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**Proposed Lac des Quinze, Lac Opasatica,
Forêt Piché-Lemoine and Réservoir
Decelles biodiversity reserves
in the Abitibi-Témiscamingue**

Inquiry and Public Hearing Report

TRANSLATION

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Québec 

Introduction

In 1992, the Government of Canada adhered to the principles and objectives of the United Nations Convention on Biological Diversity. Québec, for its part, subscribed to the Convention in 1996 by adopting the *Québec Strategy to implement the Convention on Biological Diversity*. In 2000, the Government of Québec undertook to develop a network of protected areas with a view to protecting 8% of its territory, for 2005, by way of the *Québec Strategy for Protected Areas*. In 2002, the *Natural Heritage Conservation Act* (R.S.Q., c. C-61.01) was passed and the *Strategic Action Plan for Protected Areas* was adopted. Basically, the Plan aims to obtain a distribution of protected areas throughout the province's territory by taking into account the concerns, notably socioeconomic, of the stakeholders affected by the setting up of such a network. The objective of achieving the protection of 8% of the territory was renewed in 2008.

On February 22, 2007, the then Minister of Sustainable Development, Environment and Parks entrusted the Bureau d'audiences publiques sur l'environnement (BAPE) with the mandate of holding a public consultation on the proposed Lac Opasatica, Lac des Quinze, Forêt Piché-Lemoine and Réservoir Decelles biodiversity reserves located in the natural province of the Abitibi and James Bay Lowlands. This mandate was entrusted to the BAPE under the *Natural Heritage Conservation Act*. The Ministère du Développement durable, de l'Environnement et des Parcs is acting as coordinator of these four projects.

The mandate began on March 8, 2007 when the information concerning the four proposed biodiversity reserves was made available to the public (Appendix 1). As for the public hearing, sessions were held in April and May 2007 in Val-d'Or, Rouyn-Noranda, Angliers, Lac-Simon and Winneway. In all, the commission received 24 briefs as well as oral presentations.

In this report, the commission first describes the biodiversity reserve creation process, followed by the projects under study. It also examines the use of the territory in terms of the regime of activities and takes a look at the proposed boundaries of the four proposed biodiversity reserves. Finally, regarding the public consultation that it held, the commission reports on its reflection on the process to create and manage biodiversity reserves.

Chapter 1 **Biodiversity reserve creation process**

Under the *Natural Heritage Conservation Act*, the Minister of Sustainable Development, Environment and Parks is responsible for the biodiversity reserve creation process¹. The selection of the territories for conservation and the preparation of conservation plans are done in collaboration with the departments concerned². A conservation plan accompanies each proposed reserve to define the boundaries of the reserve and the regime of activities.

The selection of the territories requiring protection is based on the use of the ecological reference framework of the Ministère du Développement durable, de l'Environnement et des Parcs. This framework divides Québec into thirteen natural provinces, which are in turn composed of regions comprising several physiographic groups. Based on these groups, the Department delimits representative territories of interest. The representativity of the territories is established by a characterization at the eco-landscape level according to various classification criteria applied to the physical environment, forest cover, hydrography and weather conditions. This characterization does not describe biodiversity on a fine scale as such. Rather, the Department goes on the assumption that these characteristics point to the presence of particular ecosystems and that in the case of territories disturbed by the exploitation of natural resources, the physical environments will ensure the presence of good quality ecosystems over the long term (Marc-André Bouchard, DT3, p. 65; DA1; DA12c).

The *Québec Strategy for Protected Areas* takes into account the occupation and the current use of the territory and the socioeconomic impacts on the development of the receiving communities and industries related to the exploitation of natural resources. To this end, the process provides for a socioeconomic analysis prior to the granting, with the government's approval, of a temporary protection status to a territory of interest. Owing to the fact that the economy of the regions is very much oriented

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1. In the Act, a biodiversity reserve is defined as an area established in order to maintain biodiversity and in particular an area established to preserve a natural monument — a physical formation or group of formations — and an area established as a representative sample of the biological diversity of the various natural regions of Québec.
 2. According to section 27 of the Act, the departments notably include the Ministère des Ressources naturelles et de la Faune, the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation, the Ministère de la Culture et des Communications, the Ministère des Affaires municipales et des Régions as well as the Ministère du Développement économique, de l'Innovation et de l'Exportation.

towards the exploitation of natural resources, as is the case in the Abitibi-Témiscamingue region, the Ministère des Ressources naturelles et de la Faune plays a preponderant role in the analysis. Hence, the analysis of the socioeconomic constraints is done in consultation with the forest operators concerned, mining associations, municipal authorities, Aboriginal communities and the managers of structured wildlife territories such as outfitting operations (Sébastien Desrochers, DT1, p. 45; Joanne Laberge, DT6, p. 13).

After having granted a temporary protection status to a territory, the Ministère du Développement durable, de l'Environnement et des Parcs draws up a conservation plan proposal explaining the proposed biodiversity reserve. This document is used for the public consultation required under the *Natural Heritage Conservation Act*, which may be entrusted to the BAPE. The report stemming from this public consultation will be used by the Minister to prepare his recommendation to the Cabinet regarding the decision that should be taken concerning the granting of a permanent status to the territories set aside for this purpose.

Participation of the community

In September 2002, a first public regional information tour was held in the Abitibi-Témiscamingue region in the form of workshops during which the public was able to propose territories for protection. For example, the Town of Rouyn-Noranda submitted a map illustrating the territories which it considered as having a potential to become protected areas. Representatives of the Aboriginal Communities of Wolf Lake, Timiskaming and Winneway, also known as the Long Point First Nation, were also met with during this tour (Pierre Monfette, DT4, p. 39; DB21.4; DA23). At the time of the public hearing, the Department's spokesperson indicated that the proposed territories were superimposed on the territories of interest previously established by the Department and that the proposals could be accepted if they coincided with the requirements of the ecological reference framework (Joanne Laberge, DT1, p. 13 and DT3, p. 51).

After the territories of interest were chosen, the Department held a general information session in January 2004 during which its representatives presented eight territories of interest selected for the natural province of the Abitibi and James Bay Lowlands, including the four that were chosen and that are examined here. On that occasion, representatives of the Aboriginal communities of Pikogan, Winneway and Timiskaming were present (DA23). In March 2004, a temporary protection status was granted to these four territories as proposed biodiversity reserves.

In July 2005, a first meeting was held with the regional interministerial committee of Abitibi-Témiscamingue on which representatives of the provincial departments and of municipal circles sit. Committee members had the opportunity to express their opinion on the conservation plan proposal submitted for this consultation. In addition, in December 2006, the Department met with the members of the integrated resource management tables of the Town of Rouyn-Noranda, the RCM of Témiscamingue and the RCM of La Vallée-de-l'Or. Meetings were also held in June and July 2006 with representatives of the communities of Winneway, Timiskaming, Lac-Simon and Kitchisakik during which the projects and the regime of activities were presented (DA6; Marc-André Bouchard, DT6, p. 53).

The commission notes that the creation of biodiversity reserves results from a process that involves the consultation of the receiving community and that the coordinator of the projects held public information meetings and committee meetings with the social stakeholders concerned by the four projects under study.

Projects

The four proposed protected areas are located in the administrative region of Abitibi-Témiscamingue and in the natural province of the Abitibi and James Bay Lowlands (Figure 1).

The proposed Lac des Quinze biodiversity reserve is located approximately 35 km northeast of Ville-Marie in the Témiscamingue region and covers a surface area of approximately 159 km². This territory is home to a few mature and old-growth sugar maple and yellow birch stands, which are not very common in the natural province. In addition, the territory is thought to offer a good archaeological potential related to the Aboriginal occupation.

