

**Québec's Consultation Policy  
on Orientations for the Management  
and Development  
of the Forest Environment**

**February 2003**

Québec 

## **Distribution**

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## **A WORD FROM THE MINISTER**

The forests of Québec are vast, and are coveted for an abundance of resources that, if managed properly, will be sufficient to satisfy our social, economic, cultural and spiritual needs in perpetuity. At the same time, it is vitally important that we preserve every component of the forests and protect their diversity.

Forest management must therefore be sustainable – in other words, it must be informed, careful and respectful of the values promoted by Québec society, accurately expressed by terms such as transparency, fairness, collective action, management by consensus, commitment and accountability.

Forest management cannot be sustainable without a contribution from the general public. If we want our citizens and communities to support the forest use and management choices we make, they must have an opportunity to say what they think and to influence our decisions. Administrators, managers and decision-makers therefore have a duty to inform and consult the general public and the communities directly affected by forest activities, to involve them in resource management, and to seek consensus among all forest users.

This consultation policy therefore reflects my own personal wish, and that of the Gouvernement du Québec and its authorities, to incorporate the values and concerns of the general public into the forest management and development process, and to enable the citizens of Québec to play a role in defining the State's priorities for the management of the forests. It will allow Québec to give concrete form to its vision of forest management as a participatory, transparent process consistent with the public interest.

I wish you success!

A handwritten signature in black ink, appearing to read 'François Gendron', written in a cursive style.

François Gendron  
Minister of Natural Resources



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*"The more the public takes an interest in the forests, the more we will be able to improve the forest management process."*

*UPDATING THE FOREST SYSTEM – OUR FOREST HERITAGE,*  
Tabling of the Act to amend the Forest Act and other legislative provisions, Gouvernement du Québec, Ministère des Ressources naturelles, page 31.

## **PREAMBLE**

Proper consideration of the values and needs expressed by the general public is one of the six criteria for sustainable forest management set out in the preamble to the Forest Act. Québec's forestry regime advocates a transparent, participatory management process involving partners, applicable to the public and private forests alike. The Consultation Policy on Priorities for the Management and Development of Forests in Québec is one of the cornerstones in the implementation of that process.

## **INTRODUCTION**

The Forest Act states that the main priorities for the management and development of the public forests and the management goals for forest areas in the domain of the State must be established with the cooperation of the general public and the principal users of the forest. The Government believes such participation is vital if informed choices are to be made. Accordingly, section 211 of the Act creates an obligation to apply a consultation policy<sup>1</sup>.

Consultations held under section 211 are separate from and in addition to the mandatory consultations that timber supply and forest management agreement holders are required by section 58.2 of the Act to organize for their general forest management plans. They are intended to guide the forest management process by identifying goals. They are also in addition to any consultations that the Minister of Natural Resources may arrange, for example with the Minister responsible for Wildlife and Parks and the Minister of the Environment, aimed at managing Québec's forest resources in as integrated a way as possible.

### **1. GOALS**

The primary goal of the Consultation Policy is to enable the general public, its representatives and concerned groups to influence forest management by making their values and needs known to the Minister of Natural Resources, who can then establish priorities and goals that are in line with their expectations and as consistent as possible with the general interests of all Québécois. Members of the general public will have more confidence in the government's management of the forests, and will be more satisfied with the results, if they are consulted regularly and given more information about forestry issues, departmental priorities and the outcome of government interventions.

### **2. PARTICIPANTS**

The Policy is aimed at the entire population and at institutions, companies and agencies with an interest in the protection, management and sustainable development of the forest environment, including:

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<sup>1</sup> Forest Act, section 211: "In order to foster the participation of persons and bodies concerned by the development of the main orientations concerning the forest environment, the Minister shall prepare, propose to the Government and implement throughout Québec and at the regional level a consultation policy on priorities for the management and development of the forest environment. The policy shall include a special procedure for the consultation of Native communities."

- regional development boards,
- local municipalities and regional county municipalities,
- Native communities, institutions and organizations,
- forestry workers and their unions,
- local development centres,
- regional environmental boards,
- forestry associations,
- regional tourist associations and other leisure and tourist sector stakeholders,
- professional corporations,
- individuals, groups and companies that use the forest environment or are involved in its management or protection (wildlife reserve managers, ZEC managers, outfitters, trappers, hunters, fishers, holders of forest permits, land or mining rights, woodlot owners, blueberry producers, maple syrup producers, vacation users, environmental protection groups, etc.), and the organizations that represent them.

