

## SECTION 30A

### Forestry Regime

**30A.1** The Québec forestry regime will apply in the Territory defined in the Agreement Concerning a New Relationship dated February 7<sup>th</sup>, 2002 in a manner that allows:

- a) adaptations to better take into account and respect 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 planning and management processes.

Specific modalities related to these adaptations, this integration and this participation have been agreed to between Québec and the Cree Regional Authority in an Agreement concerning a new relationship. The calculation of the allowable cut will be determined on the basis of development units which will, in principle, be made up of groupings of Cree traplines.

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Compl. A. no. 14, s. 1

Compl. A. no. 25, s. 1

**30A.2** The adapted forestry regime will establish particular rules and procedures applicable in the territory, will respect the principles set out in this JBNQA and the *Sustainable Forest Development Act*, ([NDLR: CQLR,] chapter A-18.1) and it will give due consideration to the protection of the hunting, fishing and trapping rights of the Crees, the protection of Native people, societies, communities and economies, the protection of wildlife resources, of the physical and biotic environment, and of ecological systems.

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Compl. A. no. 14, s. 1

Compl. A. no. 25, s. 2

**30A.3** The following mechanisms will be instituted to ensure the participation, in the form of consultation, by the James Bay Crees in the various forest activities planning and management processes: the Cree-Québec Forestry Board and the joint working groups.

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Compl. A. no. 14, s. 1

**30A.4** The Cree Regional Authority and Québec shall each appoint five (5) members to the Cree-Québec Forestry Board. In addition, a Chairperson shall be appointed to this Cree-Québec Forestry Board by the Québec upon recommendation of the Ministre des Ressources naturelles after consultation with the Cree Regional Authority. Québec and the Cree Regional Authority may agree on the modalities under which such consultation is carried out.

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Compl. A. no. 14, s. 1

**30A.5** The Cree-Québec Forestry Board shall have the following main responsibilities:

- a) to monitor, analyse and assess the implementation of the adapted forestry regime for the territory;

- b) to recommend to Québec and to the Cree Regional Authority, as the case may be, adjustments or modifications to the adapted forestry regime for the territory;
- c) to bring to the attention of the ministre responsible for the administration of the *Sustainable Forest Development Act* proposals, preoccupations and comments related to laws, regulations, policies, programs, management guides and practical field guides related to forestry, as well as guidelines, directives and instructions related to the elaboration of all forest development plans;
- d) to review the implementation mechanisms for the joint working groups regarding the elaboration, the consultations and the monitoring of all forest management plans applicable in the territory;
- e) to be involved in the different planning processes of forest development activities in the Territory and to participate in the different stages of the management of forest activities, in particular those connected to the review of the integrated forest development plans prior to their coming into force, as well as in regard to proposed modifications to those plans. The Board will have sixty (60) days from the receipt of the tactical and operational plans and forty-five (45) days from the receipt of the modifications to these plans to make comments to the ministre responsible for the administration of the *Sustainable Forest Development Act* prior to the coming into force of the plans or modification thereto. The ministre may extend these timeframes if he deems it appropriate;
- f) *(Subparagraph deleted)*;
- g) any other responsibilities in regard to forestry which may be assigned to it jointly by Québec and the Cree regional Authority.

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Compl. A. no. 14, s. 1

Compl. A. no. 25, ss. 3, 4 and 5

**30A.6** The joint working groups, composed of members appointed by the legal person identified at paragraph 11.2.2 hereof and members appointed by the ministre responsible for the administration of the *Sustainable Forest Development Act*, are established in each Cree community affected by forestry activities in the Territory.

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Compl. A. no. 14, s. 1

Compl. A. no. 25, s. 6

**30A.7** The joint working groups have the following mandate:

- a) to integrate and implement the specific rules of the adapted forestry regime agreed to by Québec and the Cree Regional Authority;
- b) when required, to elaborate harmonization measures flowing from the technical provisions of the adapted forestry regime;
- c) to ensure that all the pertinent and available data related to forestry will be available to each party;
- d) to review conflictual uses in order to find acceptable solutions;
- e) to discuss any technical issues, including the acquisition of knowledge considered necessary by the joint working group;

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- f) to ensure the implementation of the processes relating to the preparation, consultation and monitoring of the forest management plans;
  - g) to adopt internal operating rules;
  - h) to inform the ministre of their proposals in regard to temporary or permanent closing of roads.

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Compl. A. no. 14, s. 1

Compl. A. no. 25, s. 7