



**Conseil Cris-Québec sur la foresterie**  
*Cree-Québec Forestry Board*

**Description of CQFB and JWG responsibilities**

**March 2005**

## Description of CQFB and JWG responsibilities

### 1 – Status

<b>CQFB</b>	3.15 The parties agree to the creation of the <b>Cree-Québec Forestry Board</b> with the purpose of permitting a close consultation of the Crees during the different steps of planning and managing forest management activities in order to implement the adapted forestry regime.
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### 2 – Composition

<b>CQFB</b>	3.16 The Cree Regional Authority and Québec shall each appoint five (5) members to the Cree-Québec Forestry Board. In addition, a Chairperson shall be appointed to the <b>Cree-Québec Forestry Board</b> by le Gouvernement du Québec upon recommendation of the Ministre des Ressources naturelles.
	(R) <sup>1</sup> 3.21 The Vice-Chairperson of the <b>Cree-Québec Forestry Board</b> shall be appointed by the members of that Board from among those members appointed by the Cree Regional Authority.
	(R)3.22 The Chairperson, or any member designated by him in his absence, presides over the meetings.
	(R) 3.23 Quorum at meetings of the <b>Cree-Québec Forestry Board</b> shall be a majority of its members insofar as at least three (3) members appointed by the Cree Regional Authority and three (3) members appointed by Québec are present.
	(R) 3.24 A member of the <b>Cree-Québec Forestry Board</b> may, upon his appointment, execute a written proxy in the form provided by the <b>Cree-Québec Forestry Board</b> in favour of the other members, including their replacements, appointed by the party that appointed the member executing the proxy. The holder of such a proxy has the right to vote and otherwise act in the place of the absent member from whom the proxy has been obtained, in addition to the voting and other rights that member holding the proxy is entitled to exercise in his own right.
	(R) 3.25 The members appointed by the Cree Regional Authority may be accompanied at meetings of the <b>Cree-Québec Forestry Board</b> by up to two (2) technical advisors who will have the right to address the <b>Cree-Québec Forestry Board</b> and participate in its deliberations but who will not have the right to vote. The members appointed by Québec may also be accompanied by up to two (2) technical advisors under the same conditions.
	(R) 3.26 All decisions at the <b>Cree-Québec Forestry Board</b> shall be made by a majority of the votes cast. Dissents by Board members shall be recorded and reported.
	(R) 3.27 The <b>Cree-Québec Forestry Board</b> shall meet at least six (6) times each year unless its members decide otherwise. Such meetings will be held regularly in the Territory. The Board may hold its meetings elsewhere in Québec if necessary.

<sup>1</sup> (R) means responsible, CR means co-responsible, and (P) means partner

\* indicates an revised article of an amendement subsequent to 2002

	(R) 3.28 A secretariat is hereby created for the needs of the Cree-Québec Forestry Board. The secretariat is located in Waswanipi. The Ministre des Ressources naturelles shall make available to the secretariat all relevant and available information required for the adequate execution of its mandate and operations. Agreement Concerning a New Relationship /17
	(R) 3.29 The <b>Cree-Québec Forestry Board</b> may establish and adopt by-laws regulating its own internal operations, including notice and place of its meetings and other matters relating to the administration of the Cree-Québec Forestry Board. Such by-laws must be in conformity with the provisions of this Chapter and will be subject to the approval of a majority of members appointed by the Cree Regional Authority and a majority of members appointed by Québec.
<b>JWG</b>	3.33 <b>Joint Working Groups</b> at the community level are hereby established in each Cree community.
	3.34 After the signature of the Agreement, a Joint Working Group composed of four members will be established for each Cree community affected by forest management activities.
	3.35 Two members of the Joint Working Group shall be appointed by each Cree community according to the method of selection of its choice. Two members of the Joint Working Group shall be appointed by the Ministre des Ressources naturelles.
	(R) 3.37 Each Joint Working Group may adopt any internal operating rule that is consistent with its mandate.
	3.39 Each party shall identify one representative who shall be responsible for ensuring the smooth progress of the work.
	(P) PART IV (C-4) - ELABORATION, CONSULTATION AND MONITORING OF FOREST MANAGEMENT PLANS 1. OBJECTIVES 1. Without restricting the generality of the provisions of the present Agreement, the creation of <b>Joint Working Groups</b> in the concerned Cree communities has, amongst others, the following objectives: to ensure the real and significant participation of the Crees in the planning of forest management activities in the Territory in keeping with the principles established in the Agreement; to ensure that forest management takes into account the protection of wildlife habitats, and to resolve disputes between users in regard to forestry as they arise.

### 3 – General responsibilities

<b>CQFB</b>	<b>JWG</b>
(R) 3.30 The <b>Cree-Québec Forestry Board</b> shall have the following main responsibilities: a) to monitor, analyse and assess the implementation of the forestry provisions of this Agreement which contemplate an adapted forestry regime for the Territory; b) to recommend to the parties, as the case may be, adjustments or modifications to the forestry provisions of this Agreement; c) to bring to the attention of the Ministre des Ressources naturelles proposals, preoccupations and comments related to laws, regulations, policies, programs, management guides and field guides related to forestry as well as guidelines, directives or instructions related to the preparation of all forest management	(R) 3.41 The <b>Joint Working Groups</b> have the following mandate: a) to integrate and implement the specific rules agreed upon in this Chapter; b) when required, to elaborate harmonization measures flowing from the technical provisions of this Chapter; c) to ensure that each party places all relevant and available forestry related information at the disposal of the other party; d) to review conflictual uses in order to find acceptable solutions; e) to discuss any technical issues, including the acquisition of knowledge considered necessary by the Joint Working Group; Agreement Concerning a New Relationship /19 f) to ensure the implementation of the processes relating to the preparation, consultation and monitoring of the forest management plans; g) to adopt internal

