount of confusion in the communities about the different planning exercises (PAFIT, PAFIO, PRAN<sup>6</sup>). The people most directly affected by the operations need to have a clear understanding of the process.
- Attention to the involvement of Cree JWG members: More attention should be paid to the involvement of Cree JWG members in the tactical planning process, for example by:
  - o Clarifying the objectives of the PAFIT;
  - o Explaining the development strategy and its impact on tactical and operational plans, and on the territory;
  - o Clearly indicating the activities that are an input to the PAFIT (e.g. wildlife workshop);
  - o Clarifying the role and possible contribution of the Crees to the TGIRTs and TGIRs;
  - o Developing visual tools to illustrate tactical planning. For example, by mapping the quality of moose habitat and how it is expected to change as a result of the strategy.
- Timeline: The timeline for producing the PAFITs should be established in collaboration with the parties concerned to enable everyone to participate more effectively and in a timely manner.

---

<sup>5</sup> Category I: The Band Councils of each Nation have full self-government authority and exclusive use rights. Category II: Public lands on which the Crees have exclusive hunting, fishing and trapping rights and where the Cree Nation Government has certain governance powers. Category III: Public lands where certain species are reserved for the exclusive use of the Crees.

<sup>6</sup> PAFIO: Operational plan for integrated forest development (Plan d'aménagement forestier intégré opérationnel). PRAN: Annual program (Programmation annuel)

- Process for disseminating monitoring results: A process for disseminating results should be put in place, in conjunction with the Cree, by:
  - o Explaining all the monitoring that is carried out. How they are carried out, and which indicators are tracked;
  - o Determining which of the monitoring or indicators are of interest to the Cree;
  - o Determining when, how and to whom monitoring results should be disseminated;
  - o Jointly developing the dissemination format (for example, monitoring disseminated to tallymen must be easy for them to understand).
- Feedback: To clearly illustrate that the issues have been taken into account, all the needs and concerns submitted during the development of the PAFITs should be documented and listed, and the follow-up carried out should be indicated (taken into account, partially taken into account, taken into account at another level, not taken into account). It would be interesting to have a link between the concerns expressed at the TLGIRT/TGIR and those taken into account in the PAFIT.
- Precedence of the regulations and terms of the Paix des Braves: Better justification is needed for cases where the regulations and compliance with the terms of the Paix des Braves take precedence over the requests expressed by the Cree. These terms and conditions are minimums to be respected, not absolute obligations.

Beyond the planning of PAFITs, consultation could be improved in certain cases, particularly for firewood harvesting sectors. In fact, among the dissatisfactions identified during the PAFIT reviews, the lack of consultation for sectors where firewood permits are allocated was noted. As a result, tallymen are faced with the result. Although these are not large areas, cutting for firewood is concentrated in stands with a high concentration of birch. These stands are very important for wildlife.

Finally, reflection on the future of forests and any changes to the approach must take into account the specific context of the Territory. Forest management is different in the Territory because of the agreements that have been signed and the adapted forestry regime that applies in the Territory covered by the Agreement. As a result, any changes to the management approach resulting from the review must be made in collaboration with the signatory parties.

### Concerns and issues for the Territory

#### *Climate change*

The intensity of the forest fires in the summer of 2023 highlighted the extent of the impacts of climate change on the region, raising major concerns and challenges. Last summer, more than 700,000 hectares of forest in the territory covered by Section 3 of the Paix des Braves and 87,000 hectares in the territory covered by the Baril-Moses agreement burned.

In recent years, climate change challenges specific to the Territory have been identified at various regional events<sup>7</sup>. These events have made it possible to identify a number of important factors that should be taken into consideration by the MRNF as part of the discussions on the future of forests, as well as in any resulting actions: an increase in forest fires, the safety of travel on the territory, the protection of animal and plant species, and access to the territory.

The reflection on the future of forests must anticipate the potential impacts of climate change, particularly forest fires, as these pose a significant threat to the Territory and access to it. To this end, it is important to acquire additional data on climate change, as well as on ways of adapting forest management practices and planning processes to anticipated impacts, constraints and conditions.

---

<sup>7</sup> Regional forum on climate change (fall of 2018) and workshop planned for the development of the Green Economy Plan of the Government of Québec (fall of 2019).

We would also point out that almost 3 million hectares have burnt north of the commercial limit. Although these areas are not targeted by the forestry industry at present, it is possible that these dynamics will change in response to a changing climate. A precautionary approach should be considered in order to establish a coherent vision for these northern environments. It would be important for the forests north of the commercial limit to be given special attention and protection, as they could be of interest in the future.