The proposed Lac Opasatica biodiversity reserve is located approximately 25 km southwest of downtown Rouyn-Noranda. The territory covers a surface area of 245 km² and includes, among other things, two old-growth forests having the status of an exceptional forest ecosystem. The sector identified by the Ministère du Développement durable, de l'Environnement et des Parcs would also make it possible to protect eight sites that are of cultural or archaeological interest.

The proposed Forêt Piché-Lemoine biodiversity reserve is located less than 10 km southwest of downtown Val-d'Or and covers a surface area of close to 95 km². The protection of this territory would make it possible to preserve old yellow birch stands

located at the northern limit of their range. There is great social interest in this periurban forest due to its recreational vocation.

The proposed Réservoir Decelles biodiversity reserve is located approximately 25 km southwest of Val-d'Or and covers a surface area of approximately 81 km². The conservation of this territory would make it possible to protect geomorphological elements of interest and would consolidate the protection of the Dunes-de-la-Moraine-d'Harricana ecological reserve.

Use of the territory and regime of activities

Supervision of the territory

Participants raised questions about the application of the regime of activities. Three concerns in particular were voiced, namely illegal felling operations, the protection of banks and the presence of illegal dumps.

The Town of Rouyn-Noranda is particularly concerned about the supervision of protected areas following the illegal felling operations that have been observed on the territory of the Lacs Vaudray-et-Joannès biodiversity reserve. According to a representative of the Town, "At the present time there are protected areas on the territory where it is Chainsaw Festival in January, February and March, and yet these are protected areas. Who goes out in the woods to say: "This is a protected area" [...]?" (Mario Provencher, DT9, p. 32).

According to a representative of the Ministère des Ressources naturelles et de la Faune, the supervision of the firewood supply should first be the responsibility of this Department since it applies the *Forest Act*. However, an association with the Ministère du Développement durable, de l'Environnement et des Parcs would permit a better supervision of biodiversity reserves. However, according to this same representative, there is a lack of resources to ensure an adequate supervision of the territory (Luc Bergeron, DT2, p. 40 and 41).

In addition to the illegal felling operations, participants are concerned about the deterioration of the banks of the lakes included in the proposed biodiversity reserves, their supervision and the possibilities of restoring them (Yvan Croteau and Henri Jacob, DT2, p. 12 and 20). The regime of activities prohibits development work in a hydric environment. However, certain works could be authorized exceptionally. The Ministère du Développement durable, de l'Environnement et des Parcs, in collaboration with waterside residents' associations, has already put in place an awareness promotion component dealing with the development and clearing of banks. In the Department's opinion, this component could be strengthened further (Édith van de Walle, DT2, p. 18; DA2, p. 5). Turning to the Ministère des Ressources naturelles et de la Faune, wildlife protection officers have several legal and regulatory tools to

ensure the protection of hydric environments¹ (Luc Bergeron, DT2, p. 19; Luc Belisle, DT3, p. 28).

Moreover, one citizen is concerned about the presence of clandestine dumps on the territory of the proposed Forêt Piché-Lemoine biodiversity reserve and wonders "if, at the present time, the Ministère de l'Environnement and the Ministère des Ressources naturelles, Secteur forêt are unable to check what is happening on public lands, who will protect the protected areas [...]?" (Jean-Marie Tremblay, DT8, p. 9). A representative of the Ministère du Développement durable, de l'Environnement et des Parcs indicated that the restoration of clandestine dump sites could be part of the action plan of a biodiversity reserve having obtained a permanent status if this were to be an important issue for the preservation of the protected area (Édith van de Walle, DT2, p. 54).

For the commission, there is a risk of certain shortcomings in the supervision of the proposed biodiversity reserves if no additional resources were allocated.

- ◆ **Opinion 5** — *To properly achieve its biodiversity protection objectives, the commission is of the opinion that the government must make sure that it gives the departments concerned by the Québec Strategy for Protected Areas the means to devise and implement supervision programs for the biodiversity reserves.*

Aboriginal rights and title

The projects under study are located on public lands, certain parts of which are used by Algonquin communities. The regime of activities stipulates that the traditional activities of Aboriginal communities can continue in temporary and permanent biodiversity reserves (PR3, p. 71; DA2, p. 11). The commission met with members of three communities, namely those of Lac-Simon, Timiskaming and Winneway. Some members voiced concerns about the primacy of negotiations over the proposed protected area status. The chief of the Long Point First Nation, as well as the Timiskaming Band Council specified that the territory had never been the subject of a treaty and that consequently, they had never assigned their rights on the territory (Steeve Mathias, DT11, p. 34; DM24, p. 1 and 2). On this subject, the Secrétariat aux affaires autochtones pointed out that "in the event that an Aboriginal title were recognized, it would be possible, at that time, to agree on a new assignment for the

1. They are the *Environment Quality Act*, the *Act respecting the conservation and development of wildlife* (R.S.Q., c. C61.1), the *Fisheries Act* (R.S.C. (1985), c. F-14) and the *Regulation respecting wildlife habitats* [C-61.1, r. 18].

territory in question insofar as the community that holds the title wishes to exploit the territory's resources" (DQ4.1).

- ◆ *Finding — The commission finds that the regime of activities stipulates that Aboriginal traditional activities would be respected in a biodiversity reserve. It also notes that the assignment of certain protected territories could be modified according to the conclusions of eventual territorial negotiations.*

Proposed Lac Opasatica biodiversity reserve

With a surface area of 245 km², the proposed Lac Opasatica biodiversity reserve is located on the territory of Rouyn-Noranda, 25 km from downtown. Initially, the Ministère du Développement durable, de l'Environnement et des Parcs had delimited a territory of interest that had no link to Lac Opasatica, being located further to the west. At the same time, a group of citizens proposed the protection of a sector to the northeast of Lac Opasatica (Figure 3). According to the ecological reference framework, this small territory did not present elements of interest for conservation purposes. Moreover, the presence of private lands and mining rights would have been an obstacle to setting this territory aside, especially as both portions of this territory are already protected by wildlife habitat and exceptional forest ecosystem statuses. As a result, this territory was not accepted by the Department (DA9; Marc-André Bouchard, DT3, p. 32 and 33; DA10).

However, the ecological characteristics of the territory of interest proposed by the Department would assure, in its opinion, a better representativity of the regional ecosystems. The northern part of this territory, which has been the subject of numerous forestry operations and investments, was removed. The southern part was also removed due to forestry constraints. Afterwards, in its discussions with the Ministère des Ressources naturelles et de la Faune, the Ministère du Développement durable, de l'Environnement et des Parcs identified forest ecosystems of interest on the territory that it finally chose, by moving closer to Lac Opasatica. The latter was added on an *a posteriori* basis for its landscape, wildlife and archaeological qualities (Marc-André Bouchard and Édith van de Walle, DT3, p. 33, 34 and 77).

While the participants are in agreement with the establishment of a protected area around Lac Opasatica, none is satisfied with the government's proposal. The Canadian Parks and Wilderness Society, Ottawa Valley Chapter considers that even the biggest of the four proposed reserves is too small (DM22, p. 2). Other participants consider that the territory set aside is not readily accessible and that the forest there is at least as much disturbed as the northwest sector, which the Department has relinquished. For these participants, the reserve should be expanded to encompass all of the territory between route 117, to the north, and route 101, to the east, southward up to Rollet and the border with Ontario to the west, thereby forming a big

quadrilateral (Marie-Josée Paquin, DM9, p. 3 and 4; La Sentinelle Opasatica, DM4; DM4.1). As for the Town of Rouyn-Noranda and the RCM of Témiscamingue, they ask that certain sectors be excluded from the proposed project (DM1, p. 5; DM13, p. 1). Several peripheral sectors of the proposed biodiversity reserve have given rise to specific proposals. Lastly, the commission notes that the territory finally proposed by the government did not appear among the territories of interest submitted by the Town of Rouyn-Noranda in 2002 or among those submitted by Action boréale de l'Abitibi-Témiscamingue (DB21.4; DM19, appendix).