<p>plans; d) to review the implementation mechanisms for the Joint Working Groups regarding the elaboration, the consultations, and the monitoring of all forest management plans applicable in the Territory; e) to be involved in the different planning processes of forest management activities in the Territory and to participate in the different stages of the management of forest activities, in particular those connected to the review of the general forest management plans prior to their approval as well as in regard to proposed modifications to those plans. The Board will have one hundred twenty (120) days from the receipt of the general plans and ninety (90) days from the receipt of the modifications to make comments to the Ministre des Ressources naturelles prior to the approval of the plans or modification thereto; the Ministre des Ressources naturelles may extend these timeframes if he considers it appropriate; f) to study the annual forest management plans after their approval, which plans shall be sent to the <b>Cree-Québec Forestry Board</b> on demand in order that it may make known to the Ministre des Ressources naturelles, as the case may be, proposals, concerns and comments regarding these plans, and particularly in regard to systemic issues concerning these plans or the process of their elaboration or approval; g) any other responsibilities in regard to forestry which may be assigned to it from time to time jointly by the parties. Agreement Concerning a New Relationship /18</p>	<p>operating rules.</p>
<p>(P) 3.31 The Ministre des Ressources naturelles shall consider the comments and views of the <b>Cree-Québec Forestry Board</b> and shall provide information about his position or, as the case may be, about the main reasons justifying his decision.</p>	
<p>(R) 3.32 The <b>Cree-Québec Forestry Board</b> must produce and submit to the parties an annual report.</p>	<p>(P) 3.32 The Cree-Québec Forestry Board must produce and submit to the parties an annual report.</p>
<p>(P) 3.40 In all cases in which the Joint Working Groups make recommendations, they may be unanimous or not. In the latter case, the respective positions of the members of the Joint Working Groups shall be sent to the Ministre des Ressources naturelles and to the Cree-Québec Forestry Board.</p>	<p>(R) 3.40 In all cases in which the <b>Joint Working Groups</b> make recommendations, they may be unanimous or not. In the latter case, the respective positions of the members of the <b>Joint Working Groups</b> shall be sent to the Ministre des Ressources naturelles and to the Cree-Québec Forestry Board.</p>

	<p>(P) 3.42 In all cases in which the <b>Ministre des Ressources naturelles</b> receives recommendations from the <b>Joint Working Groups</b>, he must take into consideration the recommendations of the <b>Joint Working Groups</b>, of their members and of the conciliator appointed pursuant to Schedule C-4, he must explain his position and must inform the <b>Joint Working Groups</b> of his reasons for not accepting the recommendations or corrections sought, as the case may be.</p>
	<p>(P) 3.43 The <b>ministère des Ressources naturelles</b> shall provide the Cree members of the <b>Joint Working Groups</b> with the necessary and available ecological and forestry information as well as the data from the forest inventory (including data in digital format) and computer programs developed by and for the <b>ministère des Ressources naturelles</b> (for example, <b>Sylva II</b>) so as to allow them to perform their activities and mandates. This includes, among others, ecoforestry maps, silvicultural and ecological guides as well as the standards established by the <b>ministère des Ressources naturelles</b> in respect to forest management activities.</p>
	<p>(R) 3.44 Each <b>Joint Working Group</b> shall identify the relevant documents that shall be drafted and provided in terms and language understood by the Crees and the Cree communities. It is understood that, at the very least, the Cree section of the general forest management plans shall be entirely translated into English by the <b>ministère des Ressources naturelles</b>. Moreover, summaries of plans and documents deemed to be important by each <b>Joint Working Group</b> shall be provided by the <b>ministère des Ressources naturelles</b> in English. To this end, the parties will agree during the implementation of the present adapted forestry regime on lists of documents that are deemed important and of summaries to be provided in English.</p>
	<p>(CR) 3.45 The <b>Joint Working Groups</b> shall make the information they have available to the Cree tallymen as well as agreement holders for use in the process of elaboration, consultation and monitoring of forest management plans.</p>
	<p>(R) 3.46 If so required by the Cree tallyman, the <b>Joint Working Groups</b> shall take all necessary measures to protect the confidentiality of the information derived from Cree traditional expertise and may, at their discretion, establish a system of identification and protection of such information.</p>

#### 4 – Specific responsibilities and functions

CQFB	JWG
(P) 3.6 The forestry regime applicable in the Territory will evolve over the duration of this Agreement taking into account the principles set out herein and the recommendations of the Cree-Québec Forestry Board. Agreement Concerning a New Relationship /9	
<b>Limits of the territorial units and use of ecological data</b>	
	<p>(P) * 3.7.3 During the transitional period from April 1<sup>st</sup>, 2002, to the adoption of the next generation of general forest management plans (April 2006), the ministère des Ressources naturelles (MRN) will take appropriate steps to ensure that the relevant data are compiled for each Cree trapline so as to be able to integrate into the annual forest management plans the terms and conditions stipulated in sections 3.9, 3.10, 3.11, 3.12 and 3.13 of this chapter.</p> <p>The limits of the Cree traplines established within the Territory will be used as territorial reference units for the purpose of application of the adapted forestry regime as soon as possible and at the latest by April 1<sup>st</sup>, 2004</p>
	(P) 3.7.4 The ecological data available for the designation of the biophysical components of those areas will be used as a basis for the technical analysis in order to guide the development of the management strategies to be favoured.
<b>Sites of special interest to the Cree – Identification of the sites of interest</b>	
	(CR) 3.9.1 Sites of interest will be identified and mapped by the Crees, in cooperation with the ministère des Ressources naturelles. In most cases, the total area of these sites will not exceed 1% of the total area of a trapline included in a management unit. Agreement Concerning a New Relationship /11 No forest management activities may be undertaken in these areas unless the tallyman agrees otherwise. In such cases, specific measures of protection and standards of forest management aimed at satisfying the specific needs of the Cree users will be agreed through the Joint Working Group of each community concerned.
	(CR) 3.9.2 Sites of interest may include, notably, the following: a) Permanent camps; b) Seasonal camps; c) Traditional, cultural and sacred sites; d) Burial sites; e) Fruit picking areas; f) Archaeological