### **3. PRINCIPLES**

The Policy is based on the principles of openness, interaction, transparency, clarity and flexibility.

- Consultations must be open, so that individual and collective interests can be represented and heard;
- The rules of consultations procedure must be clear and easily accessible, and must guarantee transparency and participation in the debate;
- Native community consultations must be held in accordance with the separate terms and conditions agreed upon with each individual community, so that their values and cultures are taken into account;
- The scope of the consultations must be clearly established;
- All participants must have access to all available information, and the information itself must be presented in terms that are as clear and simple as possible;
- Participants must share information to which they have access, and must demonstrate an open mind and a spirit of cooperation;
- Individuals wishing to take part in the consultations must be given a reasonable period to prepare, depending on the complexity of the questions to be considered and any government or ministerial constraints and obligations;
- The general public must be informed of the outcomes of the consultations and the Minister's decisions are explained;
- The general public must be informed of the outcomes of any actions taken as a result of the priorities identified.

### **4. OUTCOMES**

The public consultations must inform the general public, the communities concerned, the Native people and all other participants about Québec's forestry regime, and must allow them:

- to define their values and needs;
- to assess their satisfaction with regard to a given situation, policy or service;
- to express their reactions to a given priority, policy or project;

- to understand forest management issues from the environmental, social and economic standpoints, among others, at the local, regional, national and international level.

They must also allow the Minister to act in an informed way, by establishing priorities, policies, programs and other measures that have gained broad acceptance and that will allow for coordinated, integrated use of the forests and their resources.

## **5. ISSUES FOR CONSULTATION**

The following issues, related directly to forest management, will be subject to the consultation process:

- General priorities, policies and programs relating to the management and sustainable development of public or private forests, including increased yields, integrated resource management, protection of biological diversity and the granting of rights in forest resources;
- Reviews and appraisals of the forestry regime;
- Delimitation of or modifications to the delimitation of forest management units, which are the basic supply areas for wood processing mills and for forest management purposes; the criteria on which delimitations are based upon;
- The northern limit for commercial timber allocations, or modifications thereto; the criteria on which the limit is based upon;
- Forest protection and development objectives applicable to forest management activities in each management unit;
- The criteria and indicators used to assess the environmental and industrial performance of timber supply and forest management agreement holders, forest management agreement holders and forest management contract holders during the implementation of their initial general plans in new management units or their equivalent;
- Classification of a given area as an "exceptional forest ecosystem", or plans to review or abolish exceptional forest ecosystem status in a given area, or plans to modify a classified area;
- Special forest resource management standards or rules proposed pursuant to the provisions of sections 17.13 and following of the Act respecting the ministère des Ressources naturelles, aimed at promoting regional development or the implementation of government policies by means of adapted management;
- Plans to delegate forest reserve management responsibilities to municipalities or Native organizations;
- Significant amendments to the Forest Act or the Regulation respecting standards of forest management for forests in the public domain.

The following issues are also subject to consultation, under the rules of this Policy, with a view to promoting more integrated management of forest lands and resources:

- Land use plan for lands in the domain of the State;
- Priorities for the use of lands and resources in the domain of the State that reflect a position shared by several government departments.

## **6. GENERAL CONSULTATION PROCEDURES**

The Minister of Natural Resources is responsible for implementing the Policy. Among other things, it is the Minister's job to agree on consultations procedures with the individuals, institutions, communities and agencies concerned. These procedures cannot be established in advanced, because they must be tailored to each individual situation. However, they must be consistent with the principles underlying the Policy.

Generally speaking, consultations are organized as described below, but the Minister may always propose other methods, for example where the issues are limited or where there is a degree of urgency. The Minister enters into direct contact with national organizations having an interest in forest management and sustainable development, and with the Native communities. Responsibility for organizing regional consultations lies with the regional development boards.

### **6.1 Annual Planning of Consultations**

At the beginning of every year, the Minister publishes a program of the consultations planned for that year. The program stipulates the purpose of the consultations, the period of the year when they will be held, and the scale on which the Minister feels they should be organized (national, regional or local). The program allows the individuals, municipalities, communities and organizations concerned to inform the Minister of their intention to take part. It also gives them time to prepare their participation properly, and where applicable to agree with the Minister on the procedures to be followed. If necessary, the procedures can be set out in protocols.

