



Canada



**Sustainable Biomass Program (SBP)**

# **Regional Risk Assessment for Quebec Forest**

**SBP-RRA-CA-QC-FOR v2.0**

**Interim RRA**

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## Version 2.0

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In the case of inconsistency between translations, the official English language version shall always take precedence.

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## Abbreviations

<b>CFIA</b>	Canadian Food Inspection Agency
<b>RRA</b>	Regional Risk Assessment
<b>JBNQA</b>	James Bay and Northern Quebec Agreement
<b>COC</b>	Chain of Custody
<b>FMCC</b>	Forest Management Contractor Certification
<b>FICQ</b>	Forest Industry Council of Quebec
<b>FPIC</b>	Free, Prior and Informed Consent
<b>CNEQ</b>	Northeastern Quebec Convention
<b>TVFS</b>	Threatened and vulnerable forest species
<b>GAP</b>	Général Agreement in Principle
<b>NRAC</b>	National Risk Assessment of Canada
<b>FSC</b>	Forest Stewardship Council
<b>GFWI</b>	Global Forest Watch International
<b>HCV</b>	High Conservation Value
<b>LADTF</b>	Sustainable Forest Development Act – <i>Loi sur l'aménagement durable du territoire forestier</i>
<b>MDELCC</b>	<i>Ministère du Développement durable, de l'Environnement et de la Lutte aux changements climatiques</i> (French Ministry of Sustainable Development, the Environment and the Fight against Climate Change)
<b>MRNF</b>	Ministry of Natural resources and Forests
<b>MRC</b>	Regional County of Municipalities
<b>NEPCon</b>	Nature Economy and People Connected
<b>WMO</b>	Watershed Management Organization – <i>Organisme de bassin versant (OBV)</i>
<b>ILO</b>	International Labour Organization
<b>WTO</b>	World Trade Organization
<b>UN</b>	United Nations
<b>IFMP</b>	Integrated Forest Management Plan – <i>Plan d'aménagement forestier intégré (PAFI)</i>
<b>PLUP</b>	Public Land Use Plan
<b>IFL</b>	Intact Forest Landscapes
<b>PHWS</b>	Permit to Harvest Wood for Supply to a Wood processing plant
<b>QWEB</b>	Quebec Wood Export Bureau
<b>RADF</b>	Regulations for the sustainable management of State-owned forests
<b>REDII</b>	Renewable Energy Directive
<b>SBP</b>	Sustainable Biomass Program
<b>EMS</b>	Environmental Management System
<b>USAID</b>	United States Agency for International Development
<b>WWF</b>	World Wildlife Fund / Fonds mondial pour la nature

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## Foreword

The Regional Risk Assessments approved by the Sustainable Biomass Program (hereinafter referred to as "RRA") are a key element of SBP's objective to identify and mitigate the risks associated with the sustainable sourcing of raw materials for the production of biomass pellets and wood chips. SBP aims to ensure that raw materials are obtained in a legal and sustainable manner.

The Quebec Wood Export Bureau (QWEB), under the approval of the SBP, is sponsoring the initiative to update the 2020 version of the RRA for the province of Quebec. INCOS Stratégies is acting as the main coordinator of the working group responsible for conducting the RRA for the province of Quebec. Various experts supported the risk analysis work throughout the process to ensure relevant knowledge of Quebec's forestry practices, laws and ways of doing things. This update is carried out in accordance with the RRA procedure, version 1.2, which specifies the requirements and processes to be followed in developing and approving these analyses. This document responds to the first 30-day public consultation period required by the RRA procedure. A second public consultation was conducted by the SBP secretariat at the end of the process.

The purpose of an RRA is to assess a region defined according to homogeneous forest management criteria, and to determine the risks associated with the supply of raw materials for the production of biomass pellets or wood chips from this region. The analysis assesses the compliance of the biomass supply defined by the criteria and indicators of SBP 1 - Feedstock Compliance v2.0, May 2023 according to SBP 2 - Feedstock Verification, v2.0, May 2023, and SBP Regional Risk Assessment Procedure, v1.2, May 2021 as well as the harvesting sustainability criteria defined by the European Community Directive on the promotion of the use of energy from renewable sources (RED II).

## Introduction

The objective of this work is to update the Regional Risk Assessment for Quebec in accordance with SBP 1 - Feedstock Compliance, v2.0, May 2023 and the SBP Regional Risk Assessment Procedure, v1.1, May 2021. The RRA also includes an analysis of compliance with the harvesting sustainability criteria defined by the European Community Directive on the promotion of the use of energy from renewable sources. This update is essential for the forestry sector, and more specifically for Quebec wood pellet producers. It will demonstrate responsible fiber sourcing from the province of Quebec in compliance with SBP and RED II requirements. The main coordinator of the working group is Nicolas Blanchette, ing. f., MBA, M.Sc. of INCOS Stratégies, who has solid experience in forest certification and chain of custody. The working group is completed by Éric Forget, ing. f., M.Sc. from NovaSylva and Carlos Paixo, ing. f., M.Sc. and Ugo Lapointe, biol., M.Sc. from SmartCert.

