

Trilateral Agreement News

Volume 2, Issue 3

September 2006

Special points of interest:

- Special Reps Send Recommendations to Ministers
- Ministers to Meet in September on SR Recommendations
- Community Consultations Needed to Map Water Buffers in Territory
- Other First Nations Interested in Trilateral Agreement

Inside this issue:

<i>SR's Send Recommendations to Ministers</i>	1
<i>Ministers to Meet in September</i>	7
<i>Consultations on Water Buffers Needed</i>	7
<i>Barriere Lake Model Gets Growing Interest</i>	8
<i>Contact Us</i>	8

Recommendations Sent to Minister Kelley, Minister Corbeil & ABL

The following recommendations were jointly sent in July 2006, to the Quebec Ministers and ABL by the ABL Special Representative, **Clifford Lincoln**, and the Quebec Special Representative, **John Ciaccia**.

The report and recommendations are as follows:

ENGLISH TRANSLATION OF A LETTER BY SPECIAL REPRESENTATIVES JOHN CIACCIA AND CLIFFORD LINCOLN TO MINISTERS PIERRE CORBEIL, NATURAL RESOURCES AND WILDLIFE AND GEOFFREY KELLEY, ABORIGINAL AFFAIRS AND TO CHIEF HARRY WAWATIE, DATED 13 JULY 2006

Object: Trilateral Agreement of 1991

Follow-up Bilateral Agreement of 1998

Sirs,

In accordance with the mandates given to us to bring forward recommendations to conclude the negotiations resumed



LEFT: John Ciaccia, Quebec Special Representative, RIGHT: Clifford Lincoln, ABL Special Representative

in June, 2005, regarding the above agreements, we are pleased to advise that we have reached a general consensus on the following key elements of the agreements.

The purpose of this letter is to provide the **Government of Québec** and the **Algonquins of Barrière Lake** with a report on the recommendations that we, as special representatives, are now submitting to both parties.

We have been meeting together and with representatives of both parties almost every week since the summer of 2005. We have covered all the issues that are important to the accomplishment of the mandate that we re-

'Recommendations to Ministers' continued from page 1

ceived namely to make recommendations on the implementation of an **Integrated Resource Management Plan (IRMP)** for the trilateral agreement territory and secondly, to arrive at an agreement on items mentioned in **article 7** of the **bilateral agreement, 1998**.

In addition, during the course of these discussions, we have overseen the measures to harmonise process, thereby assuring uninterrupted forestry operations and a steady flow of harvested timber to the mills.

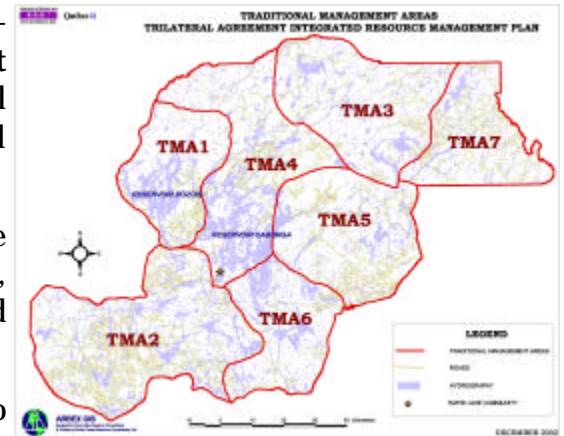
In this letter, there are seven points that we want to raise and for which we want to submit brief recommendations. Taken together, these seven issues are a good indication of where we suggest the relationship between the Government of Québec and the Algonquins of Barrière Lake should be going.

These points are the following:

1. **Recognition of the trilateral agreement territory:** We recommend that the trilateral agreement territory described in **Annex 1** and **Annex 2, 1991**, be recognised as special zones within which resource development plans and operations are subject to the IRMP approved by both parties. We recommend that these special zones be identified as such in the Land Use Plans and be given appropriate visibility on official land use maps of Québec. We recommend that the **trilateral agreement territory, Annex 1** and **Annex 2**, be recognised as the Algonquins of Barrière Lake's asserted interest territory. We recommend that the Algonquins of Barrière Lake be responsible for co-ordinating aboriginal input in discussions on consultations and accommodations whenever resource development projects are planned for

"We recommend that the trilateral agreement territory . . . be recognised as special zones"

the **Annex 2** territory. We recommend that this responsibility be shared with other communities for the **Annex 1** territory. We recommend that the **trilateral agreement territory, Annex 2**, be recognised on a Québec map of "**Territories of Aboriginal Interest**" as the Algonquins of Barrière Lake's "**core**" territory and that the trilateral agreement territory outside Annex 2 but inside Annex 1 be recognised on this map as the current land use territory that the Algonquins of Barrière Lake also share with other aboriginal communities.



