

TEXTE ANGLAIS



Comité consultatif pour l'environnement de la Baie James
James Bay Advisory Committee on the Environment
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Loi sur les forêts

December 10, 2007

DÉPÔT SEULEMENT

The Hon. Claude Béchard
Minister of Natural Resources and Wildlife
Ministère des Ressources naturelles et de la Faune
5700, 4e Avenue Ouest, A 308
Québec (Québec) G1H 6R1

Subject: Comments regarding the proposed amendments to the *Forest Act*

Dear Sir:

The James Bay Advisory Committee on the Environment (JBACE) was invited to comment on the proposed amendments to the *Forest Act* (Bill 39). Not having had the time to thoroughly review the proposed amendments, the JBACE is unable to say whether the approach advocated by your department is sound. The JBACE would nevertheless like to make sure that the MRNF will not implement these amendments if they are not consistent with or affect in any way the provisions of the adapted forestry regime established by the Agreement Concerning a New Relationship Between le Gouvernement du Québec and the Crees of Québec (Chapter 3).

With regard to the time allotted to comment on the proposed amendments, we would like to remind you that the environmental and social protection regime provides for a special status and involvement for the Cree people over and above that provided for in procedures involving the general public through consultation or representative mechanisms wherever such is necessary (James Bay and Northern Québec Agreement, sub-paragraph 22.2.2c).

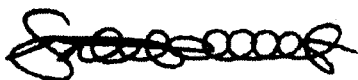
The JBACE endorses the proposed amendment to officially and permanently designate biological refuges and include them in Québec's protected areas network. For maximum environmental gain, we recommend that biological refuges not cut across, under any circumstances, sites of special interest to the Crees defined pursuant to the adapted forestry regime (sites of special interest covering up to 1% of the total area of a trapline). Note that Cree activities on sites of special interest may not be compatible with the objectives of biological refuges. Moreover, the "Instructions for Preparing General Forest Management

Plans" released by your department provide that areas suitable for implementing the forest resource protection and development objectives, including the objective of biological refuges, be identified in consultation with Cree tallymen. Therefore, separating sites of special interest to the Crees from biological refuges would help protect both types of areas.

Lastly, it goes without saying that the activities permitted in biological refuges must take into account the rights guaranteed to Native people under the Hunting, Fishing and Trapping Regime of the James Bay and Northern Québec Agreement. The special management arrangements for the future Albnel-Témiscamie-Otish park are a good reference in this regard, considering the partnership built with the Cree families affected by the park.

Rest assured that the JBACE intends to play its role as advisor to the governments with regard to policies, laws and regulations that could have an impact on the environmental and social protection regime for the James Bay Territory. We would appreciate your keeping us abreast, within a reasonable time where possible, of initiatives by your department in this regard.

Sincerely,



Ashley Iserhoff
Chairperson

c.c. Paule Têtu, Associate Deputy Minister, Forêt Québec
Catherine Morissette, Chair, Committee on Labour and the Economy
Jean-Pierre Gauthier, Chairman, Cree-Québec Forestry Board
Hunting, Fishing and Trapping Coordinating Committee