



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

Monitoring framework of the Adapted Forestry Regime of the Paix des Braves

Adopted at the April 23, 2014 Board meeting

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Détecter les indices

Reading the signs

The Cree traditional way of life and knowledge acquisition are based on land occupancy, reading natural signs and experience-sharing. The Board's monitoring framework adopts this philosophy and makes use of the advantage of having access to the territory's main occupants.

In practicing their traditional activities, the Crees are best-placed to note the effectiveness of the provisions designed to better harmonize forestry-related activities with their way of life. Their involvement in the participative mechanisms provided for in the Paix des Braves Agreement also promotes experience-sharing in this regard.

The Board proposes a monitoring framework designed to bring together the different signs enabling ongoing assessment of whether the objectives of the Adapted Forestry Regime are being achieved. To do so, it relies extensively on the appreciation of the territory's occupants and the stakeholders involved in implementing the Paix des Braves Agreement.

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Section A

Introduction

Bases of the monitoring framework

Board responsibilities

The Cree-Québec Forestry Board (CQFB) has the responsibility to monitor, analyze and assess the implementation of the forestry provisions of the *Agreement concerning a new relationship between the Gouvernement du Québec and the Crees of Québec* (ANRQC).¹

This assessment must enable the Board to recommend, to the parties, adjustments or modifications required for the Adapted Forestry Regime applicable to Agreement territory to evolve in keeping with an approach of continuous improvement.²

At the same time, the Board is also responsible for monitoring the implementation mechanisms for the Joint Working Groups (JWG) and is involved in reviewing the forest management plans.³

Context

After signing the Agreement, in 2002, the parties began implementing the Adapted Forestry Regime through transitional measures in the early years, up to the completion of the first full planning cycle between 2008 and 2013.

The Cree-Québec Forestry Board's initial monitoring-related concerns were primarily to ensure that all of Chapter 3's forestry-related provisions were gradually implemented in a spirit of collaboration between all stakeholders.

In 2009, the Board produced a first assessment of the implementation of the Agreement's forestry-related provisions for the period 2002-2008.

At this time, the Board observed that the Ministère des Ressources naturelles du Québec (MRN) was deploying measures to ensure implementation of the great majority of Chapter 3's technical provisions. However, it was recommended that JWG members' intervention capacity be strengthened so that they could contribute to this process in keeping with their mandate.

The Board also observed that none of the stakeholders was measuring the extent to which Agreement objectives had been reached or questioning the propensity of the Adapted Forestry Regime's provisions to promote the objectives' achievement.

As a result, the Board identified implementation monitoring of the Agreement as a priority issue and made the desire to implement the tools and measures required for up-to-date information on achievement of the Agreement's objectives and provisions one of its action priorities.

¹ ANRQC, section 3.30 a

² ANRQC, sections 3.30 b and 3.6

³ ANRQC, sections 3.30 d, e, f

Developing the monitoring framework

The Board began a process aimed at constructing a monitoring framework in 2010. To fuel deliberations, the Secretariat team produced a theoretical summary of monitoring processes, documented examples of processes developed by other jurisdictions throughout the country and inventoried monitoring conducted by different entities concerning the territory.

In 2012, the Board set up a working committee coordinated by the Secretariat and composed of party representatives. This committee met several times in 2012 and 2013 to reflect on the concept, agree on the monitoring framework's bases and develop its different components.

During the development phase, the committee met with JWG members, representatives of Cree communities, the Cree Trapper's Association, Faune Québec, academic circles and Ministère des Ressources naturelles specialists to validate many of the framework's elements.

At Board meetings, the committee informed the Board members of progress made on the project and asked for their advice on key directions. The Board endorsed the draft framework in January 2014 and mandated the working committee to develop an action plan to ensure the monitoring programs' implementation in April 2014. (To be validated)

(To plan and include: revision of the monitoring framework in function of the new agreement)

Preferred approach

A simple tool meeting the Board's needs

From the time framework design began, the Board members were clear on the fact that, above all, they wanted the tool developed to be simple and to meet the Board's needs. This tool is, first and foremost, for Board members' use to enable them to advise the parties on the Adapted Forestry Regime's evolution.

The Board members wanted to avoid the trap of looking for the "perfect" tool...one that combined public accountability, scientific validation and numerous data sources, that included too many indicators and required implementation that was so complex that, ultimately, the tool would remain unused.

While the Board seeks all the rigour that is desirable in such an exercise, the framework is intended as an internal means of detecting problems, which, ideally, balances perfectionism and practicality.

Many committees exist to monitor implementation of various issues at stake in the James Bay and Northern Québec Agreement, Paix des Braves Agreement and Regional Governance Agreement, to name the main ones. Consequently, the Board has been careful to restrict itself to its mandate, which concerns exclusively Chapter 3 (Forestry) of the Paix des Braves.

A flexible, evolutionary framework

The framework concept must also be flexible and able to evolve. It is unnecessary to try to include every possible element from the outset. It seems clear that gradually implementing monitoring will allow certain criteria and/or indicators to be refined and the framework to be enhanced, if need be. Another goal is to reduce, as far as possible, the number of criteria and indicators, either by combining the latter or eliminating those which are difficult to apply, inadequate or rather inaccessible.

Nor is it essential to try to measure everything right away. According to practitioners who have implemented monitoring frameworks in other contexts, it is best to make simple choices at the beginning, even limiting the elements to be measured by focussing on priorities and to slowly add components over time.

Objectives and criteria

The Board proposes that the monitoring framework be based on the objectives stated in the very first section of Chapter 3 (Forestry):

The Québec forestry regime will apply in the Territory in a manner that allows:

- a) adaptations to better take into account the Cree traditional way of life;
- b) greater integration of concerns relating to sustainable development;
- c) participation, in the form of consultation, by the James Bay Crees in the various forest activities operations planning and management processes.⁴

These three objectives represent the elements of Chapter 3 that are most likely to be long-lasting. While the parties may wish to change the Adapted Forestry Regime and its provisions, doing so will probably always aim to meet the above-mentioned objectives as adequately as possible.

The Board also proposes expressing each of these objectives as a series of criteria. These criteria increase the angles from which an objective is studied and constitute the basis for determining whether an objective has been attained. Each objective will, therefore, have a number of facets and be described according to several criteria.

Implementation monitoring: systematic portrait of application

Once the “objectives and criteria” structure has been established, the Board will enter into the evaluative portion of the monitoring framework. This entails monitoring the provisions’ application in order to systematically paint a picture of the implementation process.

Agreement’s provisions are associated with each criterion. The Board will begin by asking itself whether the provisions have been implemented. To do so, it will work with party representatives to review each section of Chapter 3 and use the implementation verification reports produced by the Ministère des Ressources naturelles and the JWGs.