An expansion towards the Lac Bull Rock sector

The initial proposals, which preceded the current public consultation, by Action boréale de l'Abitibi-Témiscamingue and the Regroupement écologiste Val-d'Or & environs included a sector to the southwest of the proposed biodiversity reserve. At the time of the public hearing, these two organizations reiterated their request for this sector but reduced its size (Figure 3) (Doris St-Pierre, DT8, p. 28; Michel Dubé, DT9, p. 66; DM19, appendix). The protection of this sector would make it possible to establish a more complete link with the East Larder River Bedrock Conifer Conservation Reserve located in Ontario. Moreover, the mean age of the forests is thought to be higher there; there are numerous stands over 90 years old and the Ministère des Ressources naturelles et de la Faune has created two biological sanctuaries there (DA11, p. 8; DB10.6a). This sector is also part of the big protection quadrilateral proposed by participants.

The Algonquin community of Timiskaming also has concerns regarding the Lac Bull Rock sector which covers a surface area that is bigger than the extension proposed by both organizations (Figure 3). This sector is considered to be one of the last forest territories within the traditional territory and is characterized by wildlife and plant habitats used by the members of the community. In addition, the band council plans to set up a cultural site here, where elders could teach young people trapping methods as well as the legends and history of their community. For the council, the management of this territory should take into account their claims related to Aboriginal rights and titles. The council asks that measures be taken immediately to curb the development and exploitation of resources in this sector until such time as medium- and long-term agreements have been reached with the government concerning this territory (DM24; Conrad Polson, DT11, p. 14 and 16).

However, major harvests have been made in recent years in the Lac à la Loutre sector, close to the boundaries of the proposed biodiversity reserve, and other harvests were planned between 2006 and 2008. On this subject, the protection of the entire southwest sector would lead to the loss of approximately 12,000 m³ of forest

production, namely less than 1% of the allocations of each operator. In addition, the areas around Lac Bull Rock are characterized by the presence of numerous mining titles, which were granted in 2005 and 2006, namely after the creation of the proposed biodiversity reserve (DB6.1ab; DB10.9a to DB10.11a; DB38a; DQ5.1; DQ5.4; DQ6.2).

As for the RCM of Témiscamingue, it asks that the small portion of the proposed biodiversity reserve located on its territory be excluded, considering that this surface area is too small to interest elected representatives in taking part in its management. Furthermore, a representative of the RCM indicated that, if the proposed biodiversity reserve were expanded on its territory, a protection status similar to the one requested for the proposed Lac des Quinze biodiversity reserve would be demanded so that the community can assume responsibility for this portion of territory and set up protection sectors, development sectors and exploitation sectors (Daniel Dufault, DT10, p. 22 and 28).

While certain portions of the territory to the southwest of the proposed protected area have been disturbed, the presence of older stands and stands that are representative of the regional spruce forests make this territory a sector of interest for conservation purposes in the eyes of the commission. What is more, the addition of this territory would permit a more complete link with the protected areas in Ontario as well as the protection of a sector that is important for the community of Timiskaming. Discussions should, however, be held with the mining companies concerned to examine the possibilities of setting aside for the State territory on which there are mining titles as well as with forest operators to minimize the impacts on forest activities.

- ◆ **Opinion 10** — *Considering the presence of forest stands of interest in the Lac Bull Rock sector, the value of this sector for the Algonquin community of Timiskaming and the possibility of a greater connectivity with a protected area in Ontario, the commission is of the opinion that the Ministère du Développement durable, de l'Environnement et des Parcs should re-assess the feasibility of expanding the proposed Lac Opasatica biodiversity reserve to the southwest, in collaboration with the departments concerned, the Algonquin community, municipal authorities and forestry and mining companies.*

Chapter 4 **Protection of biodiversity and public participation**

In this chapter, the commission addresses certain elements pertaining to the implementation of the *Québec Strategy for Protected Areas* in relation to the conservation of biodiversity, the participation of the community and the regime for managing these territories.

Protection of biodiversity

Here the commission examines the elements that were presented to it during the public hearing in relation to the percentage of protected territory, the size and the connectivity of the proposed biodiversity reserves.

Percentage of protected areas

The objective of the Government of Québec is to develop a network to ensure the protection of 8% of the territory in 2008. In its major orientations, the *Québec Action Plan on Biological Diversity 2004-2007* states that the protection of representative samples of all the biodiversity of Québec entails protecting at least 8% for almost all the natural provinces located south of the 52nd parallel (Government of Québec, 2004, p. 11). In February 2007, the surface area of Québec designated as protected area reached 4.8 %, that of Abitibi-Témiscamingue, 4.2 %, whereas 6.7% of the natural province of the Abitibi and James Bay Lowlands was protected (DA4).

The achievement of this target by the deadline, already postponed from 2005 to 2008, and the value aimed for have been called into question by several participants. They are of the opinion that in the boreal forest, the government should instead aim for the protection of 12% of the territory, a value that is close to the world average. For some participants, this objective should even be achieved by 2010, as recommended by the Commission d'étude sur la gestion de la forêt publique québécoise (Report, 2004, p. 54 and 59). For these participants, any delay will lead to the deterioration of the ecosystems that are still intact and that warrant protection. For others, the protection of 12% is insufficient and it would be necessary to protect another portion of 12% which would compensate for losses or adverse effects on protected species. For a representative of the Aboriginal community of Winneway, 15% would be a minimum (Henri Jacob, DT8, p. 32; Maribelle Provost, DT9, p. 12 and 13; Marie-Josée Paquin, DT9, p. 47; Michel Dubé,

DT9, p. 67 and 68; Jerry Polson, DT11, p. 33). For the commission, the objective of 8% should be seen as a stage in the creation of a structured network of protected areas dedicated to the conservation of Québec's ecological heritage and not as a final objective.

- ◆ *Finding — The commission finds that the government target of 8% of protected areas per natural province is below the expectations of the participants in the public hearing and the target values recommended by the Commission d'étude sur la gestion de la forêt publique québécoise for the boreal forest.*

Surface area of biodiversity reserves and their connectivity

Several participants underscored the effort of the Ministère du Développement durable, de l'Environnement et des Parcs to set aside territories for conservation. However, some participants called into question the surface areas of the four projects in relation to natural disturbances, including fires and epidemics, and the absence of buffer zones to reduce peripheral pressures. For some participants, there is reason to wonder if the objective of obtaining the same percentage of representative samples for each variable of the ecological reference framework, by excluding certain territories due to socioeconomic constraints, does not oblige the government to opt for small protected areas spread out over several territories (José Mediavilla and Maribelle Provost, DT9, p. 9, 13, 18 and 19; Canadian Parks and Wilderness Society – Ottawa Valley Chapter, DM22, p. 1 and 2). The question that then arises is that of the function of the chosen territories: would these territories, being spread out, make it possible to ensure not only the representativity of the territory, but also the sustainability of biological diversity by offering sufficiently vast habitats and the links to join these habitats, namely to avoid isolated areas? That said, without regard for the conservation of special or remarkable elements of the territory where the protection of small surface areas is warranted.

