THE REGIONS, MUNICIPALITIES AND ABORIGINAL COMMUNITIES HAVE LONG EXPRESSED A WISH TO BE MORE CLOSELY INVOLVED IN PUBLIC FOREST MANAGEMENT AND DEVELOPMENT, IN ORDER TO GAIN CONTROL AND DERIVE MORE BENEFITS FROM THE PROCESS. OVER THE YEARS, THEY HAVE BEEN ABLE TO PARTICIPATE IN A VARIETY OF WAYS. THE COMING INTO FORCE OF THE SUSTAINABLE FOREST DEVELOPMENT ACT HAS INTRODUCED A NUMBER OF CHANGES TO THE FOREST STEWARDSHIP PROCESS, AND THE ACT REPRESENTS AN IMPORTANT STEP TOWARDS THE ACHIEVEMENT OF INTEGRATED, REGIONALIZED LAND AND RESOURCE MANAGEMENT.

BACKGROUND

Under the Forest Act, which was replaced by the Sustainable Forest Development Act on April 1, 2013, the holders of timber supply and forest management agreements (TSFMA) and forest management agreements (FMA) were responsible for forest planning and forestry operations. In exchange, they were permitted to supply their wood processing plants with the timber they harvested. As for the Ministère des Ressources naturelles, it oversaw the planning activities and approved the forest management plans prepared by agreement holders. This division of responsibility had been in force since the Forest Act was first adopted in 1986.
Changes Introduced by the New Forest Regime

The Sustainable Forest Development Act, assented to on April 1, 2010, and in force in its entirety since April 1, 2013, makes a number of changes to the stewardship system in Québec's forests. First, the Minister has taken back responsibility for integrated forest planning and the carrying out of forestry operations in the public forests. In doing this, the Minister relies on support from the regional conferences of elected officers, which are required to set up a regional and local coordination process. Under the Act, the roles and responsibilities are divided as shown below.

Ministère des Forêts, de la Faune et des Parcs

The Ministère is responsible for:

- developing the public forests in a sustainable way, and managing the forests by identifying province-wide orientations such as the Sustainable Forest Management Strategy;
- adopting regulations [the Sustainable Forest Management Regulation, the regulation respecting tariffs, and so on] and devising policies (on local forests, public consultations, etc.);
- drawing up forestry plans, including integrated tactical and operational plans and special development plans;
- carrying out forest management activities (e.g. cutting and harvesting timber, building improving, maintaining, repairing and closing roads, applying, monitoring and controlling silvicultural treatments, scaling wood, and protecting the forests). Holders of supply guarantees and permits to harvest timber to supply a wood processing plant, along with purchasers of timber on the open market, are nevertheless responsible for harvesting any standing timber they may purchase;
- granting rights (supply guarantees, local forests, etc.);
- organizing consultations with Aboriginal communities; and
- tabling public reports in the National Assembly.
The timber marketing board

The timber marketing board falls under the authority of the Ministère des Forêts, de la Faune et des Parcs and is responsible for:
- managing the sale of timber on the open market;
- identifying the sectors in which timber will be sold on the open market;
- assessing the value of the timber sold under supply guarantees, based on open market prices and on the stumpage payable by supply guarantee holders;
- collecting the monies paid for timber from winning buyers and supply guarantee holders.

The Chief Forester

The Chief Forester falls under the authority of the Ministère des Forêts, de la Faune et des Parcs and is responsible, among other things, for:
- calculating the allowable cut for all management units, local forests and residual forests.

Regional land and natural resource commission (CRRNT)

The regional land and natural resource commission acts on behalf of the CRE in respect of all issues relating to land and natural resources. It can perform all the duties identified in an Act or in a specific agreement with a government department or agency, and is responsible among other things for:
- preparing the regional plan for integrated land and resource development (PRDIRT);
- establishing a public consultation and dispute settlement procedure for the PRDIRT preparation process.

The MFFP’s regional offices

The regional offices fall under the authority of the Regional Operations Sector of the Ministère des Forêts, de la Faune et des Parcs, and are the Ministère’s representatives and active agents for sustainable forest development and management. They are responsible for:
- preparing integrated forest management plans for each management unit, in cooperation with the local integrated land and resource management panel;
- contributing to the panel’s work;
- introducing an environmental management system;
- consulting the region’s Aboriginal communities;
- signing agreements or contracts for the carrying out of specific management activities;
- issuing forest management permits;
- supervising and controlling management activities;
- helping the regional land and natural resource commission to prepare the PRDIRT;
- setting up the operations table with a view to facilitating the operational organization of harvesting activities and maintaining forest certification.

Regional conferences of elected officers (CRE)

Acknowledged as the Government’s primary interlocutors on regional development for their respective regions, the conferences are responsible for:
- setting up a regional land and natural resource commission in their respective area, to assist it with the sustainable forest development mandates received from the Ministère des Forêts, de la Faune et des Parcs;
- setting up a local integrated land and resource management panel, or entrusting this task to the regional commission;
- approving the regional plan for integrated land and resource development (PRDIRT), which sets out the region’s orientations, objectives and targets for the conservation and development of land and natural resources;
- organizing regional public consultations on the integrated forest development plans.
Local integrated land and resource management panel (TGIRT)

The panels are local bodies covering one or more management units. They are involved in the preparation of the integrated plans in order to:

- ensure that the interests and concerns of the individuals and organizations affected by forest management activities are taken into account;
- set local sustainable forest management objectives;
- agree on harmonization measures for all uses that will influence the management activities identified in the integrated plans.

The panels are composed, at a minimum, of representatives from the following groups:

- the Aboriginal communities, represented by their band councils;
- the regional county municipalities and, where applicable, the metropolitan community;
- the holders of a timber supply guarantee;
- the individuals or bodies that manage controlled zones;
- the individuals or bodies authorized to organize activities, provide services or carry on a business in a wildlife reserve;
- the holders of an outfitter’s licence;
- the holders of a sugar bush management permit for maple syrup production purposes;
- the holders of permits to harvest wood to supply a wood processing plant;
- the lessees of land for agricultural purposes;
- the holders of trapping licences who hold a lease of exclusive trapping rights; and
- the regional environmental councils.

The CRE or the Ministère des Forêts, de la Faune et des Parcs may feel it is appropriate for other organizations to be present at the panel’s meetings.

Holders of supply guarantees

- A wood processing company that has a priority right to purchase a volume of timber from certain specific species, in one or more regions, to supply its wood processing mill.
- The guarantee holder is responsible for harvesting any standing timber it may purchase. To allow for this, a harvest agreement is signed by the Ministère’s regional office and all the supply guarantee holders in the area covered by the agreement. The holders must agree among themselves on how harvest operations will be integrated, before the agreement can be signed. Under the agreement, they are also responsible for road and infrastructure work, and for timber scaling activities.

Holder of a permit to harvest wood to supply a wood processing plant

- A legal person or organization that does not have a wood processing plant operating permit (unless the requested permit covers only the harvesting of forest biomass). The holder is authorized to harvest a volume of wood or forest biomass that it may then sell, in particular to a plant permit holder.

Buyer

- A person or body that purchases wood on the open market.
- The buyer then harvests the wood purchased.

Forest management enterprise

- A forestry cooperative, joint management organization or private company that is contracted to carry out management activities.
- It must hold a recognized certificate or be enrolled in a program to obtain a certificate, or be supervised by a company that holds a certificate.

For further information on the forest regime of the Ministère des Forêts, de la Faune et des Parcs, please visit the following website:

mrn.gouv.qc.ca/forets/index.jsp

2013 Version