When the provisions are implemented in keeping with the Agreement, the Board will be able to proceed to the next monitoring stage, namely, verifying their effectiveness. However, for various contextual reasons, provisions may not be implemented or may be only partly implemented. In such cases, the Board will not be able to evaluate the effectiveness of the associated criterion. Instead, it will look into the reasons for this and might suggest that the parties adjust the provisions in question or take corrective action designed to ensure Chapter 3’s full-fledged implementation.

Effectiveness monitoring: verification of the objectives’ achievement

The Board monitors the effectiveness of the criteria whose associated provisions have been implemented to determine whether their implementation contributes to achieving the objectives of Chapter 3. In other words, the Board wants to know whether the provisions are doing the job.

This stage is evaluated using the indicators and verifiers associated with each one. When choosing the indicators to be monitored, priority was given to those based on using existing information and data or information/data that is relatively easy to obtain. Should the data not be accessible already, the Board is counting, to some extent, on Agreement stakeholders to gather the information or give their appreciation.

⁴ ANRQC, section 3.1

The indicators (qualitative and quantitative) express a trend for each criterion. Based on the results obtained, the Board will be able to formulate a more general assessment of the objectives for all of Chapter 3, but especially, and more specifically, it will be able to target the shortcomings highlighted through the monitoring framework.

Detection-based assessment

The Board's monitoring framework differs from the usual criteria and indicator frameworks in that it is not based primarily on achievement of objectives. In many other types of frameworks, objectives are linked to indicators and, to some extent, represent the passing grade or a continuous improvement goal.

In the Board's case, the monitoring framework is more of a tool for detecting what works well and not so well in the Adapted Forestry Regime's implementation.

The assessment counts heavily on stakeholder involvement and stakeholder evaluation of whether the provisions of Chapter 3 allow the objectives to be reached.

Whenever possible, the Board will try to triangulate data sources and pool Cree knowledge and Western science. By assembling all facts and information, the Board will identify trends through the results.

In this way, the monitoring framework will enable the Board to prepare advice and suggest changes to the Agreement based on successes and winning recipes. This approach will also allow it to detect potential problems with regard to the Adapted Forestry Regime's effectiveness and to define possible solutions.

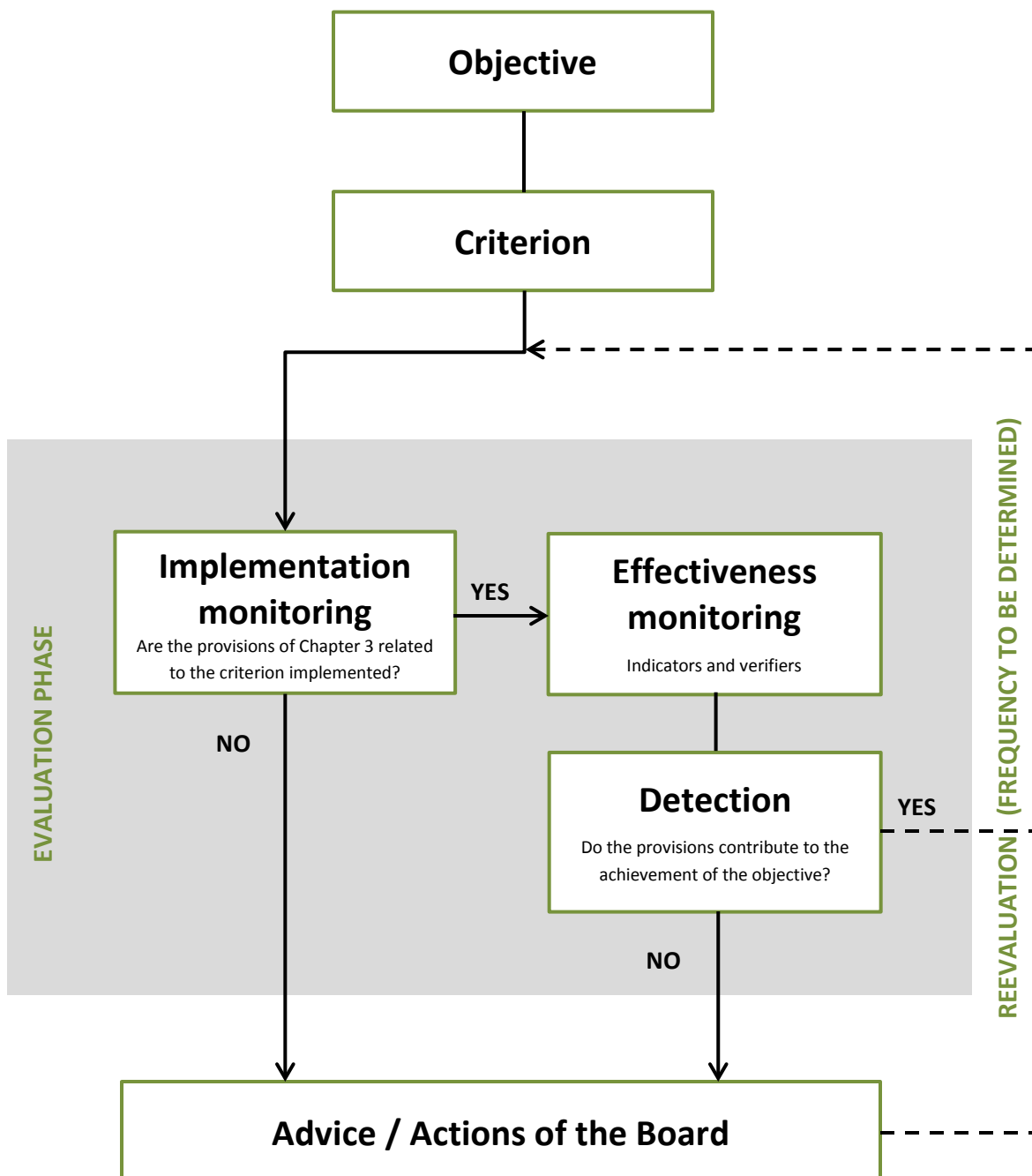
Concrete action

Through its monitoring framework, the Board seeks to be proactive and to propose concrete action for any problem that may be detected. The nature of this action could vary considerably. Clearly, the Board will be able to prepare advice directly for the parties in order to propose corrective measures or changes to the Agreement, if need be.

The Board could also implement further monitoring designed to get more information on the nature of the problems detected or to launch initiatives aimed at rectification. For example, it could interview targeted players, create working committees, initiate studies, conduct inventories (forest or wildlife-related) or set up test sites. It could also work with other stakeholders or research groups to take this type of action in partnerships.

Ultimately, the monitoring framework will become a complementary tool to the Board's strategic planning in that it may influence the Board's directions and action priorities depending on the results obtained along the way. Similarly, through its directions and choice of files of interest, the Board may prioritize certain monitoring framework elements and focus assessments on certain criteria or more specific indicators.