In March 2023, the Quebec Wood Products Promotion Bureau (QWEB) and the working group undertook to update the Sustainable Biomass Program (SBP) RRA for the province of Quebec. As part of this process, individual face-to-face and virtual interviews were conducted, as well as presentations with the local integrated land resource management table (TLGIRTs and at other organizations' events). Combined with a literature search, the information gathered was used to update this version of the RRA for the 30-day consultation. The 30-day consultation supervised by the working group began on July 22, 2024 and ended on August 21, 2024. A second and ultimate public 30-day consultation was conducted under the supervision of the SBP Secretariat from November 6<sup>th</sup> until December 6<sup>th</sup> 2024. The purpose of these consultations was to gather feedback from interested parties on the content of the RRA. The Public is encouraged to share their comments, knowledge and opinions on the RRA. Individuals may choose to participate anonymously. Privacy policies, procedures and information on how to participate in the consultation are available on the website: <https://www.boiscertifies.ca/sbp>.

All the information gathered during the consultations have been analyzed by the working group and documented. Once the consultation process completed, the RRA was submitted to the SBP secretariat in Q1 2025 to begin the RRA approval process.

## 2 Regional background and statement of scope

### 2.1 Regional background

The scope of the risk analysis is the same as for the first version. It covers the territory south of the northern limit of attributable forests. This boundary, shown in red on the map in figure 1, is an important element in the Quebec forestry context, as it excludes the territory to the north from any commercial forestry activity. The region analyzed includes the NA0602, NA0605, NA0616, NA0410, NA0407 and NA0406 ecoregions defined by the World Wildlife Fund (WWF). This territory is under forest management, for which historical data on natural and anthropogenic disturbances are available at [foretouverte.gouv.qc.ca](http://foretouverte.gouv.qc.ca).

The forest area targeted by the risk analysis comprises the boreal zone, which extends between 48° and 52° parallel north, and the northern temperate zone, which extends between 42° and 48° parallel north. The boreal zone is subdivided into three vegetation sub-zones, of which only the closed boreal forest is found south of the northern limit of attributable forests (Figure 1). It is dominated by balsam fir (*Abies balsamea*) and black spruce (*Picea mariana*). The northern temperate zone is subdivided into two vegetation sub-zones: deciduous forest and mixed forest. The former is dominated by maple stands, and includes such major species as sugar maple (*Acer saccharum*), red maple (*Acer rubrum*), American beech (*Fagus grandifolia*) and yellow birch (*Betula alleghaniensis*), as well as white pine (*Pinus strobus*) and western hemlock (*Tsuga occidentalis*). The mixed forest is characterized by mixed stands of yellow birch and balsam fir. Other temperate zonespecies are also found here.

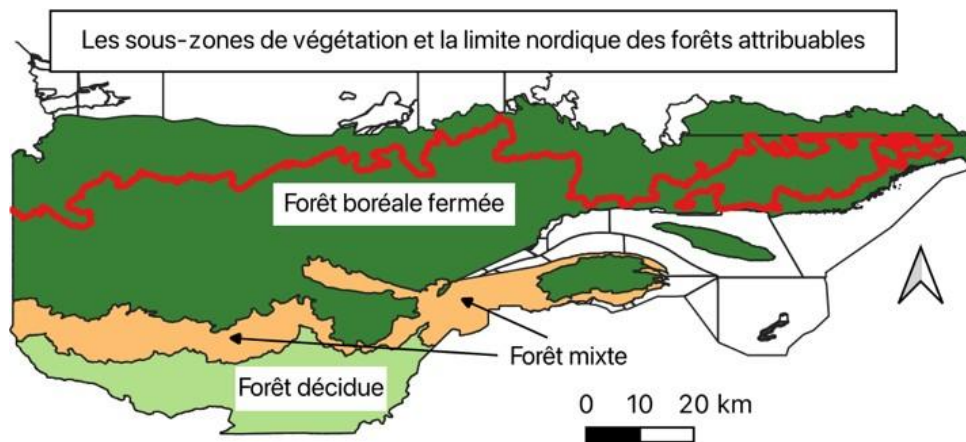


Figure 1 - Vegetation sub-zones and the northern limit of attributable forests

Natural disturbances play an important role in the forest dynamics and ecosystems. The most common are caused by fires, the spruce budworm and windthrow (Bureau du Chef forestier, Manuel de détermination

des possibilités forestières 2013-2018). Forest fires are most common in the northern and central part of the Boreal ecoregion. Their frequency and severity vary greatly for example occurring every 100 years to more than 500 years apart comparing the western to the most eastern regions of the province. It is estimated the spruce budworm epidemic from 1967 to 1992 affected over 4 million hectares of balsam fir and white spruce. Balsam fir, white spruce and to a lesser extent black spruce are most sensitive to the spruce budworm. It is recognised that forests in the province will be affected two to three times by a spruce budworm epidemic over a 100 year period. The current spruce budworm epidemic is located in order of importance in regions of Côte-Nord, Saguenay-Lac-St-Jean and Outaouais. Although windthrow affects considerably less area than forest fires and spruce budworm epidemics, they can cause considerable loss of merchantable timber. Stand vulnerability to windthrow varies greatly depending on tree species (ie. superficial vs deep root systems), tree age and the sites predisposed conditions (ie. shallow soils, wind corridor).