The consultation program is available from the offices of the Ministère des Ressources naturelles, from the regional development boards and regional county municipalities, and on the Department's website at [www.mrn.gouv.qc.ca](http://www.mrn.gouv.qc.ca)<sup>2</sup>. A corrected program is published every time the consultation schedule is amended.

The minimum period for holding a consultation and submitting briefs or reports to the Department is twelve weeks. The period begins when the consultation documents are sent out to the regional boards and other participants. However, the boards, Native communities and national organizations concerned are always informed of the consultations in advance, and can start their preparations before the official consultation period begins.

Under no circumstances may a consultation begin between June 24 and August 31, or overlap into that period. If a consultation must encroach upon the Christmas and New Year holiday period, the minimum period is increased from twelve to fifteen weeks.

Before a consultation is held, public notices are issued, setting out its purpose and schedule, and stating how to obtain the information prepared by the Department.

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<sup>2</sup> The first program will be published in 2003.

As far as possible, departmental consultations are grouped together to facilitate participation by the individuals and organizations concerned.

## **6.2 National Consultations**

A permanent Table bringing together the principal national organizations and associations with an interest in forest management and sustainable development issues has been created. The Table is chaired by the authorities of the Ministère des Ressources naturelles. A list of the associations and organizations invited to join the Table appears in Appendix I. If necessary, other associations and organizations may be invited to join the Table or participate in certain consultations.

The Table acts as a forum for exchanges of information and debates on forestry issues and departmental intentions (draft bills, regulations, policies, programs, etc.). After an exchange, every member of the Table may recommend priorities to the Minister. The Department is responsible for preparing and moderating the debates, as well as for secretarial support and the logistics of meetings. It also pays the Table's operating expenses. A secretary is appointed from within the Department to oversee the Table's work and coordinate its members. The name of the Table and its operating rules are established or amended by its members. However, the time allowed for national consultations may not exceed that granted to the regional development boards for the holding of regional consultations.

The Department prepares the documentation required for the work of the Table. Documents are sent to participants well in advance, so that they have sufficient time to prepare adequately. The Department is responsible for explaining its intentions. Such explanations are given at meetings of the Table or on other occasions, at the request of one of the members.

## **6.3 Regional Consultations**

The regional development boards are entrusted with the task of organizing regional consultations, with the support of the Department.

The boards are responsible for the organization process. They advertise the consultations and establish a detailed procedure based on regional values and expectations but consistent with the principles of the Policy. Among other things, the boards ensure that the consultations are open to everyone who wishes to take part, that the rules of procedure are clear and known in advance, and that transparency and participation in the debates are guaranteed.

The boards also ensure that resource people are present at the meeting, to clarify forestry issues from specific standpoints. However, if they promote contributions such as this, they must also ensure that different points of view are heard, so that the information provided is as objective and complete as possible, thus preserving the credibility of the consultation process and the validity of its results. They are also responsible for monitoring these information and consultation meetings.

The boards must report to the Minister on the results of the consultations, within the specified period. The report describes the consultation procedure and the level of participation (number of participants at meetings, number of briefs received, the range of views expressed, etc.). It also enumerates the steps taken by the board to ensure that the principles of the Policy were upheld, summarizes the comments made, and where applicable highlights any divergence of opinion and any consensus reached. The report also includes recommendations to the Minister on the follow-up action required.

The Department is responsible for producing the general and technical information required for the consultation, and distributes it free of charge to all participants. The distribution procedure is negotiated with each individual board. It may vary from region to region, but access to the information must always be guaranteed. The consultation schedule is the same in all regions.

The Department establishes the scope of the consultations, and assists the regional boards and participants by stipulating the type of information it wishes to obtain. These elements are set out in a document (grid) distributed with the texts and other documents (maps, etc.) prepared for the consultation. The purpose of the grid is to help participants to prepare their comments. Its use is optional<sup>3</sup>.

The Department attends the information meetings organized by the boards on the consultation theme, and is solely responsible for explaining the projects submitted for public consultation. The Department is also represented at the consultation meetings, in the manner agreed with each individual board. The Department covers the cost of regional consultations in accordance with the guidelines established for Québec as a whole (see Appendix IV).

