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

COURTESY TRANSLATION

Québec, June 22, 2009

Mr. Claude Béchard
Minister
Ministère des Ressources naturelles et de la Faune
5700, 4e Avenue Ouest, A 308
Québec (Québec) G1H 6R1

Subject: 2008-2013 modified General Forest Management Plan of FMU 26-62 and FMU 26-61

Dear Minister:

On April 8, 2009, you requested an advice from the Cree-Québec Forestry Board on the modifications to the general forest management plan of forest management unit (FMU) 026-62. These modifications follow the new allowable cut and requirements announced by the Chief Forester in the spring of 2008.

As mentioned in the first advice sent to you on May 25, 2009, further to the reception of the analysis report of the Mistissini joint working group, we completed the review of the modifications presented.

In this letter, Board members wish to advise you that

1. *At the completion of the review of the documents submitted, Board members recommend the approval of the modifications presented to the 2008-2013 GFMPs of FMU 26-62.*

As in the 12 modified GFMPs discussed in the May 25, 2009 advice, it is with satisfaction that we observe that the General Forest Management Plan was modified in compliance with the provisions of the adapted forestry regime and according to the new allowable cut and requirements. Consequently, following the approval of these modifications, the Board considers that the 2009-2010 annual plans and the intervention permits issued should be adjusted as soon as possible in compliance with the processes and terms and conditions of the Agreement.

On June 8, 2009, you requested an advice from the Cree-Québec Forestry Board on the modifications to the general forest management plan of FMU 026-61. These modifications do not follow the new allowable cut announced by the Chief Forester in May 2009, but specifically concern improvements to already existing infrastructures.

Further to their revision of the modifications presented, the members of the Board

2. *Recommend the approval of the modifications proposed to the 2008-2013 GFMP of FMU 26-61 under the condition that no permit is issued for the improvement of the road and the bridge in the territory under study for the Assinica park project.*

The Board's opinion is that until the parties agree on the boundaries of the projected Park, the precautionary measures defined in the directive issued on March 24, 2009 by the Direction générale du Nord-du-Québec (note from the MRNW General Director, North of Québec destined to the directors and chiefs of the "unités de gestion Nord-du-Québec": *Management of territories of interest as protected areas)* must be applied.

Further to the information in this advice, we include in appendix both detailed revision sheets of the modifications presented. These documents are produced for the benefit of the representatives of your ministère.

In closing, let us note that the specific preoccupation expressed by the Cree party, presented in appendix 1 of the advice we sent you on May 25, pertaining to the participation processes, application of some FPDOs, main road construction in sites of special interest to the Cree (25%), width of watercourse buffers and the documentation of harmonization measures agreements are still relevant to this advice and should be addressed by the parties as soon as possible.

Yours truly,

The Chairman of the Board,

Jean-Pierre Gauthier

APPENDIX

Revision sheets of two modified 2008-2013 GFMPs

REVISION SHEET BY THE CQFB
Modified GFMP 2008-2013: FMU 026-61

FMU technical information

Area of the FMU	7 815 km²
Productive forested area of the FMU	4 045 km²
Concerned Cree communities	Mistissini
Beneficiary responsible for the FMU	Les Chantiers Chibougamau ltée
Traplines included in the FMU (territories with modifications in the GFMP underlined)	M17C, M30, M31, M34, M35A, M36, M37, M38, M39, M39A, M40, M41

Analysis results of the JWG

- The JWG recommends the approval of the plan under the condition that all remaining issues are solved during the annual consultations.
- The Cree members of the JWG also recommend that all major roads outlined in the plan be submitted for review under Section 22 of the JBNQA.

Revision results of the CQFB *

The CQFB recommends that this GFMP be

☐ Accepted

☑ Accepted with recommendation (s)

☐ Refused

*Revision findings presented are the outcome of the Secretariat of the Board's analysis of the information given by the beneficiaries' representative, the MRNF and the JWG. A detailed description of the revision methodology and table can be found in annex.

CQFB specific recommendations

R.1 The Board recommends the approval of the plan under the condition that no permit is issued for the improvement of the road and the bridge in the M-39 trapline until the official outline of Assinica park is known.

Revision timeline

Reception date of conform GFMP by the CQFB	June 8, 2009
Reception date of JWG analysis report by the CQFB	June 4, 2009
Production date of the GFMP revision sheet	June 12, 2009

REVISION SHEET BY THE CQFB
Modified GFMP 2008-2013: FMU 026-61

Principle 1: GFMPs' conformity to forest allocations per FMU

Statement

- The MRNF has certified that the five-year program presented in the GFMP conforms to the forest allocations based on the annual allowable cut the Chief Forester determined in December 2006.