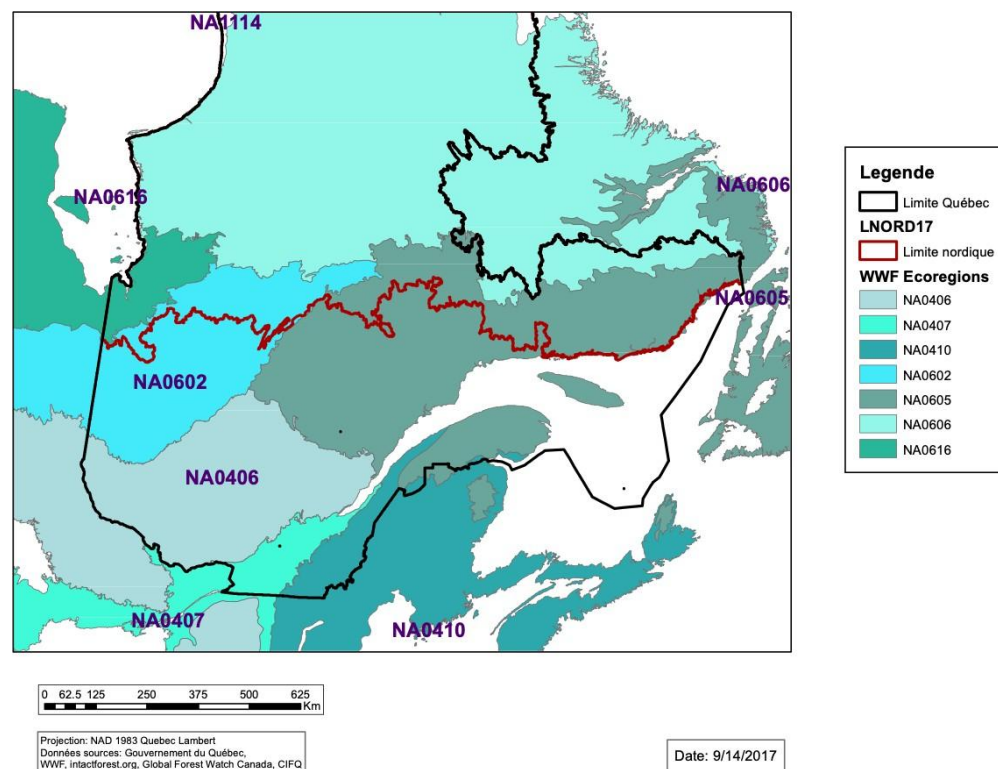
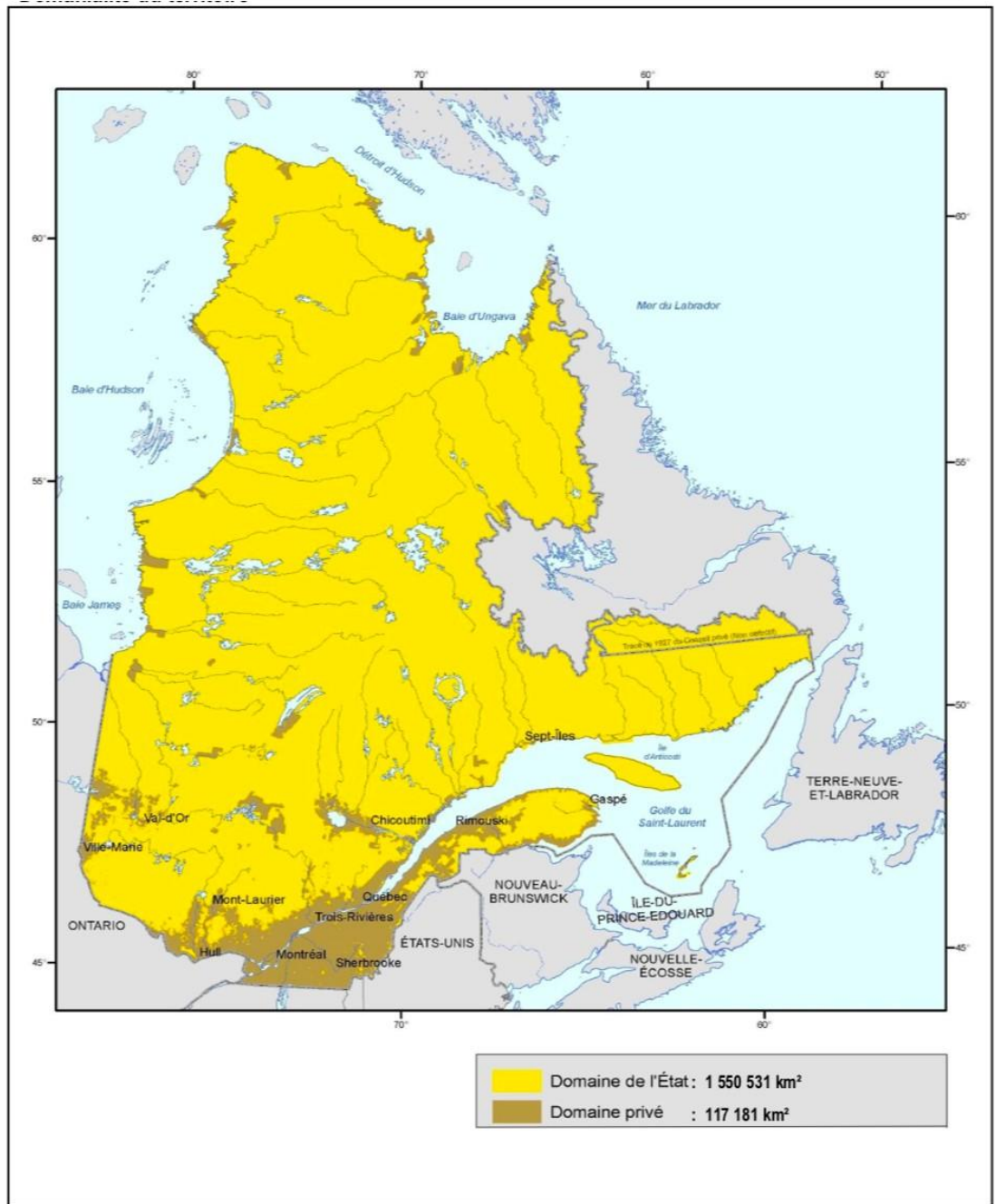