'Recommendations to Ministers' continued from page 2

2. *Integrated Resource Management Plan*

2.1 Forestry: The parties have produced **seven management plans**, one for each **Traditional Management Area** in the **trilateral agreement territory, Annex 2**. These plans identify the areas of concern for the Algonquins of Barrière Lake and the level of protection that will be given to these areas of concern.



The objective of these plans is to bring a long-term understanding and solution to the forestry-cutting plans of the MNRF and of the forestry companies, which are now subject to case-by-case "**Measures to Harmonise**", to be agreed to sector by sector.

Conversely, these plans identify the areas where it would be preferable for forestry operations to take place thereby facilitating the production of annual forestry operations plans. Additionally, these plans identify targets for the annual cut. In simple form, it can be explained that areas are designated as Green, (cutting automatically allowed), Orange (cutting allowed subject to certain buffers of protection) and Red, (no cutting allowed). Green areas would represent some 75% of the forest surface of the territory.

"We recommend that these forestry management plans be approved as frameworks for the ongoing management of forestry resources in the Annex 2 territory"

For this purpose, five scenarios were elaborated, going from a total conservation scenario to a total cut scenario. The ABL have opted for scenario 3, which provides for the half-way point between the two extreme solutions.

At this point, parties are close to agreement on the targets for the annual cut and it is expected that most of the timber volume as calculated by "**Sylva**" will be accommodated. Some technical issues are outstanding but there is agreement on processes to address and resolve these issues. We recommend that these forestry management plans be approved as frameworks for the ongoing management of forestry resources in the **Annex 2 territory** and that a process be undertaken to consider the extension of these forest plans principles to the **Annex 1 territory**.

2.2 Wildlife: The parties have examined **five wildlife management plans**, one for each of the following species: **moose, bear, fur-bearing animals, small game and fish**. There is consensus on a wide range of issues addressed in these management plans. For example, parties agree that subsistence use takes precedence over sport hunting and are determined to conduct a Québec government funded moose survey as soon as January 2007 in order to determine



Hooton, p. 184.

'Recommendations to Ministers' continued from page 3

harvest levels for multiple uses. Spring bear hunting will require harmonisation measures and bear sport hunters and outfitters will be informed on the ethics surrounding the disposal of bear carcasses. A harvest program will be developed and implemented by the Algonquins of Barrière Lake whereby ABL harvest levels will be monitored. This harvest program will also include a section on ABL harvesting ethics. A joint document has been produced which summarises the extent of the consensus on wildlife issues and this document will serve as a guideline for our recommendations.



2.3 Lands: The Lands section of the ministry of Natural Resources and Wildlife has joined the talks. The Algonquins of Barrière Lake have indicated that they do not support the proposal submitted by Lands for the development of cottages in 2006. Lands has indicated it is aware of the need to work co-operatively with ABL to reconcile its comprehensive land use plan with the IRMP.

2.4 Social indicators: We recommend that the impact of the IRMP and subsequent resource development on the society and the culture of the Algonquins of Barrière Lake be monitored. To do this, a list of indicators has been developed and we recommend that the parties use this list as a basis to begin assessing the social and economic development of the Algonquins of Barrière Lake community. We also recommend that the continuation of this assignment be entrusted to the co-management committee to be set up when a final agreement is signed.

"we recommend that a joint Québec / ABL co-management committee be instituted"

3. Participation in the management of renewable resources: This item is listed in article 7 of the bilateral agreement of 1998. We make two basic recommendations on this item. First, in order to provide for ongoing input by the Algonquins of Barrière Lake in the management of resources,

we recommend that a joint Québec / ABL co-management committee be instituted and mandated to oversee the implementation of the IRMP, to manage the IRMP process on an ongoing basis, to make recommendations to the parties on changes to the IRMP and to make recommendations to the parties on issues not already addressed in the IRMP. Secondly, we recommend that a local Barrière Lake natural resources office be put in place in Rapid Lake, at a time when ABL indicate their readiness, to serve as an interface between the Algonquins of Barrière Lake and the other stakeholders in matters of natural resource development. This office will provide technical support to the joint committee, manage the local harvest program and help develop local human resource capacity and commercial opportunities in the field of natural



'Recommendations to Ministers' continued from page 4

resource development.