According to a study by the Canadian Council on Ecological Areas¹, several methods may be used to determine the protection surface area required to ensure the sustainability of biological diversity. The three methods evaluated by this organization are based either on the minimum surface area making it possible to preserve the original biological wealth, a size that is greater than the biggest natural disturbance, or a critical territory sufficient for certain species, namely mammals having a large range. Despite their differences, the results of these methods coincide. They suggest the protection of territories of a few thousand km², and the typical size would be on the order of

1. This study deals with the planning of protected areas for the maintaining of biodiversity in a northern environment in Canada. It is based on an exhaustive review of the documentation validated by peers, a selective review of the publications of government agencies involved in protected areas, a questionnaire sent to the directors of these agencies and a survey of the statuses and characteristics of protected areas in Canada in 2005.

3,000 km². These large expanses would be an essential element of a network better suited to ensure the sustainability of the biological diversity than a network composed of smaller areas (Canadian Council on Ecological Areas, 2005, p. 6, 10 and 11). On several occasions, during the public review of protected area files, national and regional groups have asserted the need to protect surface areas of this size (BAPE report 181, p. 43; BAPE report 197, p. 39; BAPE report 202, p. 60 and 64; BAPE report 213, p. 46). The government is said to be targeting the protection of a territory of at least 1,000 to 2,000 km² per natural province (Gérardin *et al.*, 2002). In the natural province of the Abitibi and James Bay Lowlands, only the proposed Waskaganish biodiversity reserve, located to the north of the territory under forest management, has a surface area greater than 1,000 km². The surface area of the projects under study varies from 81 to 245 km² and no protected area of the territory under forest management of this natural province exceeds 500 km² (DA9.1).

If the periphery of the protected areas is not disturbed much and has habitats of the same type, the protected surface areas may then be smaller. The economy of the Abitibi-Témiscamingue region greatly depends on the exploitation of natural resources. The logging maps show that the surface areas around the proposed reserves have been greatly disturbed, as is the case for major parts of the protected territories (DB38a to DB41d). The difference between the protected area and its periphery which is only slightly affected at the present time could increase in the event of an intensive exploitation of forest resources on the periphery. That is why several participants feel that the surface areas of the projects under study are clearly insufficient (Nature Québec, DM14, p. 2; Conseil régional de l'environnement de l'Abitibi-Témiscamingue, DM15, p. 5; Canadian Parks and Wilderness Society – Ottawa Valley Chapter, DM22, p. 1 and 2).

- ◆ *Finding — The commission finds that under the current conditions for exploiting the resources of the forest environment, the size of the proposed biodiversity reserves is less than that required to guarantee the sustainability of biological diversity.*

As for the need for connectivity between the protected areas, it is linked to peripheral activities and to the fragmentation of habitats that could result therefrom. Given the small surface area of the territories under study, it is important that the species not be isolated and that they be able to reach neighboring habitats. If the methods of exploiting the territory do not make it possible to maintain an uninterrupted coverage of habitats or contact zones between these areas, the presence of protected corridors becomes all the more necessary. They are the only means of promoting exchanges between similar and isolated habitats (Voller et Harrison, 1998, p. 92).

Indeed, the need for such corridors has been underscored by the Canadian Parks and Wilderness Society – Ottawa Valley Chapter and by the coordinator of the Integrated

resource management (IRM) table of the Société de développement du Témiscamingue (DM22, p. 2; DM2, p. 2). Like the Commission d'étude sur la gestion de la forêt publique québécoise, the latter emphasized that it would be important that these corridors be part of the same initiative as the delimitation of the protected areas and consequently of the same public consultation process. In its opinion, this would help lift the uncertainty for forestry operators who must plan and harmonize their forestry work with protected areas (Commission d'étude sur la gestion de la forêt publique québécoise, 2004, p. 54 and 58; Éric Lavoie, DT10, p. 5).

For the Ministère du Développement durable, de l'Environnement et des Parcs, the current priority is the setting aside of territories to achieve the 8% target as quickly as possible. This priority is mobilizing the resources currently allocated for biodiversity, aquatic and ecological reserves, namely \$100,000 in annual operation and the equivalent of 100 person-years. Under these circumstances, the choice of territories permitting connectivity is not a priority and could occur to the detriment of other territories of interest located elsewhere in the natural province (DA3; Joanne Laberge, DT3, p. 82). For the Ministère des Ressources naturelles et de la Faune, other protection statuses such as biological sanctuaries could partly play this connectivity role. Biological sanctuaries protect mature and old-growth forest stands having a limited surface area, on the order of one square kilometer. Some are located near projects under study but may be separated by several dozen kilometers (Luc Belisle, DT3, p. 83). Other types of protected areas with a limited surface area, such as exceptional forest ecosystems or white-tailed deer yards, or even simple adjustments to forestry activities could serve as connection zones (Marc-André Bouchard, DT5, p. 12). However, the small size of these territories would greatly limit their usefulness for large-scale conservation purposes (Canadian Council on Ecological Areas, 2005, p. 6). Given the size of the proposed biodiversity reserves and the distance that separates them, and while waiting for the ecosystemic development of forests to have been truly implemented and to have produced its effects, the efficacy of this type of connectivity must still be proven. Moreover, the commission considers that the corridors intended to ensure the liaison between protected areas could, if wisely chosen, nevertheless contribute to the representativeness of certain elements of the landscape in relation to the ecological reference framework and facilitate the overall planning of the network.

The harmonization between the ecosystemic development of forests and the establishment of the network of protected areas was a concern of the Commission d'étude sur la gestion de la forêt publique québécoise, which underscored the need to create a better synergy within the government in order to develop a network of protected areas that befits the ecological heritage of Quebecers (Report, 2004, p. 58). Considering the size of the proposed biodiversity reserves under study and the absence of proven

links between them, the commission wonders about their effectiveness for preserving the wealth of the biological diversity over the long term.

- ◆ **Opinion 18** — *The commission is of the opinion that while waiting for the ecosystemic development of forests to produce its effects, the sustainability of biological diversity is not guaranteed by small protected areas without proven links between them. The commission considers that the overall planning of the network of protected areas requires that the corridors and contact zones intended to ensure the links between these areas form an integral part of the establishment of this network, when necessary.*
- ◆ **Opinion 19** — *The commission is of the opinion that the Government of Québec should demonstrate its commitment to the network of protected areas by devoting the necessary efforts and resources to support the Ministère du Développement durable, de l'Environnement et des Parcs in the implementation of the Québec Strategy for Protected Areas.*

Public participation in the biodiversity reserve creation and management process

Here the commission examines the public's participation in the creation of biodiversity reserves, their use and their management. Within this context, the commission pays special attention to the transparency of the territory selection process.

Selection of territories

The choice of the territories of the biodiversity reserves is based on two types of contributions, namely territories of interest selected by the Ministère du Développement durable, de l'Environnement et des Parcs and proposals originating from the public.

The Department's selection of territories, based on the ecological reference framework, aims to represent a specific percentage of each variable of this framework. In the absence of detailed data on the biological diversity, the recourse to the ecological reference framework, based on the most stable characteristics of the environment, would provide results that are as good as the territory selection methods that rely on other indicators (Canadian Council on Ecological Areas), 2005, p. 18; Gérardin *et al.*, 2002). According to the Department, these characteristics would ensure the diversity of the associated ecosystems that could develop there over the long term, even if these ecosystems are

disturbed at the present time (Joanne Laberge and Marc-André Bouchard DT3, p. 37 and 65).

As for the proposals by the public, territory proposals were solicited at the information sessions held by the department in September 2002. The proposed territories were superimposed on the territories of interest previously defined by the Department and "when the requirements of the ecological framework coincide well with the proposals made by citizens, [the Department] always favours the proposals from citizens" (Joanne Laberge, DT3, p. 51). It is on the basis of this bank of territories of interest that the government chooses the territories to which it will grant a temporary protection status, after having taken into account the socioeconomic constraints such as timber allocations to the forestry industry and mining titles (*id.*, DT1, p. 44).