Figure 2: The province of Quebec and World Wildlife Fund Ecoregions

- NA0406 - Eastern transitional forests
- NA0407 - Eastern Great Lakes Lowlands Forests
- NA0410 - Forests of New England and Acadia
- NA0602 - Central Canadian Shield Forests
- NA0605 - Forests of Eastern Canada
- NA0606 - Taiga of the Eastern Canadian Shield (excluded)
- NA0616 - Southern Hudson Bay Taiga (excluded)

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The Loi sur l'aménagement durable du territoire forestier (LADTF) applies to all public and private forests in the province south of the northern limit of attributable forests. The map below shows the areas under public and private tenure in the province (figure 3).



Source : Ministère de l'Énergie et des Ressources naturelles.

Mise à jour en 2014.

Figure 3: Domianiality in the province of Quebec

The federal and provincial public forests represent 81% of the total forest area of the province . The remaining 15% is privately owned by more than 134,000 owners, 1% is treaty settlement land and 2% is

occupied by waterbodies (Ressources et industries forestières - Portrait statistique 2023). In terms of wood supply in 2023, 20.63 Million m<sup>3</sup> was sourced from public forests compared to 4.3 Million m<sup>3</sup> from private woodlots. In terms of annual growth per year, the annual gross increase is in the order of 2.3m<sup>3</sup>/ha on public forests and of 3.5m<sup>3</sup>/ha on private forests. Forests are a provincial responsibility managed by the Ministère des Ressources naturelles et des Forêts (MRNF). The government implements the LADTF by drawing up forest management plans and monitoring compliance with the Règlement d'aménagement forestier durable (RADF). The MRNF delegates LADTF monitoring in private forests to private forest development agencies. These agencies work with accredited professionals who offer their services and advice to private woodlot owners.

## 2.2

### Statement of scope and sub-scopes

Figure 2 provides a map of the Supply Base Area within the province of Quebec (QC). It includes all forests below the red line on the map in figure 2 representing the northern limit of commercial forests included within the western, southern and eastern borders of the province for a total area of 51.3 million hectares.

#### Sub-scopes

Following the requirements in SBP Standard 2 and SBP RRA Procedure, the Working Body evaluated the need to use sub-scopes by assessing the homogeneity of risk of sourcing feedstock within Quebec. The Working Body specifically did not delineate Ecoregions as a Sub-scope. Ecoregions are large and often cross more than one jurisdictional boundary, and there are no differences in the regulatory environment based on ecoregions. Ecoregions are assessed as an ecological component of the feedstock source area (i.e., tenure). Although the Working Body concluded it was appropriate for some Indicators to assess the risk of sourcing feedstock at the scale of the province. On the other hand, other Indicators required to be assessed at a smaller scale to better consider the differences of forest management practices found on public and private forests. These sub-scopes allow for a clear designation of risk and the provision of clear and meaningful mitigation measures. Based on the different levels of risk across the ownership types, the following three Sub-scopes were defined :

- Public forest
- Private forest under program
- Private forest outside the program

As mentioned in section 2.1, the Loi sur l'aménagement durable du territoire forestier (LADTF) applies to all public and private forests in the province. The first distinction of the sub-scopes highlights the differences of scale of forest management objectives and operations between public and private forests. Private woodlots are in general located in the Southernmost part of the province and on average lots of an area of 40 hectares, forest operations and natural disturbances are quite different than those found on public land in the boreal forest. The second and third sub-scopes recognizes the level of monitoring or lack thereof between a forest owner conducting operations under a management assistance program or not. As a precautionary approach, the Working Body defined specified risks within this sub-scope because of the lack of documented proof supporting a low risk designation.