If a regional board is unable to organize a consultation required by the Minister pursuant to the Policy, the Department may entrust the task to another individual or organization of its choice, or decide to organize the consultation itself. Lastly, the Department always retains the possibility of surveying or consulting regional players directly, where it feels this would be appropriate.

## **6.4 Local Consultations**

Where the subject for consultation is of concern to a small number of local municipalities or a single regional county municipality, the Minister holds local consultations within the territory of the regional county municipality concerned. In such cases, the consultation procedure is established jointly by the Department's regional office and the regional county municipality concerned. The Department receives the comments and suggestions of participants, or entrusts this task to the regional county municipality.

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<sup>3</sup> Similar grids are used for national consultations and Native consultations.

## **7. SPECIAL CONSULTATION PROCEDURES FOR NATIVE PEOPLE**

The Department works with the Native communities or groups of communities concerned to identify the individuals or organizations that will be involved in the consultations. Consultation procedures are then established with those individuals and organizations. The procedures must be in compliance with any agreement or treaty signed by the Gouvernement du Québec and the Native people and containing rules for the organization of public consultations or, more generally, the participation of Native communities in the forest management process.

The Assembly of First Nations of Québec and Labrador has been invited to sit on the Permanent National Table, and the regional development boards also invite Native people to take part in regional consultations.

## **8. INTERDEPARTMENTAL MANAGEMENT OF CONSULTATIONS**

The Policy applies primarily to the selection of priorities for forest management and sustainable development. However, the regional boards are often invited to hold public consultations at the request of groups of government departments, and this complicates their task. Such consultations require a great deal of preparation and availability on the part of participants. Government departments whose priorities involve the protection and development of lands and resources in the domain of the State should agree to combine their consultations when:

- the same client groups are involved, and the issues addressed are related;
- schedules may be combined without unduly delaying a decision by the Government or one of its departments;
- the task of organizing joint consultations is acceptable in scope to the regional boards concerned.

## **9. JAMES BAY ADVISORY COMMITTEE ON THE ENVIRONMENT**

The Policy in no way changes the role of the James Bay Advisory Committee on the Environment. If the Committee so wishes, it may take advantage of the Policy's provisions to agree with the Minister of Natural Resources on procedures that will allow it to be more effective in its role of advising the Gouvernement du Québec..

## **10. DELEGATES**

Municipalities and Native organizations that agree to shoulder some or all of the Department's management responsibilities in forest reserves must accept certain obligations similar to those stipulated in the Consultation Policy as a condition of delegation. These obligations are clarified on a case-by-case basis, depending on the scope of the responsibilities being delegated, and are tailored to the prevailing local or regional context.

## **11. FOLLOW-UP OF THE POLICY**

The Minister addresses the application of the Policy in the five-year report on the state and management of the forests. The Policy is also evaluated and its results are published. Among other things, the evaluation process looks at how effective the Policy has been in reaching the individuals and organizations concerned and in upholding the underlying principles. The impact of the consultations on forest management and sustainable development priorities is also measured.

The Minister may also, at any time, review public consultations undertaken in accordance with the provisions of the Policy. The results of all such reviews are published. The Consultation Policy may be revised at any time, following public consultations.