	sites; g) Sites with archaeological potential; h) Extension of protective strips; i) Portage trails; j) Bear dens; k) Waterfowl blinds; l) Drinking water supply sources; m) Other requests.
<b>Sites of special interest to the Cree – Conservation of forested areas presenting wildlife interest for the Cree</b>	
	(CR) 3.10.1 Specific management standards will be applied to maintain or improve the habitat of very important wildlife species (moose, marten, beaver, hare, fish, caribou, partridge) and portions of each trapline will benefit from specific protection to improve the level of harmonization between forest management activities and traditional activities including hunting, fishing and trapping.
	(CR) 3.10.2 The location of these areas of wildlife interest will be under the direct responsibility of the tallyman, in a spirit of cooperation with other stakeholders on the Territory. The boundaries of the areas of special interest may be identified on the basis of data similar to that collected in regard to the “Cree land use and identification” (1986) or on the basis of a new analysis that will identify certain parts of watersheds that are particularly productive or intensively used by the Crees. The surface area of these sites of wildlife interest will in principle cover 25% of the productive forest area of each trapline included in a management unit without exceeding this percentage of 25%.
	(CR) 3.10.3 Within the selected areas, forest management activities will be planned with the priority goal of maintaining and improving a diversity of ecoforest stands, in terms of plant species, age classes and spatial distribution. In the long term, this planning approach should provide a diversity of age classes similar to the structure of a “standard” forest. The current structure of the forests in the Territory is not as diversified and is likely to remain at this level for several decades. With this in mind, it is possible to intervene in order to rejuvenate certain stands while still maintaining productive habitats throughout these areas of particular interest to Cree families.
	(CR) 3.10.4 The following measures will be applied in order to reach a better balance in the mid term: Agreement Concerning a New Relationship /12 a) Only mosaic cutting should be applied in these areas, unless better techniques are developed to protect wildlife habitats. b) The terms and conditions set out in Schedule C-2 are applied with the following amendments: i) at least 50% of the productive area with stands over seven (7) meters in height must be left standing, including at least 10% in forests over ninety (90) years old; ii) the location of the residual forest blocks to be preserved is decided by the agreement and contract holders in cooperation with the tallyman; iii) the blocks must be spread over the area in such a way that they are interconnected. Where

	<p>necessary, breaks in the cover should not be more than thirty (30) meters wide; iv) the residual forest must be left standing for a period long enough to allow the regeneration to reach a minimum average height of seven (7) meters. c) The annual rate of harvesting authorized in forested areas presenting wildlife interest to the Cree will be modulated according to the level of prior disturbance in each trapline. In a trapline where the level of disturbance in the last twenty (20) years is less than 15%, new logging activities may be carried out over an annual maximum of 4% of the productive area of the forested areas presenting wildlife interest in the trapline. The annual percentage should be reduced to 3% when the overall level of disturbance is between 15% and 30%, and to 2% when the overall level of disturbance is between 30% and 40%.</p>
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**Maintaining forest cover in the whole of each trapline**

	<p>(CR) 3.11.1 The following measures will be taken to ensure the protection of a residual forest cover: a) conservation, per trapline, of a minimum of 30% of the productive surface area composed of stands measuring more than seven (7) meters in height; b) logging will not be permitted in traplines that have been logged or burnt over more than 40% of their productive surface area in the last twenty (20) years; c) carry out mosaic cutting with protection of regeneration and soils (CPRS). The target level would be 75% as of April 1<sup>st</sup>, 2004 (see the definition of mosaic cutting in Schedule C-2); Agreement Concerning a New Relationship /13 d) limit to a maximum of one hundred (100) hectares the size of a single-block cutting area in sectors where cutting with separator strips will be carried out. In addition, 40% of the total logged area must be composed of blocks of less than fifty (50) hectares; e) modulate the annual level of authorized timber harvesting in each trapline according to the level of previous disturbances: In the areas subject to a first phase of harvesting, the traplines where the level of disturbance in the last twenty (20) years is less than 15% should be subject to CPRS up to an annual maximum of 8% of the productive forest area. This annual percentage would be reduced to 6% when the disturbed area is between 15% and 30%. It would fall to 4% annually when the level of disturbance is between 30% and 40%. In traplines that were subjected to intensive logging more than twenty (20) years ago, the annual admissible cutting level will be reduced. Thus, traplines where the level of disturbance in the last twenty (20) years is less than 15% should be subject to CPRS over an annual maximum of 5% of their productive areas. This annual percentage would be reduced to 3% when the disturbed area is between 15% and 30%. It would fall to 2% when</p>
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	the level of disturbance is between 30% and 40%; f) protect tall regeneration, where the situation allows; g) use silvicultural practices that foster the maintenance of diversified habitats, in particular by avoiding the elimination of hardwood trees (see Schedule C-3); h) develop a separate forest management approach for mixed stands (see Schedule C-3).
<b>Protection of forests adjacent to watercourses and lakes</b>	
	(CR) 3.12.1 A twenty (20) meters wide protective strip on each side of all permanent watercourses and around lakes shall be maintained.
	(CR) 3.12.2 In order to address concerns related to the maintaining of a variety of wildlife habitats near major rivers: along rivers more than five (5) meters wide, a forest strip more than two hundred (200) meters wide will be maintained along one of the banks. Whenever possible, cutting areas should be distributed alternatively along the two banks of such rivers. Therefore, only mosaic cuttings can be authorized within the two hundred (200) meters band along the banks of such rivers.
	(CR) 3.12.3 To preserve the aesthetic appearance of landscapes along the shore of large lakes with a surface area of more than five square kilometers (5 km <sup>2</sup> ), only mosaic cuttings will be allowed in forests that are visible from the shores of the lake, for a distance of one point five kilometer (1.5 km). Agreement Concerning a New Relationship /14
<b>Development of the road access network</b>	
	(CR) 3.13.1 To facilitate the harmonization of the various uses of the Territory, the road network development plan must be subject to concerted action between the agreement holder and the tallyman responsible for each trapline. Due consideration shall be given to: a) limit the number of road connections between two traplines. In this spirit, road junctions must be planned in such a manner as to form closed circuits that do not permit easy passage to the roads of neighbouring traplines. The construction of winter roads may also be encouraged in areas where limiting connections are desirable; b) limit the construction of new direct access routes from forestry roads to permanent watercourses and lakes except for the construction of bridges and culverts; c) prior to approval, submit the <i>Plans régionaux de développement des terres publiques</i> (PRDTP) to the <b>Joint Working Groups</b> in a sufficient and reasonable time prior to approval for their considerations and comments according to their mandate as defined in the present Agreement.
<b>Firewood</b>	