The Scale of Assessment (i.e., Sub-scope) is defined at the beginning of each Indicator finding. The risk designation at the end of each Indicator finding is based on that Scale of Assessment (See Annex 1: Detailed Findings for Indicators). The Working Body evaluated Sub-scope risk independently. Due to the different

types and levels of regulatory oversight for the Sub-scopes, scale, and intensity comparisons amongst the Sub-scopes were not used in determining risk in the RRA for Quebec.

### 2.3

#### Overview of the local biomass sector

Forest bioenergy consumption represented 8% of the total energy consumption of the province in 2019 ([https://cdn-contenu.quebec.ca/cdn-contenu/forets/documents/FS\\_Bioenergie\\_forestiere\\_MRNF.pdf](https://cdn-contenu.quebec.ca/cdn-contenu/forets/documents/FS_Bioenergie_forestiere_MRNF.pdf)). The government objective is to increase the production of forest bioenergy by 50% by the year 2023. Forest biomass is defined as residuals generated during timber harvests as well as those produced by first processing mills such as sawmills. In 2020, the theoretical potential of forest biomass generated by timber harvests in the province was estimated at 6.8M DMT per year compared to 3.4M DMT per year when physical and economic constraints are considered (WSP. 2021). The same study estimated the theoretical potential of forest bioenergy generated by first processing facilities at 8.1 M DMT per year. As for forest bioenergy generated by second processing facilities, the study estimates 100% of this biomass equivalent to 762,000 DMT/yr is consumed on the open market by the forest sector.

Firewood is the most important commercial source of bioenergy in the province at 27%. At 24%, wood pellets come in second place as a source of bioenergy in Quebec. There are eleven wood pellet mills currently active in the province ([https://www.google.com/maps/d/viewer?mid=1PdQ2H\\_eTS2ISGc\\_TGc8DEmvNMRg&usp=sharing](https://www.google.com/maps/d/viewer?mid=1PdQ2H_eTS2ISGc_TGc8DEmvNMRg&usp=sharing)). In general, these mills produce pellets for both domestic and industrial markets. Only three of them produce pellets in bulk solely for the local and international industrial markets.

## 3 Methodology

### 3.1 Data collection

Necessary data for this RRA revision is collected mainly through desktop searches from a range of sources. The sources include applicable provincial and federal legislation and regulations, reports and articles from relevant provincial ministries and state authorities, NGO and industry bodies, various databases as well as technical and scientific documentation listed throughout and at the end of this report.

### 3.2 Selection of indicators to be updated

Updated SBP Standards 1–6 were approved in March 2023 following a comprehensive review process. The updated criteria and indicators in Standard 1: Feedstock Compliance now form version 2.0 (v2.0) and these provide the framework for undertaking a new Regional Risk Assessment (RRA).

Standard 1 (v2.0) includes 10 new indicators and most other indicators from v1.0 have been revised. The availability of new information relevant to nearly all indicators meant that some level of updating of the previous Quebec RRA was necessary.

The three levels of update are categorised as follows:

- **New additions:** For new indicators in Standard 1 (v2.0), detailed RRA findings have been developed from scratch.
- **Major updates:** For the revised indicators in Standard 1 (v2.0) that were partially aligned with the indicators assessed in the original Quebec RRA, a new RRA assessment has been made including an information review, analysis and updated risk classification.
- **Minor updates:** For the revised indicators in Standard 1 (v2.0) that almost fully matched indicators from the original Quebec RRA, the information in the detailed findings of the RRA assessments is updated. Originally assigned risk classes have been reviewed and changed when necessary.

The level of update for each indicator is shown in Table 1 below.

Table 1. Revised indicators in SBP Standard 1 (v2.0) - Feedstock Compliance

Indicator in SBP Standard 1 (v2.0)	Matching indicator in RRA Quebec 2021	Level of update
1.1.1: Operations related to feedstock sourcing and biomass production shall comply with all existing applicable laws and regulations.	None.	New addition
1.1.2: Legal ownership of land and resource use rights shall be respected.	1.2.1: Legality of ownership and land use can be demonstrated for the Supply Base.	Minor
1.1.3: Feedstock shall be legally harvested, supplied and produced, including in compliance with CITES, EUTR and other applicable legal trade requirements.	1.3.1: Feedstock is legally harvested and supplied and is in compliance with EUTR legality requirements, and 1.5.1: Feedstock is supplied in compliance with the requirements of CITES.	Major
1.1.4: Payments for harvest rights and feedstock, including duties, relevant royalties and taxes related to timber harvesting shall, be complete and up to date.	1.4.1: Payments for harvest rights and timber, including duties, relevant royalties and taxes related to timber harvesting, are complete and up to date.	Minor
1.1.5: There shall be adequate protection of the Supply Base from unauthorised and illegal activities, such as illegal logging, mining, and encroachment.	2.4.3: There is adequate protection of the forest from unauthorised activities, such as illegal logging, mining and encroachment.	Minor