Illustration of how the monitoring framework functions



Section B

Structure of the Framework

Objective 1 Traditional Way of Life

Adaptations to better take into account the Cree traditional way of life

The Agreement specifies that the Cree Nation must continue to benefit from its rich cultural heritage, its language and its traditional way of life in a context of growing modernization (s. 2.2). Chapter 3 deals with forestry and seeks to have the Québec forest regime apply on Agreement territory in a manner that allows adaptations to better take into account the Cree traditional way of life.

To assess to what extent this objective has been attained, the Board sought to better understand the “traditional way of life” concept. In this regard, the Cree Trappers Association proposes a definition of the concept that allows us to understand its scope and that illustrates its multidimensional aspect as well as the difficulty of circumscribing it:

“Eeyou define Eeyou culture simply as the way of life adopted by Eeyou. In fact, Eeyou describe Eeyou culture as “Eeyou Pimaatisiwin” or Eeyou way of life. For Eeyou, culture is determined and shaped by Eeyou Iyihitiwin – the Eeyou way of doing things – and encompasses the complex whole of beliefs, values, principles, practices, institutions, attitudes, morals, customs, traditions and knowledge of Eeyou. These elements influence the determination of Eeyou laws.”⁵

The Board adopts the cultural dimension of this explanation, that is, that the Crees’ traditional activities, regardless of the intensity with which they are practiced and the evolution of the tools used, represent a vector for transmitting culture and language and that the conditions found in the forest must allow these activities to be carried out. However, a great many factors other than forest conditions can also influence the Crees’ practice of the traditional way of life.

To effectively measure the extent to which this objective is attained, the Board is focussing on the adaptations included in Chapter 3 with regard to the Québec forest regime and trying to understand whether these adaptations contribute positively to taking into account the traditional way of life. Given the scope of the concept, the Board considers that it is the Crees who are skilled in practicing and teaching the traditional way of life who are able to judge whether the adaptations to Chapter 3 are beneficial.

In this regard, the most relevant criteria to observe in the context of the adapted forestry regime monitoring framework are the main categories of adaptations found in Chapter 3. These adaptations, which represent a different way of perceiving forest management compared to the Québec regime, must support the Crees in practicing their traditional way of life.

⁵ Cree Trappers Association. 2009. *Eeyou Indoh-hoh Weeshou-Wehwun – Traditional Eeyou Hunting Law*. http://www.creetrappers.ca/CTA_EEYOU_HUNTING_LAW.PDF

CRITERION 1.1: ZONING

Under the Québec forest regime, the territory is defined in territorial reference units (TRU) and management units (MU) according to biophysical, ecological and socio-economic parameters. In Chapter 3, adaptations are provided for to adjust the TRUs and MUs to the geographical boundaries of traplines and the reality of Cree communities. This zoning is designed to ensure that forest conditions are suitable to allow practice of the traditional way of life in all traplines at all times.

Related provisions

3.7 The trapline defined as the territorial reference unit

3.8 Management units and northern limit

CRITERION 1.2: SITES OF SPECIAL INTEREST TO THE CREE

Cultural sites are venues that are suitable for transmitting knowledge, culture, language and values through the activities carried out there. They also make it possible to maintain the notion of identity based on land occupancy. Cultural sites can include campsites and the area around them, sacred sites, burial grounds, gathering sites, archaeological sites, portage trails, bear dens, blinds, water sources, etc. Further, forest activities must be harmonized with the Crees' hunting, fishing and trapping activities. To do so, forest management must take wildlife habitat protection into account and ensure that quality wildlife habitats are maintained on all of the territory's traplines. The adapted forestry regime stipulates that the tallymen must identify cultural sites and forested areas presenting wildlife interest for which special protection measures are prescribed.

Related provisions

3.9 Sites of special interest (1%)

3.10 Sites of special wildlife interest (25%)

C-4 13. Planning-support maps

3.63-3.64 Firewood

CRITERION 1.3: MANAGEMENT APPROACH

Under the Québec forest regime, the silvicultural approaches selected for forest management depend on a range of variants such as forest composition, stand structure, forest regeneration processes, soil types, effects on landscape, socio-economic factors, etc. Chapter 3's management approach is adapted to the Agreement's particular context, considering the variants listed above but advocating increased acceptability and prescribing specific thresholds to comply with in terms of cutting areas, residual stands to preserve, the annual allowable cut rate, the acceptable level of disturbance by trapline, maintenance of the hardwood component, timber recovery in case of a natural disaster, etc. The management approach promoted under the adapted forestry regime is aimed at ensuring that the Crees can continue to practice their traditional activities in harmony with forest management in the territory.

Related provisions

3.11 Maintaining forest cover

Schedules C-2, C-3, C-6

C-4 Harmonisation measures

CRITERION 1.4: RIPARIAN AREAS

Under the Québec forest regime, riparian zones enjoy special protection during forest management activities primarily for hydrographic reasons, that is, to avoid sediment inputs into streams and preserve aquatic environment quality. The Crees associate other essential functions linked to practicing their way of life with riparian environments. For example, their richness of wildlife habitats makes it possible to concentrate various hunting and trapping activities there. Many temporary camps and other cultural sites are also concentrated there. The adapted forestry regime provides for additional protective measures.

Related provisions

3.12 Protection of forests adjacent to watercourses and lakes

CRITERION 1.5: ACCESS

Forest activities involve building and maintaining a major road network in the territory. The Crees can take advantage of this network to access the territory and to travel between various sites. The same road network also gives access to vacationers and other users of the territory, thereby potentially increasing hunting, fishing and trapping activity. Access management, therefore, has direct and indirect impacts on the practice of traditional activities. Chapter 3 provides for adaptations to the Québec forest regime by giving tallymen increased influence on road network development.

Related provisions

3.13 Development of the road access network

C-4 Harmonisation measures (winter/summer roads)

INDICATORS AND VERIFIERS

The indicators selected to evaluate criteria 1.1 to 1.5 are grouped.

Given the specific theme of the Cree way of life, the Board relies on two qualitative indicators, taking advantage of the land users' knowledge. They are best placed to determine if the adaptations to the Québec Forest Regime promote better taking into account the traditional way of life.

The proposed indicators are:

- Tallyman (and members of his family)'s appreciation of its ability to practice and teach the Cree traditional way of life
- Tallyman (and members of his family)'s appreciation of Chapter 3 provisions/adaptations and their usefulness in taking into account the Cree way of life

The Board will assess the possibility of adding one or more quantitative indicators after reviewing the data collected by the Cree Trappers Association and the other related organizations more closely. In this case, adding quantitative indicators is advisable, but not mandatory. Data should be reliable and meaningful for our context before anything else.