However, the constraints related to the exploitation of resources result in entire sectors of the territory not being considered in the protected area selection process. The majority of participants are unhappy about this situation. On this subject, one organization is opposed:

[...] to the veto that the mining industry has on the designation and the determining of the boundaries of protected areas. This absence of compromise is unacceptable. The case of the northern boundary of the proposed Piché-Lemoine biodiversity reserve is the direct result thereof. The presence of mining titles has become the criterion for determining the perimeter of the reserve, automatically excluding a zone having a high ecological and wildlife value, which moreover is supported by the local population. Here, the conservation criteria are totally flouted and the notion of sustainable development has become ineffective.
(Nature Québec, DM14, p. 2)

Non-governmental organizations have asked that amendments be made so that the *Mining Act* no longer takes precedence over the other laws affecting the management of the territory (Regroupement écologiste Val-d'Or & environs, DM18, p. 9; Action boréale de l'Abitibi-Témiscamingue, DM19, p. 10). In this respect, the commission agrees with the finding of the Commission d'étude sur la gestion de la forêt publique québécoise which stated that the taking into account of mining constraints adds major difficulties to the creation of protected areas in Québec (Report, 2004, p. 57).

The same is true for negotiations with the forestry industry concerning the selection of forest territories. On this subject, the evolution of the proposals of the Ministère du Développement durable, de l'Environnement et des Parcs speaks for itself, as the final territory rarely reflects the initial choice in terms of location or surface area (DA10). Furthermore, due to the restrictions related to the exploitation of resources, or because they did not correspond to the criteria of the ecological reference framework, the initial proposals of some participants were not accepted in their entirety by the government,

whereas others were not accepted at all. During the public hearing, these participants came back with similar proposals. Some participants felt wronged: due to the fact that the territories that they had initially proposed had not been chosen by the Department, the exploitation of resources continued there and mining rights were attributed following the provisional setting aside, thereby calling into question the availability of these sectors for a possible *a posteriori* inclusion (Marcel Monette, DT9, p. 5; Conrad Polson, DT11, p. 19; DQ5.1; DQ6.2).

What is more, the forest cover of three of the four proposed biodiversity reserves has suffered various man-made disturbances, some of which are worrisome, as the Department emphasizes in its consultation document (PR3, p. 50 to 52). Old-growth forests in the Abitibi-Témiscamingue region are thought to account for a maximum of 12% of the forest landscape. Aside from the northern part of the territory of Des Quinze reservoir, where the old stands made up of hardwoods are more extensive, old forests make up only scattered islands in the proposed biodiversity reserves (DB38a to DB42, p. 2).

Environmental groups consider that the territories finally accepted are not chosen for ecological or scientific reasons, but rather for economic reasons. Consequently, they ask that the approach make it possible to maintain and protect the integrity of territories that are representative of the entire regional biodiversity. For these groups, the selection method would only have meaning if it set aside old ecosystems having a greater environmental value. In addition, they wonder about the possibility that intact and good-quality ecosystems have been left out of the setting aside process by the foregoing negotiation approach (Henri Jacob, DT8, p. 28 and 29; Maribelle Provost and Michel Dubé, DT9, p. 18 to 20 and 62 to 66). According to the Department, it is possible that this approach may leave out remarkable elements of the landscape, but the risk that common elements of the regional biological diversity are not represented is low (Joanne Laberge, DT2, p. 45).

The commission notes that the Department held public sessions and work sessions allowing it to meet with municipal authorities, interest groups and representatives of the Aboriginal communities concerned by the four proposed biodiversity reserves. All the same, the dissatisfaction remains because it is mainly related to the negotiation approach with industries linked to the exploitation of resources, which precedes the setting aside of territories and which is not open to the public. Participants wonder about the transparency of the process between the information session and the provisional setting aside of territories, and about their role in the creation of biodiversity reserves. They very much wish an approach that would consider an entire region and a forum where all interested stakeholders could debate in a public and transparent manner the territories of interest for the creation of biodiversity reserves (Henri Jacob and Doris St-Pierre, DT8,

p. 29 and 35; Maribelle Provost, DT9, p. 19; Conrad Polson, DT11, p. 15; Nature Québec, DM14, p. 3).

One way of increasing the transparency of the approach would be to make, for each territory of interest and for the sectors examined during their selection, a socioeconomic analysis that would be submitted at the same time as the consultation document prepared by the Ministère du Développement durable, de l'Environnement et des Parcs for the public hearing. The availability of such a study would make it possible to evaluate the weighting of the environmental, economic and social considerations in the final choice of the territories and the possible repercussions of a change to their boundaries. In the current situation, it is difficult, both for the commission and for participants, to evaluate the proposed changes suggested by participants, since some information of a technical or economic nature related to the exploitation of resources is not available at the start of the public hearing. The delays in the production of this information, generally requested during the first part of the public hearing, occasionally deprive participants of information elements that are required for the preparation of their brief.

- ◆ **Opinion 20** — *The commission is of the opinion that out of a concern for transparency for all the stakeholders concerned, the socioeconomic evaluation of each territory of interest and of the sectors considered during their selection should be documented and made public at the same time as the provisional conservation plan of the proposed biodiversity reserves.*

Similarly, the majority of the municipal authorities and the Aboriginal communities met with during the public hearing underscored a lack of communication concerning the selection of the territories. For the Town of Rouyn-Noranda, the announcement of the choice of the proposed Lac Opasatica biodiversity reserve was "a total surprise". Pierre Monfette, DT4, p. 38). According to some representatives of the Aboriginal communities met with, the dissemination of information to a member of the community does not guarantee that the information will be available to the entire community, in particular to elders, and goes against Aboriginal consultation methods. These same representatives point out that in addition to the lack of resources and personnel to ensure an adequate consultation of the community, the time periods allocated do not allow them to make a decision (George Wabanonik, DT1, p. 90; Conrad Polson and Jerry Polson, DT11, p. 17 and 29).

Regardless of the private nature of the negotiations between the government and industry leaders to minimize the socioeconomic impacts, the regional stakeholders consider that they do not participate fully in the biodiversity reserve creation process. For the commission, it is desirable to put in place a form of on-going and transparent

consultation from the outset of the process to permit the full and entire participation of all stakeholders concerned in the choice of the biodiversity reserves.

- ◆ **Opinion 21** — *The commission believes that a consultation process, begun at the start of the territory of interest selection process and carried out on an on-going and transparent basis between the partners of the Québec Strategy for Protected Areas and the stakeholders concerned would help minimize the irritants and facilitate the choice of the territories to be protected.*

Significant territories

For several participants, it is important that a part of the protected areas be located near communities and towns/cities to be accessible to as many people as possible. According to these participants, these portions of protected areas would be an unparalleled awareness promotion and education tool. The expansion proposals towards Lac Ollier for Lac Opasatica and the north of Forêt Piché-Lemoine are examples. Indeed, the participants proposed territories which they frequent and which are significant for them. Having already adopted these territories, the participants expect to participate in their management in order to give tangible form to the conservation and consolidation of their protection status.

The addition to a biodiversity reserve of a frequented territory to which the residents are attached would be a good means of promoting public support for the protected area concept. Indeed, the documentation shows that social acceptance and the support of communities for government projects are greatly facilitated when communities have the possibility to make a positive contribution to the elaboration of these projects (Canadian Council on Ecological Areas, 2005, p. 6 and 7). At the time of the examination of the proposed Lacs Vaudra-et-Joannès and Lac Sabourin biodiversity reserve projects, it had been emphasized that two key elements of the successful establishment of biodiversity reserves were the feeling of belonging that residents have towards the territory and the adoption of the protected area concept by them (BAPE 202 Report, p. 83). Indeed, this is one of the issues that guide the government's actions in the establishment of its network of protected areas¹. For the commission, the addition of readily accessible and significant sectors for communities would likely be an asset in this respect, which must be seen as a complement to the ecological reference framework.