	(P) 3.63 In order to respond to the needs of the Cree trappers for firewood, non-Aboriginal holders of permits delivered in virtue of the <i>Forest Act</i> shall not harvest firewood within an area of seventy-five (75) hectares surrounding each permanent Cree camp. It is understood that this measure shall apply outside of the area identified around each permanent camp as a site of special interest for the Crees.
	(P) 3.64 In cases where there is no firewood available near the camp, firewood cutting areas covering seventy-five (75) hectares will be set aside and the ministère des Ressources naturelles will not deliver any firewood harvesting permits to non-Aboriginals within such areas.
<b>Maintaining of a forest cover in the whole of each trapline (PART IV (C-4))</b>	
(P) C) Mixed Forest Stands Management Strategy Given the importance of mixed stands as wildlife habitats and their rarity in the Territory, it is necessary to develop a distinct management approach for these stands. The approach will take the form of a management guide applicable specifically to the mixed forests at the scale of all the traplines of a Cree community. It will be elaborated by the ministère des Ressources naturelles in cooperation with the Cree-Québec Forestry Board. The wildlife and forest-related management objectives will be described, as will the operational methods required to maintain and renew these stands (logging techniques, features of the stands to be preserved, etc). Agreement Concerning a New Relationship /74	
<b>Determination of the forest protection and development objectives (PART IV (C-4))</b>	
(P) 2. In taking steps to clarify the forest protection and forest development objectives, the Ministre des Ressources naturelles shall receive the proposals emanating from the concerned Joint Working Groups. The Ministre shall consult the <b>Cree-Québec Forestry Board</b> concerning the objectives to be pursued and shall then forward to the agreement holders those elements to be taken into account during the preparation of the forest management plans.	(P) 2. In taking steps to clarify the forest protection and forest development objectives, the Ministre des Ressources naturelles shall receive the proposals emanating from the concerned Joint Working Groups. The Ministre shall consult the Cree-Québec Forestry Board concerning the objectives to be pursued and shall then forward to the agreement holders those elements to be taken into account during the preparation of the forest management plans.
<b>Preparation of general forest management plans (PART IV (C-4))</b>	
	(R) 6. Each Joint Working Group shall determine the content of working maps at the scale of its choice, according to the needs of each community for use in the exercise related to the location of sites of special interest to the Crees. After agreement, the maps will be prepared by the Crees or by the ministère des Ressources naturelles according to the choice of each Joint Working Group.

	(R) 7. The Cree tallyman will identify the location of sites of special interest to the Crees. The <b>Joint Working Groups</b> shall assist him for this purpose using any means they deem appropriate, including field visits.
	(P) 8. The Cree tallyman will also identify the location of forested areas presenting wildlife interest for the Cree, in a spirit of cooperation with other stakeholders in the Territory. The <b>Joint Working Groups</b> shall assist the Cree tallyman during this cooperative effort using the means they deem appropriate.
	(R) 9. The <b>Joint Working Groups</b> shall ensure the availability of the location of sites of special interest to the Crees and forested areas presenting wildlife interest for the Crees as identified by the Cree tallyman and the consistency of the selected measures with those agreed to in the section entitled “Measures of the adapted forestry regime” of Chapter 3 of the Agreement. For the general plans following the signing of the Agreement, the time limit for submission shall be as soon as possible and the latest by December 31 <sup>st</sup> , 2003
	(R)10. In the absence of a Cree tallyman or of a Cree user designated by him and capable of identifying the sites of special interest to the Crees and the forested areas presenting wildlife interest for the Crees, another Cree representative may be designated according to the method chosen by the community.
	(P) 11. In the case of disputes concerning the location of the forested areas of wildlife interest for the Crees, the Ministre shall favour the location indicated by the Cree tallyman.
	(P) 13. From that time, and during the entire process of preparing the general forest management plans, the agreement holders and the Cree tallyman shall cooperate regarding the choice of location of residual forest blocks to be conserved in the areas of Cree wildlife interest, regarding road network development plans and regarding harmonization measures to prevent conflictual uses. Amongst other things, the exercise is aimed at allowing the Crees to transmit Cree knowledge that will permit the identification of all their concerns other than the locations of sites of special interest and the forested areas presenting wildlife interest already provided, or any other information relative to those elements composing the Cree section of the general forest management plans.
	(CR) 14. If the Crees so require, the <b>Joint Working Groups</b> or certain members thereof shall assist them in this cooperative effort. Agreement Concerning a New Relationship /76
	(R) 15. The <b>Joint Working Groups</b> of each community shall follow the progress of the elaboration of the general forest management plans and

