

Reflection process on the future of forests

CONCILIATION OF LAND USES



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Theme 3. Conciliation of Land Uses

Assessment

Public forest users are numerous and diverse. Conciliation of land uses, the approach intended to ensure the coexistence of the granted rights and the activities of the various users of the same territory remains a constant challenge.

Different participation mechanisms have been deployed by the government to ensure consideration of the values and needs of these users in forest management and development. The Sustainable Forest Development Act (SFDA) notably introduced the Local Land and Resources Management Panels (TLGIRT) (section 55), separate consultations for the Indigenous communities (section 7) and public consultations on the sustainable forest management orientations (section 9) and on the Integrated Forest Management Plans (PAFI) (section 57).

The Local Land and Resources Management Panels (TLGIRT) are deployed to ensure consideration of the interests and concerns of the persons and bodies concerned by the planned forest management activities, set local sustainable forest management objectives and agree on measures for harmonization of uses. Their mandate is limited to reconciling forest management in public forests with the other uses, when these uses are not subject to the same process. As of March 31, 2023, 33 Local Land and Resources Management Panels (TLGIRT) were divided among all regions of Québec. The following persons or bodies concerned, or their representatives, are invited to participate in the Local Land and Resources Management Panels (TLGIRT):

- the Indigenous communities, represented by their Band Council;
- the regional county municipalities and, if applicable, the metropolitan community;
- the timber supply guarantee holders;
- the persons or bodies serving as managers of controlled harvesting zones (ZEC);
- the persons or bodies authorized to organize activities, provide services or operate a business in a wildlife sanctuary;
- the outfitter permit holders;
- the holders of maple growing and harvesting permits for maple production purposes;
- the holders of timber harvesting permits for the purposes of supply of a wood processing plant (PRAU);
- the lessees of land for agricultural purposes;
- the trapping licence holders holding a lease with exclusive trapping rights;
- the Conseils régionaux de l'environnement.

The MRNF financially supports the operation of the Local Land and Resources Management Panels (TLGIRT) through the Sustainable Forest Management Program.

A Bureau de coordination des TLGIRT, reporting to the MRNF, was created in spring 2022 to support the concerted regional processes on forest planning. This Bureau notably has the mandate to deploy structuring and sustainable solutions in terms of support, collaboration and knowledge sharing, as well as training and communication within the Local Land and Resources Management Panels (TLGIRT).

The SFDA sets out provisions specific to the Indigenous communities by consulting them separately, in order to ensure the consideration of their interests and needs in sustainable forest management (sections 6 to 12). The MRNF financially supports consultation of the Indigenous communities through the Aboriginal Participation Program in Sustainable Forest Management.

The Consultation Policy for Sustainable Forest Development and Forest Management was made public on July 5, 2021. This Policy reflects the particularities specific to the forest regime instituted by the SFDA. It seeks to ensure coherence of all the consultations implemented by the MRNF. The Policy is intended to be an understandable and useful tool for the population, the various partners and the Indigenous communities who participate in sustainable management of the forest sector. Consultation reports are produced and published for each consultation. These reports summarize the comments received from the participants.

All the Integrated Forest Management Plans (PAFI) are the subject of public consultations and consultations of the Indigenous communities in their region of affiliation. In addition, the MRNF publishes follow-up reports, available online.

The Regulation respecting the sustainable development of forests in the domain of the State has been implemented since April 1, 2018, to ensure protection of the forest environment, reconciliation of forest management activities with the activities of the Indigenous communities and other forest land uses, and the compatibility of forest management activities with the use of lands in the domain of the State.

The Integrated Forest Management Plans (PAFI) may contain harmonization measures that arise from these different participation mechanisms, with the objective of favouring conciliation of land uses and accounting for the concerns expressed.¹ Measures for harmonization of uses (MHU) and measures for harmonization of operations (MHO) exist. The MHUs may change forest planning, particularly silvicultural treatment, defining the boundaries of the operation sector or locating of a main road. The harmonization of uses approach is under the MRNF's responsibility. The MHOs may change the sequence of forest operations, including the schedule of operations, timber transportation and road maintenance. In accordance with their roles in planning of forest management activities, holders of forest rights ensure the operational harmonization approach is carried out.

These participation mechanisms are consistent with a continuous improvement perspective.

Additional Discussion Documents

- Loi et réglementations forestières – Loi sur l'aménagement durable du territoire forestier, Règlement sur l'aménagement durable des forêts du domaine de l'État. (Forest legislation and regulations – Sustainable Forest Development Act, Regulation respecting the sustainable development of forests in the domain of the State) Gouvernement du Québec. [Online], [quebec.ca/agriculture-environnement-et-ressources-naturelles/forets/gestion-forets-publiques/loi-reglementations-forestieres#c223393].

¹ In the case of the First Nations consultation processes, these measures are also known as “accommodation measures”, which have the objective of mitigating as much as possible, in view of the circumstances, the potential harmful effect of the activities envisioned on claimed or established Aboriginal or treaty rights.

- Stratégie d'aménagement durable des forêts. (Sustainable Forest Management Strategy) Gouvernement du Québec. [Online], [quebec.ca/agriculture-environnement-et-ressources-naturelles/forets/gestion-forets-publiques/amenagement-durable-forets/strategies-nationales-amenagement/strategie-amenagement-durable].
- Politique de consultation en matière d'aménagement et de gestion du milieu forestier. (Consultation Policy for Sustainable Forest Development and Forest Management) Gouvernement du Québec. [Online], [cdn-contenu.quebec.ca/cdn-contenu/adm/min/energie-ressources-naturelles/publications-adm/politique/PO_consultation.pdf].
- Rapports des consultations publiques sur les orientations d'aménagement forestier. (Reports of the Public Consultations on the Forest Management Directions) Gouvernement du Québec. [Online], [quebec.ca/agriculture-environnement-et-ressources-naturelles/forets/gestion-forets-publiques/consultations-gestion].
- Consultations sur la gestion forestière. (Consultations on Forest Management) Gouvernement du Québec. [Online], [quebec.ca/agriculture-environnement-et-ressources-naturelles/forets/gestion-forets-publiques/consultations-gestion].
- Plans d'aménagement forestier régionaux et consultations. (Regional Forest Management Plans and Consultations) Gouvernement du Québec. [Online], [quebec.ca/agriculture-environnement-et-ressources-naturelles/forets/planification-forestiere/plans-regionaux-consultations].
- Participer à la planification forestière – TLGIRT, consultations sur les plans d'aménagement forestier intégré (PAFI), rapports des consultations publiques sur les PAFI. (Participating in Forest Planning - TLGIRT, consultation on the Integrated Forest Management Plans (PAFI), reports of the public consultations on the PAFIs) Gouvernement du Québec. [Online], [quebec.ca/agriculture-environnement-et-ressources-naturelles/forets/planification-forestiere/participer].
- La forêt démystifiée – Les consultations publiques du domaine forestier : comment s'y retrouver. (The demystified forest - The public consultations on the forest domain: getting your bearings) Gouvernement du Québec. [Online], [quebec.ca/nouvelles/actualites/details/foret-demystifiee-consultations-publiques].



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