The proposed main verifiers are:

- JWG reports (format to be reviewed – frequency TBD)
- JWG minutes of consultation meetings
- CQFB interviews with tallymen and families (frequency 5 years)

Other options are also possible:

- Cree land monitors
- Pilot traplines / families
- Focus groups
- CTA general assemblies
- Other specific events or workshops

Objective 2 Sustainable Development

Greater integration of concerns relating to sustainable development

In the Agreement, both the Cree nation and the Québec nation agree to continue the development of Northern Québec (s. 2.1). Where forestry is concerned, the Agreement provides a framework for this development, specifying that the forestry regime applicable on the territory must allow greater integration of concerns relating to sustainable development.

The Brundtland Commission defined sustainable development as: *“development which meets the needs of current generations without compromising the ability of future generations to meet their own needs”*.⁶ Similarly, the Indigenous peoples’ perspective is often expressed in terms of responsibility to the seventh generation:

*“We cannot simply think of our survival; each new generation is responsible to ensure the survival of the seventh generation. The prophecy given to us, tells us that what we do today will affect the seventh generation and because of this we must bear in mind our responsibility to them today and always.”*⁷

The Board’s challenge is to propose a way to express the concept of sustainable development so that the actions taken today can be evaluated in terms of their potential impact on future generations. The Board seeks a fair balance between the three sustainable development axes (economic, social and environmental) and fairness to both the Crees and Quebeckers (Jamesians) living in the territory, now and in the future.

The key is to identify sustainable development-related concerns that reflect the three axes and represent criteria on which implementation of the Agreement’s adapted forestry regime could have an impact. The Board proposes assessing whether Chapter 3 of the Agreement and its adapted forestry regime contribute to sustainable development through these criteria.

A participatory exercise enabled us to agree on the most relevant criteria to assess in the monitoring framework. These criteria are aspects that are not already covered by objectives 1 and 3, which also represent concerns relating to sustainable development.

⁶ United Nations. 1987. *Our Common Future*. Report of the World Commission on Environment and Development.

⁷ Clarkson, Linda, Vern Morrisette and Gabriel Regallet. 1992. *Our Responsibility to the Seventh Generation*. International Institute for Sustainable Development.

Economic axis

CRITERION 2.1: COMMUNITIES' ECONOMIC DEVELOPMENT

The Agreement has a self-professed goal of making the Cree Nation increasingly responsible for its economic development. Through the Agreement, Québec agrees to encourage and facilitate the Crees' participation in forest-related development projects. The economic forest-related development resulting from the Agreement's implementation can take the form of income-sharing (indexation formula including timber royalties), guaranteed volumes, business partnerships (community or individual) and contracts of all sorts (timber allowance, work performance, etc.).

Related provisions

3.55-3.59 Access to forest resources

3.6 Employment and contracts

Chapter 7 – Financial provisions

New agreement - CQFEC

CRITERION 2.2: JOB CREATION AND MAINTENANCE

With a relatively high unemployment rate and a markedly growing active population, the Crees identify the forest sector as a potentially important source of job creation. They are looking for sustainable, quality jobs and the support required to develop the skills needed to hold them. Job creation must not simply constitute a transfer or occur to the detriment of Jamesian workers. Maintaining existing jobs is also an important factor. It is hoped that the entire regional population can obtain equivalent opportunities with regard to jobs in the forest sector.

Related provisions

3.55-3.59 Access to forest resources

3.6 Employment and contracts

3.65 Agreements with forestry enterprises

New agreement - CQFEC

CRITERION 2.3: FOREST SECTOR VIABILITY IN THE REGION

The forest sector's viability can be influenced by a great many contextual or structural factors, be it on the regional, national or international scale. The Agreement's adapted forestry regime is, however, a specific factor that makes the Northern Québec region unique. Therefore, it is important to verify whether the requirements related to Chapter 3 become constraints reducing the regional forest sector's viability vis-à-vis other Québec regions, while being mindful of the territory's unique commitment and rigor to achieving sustainable development.

Related provisions

Spirit of the Agreement (Chapter 2)

New agreement - CQFEC

INDICATORS AND VERIFIERS

The indicators and verifiers proposed for the economic criteria have been developed in partnership with economists from the Bureau de mise en marché des bois (BMMB):

Indicators for criterion 2.1

- Number of Cree businesses
- Proportion of Cree businesses compared to the rest of Quebec businesses
- Hectares treated / volumes harvested or processed by Cree businesses
- Proportion of hectares treated / volumes harvested or processed by the rest of Quebec businesses

Verifiers

- MRN Business directory
- Mills registry (Industria)

Indicators for criterion 2.2

- Number of Cree workers in the forest sector
- Employment ratio Cree / total employment in the forest sector

Verifiers

- Community surveys (responsibility and frequency to be determined)
- Statistics Canada surveys

Indicators for criterion 2.3

- Volume harvested in Chapter 3 management units (MUs)
- Ratio of volume harvested in Chapter 3 MUs / total volume harvested in Quebec
- Royalties paid for Chapter 3 MUs
- Ratio of royalties paid for Chapter 3 MUs / total royalties paid in Quebec
- Ratio of AAC for Chapter 3 MUs / total Quebec AAC
- Evolution in operating costs for Chapter 3 MUs

Verifiers

- MRN measurement and billing data (MesuBois)
- Office of the Chief Forester
- Pricing models BMMB

Social axis

CRITERION 2.4: CONSIDERING THE NEEDS OF ALL LAND USERS

The Crees are currently experiencing significant demographic growth, which increases the number of people using the territory and could put more pressure on resources. While Chapter 3 of the Agreement focuses mainly on strategies at the trapline level and on the tallymen's participation in forest planning activities, the approach advocated by the Agreement must be fair and representative for all groups of Cree users, young and old, men and women, seasonal hunters and full-time trappers, with or without access to a family hunting ground. Further, this approach strives to avoid not adversely affect vacationers or non-Cree hunters, who also wish to take advantage of the territory's resources.

Related provisions

3.4 Improved harmonisation of forest activities with hunting, fishing and trapping activities
Spirit of the Agreement (Chapter 2)

INDICATORS AND VERIFIERS

The Board suggests two qualitative indicators to assess the appreciation of the actors targeted by criterion 2.4:

- Appreciation of Cree land users, other than tallymen, of their ability to practice the Cree way of life, their access to the land and their level of participation in land management decisions
- Jamésiens' (non Cree) appreciation of their access to the land and of level of participation in land management decisions

The proposed verifiers (sources and potential data collection tools) vary:

- Data from the Cree Trappers' Association
- CQFB interviews with other users of the land and community members (frequency > 5 years)
- TGIRT reports (if available)
- Income Security Program / Board
- Others (i.e. Cree Culture Department, COTA, Regional wildlife table, outfitters, etc.)

Environmental axis

CRITERION 2.5: BIODIVERSITY PROTECTION

Protecting biodiversity is clearly an element that is assessed globally on the national and international scale through various types of monitoring. Using a more specific objective, we will look at validating the management strategy used throughout the Agreement's adapted forestry regime to ensure that it maintains the ecological functions associated with the diversity of the ecosystems representative of the territory. Similarly, the impact of the adapted forestry regime's management strategy must also be evaluated vis-à-vis species designated threatened or vulnerable and protected wildlife habitats.