Comment

- The GFMP modifications concern improvements to roads and main infrastructures. A more extensive modification will follow once the Chief Forester's new allowable cut calculations are available.

Principle 2: Compliance with the instructions and guidelines

Statements

- The MRNF has certified that the GFMP conforms to the instructions and guidelines it defined to supervise the elaboration of the 2008-2013 GFMPs in compliance with the Agreement.

Comment

- None

Principle 3: Integration of Cree information

Statements

- The majority of the tallymen's harmonization requests appear in the harmonization measures table of the GFMP. Some measures are the subject of specific agreements, while others will be the subject of a feasibility review during the annual plans.
- The participation report does not mention the use of the planning support maps.
- The JWG reports that the agreement holder used information from the planning support maps before the consultations with the tallymen. This helped with the harmonization of their concerns.

Comment

- None

Principle 4: Proper consultation of tallymen

Statements

- According to the participation report, all the tallymen (3) whose trapline is the object of a modification were met and the majority of the harmonization requests were taken into consideration by the agreement holder.
- The JWG report indicates that the agreement holder's participation report describes the process correctly.
- The JWG report specifies that the agreement holder was open to taking the tallymen's requests into consideration.

Comments

- The JWG members specify that they want to monitor closely the harmonization measures the agreement holder and tallymen agreed upon.
- The agreement holder plans the improvement of a road and a bridge in the M-39 trapline. These infrastructures are in the area envisaged for the Assinica Park project.

REVISION SHEET BY THE CQFB
Modified GFMP 2008-2013: FMU 026-62

FMU technical information

Area of the FMU	3 296 km²
Productive forested area of the FMU	2 356 km²
Concerned Cree communities	Mistissini
Beneficiary responsible for the FMU	Les Chantiers Chibougamau ltée
Traplines included in the FMU (territories with forest planning in the GFMP underlined)	M42, M42B, M43, M44, M45, M45A, M46, M46A, M46B, M50, M51, M51A, M51B, M56

Analysis results of the JWG

- The JWG recommends the approval of the plan under the condition that all remaining issues are solved during the annual consultations.
- The Cree members of the JWG also recommend that all major roads outlined in the plan be submitted for review under Section 22 of the JBNQA.

Analysis results of the CQFB*

The CQFB recommends that this GFMP be

☑ Accepted

☐ Accepted with recommendation (s)

☐ Refused

*Revision findings presented are the outcome of the Secretariat of the Board's analysis of the information given by the beneficiaries' representative, the MRNF and the JWG. A detailed description of the revision methodology and table can be found in annex.

CQFB specific recommendations

None

Revision timeline

Reception date of conform GFMP by the CQFB	April 8, 2009
Reception date of JWG analysis report by the CQFB	June 5, 2009
production date of the GFMP revision sheet	June 8, 2009

Principle 1: GFMPs' conformity to forest allocations per FMU

Statement

- The MRNF has certified that the five-year program presented in the GFMP conforms to the forest allocations based on the annual allowable cut the Chief Forester determined in March 2008.

Comment

- The CQFB analysis shows some discrepancies in the numbers in table 56, but the MRNF representatives affirm already having requested corrections to the agreement holder.

Principle 2: Compliance with the instructions and guidelines

Statements

- The MRNF has certified that the GFMP conforms to the instructions and guidelines it defined to supervise the elaboration of the 2008-2013 GFMPs in compliance with the Agreement.

Comment

- None

Principle 3: Integration of Cree information

Statements

- The agreement holder's participation report does not identify significant disagreement for this FMU. Modifications were made to the plan, further to the consultation with the tallymen.
- The majority of the tallymen's harmonization requests appear in the harmonization measures table. Some measures are the subject of specific agreements, while others will be the subject of a feasibility review during the annual plans.
- The participation report does not mention the use of the planning support maps.
- The JWG reports that the agreement holder used information from the planning support maps before the consultations with the tallymen. This helped with the harmonization of their concerns.

Comment

- None

Principle 4: Proper consultation of tallymen

Statements

- According to the participation report, all the tallymen (10) whose trapline is the object of a five-year plan participated to two meetings and the majority of the harmonization or modification requests were taken into consideration by the agreement holder.
- The JWG report indicates that the agreement holder's participation report describes the process correctly.
- The JWG report specifies that the agreement holder was open to adapting his planning in consideration of the tallymen's comments.

Comments

- Some unresolved issues remain and will need to be addressed in the annual plan.
- The participation report documents in detail the tallymen's requests, which helps with understanding and monitoring.