**APPENDIX I**  
**NATIONAL ASSOCIATIONS AND AGENCIES**  
**MEMBERS OF THE PERMANENT NATIONAL TABLE**

- Assembly of First Nations of Québec and Labrador
- Association déroulage et sciage de feuillus du Québec
- Association des aménagistes régionaux du Québec
- Association des biologistes du Québec
- Association des centres locaux de développement du Québec
- Association des consultants forestiers
- Québec Forest Industries Association
- Québec Lumber Manufacturers Association
- Association des producteurs de copeaux du Québec inc.
- Association des producteurs en tourisme d'aventure du Québec
- Association des régions du Québec
- Associations touristiques régionales associées du Québec
- Forest Management Manpower Sector Committee
- Confederation of National Trade Unions
- Conférence des coopératives forestières du Québec
- Canadian Religious Conference, Québec Region
- Conseil de la recherche forestière du Québec
- Faculté de foresterie et de géomatique, Université Laval
- Fédération des clubs de motoneigistes du Québec
- Fédération des pourvoyeurs du Québec inc.
- Fédération des producteurs acéricoles du Québec
- Fédération des producteurs de bois du Québec
- Fédération des trappeurs gestionnaires du Québec
- Fédération des travailleurs et travailleuses du papier et de la forêt
- Fédération des travailleurs et travailleuses du Québec
- Fédération québécoise de la faune
- Fédération québécoise des gestionnaires de zecs
- Fédération québécoise des municipalités
- Fédération québécoise du canot et du kayak
- Fédération québécoise pour le saumon atlantique
- Fondation de la faune du Québec
- World Wide Fund for Nature
- Ordre des ingénieurs forestiers du Québec
- Ordre des technologues professionnels du Québec
- Regroupement des associations forestières régionales du Québec
- Regroupement des locataires des terres publiques du Québec inc.
- Regroupement des sociétés d'aménagement forestier du Québec
- Regroupement national des conseils régionaux de l'environnement du Québec
- Solidarité rurale du Québec
- Syndicat des producteurs de bleuets du Québec
- Union des municipalités du Québec
- Union québécoise pour la conservation de la nature

## **APPENDIX II**

### **LIST OF REGIONAL DEVELOPMENT BOARDS**

- Conseil régional de concertation et de développement du Bas-Saint-Laurent (01)
- Conseil régional de concertation et de développement du Saguenay–Lac-Saint-Jean (02)
- Conseil régional de concertation et de développement de la région de Québec (03)
- Conseil régional de développement de la Mauricie (04)
- Conseil régional de développement de l'Estrie (05)
- Conseil régional de développement de l'île de Montréal (06)
- Conseil régional de développement de l'Outaouais (07)
- Conseil régional de développement de l'Abitibi-Témiscamingue (08)
- Conseil régional de développement de la Côte-Nord (09)
- Conseil régional de développement de la Baie-James (10)
- Conseil régional de concertation et de développement de la Gaspésie et des Îles-de-la-Madeleine (11)
- Conseil régional de concertation et de développement de Chaudière-Appalaches (12)
- Conseil régional de développement de Laval (13)
- Conseil régional de développement de Lanaudière (14)
- Conseil régional de développement des Laurentides (15)
- Conseil régional de développement de la Montérégie (16)
- Conseil régional de concertation et de développement du Centre-du-Québec (17)

## **APPENDIX III**

### **THE FORESTRY REGIME**

The Forest Act acknowledges the fact that the forests of Québec are a heritage. It promotes integrated management of their many resources, and implements a series of measures aimed at achieving greater cooperation and participation by everyone involved in the forest management process.

#### **A National Heritage**

The forests in the domain of the State belong to all Québécois. They must therefore be protected and managed so as to provide society with tangible, diversified and sustainable benefits. A preliminary provision of the Forest Act states that the public forests must be managed in a sustainable fashion – in other words, so as to preserve their biological diversity, maintain and improve the condition and productivity of forest ecosystems, conserve soil and water resources, maintain the function of forest ecosystems as a component of global ecological cycles, maintain the multiple socio-economic benefits society derives from the forests, give proper consideration to the values and needs expressed by the population, and meet the needs of present and future generations.

The private forests must also be managed in accordance with these same criteria. Agencies have been set up in every region of Québec to promote sustainable management in the private woodlots. They are composed of representatives of woodlot owners, the forest products industry, the municipalities and the Ministère des Ressources naturelles. Woodlot owners can obtain financial and technical assistance from the government for private forest sustainable development.

As far as possible, the orientations underlying public and private forest management need to be approved by the general public. The Act therefore requires the government to devise a policy for a public consultation process applicable to all its major forest management and sustainable development priorities.

#### **Clear Objectives**

The public forests must be managed with due consideration for allowable annual cuts and with a view to achieving the protection and sustainable development objectives set in the public interest. This involves preserving biological diversity, developing new products, engaging in integrated resource management and increasing forest production wherever possible.

The Minister of Natural Resources is responsible for establishing allowable annual cuts, and also for determining protection and sustainable development objectives for specific forest areas, in consultation with the general public and other Ministers who have an interest in forest resource management (wildlife, leisure, etc.), as set out in the Consultation Policy. The holders of rights in the forests<sup>4</sup> must incorporate the protection and sustainable development objectives, along

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<sup>4</sup>The holders of timber supply and forest management agreements, forest management agreements or forest management contracts.

with the results of the allowable annual cut calculations, into their forest management plans, and their management strategies (distribution of logging areas, choice of silvicultural treatments, deployment of forest road networks, etc.) should allow for the objectives to be achieved.