- ◆ **Opinion 22** — *The commission considers that the protection of territories that are significant for communities and accessible is a key element for the adoption of the*

1. Ministère du Développement durable, de l'Environnement et des Parcs, *Les aires protégées au Québec : une garantie pour l'avenir. Cadre d'orientation en vue d'une stratégie québécoise* [on-line (July 23, 2007): www.mddep.gouv.qc.ca/biodiversite/aires_protegees/orientation/index.htm].

biodiversity reserve projects by the public and that these territories must be seen as a complement to the territories targeted by the ecological reference framework.

Management of biodiversity reserves

The management of biodiversity reserves is a concern for municipal authorities and territory users who would like to be informed about the territory development tools which this protection status would permit and the respective responsibilities in the territory development field that result therefrom.

Management of protected territories

According to the consultation document, seven management principles guide the Ministère du Développement durable, de l'Environnement et des Parcs. Ecosystemic, regionalized, participative, coherent, responsible, flexible and minimal, this management would be the responsibility of the Department's Direction de l'analyse et de l'expertise régionale, which would issue the authorizations for regulated activities. It would also establish the conditions of participation of community stakeholders, notably the creation of the action plan for the conservation and development of biodiversity reserves. The management would be adjusted according to the characteristics of the territories requiring protection and the interested stakeholders. Moreover, the Department would establish the boundaries of and supervise the territory in addition to seeing to the monitoring of the natural environment (PR3, p. 68 and 69; Édith van de Walle, DT1, p. 16 to 18). However, regarding its conservation mission, the Department does not truly intend to take part in the enhancement of the territory and would rely on partners for this aspect. The Department could provide technical support, but the means would have to come from the community (Joanne Laberge, DT4, p. 16).

As for the management structure, the Department indicated that it intended to rely on an organization from the community rather than creating a new structure. At the time of the public hearing, no decision had been made concerning the management details and the resources that could be allocated to them since, as the Department has already specified, the government priority is to order the creation of protected areas (Joanne Laberge, DT4, p. 19; Édith van de Walle, DT6, p. 24).

The management of the territories greatly interests certain participants. The reluctance of the Town of Rouyn-Noranda concerning the proposed biodiversity reserves stems in part from the fact that nothing precise has been proposed to it in this respect and that it has the example of a biodiversity reserve on its territory for which, from its vantage point, no management action has been taken by the Department since the granting of the permanent protection status. A representative of the Town is worried about seeing the

same situation reoccur for the other biodiversity reserves until such time as the creation process has been completed (Pierre Monfette, DT9, p. 33 and 34).

Owing to these uncertainties, both the Town of Rouyn-Noranda and the Municipality of Rémigny fear that they will have to manage the protected areas without any resources being allocated to them. Their representatives have urged the Department to clarify the role and responsibilities of each party (Mario Provencher, DT9, p. 22, 23, 31 and 32; Alain Filteau, DT10, p. 11). On this subject, aside from the document on the regime of activities, and as was mentioned previously, a management guide was being prepared at the time of the public hearing, but it would not be available for a few months (Joanne Laberge, DT4, p. 24). Some participants ask that sufficient human and financial resources be attributed to the Department's regional office for the preparation of the action plan and the management of protected areas (Conseil régional de l'environnement de l'Abitibi-Témiscamingue, DM15, p. 7; Mario Provencher, DT9, p. 23). For the commission, the lack of information concerning the details and responsibilities for the management of the biodiversity reserves as well as the allocated resources could have a demobilizing effect on regional stakeholders, at the very least for municipal authorities, regarding the government strategy. Furthermore, the absence of information on the authorization of certain activities within biodiversity reserves is an obstacle to winning the support of certain participants for the projects.

- ◆ *Finding — The commission finds that neither the management details nor the resources allocated to the operation of the biodiversity reserves have been defined by the Ministère du Développement durable, de l'Environnement et des Parcs, and that they will not be defined before the objective of protecting 8% of the territory is achieved. Certain municipal authorities are concerned about this lack of information.*
- ◆ **Opinion 23** — *The commission considers that when consulting the public with a view to granting a permanent status to a protected area, it is essential that the necessary information on the regime of activities and the management details be provided so that the community's commitment to the government project is obtained with a full knowledge of the facts, prior to the granting of a final protection status to these territories. On this subject, the commission is of the opinion that the Government of Québec should promptly decide on the details and the resources needed to ensure the management of each proposed biodiversity reserve.*

Many participants have specific proposals or comments concerning the management of biodiversity reserves. L'Action boréale de l'Abitibi-Témiscamingue and Regroupement écologiste Val-d'Or & environs suggest re-establishing the principle of the conservation and development committee proposed by the Department in 2004 for the Lacs Vaudray-et-Joannès and Lac Sabourin biodiversity reserves. For these organizations, the members of this issue table, bringing together all the users of the territory of a protected

area wishing to participate in its development, should be subject to a code of conduct which gives priority to maintaining biodiversity (DM18, p. 9 and 10; DM19, p. 7 and 8).

For the Conseil régional de l'environnement de l'Abitibi-Témiscamingue, integrated resource management tables (IRM tables) have an expertise that could contribute to the enhancement of biodiversity reserves since they have developed tools to reconcile the various uses of the territory (Maribelle Provost, DT9, p.16). Specifically, the representative of the Société de développement du Témiscamingue and coordinator of the IRM table of this RCM would like to see the management committee set up quickly to ensure the efficient development of the territory of Lac des Quinze. He thinks that this committee could be made up of the same core of individuals who contribute to the IRM table and that subgroups could work on the issues related to a protected area in particular to avoid the exhaustion of members (Éric Lavoie, DT10, p. 4; DM2, p. 2 and 3).

However, according to L'Action boréale de l'Abitibi-Témiscamingue, the management of biodiversity reserves cannot be ensured by an existing structure such as IRM tables or the RCM. For both the Town of Rouyn-Noranda and the Regroupement des locataires des terres publiques, IRM tables have a role to play in the reconciliation of the various uses of the territory but they would not make it possible to integrate the representatives of all protected area users. In the absence of a consensus on the management model, some participants made known their expectations that all users of the protected territories have a say in the management. They also agreed on the relevance of forming groups or subcommittees for each biodiversity reserve (Pierre Monfette, André Gagnon and Michel Dubé, DT9, p. 34, 35, 43, 64, 65 and 72).

- ◆ *Finding — The commission finds that the participants' proposals regarding the management of biodiversity reserves do not necessarily fit in with the wish of the Ministère du Développement durable, de l'Environnement et des Parcs to rely on existing structures.*
- ◆ **Opinion 24** — *The commission considers that the Ministère du Développement durable, de l'Environnement et des Parcs is wise not to propose only one structure for the management of biodiversity reserves. The commission is however of the opinion that while the form may vary according to the territories, the steps to give these territories a management structure should be undertaken without delay with the interested regional stakeholders and that territory users who so wish should be able to be represented.*

Aboriginal participation in the management

The Chief of the Long Point First Nation and the Timiskaming Band Council also have concerns regarding the management of the proposed biodiversity reserves. The Timiskaming Band Council considers that a management committee bringing together all

the users of a territory would not adequately take into account Aboriginal concerns and interests, and asks that a new management regime be defined so that the Aboriginal peoples can play a significant role (DM24, p. 1 and 3). The Chief of the Long Point First Nation would be open to a form of co-management and would like his community to actively participate in the approach to avoid conflicts with the projects that it would like to carry out in the Lac des Quinze protected area, notably the sectors of their former villages, Long Point and Sand Point (Steeve Mathias, DT6, p. 42 and DT11, p. 34).