Related provisions

Schedules C-2, C-3, C-6

3.10 Sites of special wildlife interest (25%)

CRITERION 2.6: INTEGRITY OF KEY SOCIOECOLOGICAL ECOSYSTEMS

The concept of key socioecological ecosystems is associated with the concept of ecosystem-based services, i.e. the benefits that humans derive from certain ecosystems. In the case at hand, these ecosystems are most often linked to Cree traditional activities. For example, the cultural importance attributed to mature mixed forest stands as crucial moose wildlife habitats, to white spruce forest stands as an important source of medicinal plants, to spawning grounds and to many other ecosystems. Because these ecosystems are often under-represented in the territory, it is important to identify them and verify whether the management strategy used in the territory ensures their integrity.

Related provisions

C-3 Mixed Stands Strategy

3.7 The trapline defined as the territorial reference unit

3.10 Sites of special wildlife interest (25%)

3.11 Maintaining forest cover + Schedule C-2

3.12 Protection of forests adjacent to watercourses and lakes

C-4 Directive for wildlife habitats

C-4 13. Planning-support maps

New agreement –Biological refuges

New agreement – Roads vs spawning grounds

CRITERION 2.7: KNOWLEDGE ABOUT THE TERRITORY

Developing better knowledge of the territory's forest ecosystems, their components in general and wildlife in particular must promote the development of management strategies that are more respectful of natural dynamics and that help ensure resource sustainability. Effective implementation of the adapted forestry regime is based on the existence of knowledge acquisition programs that can take different forms and target different goals such as maintenance, transfer, sharing and research, and which will help develop strategies and/or mechanisms designed to put Cree traditional knowledge to good use in the territory.

Related provisions

3.6 The forestry regime will evolve

Cree-Québec Forestry Board

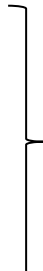
Joint Working Groups

C-4 13. Planning support maps

C-4 Section on monitoring

INDICATORS AND VERIFIERS

The proposed indicators for criteria 2.5 and 2.6 have been discussed with professionals from MRN and MDDEFP. The Board proposes using mainly indicators already monitored by the two entities to facilitate monitoring:

- | | | |
|---|---|--|
| <ul style="list-style-type: none"> ➤ VOIT Charts – values, objectives, indicators and targets (Biophysical indicators measured regionally) ➤ Sensitive wildlife species (black spruce forests)
Woodland caribou
Marten ➤ Wildlife species of socio-economic interest
Moose
Brook Trout |  | <p>Validation work
still necessary</p> |
|---|---|--|

The verifiers associated with these indicators are multiple and remain to be clarified:

- Status of vulnerable / threatened species
- MRN monitoring
- MDDEFP monitoring
- CTA data

Other options:

- Habitat suitability models
- FSC monitoring
- Other monitoring initiatives & results
- Experimental sites
- Inventories
- Research initiatives & results

More specific indicators are proposed for criterion 2.7 on the body of knowledge. Most cases involve compiling / keeping track of the initiatives:

- Land visits
- Initiatives for documenting knowledge
- Land use studies
- Inventories
- Workshops/Symposiums/Conferences
- Publications

These initiatives will be compiled by the Board Secretariat.

Objective 3 Participation

Ensure participation, in the form of consultation, by the Crees in the various forest activities operations planning and management processes

The concept of consultation of Native peoples translates differently depending on the context. Using a more overall approach, for example, the Québec government's guide for consulting Native peoples⁸ and the protocol of the First Nations of Québec and Labrador Sustainable Development Institute⁹ take an angle based on the Crown's legal obligation to consult and accommodate. The environmental and social protection regime of the James Bay and Northern Québec Agreement provides for a special status and involvement for the Cree people to protect their rights and guarantees. Further, many specific forest management frameworks, such as sustainable forest development principles and forest certification standards, define expectations regarding Native consultation and participation even more clearly.

In the Agreement, the Crees and Québec agree on various forums involving different players to ensure the Crees' participation in the implementation of the adapted forestry regime. They also agree on specific processes for forest management plan elaboration, consultation and monitoring. The Agreement introduces the notions of real and significant participation in forest management activities, of taking into account wildlife habitat protection and of dispute resolution between users, through the creation of joint working groups.

Chapter 3 of the Agreement seeks to ensure that various consultation mechanisms ensure the Crees' real and significant participation in the different forest activities operations planning and management processes. The Board seeks to evaluate the effectiveness of these consultation mechanisms in promoting the participation of the Crees.

To do so, the Board sought to look more closely at the concept of Cree participation to better understand their aspirations in this regard. Our findings show that the Crees have a multidimensional approach to participation. They clearly hope to have a concrete influence on the result of the process, as much as the process itself is adapted so as to respect and value their culture and promote their development and greater autonomy as a nation.

This led the Board to conduct a participatory exercise to identify the most significant criteria allowing consultation mechanism effectiveness with respect to the Crees' participation-related aspirations to be assessed.

⁸ Gouvernement du Québec. 2008. *Guide intérimaire en matière de consultation des communautés autochtones*. Groupe interministériel de soutien sur la consultation des Autochtones.

⁹ Institut de développement durable des Premières Nations du Québec et du Labrador. 2005. *Protocole de consultation des Premières Nations du Québec et du Labrador*. Assemblée des Premières Nations du Québec et du Labrador.

CRITERION 3.1: EFFECTIVENESS OF MECHANISMS AND DISPUTE RESOLUTION

Participation is not an end in itself. Its main virtue is to lead to management proposals that are acceptable to all of the parties involved, ecologically appropriate and technically realistic. In this spirit, the consultation mechanisms under Chapter 3 of the Agreement must evidently show a real opportunity for the Crees to influence the process. They must also lead to concrete results so that the forest activities in the territory are not jeopardized by never-ending processes. Otherwise, participation may, on occasion, lead to divergent viewpoints and opinions that are difficult to reconcile. The dispute resolution mechanism implemented to deal with cases which have reached an impasse must be fair, equitable, efficient and satisfying.

Related provisions

Cree-Québec Forestry Board
Joint Working Groups
Joint Working Groups Coordinators
Schedule C-4

CRITERION 3.2: ACKNOWLEDGEMENT OF EENOU STEWARDSHIP OF THE LAND

Significant participation by the Crees involves mechanisms adapted to their culture. The Crees would like consultation mechanisms to recognize their ecological knowledge, acquired through experience and observation, that can be very useful for understanding the impacts of forest operations in the territory and, especially, for minimizing these impacts on hunting, fishing and trapping activities. Their participation is intended to allow the individuals that have this knowledge (tallymen or other experienced trappers) to contribute their expertise rather than having non-Crees interpret the scope of the knowledge the Crees hold. The Crees would also like consultation mechanisms to attribute value to the tallymen's stewardship role. Traditionally, the essence of the Cree culture is based on land stewardship activities, skills and ethics. Participation must recognize tallymen's leadership in the ways the territory is organized.