- 4. Revenue sharing and access to resources:** These issues are listed in article 7 of the bilateral agreement, 1998. We recommend that the economic aspect of the Algonquins of Barrière Lake's asserted interest in the trilateral agreement territory be accommodated by way of an annual financial contribution by the Government of Québec to the Algonquins of Barrière Lake. We recommend that this annual contribution be established at \$1.5 Million and include the monetary value of a theoretical volume of timber. We recommend that this amount be increased yearly to reflect any increase in revenue generating resource development activity on the trilateral agreement territory, **Annex 2**, and also on the **trilateral territory, Annex 1** according to a formula to be developed which takes into account the fact that this territory is shared with other communities. We further recommend that this yearly contribution be paid to a fund managed by a duly constituted corporation of ABL of Barrière Lake for the purpose of supporting and promoting the social and economic development of the Algonquins of Barrière Lake. There would be Government representatives on its board of directors. We recommend that this yearly contribution be paid over and above other regular Québec government programs namely the Aboriginal Economic Development Fund and that measures be taken by the Government of Québec and the Algonquins of Barrière Lake to protect this fund from fiscal, own source or any other provincial or federal government policy that would reduce the value of this contribution.



Chief Jean Maurice Matchewan with Quebec Premier Jean Charest during announcement of First Nations Socio-Economic Forum, August 30, 2006.

"We recommend that this annual contribution be established at \$1.5 Million"

- 5. Expansion of the Land Base of Rapid Lake:** We recommend that the agreement in principle reached on 27 April 1999 between Québec, Canada and the Algonquins of Barrière Lake be confirmed and implemented. This agreement provides for the immediate transfer of 3,7 square kilometres of public land to Canada for the Algonquins of Barrière Lake and the transfer of an additional 6,3 square kilometres conditional to a housing and infrastructure development plan by Canada. These lands must be contiguous to the Rapid Lake reserve, include the access road and be situated east of highway 117.

- 6. Electrification of Rapid Lake:** We recommend that the village of Rapid Lake be hooked up to the Hydro-Québec grid by way of a 34,5 kv line from Grand Remous to Rapid Lake, operated at 25 kv for the foreseeable future. We recommend that the cost of bringing this electricity



'Recommendations to Ministers. Conclusion from page 5

to Rapid Lake be born entirely by Hydro-Québec, as has been the practice to provide electricity to Quebec residents in their communities. This would appear to be especially appropriate in this situation since the original reserve site was flooded to build a network of hydro-electric reservoirs and that the present reserve lies on the shore of one of these reservoirs.

- 7. Without prejudice:** All of the above provisions will be detailed in a legally binding agreement between the Government of Quebec and the ABL to be prepared on the acceptance of the present recommendations. The agreement shall provide that nothing in the present agreement shall be a recognition or denial of aboriginal right to the territory.



Left to Right: Chief Jean Maurice Matchewan, John Ciaccia, Quebec Special Representative and Pierre Corbeil, Quebec Minister of Natural Resources & Wildlife, August 30, 2006.

We believe that we have come a long way from the climate of suspicion and confrontation which prevented mutual co-operation over the years. A climate of co-operation and better understanding has gradually been achieved, which has made possible problem-free forestry operations in the ABL territory since last year, as well as an atmosphere of give-and-take to achieve a consensus. Examples of this are numerous: a forestry regime which will open operations in three quarters of the territory, compromises in the wildlife sector (more specifically regarding the bear hunt etc.)

"All of the . . . provisions will be detailed in a legally binding agreement"

These are the main points covered by our recommendations.

We feel that both parties have much to gain by implementing these recommendations. The Algonquins of Barrière Lake can look ahead to their participation in the conservation, use and management of natural resources secure in the knowledge that their rights and interests are being accommodated and that measures are taken to protect their way of life while encouraging them to consider participating in the wage economy. The Government of Québec can look ahead to a stable environment, conducive to economic development in that region of Québec.



Quebec Premier Jean Charest with John Ciaccia, Quebec Special Representative.

Ministers & Special Representatives to Meet in September to Discuss Recommendations

On August 30, 2006, in Laval, Quebec, Chief Jean Maurice Matchewan met with Quebec's Special Representative, John Ciaccia, who brought Quebec's Minister of Natural Resources & Wildlife, Pierre Corbeil, over to meet with Chief Matchewan.

Minister Corbeil told Chief Matchewan that he and Minister Geoffrey Kelley, would be meeting with the Special Representatives, John Ciaccia and Clifford Lincoln

sometime during the month of September 2006, to discuss the recommendations that the Special Representatives have sent to the Quebec Ministers.



Premier Jean Charest at reception.

Chief Matchewan's meeting with Minister Corbeil took place in Laval, Quebec during a reception to open the upcoming First Nations Socio-Economic Forum, which is scheduled to be held in October 2006.

Community Consultations on Water Buffer Zones

The Quebec Ministry of Natural Resources is concerned that Riparian Areas of Concern could potentially remove substantial timber volume and area from the available harvest area in the Trilateral Agreement Territory.

At a technical meeting a initiative was advanced to consult with the community and identify areas where enhanced riparian buffers would be required from the ABL perspective. The work was to be conducted in two distinct phases 1) compilation of historic Measures to Harmonize riparian buffers 2) community mapping to identify and buffer additional areas.