	shall ensure the integration of the measures provided in the section entitled “Modalities of the adapted forestry regime” of Chapter 3 of the Agreement.
	(R) 16. The <b>Joint Working Groups</b> shall provide the necessary support for the resolution of conflicts between the activities of the Crees and forest management activities. These conflicts may be raised as much by the community councils, Cree users, and Cree tallymen as by agreement holders. The Joint Working Group shall encourage direct dialogue between the parties concerned so as to favour the harmonization of land use. To achieve this, the Joint Working Group may, for example, initiate meetings and provide the information necessary for the resolution of the conflict. If need be, the <b>Joint Working Groups</b> may act in the role of mediator between the parties. Moreover, they shall document and examine these disputes and find solutions that are acceptable to the parties.
(CR) 17. If the conflict persists, the concerned groups will present a statement of the situation to the Ministre together with their recommendations. The Ministre shall appoint a conciliator. The conciliator shall be the chairman of the <b>Cree-Québec Forestry Board</b> or a person that is independent of the parties and of agreement holders operating in the Territory, whom will be chosen from a list prepared in advance by the Cree-Québec Forestry Board.	(CR) 17. If the conflict persists, the concerned groups will present a statement of the situation to the Ministre together with their recommendations. The Ministre shall appoint a conciliator. The conciliator shall be the chairman of the Cree-Québec Forestry Board or a person that is independent of the parties and of agreement holders operating in the Territory, whom will be chosen from a list prepared in advance by the Cree-Québec Forestry Board.
18. The conciliator shall examine the dispute, shall hear the parties and shall present his recommendations to the parties and to the Ministre. If one or both of the parties refuse to follow the recommendations proposed by the conciliator, the Ministre shall decide on the measures to apply and shall inform the parties of his decisions and the reasons therefore. The Ministre shall send a copy of his decision to the concerned Joint Working Groups and to the Cree-Québec Forestry Board.	18. The conciliator shall examine the dispute, shall hear the parties and shall present his recommendations to the parties and to the Ministre. If one or both of the parties refuse to follow the recommendations proposed by the conciliator, the Ministre shall decide on the measures to apply and shall inform the parties of his decisions and the reasons therefore. The Ministre shall send a copy of his decision to the concerned <b>Joint Working Groups</b> and to the Cree-Québec Forestry Board.
(P) 19. The ministère des Ressources naturelles shall provide, upon request, the data and the basis of calculation of the allowable cut (annual allowable cut) for each management unit to the responsible person designated by the Crees. The latter may make recommendations of which he will inform the Joint Working Groups and the Cree-Québec Forestry Board.	(P) 19. The ministère des Ressources naturelles shall provide, upon request, the data and the basis of calculation of the allowable cut (annual allowable cut) for each management unit to the responsible person designated by the Crees. The latter may make recommendations of which he will inform the <b>Joint Working Groups</b> and the Cree-Québec Forestry Board
(P) 20. If the disputes concern the calculation of the annual allowable cut, the Ministre shall retain an independent specialist to make recommendations. The <b>Cree-Québec Forestry Board</b> may propose a list of specialists to the Ministre. In the event that	

<p>the Ministre does not select one of the specialists proposed by the Cree-Québec Forestry Board, he shall inform the Board of the reasons for his decision.</p>	
	<p>(P) 21. The agreement holders then prepare the five-year program so as to reflect all of the objectives pursued, the information provided concerning sites of interest and forested areas of wildlife interest for the Crees, the measures taken following the cooperative process and conciliation, if any, and the measures provided for in the Agreement. Agreement Concerning a New Relationship /77</p>
<p><b>Approval Procedure for the General Forest Management Plans (PART IV (C-4))</b></p>	
<p>23. Plans judged not in conformity shall be returned to the agreement holders and the Ministre shall forward to the <b>Cree-Québec Forestry Board</b> and to the Joint Working Groups the letter stating the reasons for which the plans are judged not in conformity.</p>	<p>23. Plans judged not in conformity shall be returned to the agreement holders and the Ministre shall forward to the Cree-Québec Forestry Board and to the <b>Joint Working Groups</b> the letter stating the reasons for which the plans are judged not in conformity.</p>
<p>(CR) 24. Plans that are judged to be in conformity as well as the results of the examination of the admissibility and conformity shall be sent to the Joint Working Groups of each community as well as to the <b>Cree-Québec Forestry Board</b> which will treat the plans in conformity with its mandate.</p>	<p>24. Plans that are judged to be in conformity as well as the results of the examination of the admissibility and conformity shall be sent to the <b>Joint Working Groups</b> of each community as well as to the Cree-Québec Forestry Board which will treat the plans in conformity with its mandate.</p>
<p>25. The Joint Working Groups shall comment on the results of the examination and proceed to such further verifications as are necessary. Within thirty (30) days of the receipt of the plans, the Joint Working Groups shall forward to the Ministre and to the <b>Cree-Québec Forestry Board</b> their recommendations regarding the conformity of the plans submitted and shall ask for any necessary corrections.</p>	<p>(P) 25. The <b>Joint Working Groups</b> shall comment on the results of the examination and proceed to such further verifications as are necessary. Within thirty (30) days of the receipt of the plans, the <b>Joint Working Groups</b> shall forward to the Ministre and to the Cree-Québec Forestry Board their recommendations regarding the conformity of the plans submitted and shall ask for any necessary corrections.</p>
	<p>(R) 26. The <b>Joint Working Groups</b> may at this stage assist the Crees of the concerned communities to participate in the consultations, if the council of each Cree community so chooses, within the framework of the information and public consultation process.</p>
<p><b>Modifications (PART IV (C-4))</b></p>	
<p>28. Modifications of the general forest management plans are subject to the same process of preparation and approval as previously described.</p>	<p>28. Modifications of the general forest management plans are subject to the same process of preparation and approval as previously described.</p>
<p><b>Preparation of the annual forest management plan (PART IV (C-4))</b></p>	
	<p>(R) 29. The <b>Joint Working Groups</b> shall ensure the participation of the Crees in the elaboration of the annual forest management plans. Moreover, they will ensure the availability of information, notably the</p>