Section 12 of the *Natural Heritage Conservation Act* stipulates that the Ministère du Développement durable, de l'Environnement et des Parcs can delegate certain protected area management activities for specific development projects. However, it does not provide for co-management, since the latter does not fall under the responsibility of a department, but rather that of government authorities (DA27). According to the Secrétariat aux affaires autochtones, while waiting for a treaty to be reached concerning the territories that are the subject of proposed biodiversity reserves, the policies, strategies and other development instruments adopted by the government continue to apply (DQ4.1).

- ◆ **Opinion 25** — *The commission is of the opinion that it is important to define, in conjunction with the Aboriginal communities concerned, the details making it possible to promote their participation in the proposed biodiversity reserves.*

Conclusion

At the end of the public consultation on the proposed Lac des Quinze, Lac Opasatica, Forêt Piché-Lemoine and Réservoir Decelles biodiversity reserves, the commission concludes that the government should grant these four territories a permanent protection status as biodiversity reserves, but not without having re-evaluated some elements.

As for the proposed Lac des Quinze biodiversity reserve, the possibility of expanding it towards the northwest of Lac des Guêpes should be re-evaluated to protect a larger surface area of the valued forestry unit in this protected area. This could also include the islands of Lac des Quinze near Long Point and Fish Creek Point given their cultural, historical and symbolic value.

Turning to the proposed Lac Opasatica biodiversity reserve, two sectors warrant protection: on the one hand, the Lac Bull Rock sector, considering its importance for the Aboriginal community of Timiskaming, the biophysical elements of interest and the possibility of a greater connectivity with a protected area in Ontario and, on the other hand, the public territory situated northeast of Lac Opasatica, given its importance for lakeside residents, its accessibility, the wildlife and landscape elements characterizing it, and the possible connection with the Collines Kekeko sector. However, the maintaining of Lac Opasatica within the biodiversity reserve should be decided in consultation with municipal authorities and local stakeholders.

As for the proposed Forêt Piché-Lemoine biodiversity reserve, the possibility of protecting the portion of an esker of the Harricana moraine to the east of the reserve should be re-evaluated, given its importance for the preservation of the quality of the groundwater and the ecological integrity of the Lac Lemoine watershed. The inclusion of Lac Lemoine and its shores in the biodiversity reserve should, however, be decided in consultation with municipal authorities and local stakeholders.

Regarding the advisability of protecting Rivière Piché and its watershed, the constraints associated with the tenure of lands and the development of the territory prevent their inclusion in the proposed Forêt Piché-Lemoine biodiversity reserve. Nevertheless, a search for solutions should be undertaken, in collaboration with municipal authorities and users, in order to reduce the impact of mining and recreational activities on this ecosystem.

Finally, concerning the proposed Réservoir Decelles biodiversity reserve, it would be appropriate to increase the surface area in order to completely encompass the Dunes-de-la-Moraine-d'Harricana ecological reserve and to protect a larger surface area of the dune ecosystem of the Harricana moraine.

The examination of these four projects reveals more general observations concerning the biodiversity reserve creation process. While waiting for the ecosystemic development of forests to produce its effects, the overall planning of the network of protected areas should integrate the corridors and contact zones intended to ensure the links between these areas. Consequently, the Government of Québec should demonstrate its commitment to the protected area network by devoting the necessary efforts and resources to support the Ministère du Développement durable, de l'Environnement et des Parcs in the implementation of the *Québec Strategy for Protected Areas*.

Moreover, a few elements deserve to be emphasized regarding the consultation of the public. First of all, out of a concern for transparency for all the stakeholders involved, the socioeconomic evaluation of each territory of interest and of the sectors considered during their selection should be documented and made public at the same time as the provisional conservation plan of the proposed biodiversity reserves. In addition, a consultation process, begun at the start of the process to select the territories of interest and carried out in an on-going and transparent manner between the partners of the *Québec Strategy for Protected Areas* and the stakeholders concerned, would help minimize the irritants and facilitate the choice of the territories to be protected.

Furthermore, a public consultation on the granting of a permanent status to a protected area must also be done with information on the regime of activities and management details to ensure that the commitment of the community to the proposed biodiversity reserves is acquired with a full knowledge of the facts. The lack of information on this subject is a concern for municipal authorities and for certain territory users. That is why the Government of Québec should quickly decide on the management details, the regime of activities and the resources necessary to ensure the management of each biodiversity reserve. Finally, the government should define with the Aboriginal communities concerned by the four proposed biodiversity reserves the details allowing them to participate.

Opinions and findings

Mining sector

Finding — The commission ascertains the significant place that the mining industry holds in the economy of the Abitibi-Témiscamingue region. Moreover, the commission notes that the presence of mining titles is a key factor that restricts the choice of the boundaries of protected areas.

Forestry sector

Finding — The commission ascertains the significant place that the forest industry holds in the economy of the Abitibi-Témiscamingue region and that the forest production has been revised downwards. It also notes that the creation of the proposed biodiversity reserves leads to a reduction in the forest production, but that it may make a positive contribution to the activities of the industry by facilitating the obtention of the certification of their forestry practices.

Opinion 1 — The commission is of the opinion that the Ministère du Développement durable, de l'Environnement et des Parcs and the Ministère des Ressources naturelles et de la Faune should only exclude from biodiversity reserves forest roads on which access to certain otherwise isolated forest units depends.

Finding — The commission notes the objective of the Ministère des Ressources naturelles et de la Faune of protecting 2% of mature and old-growth forests by way of small biological sanctuaries spread out over the entire territory. They could eventually be included in the register of protected areas.

Energy sector

Opinion 2 — To avoid an additional fragmentation of the territories of the proposed biodiversity reserves, the commission believes that the construction of new roads for the upkeep of transmission line rights-of-way should be avoided and in the event that the construction of such roads is inevitable, that their width should be reduced to a minimum.

Regime of activities

Finding — The commission finds that the property rights already granted on the territories of the proposed biodiversity reserves would be maintained in the event of the granting of a permanent protection status to these territories.

Opinion 3 — To minimize the impacts of the setting aside of a territory for recreational-tourism operations, the commission is of the opinion that the Ministère du Développement durable, de l'Environnement et des Parcs and the Ministère des Ressources naturelles et de la Faune should

evaluate the repercussions of the proposed biodiversity reserves on the timber supply of these operations to determine the relevance of granting felling authorizations for construction purposes.

Finding — The commission notes that many concerns of the participants deal with the regime of activities and the authorizations required in a biodiversity reserve and that the information on this subject is incomplete.

Opinion 4 — The commission is of the opinion that in order to make a decision about the proposed biodiversity reserves with a full knowledge of the facts, the public should have a management guide and the details concerning the authorization of activities at the start of the public consultation prior to the granting of a permanent protection status.

Supervision of the territory

Opinion 5 — To properly achieve its biodiversity protection objectives, the commission is of the opinion that the government must make sure that it gives the departments concerned by the Québec Strategy for Protected Areas the means to devise and implement supervision programs for the biodiversity reserves.

Aboriginal rights and title

Finding — The commission ascertains that the regime of activities stipulates that Aboriginal traditional activities would be respected in a biodiversity reserve. It also notes that the allocation of certain protected territories could be modified according to the conclusion of eventual territorial negotiations.

Proposed Lac des Quinze biodiversity reserve

Opinion 6 — The commission is of the opinion that the Ministère du Développement durable, de l'Environnement et des Parcs should reassess, with the departments concerned, the feasibility of expanding the proposed Lac des Quinze biodiversity reserve to the northwest of Lac des Guêpes, which would make it possible to protect a greater surface area of the forestry unit valued by the government in this protected area.