Related provisions

Joint Working Groups
Schedule C-4
New agreement – 3.1 c)

CRITERION 3.3: CONTRIBUTION TO GOVERNANCE OF CREE INSTITUTIONS

Among the Crees, participation is seen as a way of being included in decision-making at all levels and a way of empowering community and regional institutions. The Crees have their own institutions and their own unique ways of exercising their governance. In order to promote greater autonomy on the part of the Crees, the consultation mechanisms under Chapter 3 of the Agreement must encourage Cree participation not only on the scale of the trapline but also through their institutions, whether they work at the community or nation level. These mechanisms must also give Cree institutions the opportunity of increasing their influence not only on management plans but also on other components of forest management.

Related provisions

Cree-Québec Forestry Board
 Joint Working Groups
 Joint Working Groups Coordinators
 New agreement – 3.1 d)

CRITERION 3.4: INDIVIDUAL AND INSTITUTIONAL CAPACITY DEVELOPMENT

Forest operations planning and management uses a range of disciplinary knowledge and requires different technical tools. While participation should promote a greater role to be played by the Crees, it is important that the individuals and institutions involved have the appropriate knowledge and technical means needed to contribute in an enlightened manner. The consultation mechanisms under Chapter 3 of the Agreement must, therefore, be adapted accordingly and structured so as to foster the development of the Crees' individual and institutional capacities where forest management is concerned. On the other hand, forest management in the territory involves a meeting of the two cultures. Taking the Crees' interests into account requires forest managers to be made more aware of the Cree culture. This awareness can take the form of efforts managers make to increase their insight, the Crees' openness to sharing their culture and the availability of tools and mechanisms designed to foster a better understanding.

Related provisions

Spirit of the Agreement (Chapter 2)

INDICATORS AND VERIFIERS

The proposed indicators for the participation criteria are:

Criteria 3.1

- JWG & Coordinators' appreciation
- Planners' appreciation
- Occurrence of conflicts

Criteria 3.2

- Tallyman's appreciation of his level of influence and of the participation process

Criteria 3.3

- CNG/Band councils' appreciation

Criteria 3.4

- Existence of training programs/activities
- Number of cross-cultural awareness activities

* An indicator on Cree institutional capacity remains to be defined

For all indicators, the verifiers proposed are:

- JWG reports (format to be reviewed – frequency TBD)
- JWG minutes of consultation meetings
- Harmonisation follow-up grids
- MNR monitoring reports (CQNRA statistics updates, five-year reports, others)
- CQFB interviews/assessments (frequency 5 years)
- TGIRT reports (if available)

More specifically, for the indicator on training programs/activities, an additional verifier is proposed:

- CNG/CHRD assessment/data on training, budget, human resources, etc.

Section C

Summary Chart

Criteria	IMPLEMENTATION MONITORING Agreement's Provisions	EFFECTIVENESS MONITORING Indicators	DETECTION Verifiers	Examples of CQFB actions after detection of problems
Objective 1 Traditional Way of Life				
1.1 Zoning	3.7 Trapline as the territorial reference unit 3.8 Management units and northern limit	<ul style="list-style-type: none"> ➤ Tallyman/family's appreciation of their ability to practice and teach the Cree traditional way of life ➤ Tallyman/family's appreciation of Chapter 3 provisions/adaptations and their usefulness in taking into account the Cree way of life 	<ul style="list-style-type: none"> ➤ JWG reports (format to be reviewed – frequency TBD) ➤ JWG minutes of consultation meetings ➤ CQFB interviews with tallymen and families (frequency 5 years) <p>Other options</p> <ul style="list-style-type: none"> ➤ Cree land monitors ➤ Pilot traplines / families ➤ Focus groups ➤ CTA general assemblies ➤ Other special events or workshops 	Board advice to the Minister on the revision of the northern limit
1.2 Sites of special interest to the Cree	3.9 Sites of interest (1%) 3.10 Areas of wildlife interest (25%) C-4 13. Forest planning supp. maps 3.63-3.64 Firewood			Financial contribution and participation to Forest Planning Support Map review exercise
1.3 Management approach	3.11 Maintaining forest cover Schedules C-2, C-3, C-6 C-4 Harmonisation measures			Exploration committee to evaluate and propose new management approaches
1.4 Riparian areas	3.12 Protection of forests adjacent to watercourses and lakes			Experimental sites to test different width for riparian areas / field visits
1.5 Access	3.13 Development of road access network C-4 Harmonisation measures (winter vs. summer roads)			Board advice to the parties or TGIRT on proposed ways to consult Crees on the road network development plan

Criteria	IMPLEMENTATION MONITORING Agreement's Provisions	EFFECTIVENESS MONITORING Indicators	DETECTION Verifiers	Examples of CQFB actions after detection of problems
Objective 2 Sustainable Development				
ECONOMIC				
2.1 Communities' economic development	3.55-3.59 Access to forest resource 3.60 Employment and contracts Chapter 7 – Financial provisions Funding programs (ex. Volets, etc.) New Agreement - CQFEC	<ul style="list-style-type: none"> ➤ Number of Cree businesses ➤ Proportion of Cree businesses compared to the rest of Quebec businesses ➤ Hectares treated / volumes harvested or processed by Cree businesses ➤ Proportion of hectares treated / volumes harvested or processed by the rest of Quebec businesses 	<ul style="list-style-type: none"> ➤ MRN business directory ➤ Mills registry (Industria) 	Organisation of forums / promotion activities
2.2 Job creation and maintenance	3.55-3.59 Access to forest resource 3.60 Employment and contracts 3.65 Agr. with forestry enterprises New Agreement - CQFEC	<ul style="list-style-type: none"> ➤ Number of Cree workers in the forest sector ➤ Employment ratio Cree / total employment in the forest sector 	<ul style="list-style-type: none"> ➤ Community surveys (responsibility and frequency to be determined) ➤ Statistics Canada surveys 	Invitation to forest companies and regional organisations (Cree & Jamesians) to Board meetings for increased comprehension
2.3 Forest sector viability in the region	Chapter 2 – Spirit of the Agreement New Agreement - CQFEC	<ul style="list-style-type: none"> ➤ Volume harvested in Chapter 3 management units (MUs) ➤ Ratio of volume harvested in Chapter 3 MUs / total volume harvested in Quebec ➤ Royalties paid for Chapter 3 MUs ➤ Ratio of royalties paid for Chapter 3 MUs / total royalties paid in Quebec ➤ Ratio of AAC for Chapter 3 MUs / total Quebec AAC ➤ Evolution in operating costs for Chapter 3 MUs 	<ul style="list-style-type: none"> ➤ MRN measurement and billing data (MesuBois) ➤ Office of the Chief Forester ➤ Pricing models BMMB 	Collaboration with Chief Forester to find ways to optimize AAC in the context of the Agreement
SOCIAL				
2.4 Considering the needs of all land users	3.4 Improved conciliation of forest activities with hunting, fishing and trapping Chapter 2 – Spirit of the Agreement	<ul style="list-style-type: none"> ➤ Other Cree land users' appreciation of their ability to practice the Cree way of life, of their access to the land and of their level of participation in land management decisions ➤ Jamesians' (non-Cree) appreciation of their access to the land and of their level of participation in land management decisions 	<ul style="list-style-type: none"> ➤ CTA data ➤ CQFB interviews with other users of the land and community members (frequency > 5 years) ➤ TGIRT reports (if available) ➤ Income Security Program / Board ➤ Others (ex. Cree Culture Department, COTA, Regional Table on Wildlife, outfitters, etc.) 	Board advice to the Crees on ways to promote the participation of other users in forest management planning