The private forests, too, must be managed along similar lines. The agencies are therefore required to prepare forest protection and sustainable development plans reflecting management objectives that are consistent with the principles of sustainable development and containing indicators for measuring the progress made.

## **Joint Management**

Every agreement and contract holder must prepare a general forest management plan. These plans, covering a period of five years, explain the management strategy the holder intends to apply, and lists the work to be done over the period, along with a detailed schedule.

General plans are drawn up in collaboration with regional county municipalities, Native communities, wildlife area managers and so on. The aim of the legislator in requiring third parties to be involved in the planning process was to promote multiple forest use and encourage the various users to become acquainted and learn to respect one another's needs, so that they are able to harmonize their activities. When a plan is filed, it must include a report on the participatory process, describing the participation procedure and mentioning any disputes that have not been settled by the time the plan is submitted. The report is sent to the Minister and to the participants in the process, and is also made public.

At the same time, the Minister makes the general plans available to the general public, for information and consultation purposes. The public has 45 days in which to consult the plans before the Minister approves them. During that period, agreement and contract holders are required to hear any comments and demands made by members of the public, relating for example to the methods proposed for achieving the protection and sustainable development objectives set by the Minister following public consultations. The holders then inform the Minister of the demands and comments received, and any follow-up action they intend to take as a result.

If a dispute between an agreement or contract holder and a private citizen, municipality, forest user or participant in the plan preparation process is not settled during preparation of the plan or during the public consultations, the Minister, before making a final decision, may ask a specially appointed conciliator to recommend a way of solving the dispute to the satisfaction of all the parties. The Minister may then approve the plan by ruling on its final content.

In addition to the general forest management plan, agreement and contract holders must prepare annual management plans describing the work to be carried out in the coming year. The annual plans will only be approved by the Minister if they are consistent with the general plan. Holders wishing to carry out activities not provided for in their general plans must prepare amendments to the general plans, after consulting the same people who were involved in preparing the original plan.

In the private forest sector, the agencies are responsible for drawing up protection and sustainable development plans that are the private sector equivalent of the general forest management plans required for the public forests. Like the general plans, protection and development plans are revised every five years, and must be consistent with the objectives set by the regional county municipalities in their own development plans. Every agency must submit its plan to the regional county municipality concerned, and the two parties must then establish ways of ensuring consistency.

## **Fairer Sharing of Resources and Land**

The wood processing mill owners are not the only parties to whom the Minister may entrust forest management responsibility and grant harvesting authorizations. The municipalities, Native communities, forestry cooperatives and other organizations or individuals can also obtain forest management agreements or contracts that allow them to harvest timber, sell it to processing mills and restore logged areas to production. Forest management agreement and contract holders therefore play a role in integrated, multi-resource management in the forests, while ensuring that local communities receive economic benefits from forest development activities in their areas.

The Act also contains a number of provisions aimed at ensuring optimal timber use. For example, the Minister can order agreement holders to carry out priority harvesting of timber from areas damaged by natural disasters, in order to minimize timber losses.

The forests contain resources other than timber, and these resources must also be managed. Many of the Act's provisions are designed to authorize forest activities that are required for wildlife, leisure, farming, mining and other types of development. There are also provisions governing the harvesting of shrubs, half-shrubs or parts of their branches, for processing in mills. Some shrub species, such as the Canadian yew, are much sought-after by the pharmaceutical companies. Lastly, the Act contains a number of provisions governing adjustments to forest operations where the government decides to change the use of certain public areas, for example to create a national park or ecological reserve. When this occurs, management plans are amended and agreements or contracts are reviewed accordingly.

## **Adaptable Management**

Everyone who is authorized to carry out forest management activities in forests in the domain of the State must comply with standards designed among other things to maintain or reconstitute the forest canopy and protect forest resources. The standards are established in the Regulation respecting standards of forest management for forests in the public domain. They are normally fairly general in scope, and may be insufficient or inadequate in certain cases. The Act therefore states that they may be adapted where necessary to protect all the resources of a forest, harmonize management work with traditional Native activities, take into account the outcome of public consultations on forest management plans, and benefit fully from the cooperative management process.