### *Conservation and management strategy*

Wildlife is an important issue in the James Bay Territory. Certain wildlife species are of great cultural importance to the Cree, particularly those species whose harvesting is expressly reserved for them under Section 24 of the JBNQA<sup>8</sup>. The recovery of the region's woodland caribou herds is also a concern shared by all parties. In this sense, forest planning and management, wildlife management and conservation, and the planning and supervision of mining activities and the road network cannot be considered separately.

The *Mixedwood Stands Management Strategy for the lands covered by the Adapted Forestry Regime of La Paix des Braves*<sup>9</sup> is also specific to the territory. This strategy describes a management approach for traplines<sup>10</sup>, designed to maintain the habitats associated with mixedwood stands while allowing some logging. Mature mixedwood stands are important for wildlife, traditional activities and resources (firewood, smoking wood, tools, etc.), and as landmarks and sites of cultural importance. Given the need to recruit or protect young mixed stands so that they can mature, the Strategy also includes provisions for silvicultural treatments to maintain and restructure existing young stands and to recruit new ones.

To inform the MRNF's thinking, the current initiative may provide an interesting opportunity to review the approach to harvesting existing natural forest stands in anticipation of successful regeneration, given that older stands are significant carbon sinks and are important for a number of wildlife species. It may be useful for the MRNF to ensure that its projections and expectations for forest regeneration and future productivity can support harvesting trajectories for standing natural forests in the context of a changing climate and associated hazards such as fire.

### *Land use and harmonization*

The James Bay Territory is home to thousands of people. Its richness lies not only in its natural resources, but also in the people who live there. The Cree carry out wildlife harvesting activities throughout the Territory and in areas where there are industrial activities (e.g. forestry, exploration and mining), these activities invariably take place in traditional hunting grounds. Harvesting activities are at the heart of Cree identity, tradition, culture and community life. Forestry activities must be carried out in harmony with the use of the Territory, with respect for the practices of users and without restricting access.

In addition, although the subject is complex, the issue of cumulative effects must be at the heart of the debate on the future of forests. Reconciling forestry activities with other land and resource uses should be a priority issue.

Issues related to access roads are also a major concern. The access road management plan is the only response to land access issues in the context of tactical and operational forest management plans (PAFIT and PAFIO). As the development of this plan is currently on hold, it is appropriate to identify interim measures that can be implemented as soon as possible. In addition, to encourage the restoration of natural habitats, roads should be closed as soon as they are no longer needed. However, this must be done in collaboration with land users in order to identify which roads could be used and which could be closed. An evaluation of the road closure process should be carried out to determine whether time savings can be made at certain stages

---

<sup>8</sup> The list of species can be found in Schedule 2 of Section 24 of the JBNQA.

<sup>9</sup> See: [https://cdn-contenu.quebec.ca/cdn-contenu/forets/documents/planification/Nord-du-Quebec/ST\\_Nord-du-Qc\\_mixedwood\\_stands\\_management\\_MFFP.pdf](https://cdn-contenu.quebec.ca/cdn-contenu/forets/documents/planification/Nord-du-Quebec/ST_Nord-du-Qc_mixedwood_stands_management_MFFP.pdf)

<sup>10</sup> The trapline is a traditional family territory where users practice their traditional way of life, including hunting, fishing and trapping.

### Next steps and conclusion

In light of the many issues facing the communities and the multiplicity of initiatives in place and to come for the Territory (notably the Green Economy Plan, the Nature Plan, the caribou protection strategy, the Northern Conservation Territories, the Protected Areas with Sustainable Use, the Aboriginal-led protected areas), it will be essential to clearly identify the way in which all these initiatives will be harmonized. It will also be necessary to ensure the participation of the Cree in the development and implementation of these initiatives.

Given the scope of the subject and the possible implications, the current process should be seen as a first step. It will be important to reflect in greater depth on the issues highlighted by the various stakeholders in order to identify possible solutions and opportunities for improvement that could be included in future legislative or regulatory revisions. It will also be essential to take into account the specific geographical and cultural characteristics of the James Bay Territory, as well as the governance and legislative framework set out in the JBNQA and subsequent agreements. As the official and privileged forum established by Section 22 of the JBNQA for the implementation of the environmental and social protection regime in the James Bay Territory, the JBACE wishes to continue the dialogue with representatives of the MRNF and any other ministry concerned by the future of forests in the region.