Indicator in SBP Standard 1 (v2.0)	Matching indicator in RRA Quebec 2021	Level of update
2.1.1: Key species, habitats, ecosystems, and areas of high conservation value (HCV) pertaining to biodiversity in the Supply Base shall be identified.	2.1.1: Forests and other areas with high conservation values in the Supply Base are identified and mapped.	Major
2.1.2: Threats to and impacts on the identified key species, habitats, ecosystems, and areas of high conservation value (HCV) pertaining to biodiversity in the Supply Base shall be identified and evaluated.	2.1.2: Potential threats to forests and other areas with high conservation values from forest management activities are identified and addressed.	Major
2.1.3: Key species, habitats, ecosystems, and areas of high conservation value (HCV) pertaining to biodiversity in the Supply Base shall be maintained or enhanced.	2.2.4: Biodiversity is protected.	Major

Indicator in SBP Standard 1 (v2.0)	Matching indicator in RRA Quebec 2021	Level of update
2.2.1: Feedstock shall not be sourced from land that had one of the following statuses in January 2008 and no longer has that status due to land conversion: a. Forests b. Wetlands c. Peatlands d. Highly biodiverse grasslands.	2.1.3: Feedstock is not sourced from forests converted to production plantation forest or non-forest lands after January 2008.	Major
2.2.2: Ecosystems, their health, vitality, functions and services in the Supply Base shall be maintained or enhanced.	2.2.3: Key ecosystems and habitats are conserved or set aside in their natural state.	Major
2.2.3: Soil quality in the Supply Base shall be maintained or enhanced.	2.2.2: Feedstock is sourced from forests where management maintains or improves soil quality.	Minor
2.2.4: Where the removal of harvest forest residues and / or stumps occurs, this shall not lead to irreversible negative impacts to the ecosystem.	2.2.5: The process of residue removal minimises harm to ecosystems.	Minor
2.2.5: Quality and quantity of ground water, surface water and water downstream shall be maintained or enhanced.	2.2.6: Negative impacts on groundwater, surface water, and water downstream from forest management are minimised.	Minor
2.2.6: Air emissions shall comply with national legislation or in the absence of national legislation with industry best practice.	2.2.7: Air quality is not adversely affected by forest management activities.	Minor
2.2.7: Pesticides shall only be used as part of an Integrated Pest Management (IPM) plan in compliance with national legislation, chemical safety data sheets and industry best practice. Banned pesticides shall not be used	2.2.8: There is controlled and appropriate use of chemicals, and that integrated pest management (IPM) is implemented wherever possible in forest management activities.	Major
2.2.8: Waste shall be disposed of in an environmentally appropriate manner.	2.2.9: Methods of waste disposal minimise negative impacts on forest ecosystems.	Minor
2.2.9: Harvesting levels shall be justified as to how they can be sustained with reference to inventory and growth data for the Supply Base.	2.3.1: Analysis shows that feedstock harvesting does not exceed the long-term production capacity of the forest, avoids significant negative impacts on forest productivity and ensures long-term economic viability. Harvest levels are justified by inventory and growth data.	Minor
2.2.10: Harvested areas shall be regenerated.	None.	New addition

2.2.11: The impacts of natural processes such as fires, pests and diseases shall be managed.	2.4.2: Natural processes, such as fires, pests and diseases are managed appropriately.	Minor
2.2.12: Genetically modified trees shall not be used.	2.10.1: Genetically modified trees are not used.	Minor

Indicator in SBP Standard 1 (v2.0)	Matching indicator in RRA Quebec 2021	Level of update
<p>3.1.1: LULUCF emissions shall be accounted for through one of the following routes:</p> <p>Route A Feedstock may be sourced from a country of origin which is party to the Paris Agreement, and which has submitted a Nationally Determined Contribution to the United Nations Framework Convention on Climate Change (UNFCCC) covering carbon emissions and removals from agriculture, forestry and land use which ensure the changes in carbon stock associated with biomass harvest are counted towards the country's commitment to reduce or limit greenhouse gas emissions, or</p> <p>Route B Feedstock may be sourced from a country of origin which is party to the Paris Agreement and has national or sub-national laws in place (developed in accordance with Article 5 of the Paris Agreement and applicable in the area of harvest), to conserve and enhance carbon stocks and sinks, and provided there is evidence that reported LULUCF-sector emissions do not exceed removals, or</p> <p>Route C Feedstock may be sourced from a Supply Base where an assessment demonstrates that both the carbon stock is stable, and the forests' capacity to act as a carbon sink is stable or increasing over the long term.</p>	2.9.2: Analysis demonstrates that feedstock harvesting does not diminish the capability of the forest to act as an effective sink or store of carbon over the long term.	Major

Indicator in SBP Standard 1 (v2.0)	Matching indicator in RRA Quebec 2021	Level of update
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<p>3.2.1: All feedstock sourcing shall be consistent with either of these two options:</p> <p>Option A. Feedstock may be sourced from Supply Bases where an assessment of the Supply Base shows that the forest carbon stocks are stable or increasing, or</p> <p>Option B. Feedstock may be sourced, if the assessment shows that the forest carbon stocks are declining in the Supply Base, provided that the decline is due to natural processes (fire, pests etc.), and sourcing of feedstock has the aim to recover feedstock that would otherwise be lost or to assist regeneration.</p>	None.	New addition
<p>3.2.2: Primary feedstock shall not be sourced from forest areas where site productivity is low and, according to local definitions or norms, the areas are classified as low-productive or difficult to regenerate.</p>	None.	New addition
<p>3.2.3: Primary feedstock shall not be sourced from forest areas in the Supply Base which, according to local definitions or norms, are classified as having combined attributes of high carbon stocks and high conservation value (HCV).</p>	<p>2.1.1: Forests and other areas with high conservation values in the Supply Base are identified and mapped.</p> <p>2.9.1: Feedstock is not sourced from areas that had high carbon stocks in January 2008 and no longer have those high carbon stocks.</p>	Major