The Act also allows contract and agreement holders to suggest new ways of fulfilling their responsibilities, especially with regard to silvicultural treatments. The Minister must approve all such suggestions. In addition, the government may adopt special management rules for a

given area if it feels this is necessary to implement its forestry, economic or Native policies or to promote the development of rural communities.

## **Required Performance Levels**

The public forest timber allocations in forest management agreements and contracts are revised once every five years, to take into account any changes in mill requirements, new allowable annual cut calculations, fluctuations in the volumes available from the private forests, and so on. During the review, the Minister of Natural Resources gives priority to the agreement or contract holder's forest, environmental and industrial performance. Individuals and organizations that have obtained the right to harvest volumes of wood from a given area are jointly responsible for all management aspects in that area, including planning, and their performance is judged as a group. If the Minister feels the objectives have not been met, corrective measures may be required, and depending on the scope of the shortfall, the allocation may also be reduced.

## **The Duty of Transparency**

The Forest Act contains a number of provisions allowing members of the general public to learn about forest management and development and to state their opinions. For example, public consultations are organized, forest management reports and plans are made available to the public, the holders of rights in the forests report on their environmental and forestry performance, and the Minister of Natural Resources publishes a five-year report on the state of the forests.

## **Responsibilities of the Minister of Natural Resources**

The Minister of Natural Resources is responsible for managing everything connected with the management of forests in the domain of the State, with a view to achieving sustainability. This involves the following responsibilities, among others:

- proposing a consultation policy, for adoption by the government, on Québec's orientations for forest management and sustainable development;
- holding the required consultations;
- setting the northern limit for commercial timber allocations;
- designating areas to be used for the supply of wood processing mills;
- issuing rights (timber supply and forest management agreements, forest management agreements, forest management contracts, auxiliary timber supply agreements) and permits relating to timber, maple sap and other forest resources;
- establishing allowable annual cuts;
- overseeing the preparation of the general forest management plans to be submitted by the holders of rights, for example by setting forest protection and development objectives, ensuring compliance with the participation and public consultation requirements established by law, and approving the general plans after ensuring that they are appropriate and in compliance with legal requirements;
- approving the annual management plans prepared by the holders of rights, after ensuring that they are consistent with the current general plans;

- preparing and overseeing the application of special salvage plans for wood threatened or damaged by natural disturbances (fire, insect infestations and diseases);
- controlling and monitoring the activities of the holders of rights, imposing any corrective measures required, and exercising the recourses stipulated for offences under the Act or regulations;
- reviewing timber allocations to reflect changes in the context of the forest sector, forest growth, environmental and industrial performance of the holders of rights;
- classifying forest areas that meet certain predetermined criteria as "exceptional forest ecosystems";
- imposing forest management standards that differ from those contained in government regulations where this is required to protect the forest environment or reconcile forest management activities with the subsistence, ritual and social activities of Native people;
- evaluating forestry practices and Québec's forestry policy;
- accounting for the Minister's management.

The Minister, in collaboration with partners in the regions, must also promote sustainable management of private forests and encourage the forestry sector to contribute to regional development.

### **The Responsibilities of the Holders of Rights in the Forests**

The obligations of the holders of rights in the forests include the following:

- establishing a general forest management plan for each management unit, and submitting it for approval by the Minister;
- inviting the following parties to take part in the plan preparation process:
  - regional county municipalities and, where applicable, the urban communities whose territories overlap the management unit in question;
  - the Native communities concerned, represented by their band councils;
  - any individual or organization that, for the management unit concerned, has entered into an agreement pursuant to the Act respecting the conservation and development of wildlife (R.S.Q., chapter C-61.1) relating to the management of a controlled harvesting zone and that is authorized to organize activities or provide services in a wildlife reserve, or holds an outfitter's licence;
  - the holders of sugar bush management permits applicable to area intended for timber production that lie within the management unit, or farmers who are tenants of land lying within the management unit;
  - any other individual or organization, when so required;
- submitting a report to the Minister on the participation of the above individuals and organizations in the plan preparation process; providing a copy of the report for the participants themselves;
- consulting individuals and organizations that ask to be consulted, in accordance with the procedure established by the Minister;
- submitting a document describing points of agreement and disputes, if a general plan cannot be submitted within the prescribed period;
- where necessary, preparing amendments to the general plan, in accordance with the rules applicable to the preparation of the original plan;