Phase 1 of the work is complete. The community mapping exercise is outstanding.

There will need to be consultation in the

community to discuss and identify the important water bodies (lakes, rivers, etc.) within the Trilateral Agreement Territory.

"Identify the important water bodies (lakes, rivers, etc.) within the Trilateral Agreement Territory"

This is important technical work to complete so the draft Integrated Resource Management Plan can be finalized.

The community will be notified of the dates when these community consultations will take

place.

If you have any questions or concerns please let Chief Jean Maurice Matchewan know, or you can contact our Forest Management Advisor, Bruce Byford, at his office: (613) 258-6563.

**TRILATERAL SECRETARIAT COMMUNICATIONS
NEWSLETTER**

Algonquins of Barriere Lake
Trilateral Secretariat
c/o Algonquin Nation Secretariat
P.O. Box 367
24 Algonquin Ave.
Notre Dame du Nord, Quebec J0Z 3B0
Phone: (819) 723-2019
Email: dchevrier@algonquinnation.ca



The Trilateral Agreement was signed on August 22, 1991, between the governments of Canada, Quebec and the Algonquins of Barriere Lake. It covers a territory, identified in Annexes 1 and 2 of the Agreement, in the area of La Verendrye Wildlife Reserve within the province of Quebec, where the Barriere Lake Algonquins have lived as a community for countless generations.

The primary objective of the Trilateral Agreement is to develop for implementation over the 10,000 km² study area in Annex 2, a draft Integrated Resource Management Plan (IRMP) with a commitment to the principles of sustainable development, conservation, protection of the Algonquin traditional way of life and versatile resource use. This is to be accomplished in three phases: 1) a data collection and study phase; 2) the preparation of the draft IRMP; and 3) the formulation of recommendations for the implementation of the IRMP. According to the Trilateral Agreement, the principles formulated for the Annex 2 study area, may be applied to the Annex 1 territory. Following completion of phase three, Quebec and the Algonquins of Barriere Lake have agreed to negotiate an agreement to implement recommendations retained.

The Trilateral Agreement also provides for the inclusion of provisional measures which apply on the territory in the interim period prior to the completion of the draft IRMP. These measures include the identification of (1) sensitive zones to be protected within cutting areas, and (2) measures to harmonize forestry operations with the traditional way of life of the Algonquins of Barriere Lake.

Quebec and the Algonquins of Barriere Lake are the main operational partners under the Trilateral Agreement. The federal government has signed, in its capacity as the national government with its obvious interest in the environment and forestry, but primarily as fiduciary, for the Algonquins of Barriere Lake.—Clifford Lincoln (former Quebec Minister of Environment and federal Member of Parliament), is the Special Representative under the Trilateral Agreement for the Algonquins of Barriere Lake.

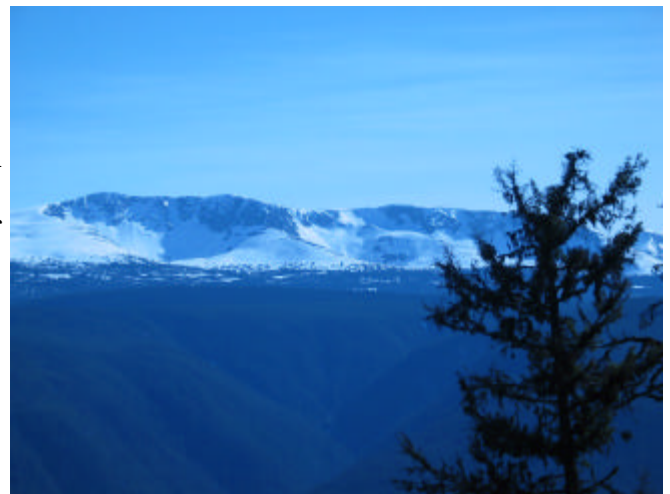
ABL Trilateral Agreement Seen as a Model by Other First Nations Across Canada

There is increasing interest by First Nations and other organizations across Canada on the Barriere Lake Trilateral Agreement as a model of community development.

A presentation on the Barriere Lake project was made at the United Nations 4th Forum on Forests, held in Geneva, Switzerland, May 2004.

Other presentations on the Trilateral Agreement approach have been made to: National Aboriginal Forestry Association, Sustainable Forest Management Network, Forest Stewardship Council of Canada, Natural Resources Canada, Manitoba Model Forest Network, Interior Alliance of First Nations, Carrier-Sekani Tribal Council, Ulkatcho First Nation, Neskonalith Indian Band, Adams Lake Indian Band, Union of B.C. Indian Chiefs, Spallumcheen Indian Band.

New requests for information keep coming.



Coastal mountain range in British Columbia.