Criteria	IMPLEMENTATION MONITORING Agreement's Provisions	EFFECTIVENESS MONITORING Indicators	DETECTION Verifiers	Examples of CQFB actions after detection of problems
Objective 2 Sustainable Development (continued)				
ENVIRONMENTAL				
2.5 Biodiversity protection	Schedules C-2, C-3, C-6 3.10 Areas of wildlife interest (25%)	<ul style="list-style-type: none"> ➤ VOIT Charts (Québec indicators measured regionally) ➤ Sensitive wildlife species (black spruce forests) <ul style="list-style-type: none"> • Woodland caribou • Marten ➤ Wildlife species of socio-economic interest <ul style="list-style-type: none"> • Moose • Brook Trout 	<ul style="list-style-type: none"> ➤ Status of vulnerable / threatened species ➤ MRN monitoring ➤ MDDEFP monitoring ➤ CTA data <p>Other options</p> <ul style="list-style-type: none"> ➤ Models of habitat quality ➤ FSC monitoring ➤ Other monitoring initiatives & results ➤ Experimental sites ➤ Inventories ➤ Research initiatives & results 	<div>Participation to the Woodland Caribou Recovery Taskforce</div> <div>Board advice to the parties on the mixed stand strategy</div>
2.6 Integrity of key socioecological ecosystems	C-3 Mixed stands strategy 3.7 Trapline as the territorial reference unit 3.10 Areas of wildlife interest (25%) 3.11 Maintaining forest cover + C-2 3.12 Protection of forests adjacent to watercourses and lakes C-4 Directives for wildlife habitats C-4 13. Forest plann. support maps New Agreement – Biological refuges New Agreement – Roads vs. spawning areas			
2.7 Knowledge about the territory	3.6 Adapted forestry regime will evolve Cree-Quebec Forestry Board Joint Working Groups C-4 13. Forest plann. support maps C-4 Monitoring section	<ul style="list-style-type: none"> ➤ Land visits ➤ Initiatives for documenting knowledge ➤ Land use studies ➤ Inventories ➤ Workshops/Symposiums/Conferences ➤ Publications 	<ul style="list-style-type: none"> ➤ Inventories / compilation / counting of initiatives 	<div>Proposition of research priorities / contribution to research projects in the territory</div>

Criteria	IMPLEMENTATION MONITORING Agreement's Provisions	EFFECTIVENESS MONITORING Indicators	DETECTION Verifiers	Examples of CQFB actions after detection of problems
Objective 3 Participation				
3.1 Effectiveness of mechanisms and dispute resolution	Cree-Quebec Forestry Board Joint Working Groups JWG Coordinators C-4	<ul style="list-style-type: none"> ➤ JWGs & Coordinators' appreciation ➤ Planners' appreciation ➤ Occurrence of conflicts 	<ul style="list-style-type: none"> ➤ JWG reports (format to be reviewed – freq. TBD) ➤ JWG minutes of consultation meetings ➤ Harmonisation grids follow-up ➤ MNR monitoring reports (CQNRA statistics updates, five-year reports, others) ➤ CQFB interviews/assessments (frequency 5 years) ➤ TGIRT reports (if available) 	Board advice to the Minister on the review of plans
3.2 Acknowledgement of Eenu stewards of the land	Joint Working Groups C-4 New agreement – 3.1 c)	<ul style="list-style-type: none"> ➤ Tallyman's appreciation of his level of influence and of the participation process 		Evaluation of the Cree participation process in planning (C-4)
3.3 Contribution to governance of Cree institutions	Cree-Quebec Forestry Board Joint Working Groups JWG Coordinators New agreement – 3.1 d)	<ul style="list-style-type: none"> ➤ CNG / Band Councils' appreciation 	<ul style="list-style-type: none"> ➤ CQFB interviews/assessments (frequency 5 years) 	Assessment of the JWGs performance
3.4 Individual and institutional capacity development	Chapter 2 – Spirit of the Agreement	<ul style="list-style-type: none"> ➤ Existence of training programs/activities ➤ Number of cross-cultural awareness activities <p>* An indicator on Cree institutional capacity remains to be defined</p>	<ul style="list-style-type: none"> ➤ CQFB interviews/assessments (frequency 5 years) ➤ CNG/CHRD assessment/data on training, budget, human resources, etc. 	Participation in / organisation of cross-cultural awareness activities

Section D

Implementation

SECTION TO BE COMPLETED

See interim version “Implementation Action Plan Proposal – April 2014” presented in appendix.

Appendice

Paix des Braves Adapted Forestry Regime Monitoring Framework Cree-Québec Forestry Board

Implementation Action Plan Proposal April 2014

Context

One of the key responsibilities of the Cree-Québec Forestry Board is to monitor, analyse and assess implementation of the forestry-related provisions of the Paix des Braves agreement. To do so, the Board has developed a framework to help it monitor the Adapted Forestry Regime's objectives and provisions.

The Board's monitoring framework is based primarily on three objectives complete with criteria, indicators and verifiers. These elements will be monitored over time to measure the provisions' application, assess the objectives' achievement and identify the factors or elements of the Agreement's implementation that could benefit from Board action aimed at enhancing them.

In winter 2014, the working committee involved in developing the Board's monitoring framework explored the main elements to take into account in implementing the framework. The Board Secretariat has synthesized these elements and, in this working document, proposes the action plan for implementing the monitoring framework, for discussion.

Implementation Mechanisms

Cree-Québec Forestry Board

Directions and decisions

The monitoring framework is a tool created, first and foremost, for use by the Cree-Québec Forestry Board. It is, therefore, proposed that the Board be the main decision-making entity in the monitoring framework's implementation. This means that the Board will be asked to provide directions for monitoring priorities (objectives and criteria) and for decisions related to using information resulting from the monitoring framework's application.