Indicator in SBP Standard 1 (v2.0)	Matching indicator in RRA Quebec 2021	Level of update
<p>3.3.1: Feedstock sourcing shall be in compliance with the principles of cascading use, high-quality stem wood shall not be used as feedstock if it is in substantial demand for long-lived products in the Supply Base.</p>	New.	New addition

Indicator in SBP Standard 1 (v2.0)	Matching indicator in RRA Quebec 2021	Level of update
<p>4.1.1: Freedom of association and the right to collective bargaining shall be respected in the workplace.</p>	<p>2.7.1: Freedom of Association and the effective recognition of the right to collective bargaining are respected.</p>	Minor
<p>4.1.2: Forced or compulsory labour shall not be used.</p>	<p>2.7.2: Feedstock is not supplied using any form of compulsory labour.</p>	Minor

4.1.3: Child labour shall not be used.	2.7.3: Feedstock is not supplied using child labour.	Minor
4.1.4: Workers shall not be discriminated in hiring, remuneration, access to training, promotion, termination or retirement.	2.7.4: Feedstock is not supplied using labour which is discriminated against in respect of employment and occupation.	Minor
4.1.5: Wages paid to workers shall meet or exceed the legal minimum wage or where there is no statutory minimum wage industry norms shall be met or exceeded.	2.7.5: Feedstock is supplied using labour where the pay and employment conditions are fair and meet, or exceed, minimum requirements.	Minor
4.1.6: Working hours shall comply with legal requirements.	None.	New addition
4.1.7: Workers shall have access to health care provisions, sickness benefits, retirement benefits, invalidity benefits, death benefits, workers' compensation.	None.	New addition
4.1.8: Training shall be provided for all workers to allow them to implement the conditions set out in all elements of the SBP standards relevant to their responsibilities.	2.3.2: Adequate training is provided for all personnel, including employees and contractors.	Minor
4.1.9: Mechanisms shall be in place for resolving grievances and disputes in the workplace.	2.6.1: Appropriate mechanisms are in place for resolving grievances and disputes, including those relating to tenure and use rights, to forest management practices and to work conditions.	Minor
4.1.10: Safeguards shall be put in place to protect the health and safety of workers by developing, communicating and implementing policies and procedures.	2.8.1: Appropriate safeguards are put in place to protect the health and safety of forest workers.	Minor

Indicator in SBP Standard 1 (v2.0)	Matching indicator in RRA Quebec 2021	Level of update
4.2.1: Negative social and community impacts shall be identified and avoided.	None.	New addition
4.2.2: Feedstock sourcing shall positively contribute to the local economy, including employment.	2.3.3: Analysis shows that feedstock harvesting and biomass production positively contribute to the local economy including employment.	Minor

4.2.3: Food, water supply or high conservation values (HCV) that are essential for the fulfilment of basic needs of communities shall be maintained or enhanced.	2.5.2: Production of feedstock does not endanger food, water supply or subsistence means of communities, where the use of this specific feedstock or water is essential for the fulfilment of basic needs.	Minor
4.2.4: Legal, customary, and traditional tenure and use rights of Indigenous Peoples and local communities related to the Supply Base shall be identified, documented, and respected.	2.5.1: The legal, customary and traditional tenure and use rights of indigenous peoples and local communities related to the forest, are identified, documented and respected.	Minor
4.2.5: Mechanisms shall be in place for resolving grievances and disputes, relating to tenure and use rights of the forest and other land management practices.	2.6.1: Appropriate mechanisms are in place for resolving grievances and disputes, including those relating to tenure and use rights, to forest management practices and to work conditions.	Minor
4.2.6: Where Indigenous Peoples' rights are identified in the Supply Base, and FPIC has not been achieved for the proposed and planned activities, a consultation and, if required, accommodation process shall be put in place.	None.	New addition
4.2.7: Designated cultural heritage sites shall be preserved.	None.	New addition

### 3.3

#### Risk classification

Through a thorough analysis, each indicator was assigned as having either a low or specified risk class. The analysis examined the applicable legislative, regulatory framework or industry best practices on the specific issues addressed by the criteria and indicator in question, mechanisms for implementation or enforcement, monitoring procedures (presence or absence and frequency or quality), and current situation on compliance if the information was available. Additionally, risk conclusion and justification were given for the risk class assigned for each indicator.

For assigning the risk class to an indicator, we followed the guidance given in SBP Standard 2: Feedstock Verification (v2.0) (article 6.3).