- establishing an annual management plan for each management unit, and submitting it to the Minister for approval;
- informing the Minister of the date on which the annual management plan will be ready, if it cannot be submitted within the prescribed period;
- submitting amendments to the annual plan, to take into account the granting of new agreements in a given management unit during a five-year period, and obtaining the approval of the Minister;
- performing, every year, the silvicultural treatments and other forest management activities stipulated in the annual plan approved by the Minister;
- using the method stipulated by the Minister to estimate the quantity and quality of silvicultural treatments carried out during the period covered by the annual plan;
- using the method stipulated in the Forest Management Handbook to estimate the state of forest stands following the application of silvicultural treatments, with a view to establishing their ability to produce the desired silvicultural effects;
- using the method stipulated by the Minister to estimate the volume of timber left on logging sites;
- submitting a plan to the Minister that corrects the results obtained from the application of substitute measures authorized under section 25.3 of the Forest Act;
- reporting annually on their activities and the results of their evaluations;
- reporting annually on the progress made with the five-year plan contained in the general forest management plan;
- every five years, producing a review of the forest management activities carried out pursuant to the general forest management plan;
- paying dues owed on harvested timber;
- paying a contribution to the Minister to fund activities related to forest management and development;
- complying with any special plans prepared by the Minister;
- joining forest protection organizations and paying the required contributions.

## **APPENDIX IV**

### **FINANCING CONSULTATIONS HELD UNDER THE CONSULTATION POLICY**

#### **General Provisions**

1. The Department pays the entire cost of producing, translating and publishing the information (documents, maps, etc.) required for public consultations.
2. The Department pays the entire cost of producing, publishing and distributing the summary consultation reports.

#### **National Consultations**

3. The Department pays the cost of distributing information prepared for consultations to members of the National Table.
4. The Department pays all the operating costs of the National Table (clerical or secretarial, moderation fees, meals, etc.).

5. Members of the National Table cover the cost of their own participation in the consultations, e.g. the cost of consulting the people they represent, preparing briefs, travel expenses, etc.

### **Regional Consultations**

6. The regional boards provide the professional and technical support required to organize regional consultations and write reports, either by involving their own personnel or by paying for additional personnel.
7. The Department pays the following expenses:
  - travel expenses for board personnel attending information meetings or public consultations (including accommodation and meals where applicable);
  - the cost of renting a room or equipment for information meetings or public consultations (expenses related to the purchase of equipment are not admissible);
  - the hiring of moderators for information meetings or public consultations;
  - coffee and snacks;
  - regional distribution costs for information prepared by the Department in support of the consultations;
  - advertising expenses relating to information meetings and/or public consultations;
  - publication and distribution expenses for regional reports on the results of public consultations;
  - in the Bas-Saint-Laurent, Saguenay—Lac-Saint-Jean, Mauricie, Outaouais, Abitibi-Témiscamingue, Côte-Nord, James Bay, Gaspésie—Îles-de-la-Madeleine regions: travel expenses for representatives of private non-profit organizations (excluding, among others: individuals, public or para-public agencies, local municipalities, regional county municipalities, Native communities, local development boards, regional environmental boards, municipal and supramunicipal associations, professional, industrial, institutional, commercial and employers' associations, trade unions).
8. The regional boards submit an application for funding to the Department, describing the anticipated expenses and the amounts required. Each board must enter into a written agreement with the Department. The Department reimburses the board's expenses, upon receipt of vouchers, from the budget envelope stipulated in the agreement. For the year 2003, the maximum admissible amount for the organization of consultations is \$8,500 per regional board. This amount may be reviewed annually.

### **Native Community Consultations**

9. The Department pays the cost of distributing information prepared for consultations to the Native communities.
10. The Department pays the entire cost of organizing Native community consultations, including travel expenses for community representatives where necessary.
11. The Native communities pay the following costs relating to their participation in the consultations: expenses incurred for consultation of members and preparation of briefs.

### **Local Consultations**

2. The Department pays the entire cost of organizing local consultations, including some of the expenses incurred by regional county municipalities (room rental, etc.).

### **Final Provisions**

13. Where an operation involves interdepartmental consultations, the departments concerned contribute to its funding according to the parameters set out in the Policy.
14. This appendix forms an integral part of the Consultation Policy.