The roles the Board is expected to play are:

- Identify monitoring priorities;
- Establish official collaboration with monitoring partner organizations;
- Approve commitment of human, financial and material resources;

- Receive and study the monitoring results;
- If need be, meet with the individuals and groups involved in data collection and/or concerned by the monitoring;
- Generate related actions / agree on follow-up in keeping with the results (Board advice, further analyses, tools development, research, etc.);
- Approve publication of the monitoring results.

Monitoring Committee

Analysis and assessment

It is proposed that a monitoring committee implement the Board's framework-related directions on an ongoing basis. The committee will be primarily responsible for analyzing the data and assessing the monitoring's preliminary results. It will provide the Board with the tools and information required to support its discussions and decisions related to the framework's implementation. The committee will meet according to the needs anticipated by the Board or Board Secretariat. It is proposed that the monitoring committee be composed of two members from each party and a Secretariat representative.

In keeping with Board directions, the monitoring committee's responsibilities will be:

- Analyze and interpret the results obtained / bring the experts required on board;
- Meet with the groups concerned by Chapter 3's implementation and involved in monitoring;
- Present the results of monitoring to the Board and make recommendations;
- On an ongoing basis, evaluate the monitoring framework and propose adjustments to its contents (indicators and verifiers).

Board Secretariat

Coordination

The Board Secretariat will coordinate performance of the different tasks linked to monitoring. It will be the depositary of the monitoring-related data base and will organize the meetings or workshops required to analyze the results.

The Board Secretariat will:

- Coordinate data collection;
- Commit /coordinate the resources required;
- Maintain a data base for all criteria and indicators;
- Sort the data and conduct preliminary analyses, if need be;
- Organize monitoring committee workshops / keep the Board informed on an ongoing basis;
- Write the reports and publications linked to the monitoring.

Human, Financial and Material Resources

The Board's monitoring framework has been created with the preoccupation to maximize the use of existing data and recourse to those concerned by the implementation of the Adapted Forestry Regime for collection of the missing data.

To begin with, the monitoring framework will make use of the Board's and its collaborators' existing resources (human, financial and material).

This approach will entail reorganizing the Board Secretariat's work, involving party representatives in the monitoring committee and ensuring the Joint Working Groups' (JWG) and their coordinators' collaboration for collection of the basic data. In the case of more detailed analyses, the Board could bring additional resources on board by adjusting its budget framework.

This strategy will require the Board to establish official collaboration agreements with outside organizations for their participation in data collection or for use of their data.

The Board will be better able to re-assess this approach after the first year of the monitoring framework's implementation. Workshops with the JWG coordinators will make it possible to evaluate whether the JWG's workload due to the framework monitoring exercise is too heavy and/or whether additional resources are necessary.

Reference State / Benchmarking

Establishing a reference state / benchmarking is often used in monitoring mechanisms to measure progression or determine evolution over time.

In the case at hand, this involves defining a zero time from which progression is measured for those components of the monitoring framework that lend themselves to doing so. This initial measurement could refer to the current state or go back in the past if data is available or measurable. This could be useful in some cases, given that implementation of the Paix des Braves began in 2002.

However, not all indicators lend themselves to benchmarking. In many cases, we want to assess whether objectives were met or the occurrence of problems was detected. It is not always relevant to measure progression over time.

Where the Board is concerned, benchmarking will not be an end in itself but rather an opportunity. It is proposed that the monitoring committee study each indicator and its verifiers to assess the relevance and feasibility of establishing a benchmark for it. This exercise could be carried out in the first year the monitoring framework is implemented for cases deemed suitable.

Schedule

Ongoing assessment

The Board has expressed the desire that the monitoring framework's different components be assessed on an ongoing basis. This means that results will be analyzed and problems detected as indicators (quantitative and qualitative) are measured/assessed.

Each indicator's assessment frequency will be determined according to:

- The frequency assigned to each verifiers (annual, three-year or five-year);
- Board priorities; the Board could speed up its verifications or triangulate its data sources if early signs prove problematic.

The Board will be informed of the results as soon as a significant volume of data allows an indicator to be qualified or quantified.

Five-year overall coverage

While the accent may be on one or more specific objectives and/or criteria, depending on the Board's priorities, it is foreseen that monitoring will cover each of the monitoring framework's criteria at least once every five (5) years. This way, the Board will have all of the information needed to proceed with an overall five-year assessment of Chapter 3's implementation, should it wish to do so.

Communication

The monitoring framework is primarily an internal tool for use by the Board. Where communication is concerned, the framework must, above all, enable the Board to judge implementation of the agreement so as to communicate opportunities for the Adapted Forestry Regime's evolution to the parties to the Paix des Braves. Nevertheless, a number of communication opportunities linked to the monitoring framework can be foreseen. The Board will have to determine communication opportunities and specific actions in this regard.

To date, the following options have been discussed by the working committee:

- Publish a short document explaining the concept/content of the Board's monitoring framework;
- Dedicate a section of the Board's website to the monitoring framework (concept and results);
- Devote a chapter / section of the Board's annual report to annual actions and results linked to the monitoring framework;
- Invite target groups / Agreement stakeholders / the Cree and/or Jamesian population to meetings where the results are presented;
- Hold an annual or five-year symposium on the monitoring's results (public to be determined);
- Publish a five-year assessment report;
- Produce a semi-annual / annual newsletter.

2014-2015 Work Plan

Objective 1: Traditional way of life / Objective 3: Participation

- Organize a workshop with the JWG coordinators to develop the data collection mechanisms to be assigned to the JVGs;
- Foresee one or more JWG briefing / training meetings;
- Explore the possibility of including quantitative indicators associated with the objectives linked to the traditional way of life and participation.

Objective 2: Sustainable development

Economic axis

- Establish official collaboration with the *Bureau de mise en marché des bois* (BMMB) for the collection of economic data;
- In partnership with the BMMB:
 - Describe the economic indicators chosen;
 - Create composite indices for presentation of the results;
 - Formalize an economic dashboard;
 - Benchmark – document accessible past data;
- Check whether it is possible to obtain specific economic data from the Crees and the Jamesians:
 - Establish official collaboration with the corresponding entities, if need be;
- Collect data for Year 1.

Environmental axis

- With the MRN's and Faune Québec's collaborators:
 - Select the biodiversity indicators that are significant for the context of Chapter 3;
 - Select the wildlife indicators that are significant for the context of Chapter 3;
- Validate the indicators with the Cree stakeholders concerned;
- Establish official collaboration with the entities (Québec or Cree) to be involved for data collection / sharing;
- Benchmark (if need be) – document accessible past data.

Framework management

- Adjust the monitoring framework in keeping with the new Agreement negotiated by the parties;
- Assess the opportunities for benchmarking through the framework;
- Implement communication initiatives:
 - Publish a short document explaining the framework;
 - Present the monitoring framework to the parties / interest groups;
 - Develop a section of the Board's website dedicated to monitoring.