	<p>precise location of the sites of special interest to the Crees and the forested areas presenting wildlife interest for the Crees. Once this information has been validated, it is sent to the agreement holders before September 1<sup>st</sup> of the year preceding the implementation of the annual plan. Agreement Concerning a New Relationship /78</p>
	<p>(CR) 30. Thereafter and during the entire process of preparation of the annual forest management plans, the agreement holders and the Cree tallyman will concert their efforts so as to prevent conflictual uses and with the goal of establishing harmonization measures. Amongst other things, the exercise is aimed at allowing the Crees to transmit Cree knowledge that will identify their concerns other than the sites of special interest to the Crees and the forested areas presenting wildlife interest for the Crees already provided and any other information relative to those elements composing the Cree section of the general forest management plans implemented in the annual forest management plan.</p>
	<p>(R) 31. The <b>Joint Working Groups</b> shall provide the necessary support for the resolution of land use conflicts between the activities of the Crees and forest management activities. These conflicts may be raised as much by the community councils, Cree users, and Cree tallymen as by agreement holders. The Joint Working Group shall encourage direct dialogue between the parties concerned so as to favour the harmonization of land use. To achieve this, the Joint Working Group may, for example, initiate meetings and provide the information necessary for the resolution of the conflict. If need be, the <b>Joint Working Groups</b> may act in the role of mediator between the parties. Moreover, they shall document and examine these disputes and find solutions that are acceptable to the parties.</p>
<p>(CR) 32. If the conflict persists, the concerned groups will present a statement of the situation to the Ministre together with their recommendations. The Ministre shall appoint a conciliator. The conciliator shall be the chairman of the <b>Cree-Québec Forestry Board</b> or a person that is independent of the parties and of agreement holders operating in the Territory, whom will be chosen from a list prepared in advance by the Cree-Québec Forestry Board.</p>	<p>(CR) 32. If the conflict persists, the concerned groups will present a statement of the situation to the Ministre together with their recommendations. The Ministre shall appoint a conciliator. The conciliator shall be the chairman of the Cree-Québec Forestry Board or a person that is independent of the parties and of agreement holders operating in the Territory, whom will be chosen from a list prepared in advance by the Cree-Québec Forestry Board.</p>
<p>33. The conciliator shall examine the dispute, shall hear the parties and shall present his recommendations to the parties and to the Ministre. If one or both of the parties refuse to follow the recommendations proposed by the conciliator, the Ministre shall decide on the measures to apply and shall inform the parties of his decisions and the reasons therefor. The Ministre shall send a</p>	<p>33. The conciliator shall examine the dispute, shall hear the parties and shall present his recommendations to the parties and to the Ministre. If one or both of the parties refuse to follow the recommendations proposed by the conciliator, the Ministre shall decide on the measures to apply and shall inform the parties of his decisions and the reasons therefor. The Ministre shall send a copy of his decision to the concerned</p>

copy of his decision to the concerned Joint Working Groups and to the Cree-Québec Forestry Board.	<b>Joint Working Groups</b> and to the Cree-Québec Forestry Board
<b>Approval of the annual forest management plans (PART IV (C-4))</b>	
36. Plans judged to be not in conformity are returned to the agreement holders. The Ministre shall so advise the <b>Cree-Québec Forestry Board</b> and the Joint Working Groups. Agreement Concerning a New Relationship /79	36. Plans judged to be not in conformity are returned to the agreement holders. The Ministre shall so advise the Cree-Québec Forestry Board and the Joint Working Groups. Agreement Concerning a New Relationship /79
37. Plans judged to be in conformity are forwarded to the Joint Working Groups of each community and a notice is sent to the Cree-Québec Forestry Board.	37. Plans judged to be in conformity are forwarded to the <b>Joint Working Groups</b> of each community and a notice is sent to the Cree-Québec Forestry Board.
	(R) 38. The <b>Joint Working Groups</b> shall ensure the conformity of the annual forest management plan with the Cree section of the general forest management plan. The <b>Joint Working Groups</b> also proceed to the additional verifications they deem appropriate. The <b>Joint Working Groups</b> shall also verify if contentious situations persist, shall document and examine them, shall ensure that there are discussions on the issue and shall find solutions acceptable to the parties.
	39. In the event that the annual forest management plans are judged to be not in conformity, the <b>Joint Working Groups</b> shall inform the Ministre and shall make appropriate recommendations within thirty (30) days of receipt of the plans by the Joint Working Groups. The Ministre shall re-evaluate the admissibility and conformity of the annual forest management plan.
(CR) 40. The Joint Working Groups or certain of their members may seize the <b>Cree-Québec Forestry Board</b> of any dispute, problem or concern relative to an annual forest management plan and the Board shall treat the matter in conformity with its mandate. The <b>Cree-Québec Forestry Board</b> may obtain from the ministère des Ressources naturelles, by means of a specific request, a copy of any annual forest management plan or modification.	(CR) 40. The <b>Joint Working Groups</b> or certain of their members may seize the Cree-Québec Forestry Board of any dispute, problem or concern relative to an annual forest management plan and the Board shall treat the matter in conformity with its mandate. The Cree-Québec Forestry Board may obtain from the ministère des Ressources naturelles, by means of a specific request, a copy of any annual forest management plan or modification
41. After having proceeded to make changes, as the case may be, the Ministre shall proceed to the final approval of the annual forest management plans, and send a notice to the Cree party to the Joint Working Group and to the <b>Cree-Québec Forestry Board</b> as well as a copy of the modifications to the Joint Working Group.	41. After having proceeded to make changes, as the case may be, the Ministre shall proceed to the final approval of the annual forest management plans, and send a notice to the Cree party to the Joint Working Group and to the Cree-Québec Forestry Board as well as a copy of the modifications to the Joint Working Group
<b>Annual monitoring of the forest management activities (PART IV (C-4))</b>	
	(R) 45. When they deem it necessary, the <b>Joint Working Groups</b> shall be involved in the process of establishing the program of the annual