Opinion 7 — The commission is of the opinion that the Ministère du Développement durable, de l'Environnement et des Parcs should evaluate, with the departments concerned, the feasibility of including in the proposed Lac des Quinze biodiversity reserve the islands located near Long Point and Fish Creek Point, given their cultural, historical and symbolic value and the absence of socioeconomic constraints resulting from their protection.

Opinion 8 — The commission is of the opinion that a permanent biodiversity reserve status should be granted to the territory of Lac des Quinze set aside for this purpose. Moreover, discussions should be

undertaken with municipal authorities and the forestry operators concerned in order to minimize the socioeconomic impacts before expanding the protected territory.

Opinion 9 — The commission recognizes that the proportion of lakeside zones of the proposed Lac des Quinze biodiversity reserve affected by erosion is minimal at the level of the protected ecosystems and that the erosion of this lake's shores is an issue that extends beyond the protection objectives of this biodiversity reserve.

Proposed Lac Opasatica biodiversity reserve

Opinion 10 — Considering the presence of forest stands of interest in the Lac Bull Rock sector, the value of this sector for the Algonquin community of Timiskaming and the possibility of a greater connectivity with a protected area in Ontario, the commission is of the opinion that the Ministère du Développement durable, de l'Environnement et des Parcs should re-assess the feasibility of expanding the proposed Lac Opasatica biodiversity reserve to the southwest, in collaboration with the departments concerned, the Algonquin community, municipal authorities and forestry and mining companies.

Opinion 11 — The commission recognizes the interest of protecting Mont Chaudron due to its geomorphological character and the two species having a precarious status found there.

Opinion 12 — The commission is of the opinion that the Ministère du Développement durable, de l'Environnement et des Parcs, in collaboration with the departments concerned, should re-assess the feasibility of granting a protection status to the public territory located to the northeast Lac Opasatica, given its value for the citizens who live alongside the lake, its accessibility, the wildlife and landscape elements that characterize it, and the possibility of connections with the Collines Kekeko sector.

Opinion 13 — The commission is of the opinion that a permanent protection status as a biodiversity reserve should be granted to the territory set aside to the west of Lac Opasatica, while considering the expansion proposals. However, the Ministère du Développement durable, de l'Environnement et des Parcs, in collaboration with the departments concerned, should start looking for solutions with municipal authorities and local stakeholders to decide on the inclusion of Lac Opasatica in the biodiversity reserve and agree on the regime of activities allowed on this lake in the event that it is protected.

Proposed Forêt Piché-Lemoine biodiversity reserve

Opinion 14 — The commission is of the opinion that an expansion of the proposed Forêt Piché-Lemoine biodiversity reserve towards the north is unachievable at the present time given the presence of constraints related to the occupation and use of the territory. Nevertheless, the Ministère du Développement durable, de l'Environnement et des Parcs should undertake, in collaboration with the departments concerned, municipal authorities and the users of Rivière Piché and its watershed, a

search for solutions to reduce the impact of mining activities and recreational activities on this ecosystem and the species that depend on it.

Opinion 15 — The commission is of the opinion that a permanent protection status as a biodiversity reserve should be granted to the territory set aside for this purpose to the west of Lac Lemoine. However, the Ministère du Développement durable, de l'Environnement et des Parcs, in collaboration with the departments concerned, should start looking for solutions with municipal authorities and local stakeholders to decide on the inclusion of Lac Lemoine and its shores in the proposed Forêt Piché-Lemoine biodiversity reserve and agree on the regime of activities allowed on this lake in the event that it is protected.

Opinion 16 — Given its importance for the preservation of the quality of the groundwater and the ecological integrity of the Lac Lemoine watershed, the commission is of the opinion that the Ministère du Développement durable, de l'Environnement et des Parcs, in collaboration with the departments concerned, should evaluate the possibility of protecting the portion of an esker of the Harricana moraine on which there are no mining titles, situated to the east of the proposed Forêt Piché-Lemoine biodiversity reserve. If a permanent protection status were not granted to Lac Lemoine, the relevance of protecting the esker would diminish.

Proposed Réservoir Decelles biodiversity reserve

Opinion 17 — The commission is of the opinion that a permanent protection status should be granted to the territory of the proposed Réservoir Decelles biodiversity reserve, while re-assessing the feasibility of expanding it to the northeast by including the dune ecosystem of the Harricana moraine. This extension of the territory would protect a greater surface area of this unique ecosystem in Québec, while completely encompassing the Dunes-de-la-Moraine-d'Harricana ecological reserve, which would represent a major gain for the protection of its biological diversity.

Protection of biodiversity

Finding — The commission finds that the government target of 8% of protected areas per natural province is below the expectations of the participants in the public hearing and the values of the targets recommended by the Commission d'étude sur la gestion de la forêt publique québécoise pour la forêt boréale.

Finding — The commission finds that under the current conditions for exploiting the resources of the forest environment, the size of the proposed biodiversity reserves is less than that required to guarantee the sustainability of biological diversity.

Opinion 18 — The commission is of the opinion that while waiting for the ecosystemic development of forests to produce its effects, the sustainability of biological diversity is not guaranteed by small protected areas without proven links between them. The commission considers that the overall

planning of the network of protected areas requires that the corridors and contact zones intended to ensure the links between these areas form an integral part of the establishment of this network, when necessary.

Opinion 19 — The commission is of the opinion that the Government of Québec should demonstrate its commitment to the network of protected areas by devoting the necessary efforts and resources to support the Ministère du Développement durable, de l'Environnement et des Parcs in the implementation of the *Québec Strategy for Protected Areas*.

Public participation in the biodiversity reserve creation and management process

Opinion 20 — The commission is of the opinion that out of a concern for transparency for all the stakeholders concerned, the socioeconomic evaluation of each territory of interest and of the sectors considered during their selection should be documented and made public at the same time as the provisional conservation plan of the proposed biodiversity reserves.

Opinion 21 — The commission believes that a consultation process, begun at the start of the territory of interest selection process and carried out on an on-going and transparent basis between the partners of the *Québec Strategy for Protected Areas* and the stakeholders concerned would help minimize the irritants and facilitate the choice of the territories to be protected.

Opinion 22 — The commission considers that the protection of territories that are significant for communities and accessible is a key element for the adoption of the biodiversity reserve projects by the public and that these territories must be seen as a complement to the territories targeted by the ecological reference framework.

Finding — The commission finds that neither the management details nor the resources allocated to the operation of the biodiversity reserves have been defined by the Ministère du Développement durable, de l'Environnement et des Parcs, and that they will not be defined before the objective of protecting 8% of the territory is achieved. Certain municipal authorities are concerned about this lack of information.

Opinion 23 — The commission considers that when consulting the public with a view to granting a permanent status to a protected area, it is essential that the necessary information on the regime of activities and the management details be provided so that the community's commitment to the government project is obtained with a full knowledge of the facts, prior to the granting of a final protection status to these territories. On this subject, the commission is of the opinion that the Government of Québec should promptly decide on the details and the resources needed to ensure the management of each proposed biodiversity reserve.

Finding — The commission finds that the participants' proposals regarding the management of biodiversity reserves do not necessarily fit in with the wish of the Ministère du Développement durable, de l'Environnement et des Parcs to rely on existing structures.

Opinion 24 — The commission considers that the Ministère du Développement durable, de l'Environnement et des Parcs is wise not to propose only one structure for the management of biodiversity reserves. The commission is however of the opinion that while the form may vary according to the territories, the steps to give these territories a management structure should be undertaken without delay with the interested regional stakeholders and that territory users who so wish should be able to be represented.

Opinion 25 — The commission is of the opinion that it is important to define, in conjunction with the Aboriginal communities concerned, the details making it possible to promote their participation in the proposed biodiversity reserves.

