



June 18, 2021

Ministère des Forêts, de la Faune et des Parcs  
5700–4e Avenue Ouest, C 402  
Quebec City QC  
G1H 6R1

**SUBJECT: KEAC feedback on the draft MFFP policy concerning relations with Aboriginal nations and communities**

Dear Sir or Madam,

The Kativik Environmental Advisory Committee (KEAC) was created pursuant to Section 23 of the *James Bay and Northern Québec Agreement* (JBNQA). It is a consultative body to responsible governments in matters relating to environmental and social protection in Nunavik and, as such, is the preferential and official forum for the Government of Canada, the Gouvernement du Québec, the Kativik Regional Government (KRG) and the northern villages. Below, the KEAC has set out its feedback on the consultation document regarding development of the policy of the Ministère des Forêts, de la Faune et des Parcs (forests, wildlife and parks, MFFP) on relations with Aboriginal nations and communities.

As part of the first phase of consultations, the MFFP plans to take stock of existing relationships and practices with Aboriginal nations and communities. The consultation document specifies that the policy will not replace the JBNQA or the *Northeastern Québec Agreement* (NEQA), but will provide “an opportunity to affirm and strengthen the MFFP’s commitment to maintain harmonious relations, based on dialogue, cooperation, trust and mutual respect”. Notwithstanding these MFFP objectives, it is unclear to the KEAC how the policy will be applied in Nunavik. The KEAC hopes that the eventual policy will provide more details on the measures for achieving objectives in compliance with the JBNQA and the NEQA.

**Consultation and accommodation of Aboriginal communities with respect to the sustainable management of forests, wildlife and national parks**

In this first section of the consultation document, the MFFP states its support for the coordination of consultations when other government departments are involved. The KEAC welcomes this approach in order to preclude the fatigue and confusion that can result from too many consultations with Nunavik communities and regional organizations.

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### ***Forests***

Although Nunavik is situated beyond the northern boundary line for allocatable forestry activities, forests that include exceptional stands of trees that are important for Aboriginal communities (burial sites, traditional sites, etc.) are present in some southern areas of the region. Some sectors of these forests and some of these forests themselves should be covered by forest fire monitoring and, even more importantly, receive protection against logging and mining activities. There are also tree stands in these areas that could be subject to logging permit applications. Although the *Sustainable Forest Development Act* does not allow the allocation of development units north of the boundary line, the responsible minister may issue permits authorizing forestry activities. For example, permits can be issued for the harvesting of firewood for commercial purposes. It is therefore important to include Nunavik regional and municipal organizations in all discussions concerning the forestry sector. In addition, Section 23 of the JBNQA stipulates that the “[MFFP] shall, when preparing a management plan for Crown forests and forestry operations, forward such management plan to the [KEAC] for its consideration and comments before approving the said management plan.” (paragraph 23.5.34)

### ***Wildlife***

In January 2021, the KEAC participated in consultations aimed at developing an MFFP wildlife policy and noted that the consultation document contained very limited details, which made it difficult to form an opinion on the draft policy and provide specific feedback. To date, the KEAC has not received any follow-up from the MFFP on this matter. The KEAC would like to be kept informed of next steps and hopes to be asked to submit feedback on a more thorough version of the wildlife policy prior to its adoption by the government. As the MFFP intends to establish “harmonious relations” based on “dialogue and cooperation”, the KEAC encourages the MFFP to follow up within a reasonable timeframe following consultations, communicating not only the information gathered but explaining how it has been taken into account in the policy or bill. Such an approach would serve to foster full participation on the part of the concerned organizations and inspire confidence that the MFFP is taking Nunavik's specific issues into consideration.

### ***National parks***

There are currently eight proposed biodiversity reserves, one proposed aquatic reserve, three territories reserved for the creation of protected areas, four national parks and four national park reserves in Nunavik. All of these areas are being developed and managed by the Nunavik Parks section of the KRG in cooperation with the MFFP and the Ministère de l'Environnement et de la Lutte contre les changements climatiques (the environment and the fight against climate change). Schedule 1 of Section 23 of the JBNQA makes all park, ecological reserve and other similar land use projects in Nunavik subject to the environmental and social impact assessment and review procedure. Covered under the *Partnership Agreement on Economic and Community Development in Nunavik* (Sanarrutik) signed between Québec and Nunavik Inuit in 2002, the four national parks created to date are an excellent example of collaboration between the Québec government and the KRG. Consultations with concerned communities begin well upstream in each park project process. Park management frameworks also ensure flexibility for protection of the hunting, fishing and trapping rights of Inuit and Naskapi, while allowing visitors to take full advantage of the ecotourism activities offered.