	verification of forest management activities undertaken by the ministère des Ressources naturelles. The program includes notably the list of works that will be verified as well as the sampling techniques that will be used.
	(R) 46. The involvement of the <b>Joint Working Groups</b> can take place at the stage of elaborating the annual program or upon receipt of a proposed program from the ministère des Ressources naturelles. In the latter case, the <b>Joint Working Groups</b> may propose modifications to the annual program. The <b>Joint Working Groups</b> make the necessary recommendations in both cases.
	47. In the event that the Ministre refuses to integrate these recommendations into the annual verification program, he shall explain his position and shall inform the <b>Joint Working Groups</b> or their members of the reasons for not accepting their recommendations.
	(CR) 48. The results of the forest management verification shall be provided to the <b>Joint Working Groups</b> in the form of periodic progress reports on the work and in the form of annual statements of the forestry management monitoring, which are prepared by the ministère des Ressources naturelles. The <b>Joint Working Groups</b> shall first decide on the method of presenting this annual statement.
	(CR) 49. To allow members of the <b>Joint Working Groups</b> to familiarize themselves with various forest management activities undertaken as well as the methods of verification applied, joint visits of on-site verification operations in Cree traplines shall take place during the season at a frequency to be determined by the Joint Working Groups.
	50. Moreover, the annual reports on the forest management activities prepared by the agreement holders shall be filed with the Joint Working Groups.
(P) 51. The Joint Working Groups or their members may make recommendations to the <b>Cree-Québec Forestry Board</b> and to the Ministre regarding any issue connected to the monitoring of forest management activities or such activities. The <b>Cree-Québec Forestry Board</b> may obtain copies of documents produced within the framework of the annual monitoring of forest management activities upon request. Agreement Concerning a New Relationship /81	(P) 51. The <b>Joint Working Groups</b> or their members may make recommendations to the Cree-Québec Forestry Board and to the Ministre regarding any issue connected to the monitoring of forest management activities or such activities. The Cree-Québec Forestry Board may obtain copies of documents produced within the framework of the annual monitoring of forest management activities upon request. Agreement Concerning a New Relationship /81
<b>Review of the State of the Forest (PART IV (C-4))</b>	
	54. To ensure that the sampling also reflects Cree concerns, the <b>Joint Working Groups</b> shall be involved in the process of establishing the

	program of validation of information concerning the state of the forest. The program includes, among other things, the list of works that will be verified as well as the sampling techniques that will be used.
55. The Joint Working Groups shall inform the <b>Cree-Québec Forestry Board</b> of proposals of sampling methods regarding the protection of wildlife habitats.	(R) 55. The <b>Joint Working Groups</b> shall inform the Cree-Québec Forestry Board of proposals of sampling methods regarding the protection of wildlife habitats.
	(R) 56. The involvement of the <b>Joint Working Groups</b> shall take place at the stage of elaborating the annual program or upon receipt of a proposed program from the ministère des Ressources naturelles. In the latter case, the <b>Joint Working Groups</b> may propose modifications to the program. The <b>Joint Working Groups</b> shall make the necessary recommendations in both cases.
57. The results of the forest management verification shall be provided to the Joint Working Groups and the Cree-Québec Forestry Board.	57. The results of the forest management verification shall be provided to the <b>Joint Working Groups</b> and the Cree-Québec Forestry Board.
58. The Joint Working Groups or their members may make recommendations to the <b>Cree-Québec Forestry Board</b> and to the Ministre regarding any issue concerning the current state of the forest.	(R) 58. The <b>Joint Working Groups</b> or their members may make recommendations to the Cree-Québec Forestry Board and to the Ministre regarding any issue concerning the current state of the forest.
(R) 59. Within the framework of the reviews of the state of the forest, the Cree- Québec Forestry Board shall elaborate draft directives aimed at introducing into the forest management planning process strategies that can take into account the protection and development of wildlife habitats. These draft directives shall be transmitted to the Ministre before April 2004. If need be, the Ministre will proceed in concert with the other governmental entities concerned.	
60. Directives guiding the elaboration of such management strategies will thereafter be introduced into the Cree section of the general forest management plan. These directives will be the subject of recommendations by the Cree-Québec Forestry Board. This process shall be finalized before January 1st 2005.	
<b>Five-year report (PART IV (C-4))</b>	
	61. Every five (5) years, the ministère des Ressources naturelles will provide the members of the <b>Joint Working Groups</b> a report concerning the verification and monitoring of the application of the standards and measures provided in the Agreement for each Cree trapline. This report will also contain a description of the state of regeneration for each management unit. For the period ending March 31 <sup>st</sup> , 2006 and a second report covering the period from April 1 <sup>st</sup> , 2005 to March 31 <sup>st</sup> , 2006 will