## **Activities performed by Aboriginal peoples for food, ritual and social purposes**

### ***Wildlife conservation and development***

The KEAC approves of the principles contained in the consultation document concerning the increased participation and involvement of Aboriginal nations and communities in the management of activities for food, ritual and social purposes, from the earliest stage possible. In Nunavik, the land use, environmental and social protection, and hunting, fishing and trapping regimes established under the JBNQA protect subsistence harvesting activities by Inuit, Cree and Naskapi and contain provisions regarding participation and consultation.

While all matters concerning the environmental and social protection regime in Nunavik must be referred to the KEAC for consultation, the Hunting, Fishing and Trapping Coordinating Committee (HFTCC) is responsible for administration and monitoring of the hunting, fishing and trapping regime, including outfitting activities, established under Section 24 of the JBNQA. The HFTCC must be consulted on all draft statutes and regulations prior to public consultation (paragraphs 24.4.25, 24.4.26, 24.4.27, 24.4.36 and 24.4.37). Notwithstanding, in March 2021, *Bill 88, An Act to amend the Act respecting the Conservation and Development of Wildlife and Other Legislative Provisions* was tabled in the National Assembly without the MFFP having informed the HFTCC in advance. Moreover, the HFTCC was also not initially included in special consultations with organizations, despite its status as the preferential and exclusive advisory body for the administration and management of the hunting, fishing and trapping regime in the territory of the JBNQA.

In the new policy concerning relations with Aboriginal nations and communities, the MFFP should ensure that procedures established under the JBNQA and the NEQA are reiterated and will be followed by all its teams in the future.

### ***Shared use of the territory***

The consultation document also addresses the issue of shared use of the territory. In particular, it refers to land use conflicts that can arise between outfitting activities and traditional subsistence harvesting activities. This is an important issue in Nunavik. As part of its feedback on the MFFP wildlife policy, the KEAC expressed concern that increased hunting and fishing by non-Aboriginals in the region could lead to a recovery of outfitting operations. Although no new permits are currently being issued, Nunavik continues to struggle with the legacy of abandoned and unlawful outfitting operations, not to mention a general lack of monitoring of outfitting activities in the region by the responsible agencies. Measures in the new policy concerning relations with Aboriginal nations and communities that raise awareness among stakeholders about the presence and distinct character of Aboriginal nations and communities represent a positive step forward. Similarly, enforcement of existing regulations would also contribute to enhanced control of outfitting operations and help improve relations with Aboriginal nations and communities.

### ***Education, awareness and control***

The KEAC welcomes the MFFP proposal to delegate to Aboriginal nations and communities some surveillance and monitoring responsibilities, including educational and awareness-building measures, to deter activities that can have adverse effects on wildlife. In Nunavik, the Uumajuit Program was

launched in 2004. Wardens are employed in each of the 14 Inuit communities to maintain regular contact with local hunters and community members and to accompany MFFP wildlife conservation officers on patrols in the region. They also monitor sport fishing and hunting by non-beneficiaries of the JBNQA. Their mandate includes both wildlife and environmental monitoring. Recently, Uumajuit wardens received training on how to monitor seasonal ice conditions and conduct water, plant and wildlife sampling. According to local interest and needs, they have the capacity to implement local-ecosystem study and monitoring programs that also promote knowledge transfer between elders and youth.

The KEAC would like to encourage the MFFP to consult with Uumajuit wardens as well as the northern villages and Nunavik regional organizations in order to explore how measures in its new policy can be aligned with regional needs in a manner that complements the existing Uumajuit Program.

### **Involvement of Aboriginal communities and capacity building**

The KEAC approves of the MFFP goal to promote development of Aboriginal nations and communities, as well as their participation in development of the territory and its resources, in particular by transferring some responsibilities and providing economic levers to increase autonomy. Many similar measures are already provided for under various treaties and agreements between Québec and Nunavik Inuit. In addition to Section 24 of the JBNQA, the *Agreement concerning Block Funding for the Kativik Regional Government* (Sivunirmut) delegates a number of responsibilities to the KRG and existing procedures enable community involvement and the development of local capacities.

The KEAC supports the willingness of the MFFP to improve its relations with Aboriginal nations and communities. It would like to thank the MFFP for this opportunity to provide feedback on the preparation of a policy concerning relations with Aboriginal nations and communities and asks to be kept informed of future steps.

Sincerely,

Tunu Napartuk  
Chairperson