	be provided to the members of the Joint Working Groups.
<b>Monitoring of the general forest management plans, the annual forest management plans and the standards of the present adapted forestry regime (PART IV (C-4))</b>	
62. When the Joint Working Groups find forestry operations that are not in conformity with the approved general forest management plans or annual management plans or with the other standards of the present adapted forestry regime, that the regeneration is inadequate, or any other problem resulting from forest management activities, they shall immediately inform the <b>Cree-Québec Forestry Board</b> and the <b>Ministre des Ressources naturelles</b> , and will make recommendations regarding measures to be taken.	(R) 62. When the <b>Joint Working Groups</b> find forestry operations that are not in conformity with the approved general forest management plans or annual management plans or with the other standards of the present adapted forestry regime, that the regeneration is inadequate, or any other problem resulting from forest management activities, they shall immediately inform the <b>Cree-Québec Forestry Board</b> and the <b>Ministre des Ressources naturelles</b> , and will make recommendations regarding measures to be taken.
<b>Transitional measures (PART IV (C-4))</b>	
	(R) 5.1 Annual forest management plan 2002-2003 69. The Crees may map those elements of the provisions regarding sites of special interest to the Crees that are situated in sectors of forestry activity in the annual forest management plans for 2002-2003. The <b>Ministre des Ressources naturelles</b> will be informed of the results of this process as soon as possible.
	(CR) 5.1 Annual forest management plan 2002-2003 70. In regard to the application of those elements of the provisions regarding areas of wildlife interest for the Crees that are situated in sectors of forestry activity in the annual forest management plans for 2002-2003, the Cree tallyman or his designated representative shall identify the areas in which he wants the standards relevant to forested areas of wildlife interest to the Crees to apply. He shall also provide comments concerning the roads that cross the boundaries of the trapline. The Crees will advise the <b>ministère des Ressources naturelles</b> and, if they so decide, the agreement holders concerned.
	(CR) 5.1 Annual forest management plan 2002-2003 71. The process described in the preceding two paragraphs must be completed, if possible, prior to February 15 <sup>th</sup> , 2002 and at the latest by February 28 <sup>th</sup> , 2002. This being a summary process, the parties will recommence the complete process for the year 2003-2004, the results being delivered by September 2002.
	(R)* 5.4.1 Particular provisions applicable to the five-year forest management plans which are scheduled to come into force on April 1st, 2004 or on April 1st, 2005 I- Preparation of the five-year forest management plans 77.3 The <b>Joint Working Groups</b> shall ensure the

	<p>participation of the Crees in the elaboration of the five-year forest management plans and shall ensure the availability of the information, notably with respect to the precise location of the sites of interest to the Crees and of the forested areas presenting wildlife interest to the Crees as well as the consistency of the selected measures with those agreed to in the section entitled “Modalities of the adapted forestry regime” of Chapter 3 of the Agreement. To this end, the <b>Joint Working Groups</b> participate in the elaboration of the content of the working maps related to the location of the sites of special interest to the Crees.</p>
	<p>(CR)* 5.4.1 Particular provisions applicable to the five-year forest management plans which are scheduled to come into force on April 1st, 2004 or on April 1st, 2005 I- Preparation of the five-year forest management plans 77.5 From that time, and during the entire process of preparing the five-year plans, the agreement holders and the Cree tallyman shall cooperate regarding the choice of location of residual forest blocks to be conserved in the areas of Cree wildlife interest, regarding road network development plans and regarding harmonization measures to prevent conflictual uses. Amongst other things, the exercise is aimed at allowing the Crees to transmit Cree knowledge that will permit the identification of their concerns other than the location of sites of special interest and of the forested areas presenting wildlife interest which have already been provided.</p>
	<p>(R)* 5.4.1 Particular provisions applicable to the five-year forest management plans which are scheduled to come into force on April 1st, 2004 or on April 1st, 2005 I- Preparation of the five-year forest management plans 77.6 The <b>Joint Working Groups</b> shall follow the progress of the elaboration of the five-year plans by ensuring that, on the date of the filing of such plans, the information referred to in section 77.2 and available on that date, is integrated therein.</p>
	<p>(R)* 5.4.1 Particular provisions applicable to the five-year forest management plans which are scheduled to come into force on April 1st, 2004 or on April 1st, 2005 I- Preparation of the five-year forest management plans 77.7 Sections 31 to 34 of Part IV (C-4) of the present Schedule concerning land use conflicts apply as the case may be.</p>
(CR)* 5.4.1 Particular provisions applicable to the five-year	(CR)* 5.4.1 Particular provisions applicable to the five-year forest

<p>forest management plans which are scheduled to come into force on April 1st, 2004 or on April 1st, 2005 I- Preparation of the five-year forest management plans 77.11 In the event that the five-year plan is deemed not to be in conformity by the concerned Joint Working Group, it shall inform the Minister and shall make appropriate recommendations within thirty (30) days of receipt of the plan. The Minister shall re-evaluate the conformity of the five-year plan in light of the recommendations of the Joint Working Group.</p>	<p>management plans which are scheduled to come into force on April 1st, 2004 or on April 1st, 2005 I- Preparation of the five-year forest management plans 77.11 In the event that the five-year plan is deemed not to be in conformity by the concerned Joint Working Group, it shall inform the Minister and shall make appropriate recommendations within thirty (30) days of receipt of the plan. The Minister shall re-evaluate the conformity of the five-year plan in light of the recommendations of the Joint Working Group.</p>
<p>(CR)* 5.4.1 Particular provisions applicable to the five-year forest management plans which are scheduled to come into force on April 1st, 2004 or on April 1st, 2005 I- Preparation of the five-year forest management plans 77.12 The Joint Working Groups or certain of their members may refer to the <b>Cree-Québec Forestry Board</b> any dispute, problem or concern relative to a five-year forest management plan and the Board shall treat the matter in conformity with its mandate. The Cree-Québec Forestry Board may obtain from the Ministère des Ressources naturelles, de la Faune et des Parcs, by means of a specific request, a copy of any five-year forest management plan or modifications to such plan. The Joint Working Groups may at this stage assist the concerned communities to participate in the consultations, if the council of each Cree community so chooses, within the framework of the information and public consultation process.</p>	<p>(CR)* 5.4.1 Particular provisions applicable to the five-year forest management plans which are scheduled to come into force on April 1st, 2004 or on April 1st, 2005 I- Preparation of the five-year forest management plans 77.12 The <b>Joint Working Groups</b> or certain of their members may refer to the Cree-Québec Forestry Board any dispute, problem or concern relative to a five-year forest management plan and the Board shall treat the matter in conformity with its mandate. The Cree-Québec Forestry Board may obtain from the Ministère des Ressources naturelles, de la Faune et des Parcs, by means of a specific request, a copy of any five-year forest management plan or modifications to such plan. The <b>Joint Working Groups</b> may at this stage assist the concerned communities to participate in the consultations, if the council of each Cree community so chooses, within the framework of the information and public consultation process.</p>