- An indicator is assigned with a low-risk class, if legislation that addresses the requirement(s) in SBP Standard 1 exists and is enforced, and legal compliance within the Supply Base can be demonstrated; or in the absence of existing applicable legislation or lack of legal enforcement, by assessing whether the best practice – that demonstrates conformance with the requirements of SBP Standard 1 – is implemented.
- The indicators that cannot be categorised as low risk are considered a specified risk.

For risk classification of indicators, three scopes, i.e. Public forest, Private forest under the program, Private forest outside the program are used. This is because in some cases the risk profiles of these three classes of forests are different.

## 4 Stakeholder consultation

Stakeholder consultation was conducted through individual face-to-face and virtual interviews, as well as participation to organisations’ meetings and events. Combined with a literature search, the information gathered was used to update this version of the RRA for the 30-day consultation.

The 30-day consultations took place from July 22, 2024 and until August 21, 2024 and from November 6<sup>th</sup> until December 6<sup>th</sup>. The consultations gathered feedback from interested parties on the content of the RRA. The working group encouraged participants through the consultation platform and email notifications to share their comments, knowledge and opinions on the RRA. Individuals could choose to participate anonymously. Privacy policies, procedures and information on how to participate in the consultation was available on the website: <https://www.boiscertifies.ca/sbp>.

All the information gathered during the consultation was analyzed by the working group and documented. Once the consultation processes completed, the RRA will be submitted to the SBP secretariat in February 2025 to finalize the RRA approval process SBP and the working group will work together until the end of the process, with the aim of approving the updated RRA in Q1 2025.

Steps	Provisional dates
30-day public consultation - Working group	July 22 to August 21, 2024
Finalization of preliminary RRA and submission of first public consultation report to SBP secretariat	September 2024
30-day public consultation - SBP Secretariat	November 2024
RRA approval	Q1 2025

## 5 Conclusions

Table 2 shows the RRA results by indicator for SBP Standard 1 - Feedstock Compliance, v2.0, May 2023 and the Directive on the promotion of the use of energy from renewable sources. A detailed description of the situation for each indicator is given in the following section, together with the risk level chosen, based on the information provided.

Where applicable, the indicator's risk determination has been assessed either on a provincial scale, or on the basis of private and public tenure, or whether or not private woodlots are subject to management assistance programs. The scale of assessment is mentioned when specified risks have been determined. The word "private" is used to confirm that the specified risk applies to all private woodlots. On the other hand, "Private forest outside the program" means that the specified risk applies only to private woodlots outside management assistance programs.

Table 2. RRA results by indicator for SBP Standard 1 - Feedstock Compliance

Indicator	Sub-scope		
	Public forest	Private forest under the program	Private forest outside the program
<b>1.1.1</b>	Low risk	Low risk	<b>Specified risk</b>
1.1.2	Low risk	Low risk	Low risk
1.1.3	Low risk	Low risk	Low risk
1.1.4	Low risk	Low risk	Low risk
1.1.5	Low risk	Low risk	Low risk
<b>2.1.1</b>	Low risk	Low risk	<b>Specified risk</b>
<b>2.1.2</b>	Low risk	Low risk	<b>Specified risk</b>
<b>2.1.3</b>	<b>Specified risk</b>	Low risk	<b>Specified risk</b>
2.2.1	Low risk	Low risk	Low risk
2.2.2	Low risk	Low risk	Low risk
<b>2.2.3</b>	Low risk	Low risk	<b>Specified risk</b>
<b>2.2.4</b>	Low risk	Low risk	<b>Specified risk</b>
<b>2.2.5</b>	Low risk	Low risk	<b>Specified risk</b>
2.2.6	Low risk	Low risk	Low risk
2.2.7	Low risk	Low risk	Low risk
2.2.8	Low risk	Low risk	Low risk
2.2.9	Low risk	Low risk	Low risk
<b>2.2.10</b>	Low risk	Low risk	<b>Specified risk</b>
2.2.11	Low risk	Low risk	Low risk
2.2.12	Low risk	Low risk	Low risk
3.1.1	Low risk	Low risk	Low risk
3.2.1	Low risk	Low risk	Low risk
<b>3.2.2</b>	Low risk	Low risk	<b>Specified risk</b>
3.2.3	Low risk	Low risk	Low risk
3.3.1	Low risk	Low risk	Low risk

4.1.1	Low risk	Low risk	Low risk
4.1.2	Low risk	Low risk	Low risk
4.1.3	Low risk	Low risk	Low risk
4.1.4	Low risk	Low risk	Low risk
4.1.5	Low risk	Low risk	Low risk
4.1.6	Low risk	Low risk	Low risk
4.1.7	Low risk	Low risk	Low risk
4.1.8	Low risk	Low risk	Low risk
4.1.9	Low risk	Low risk	Low risk
4.1.10	Low risk	Low risk	Low risk
4.2.1	Low risk	Low risk	Low risk
4.2.2	Low risk	Low risk	Low risk
4.2.3	Low risk	Low risk	Low risk
4.2.4	Low risk	Low risk	Low risk
4.2.5	Low risk	Low risk	Low risk
4.2.6	Low risk	Low risk	Low risk
4.2.7	Low risk	Low risk	Low risk

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### Principle 1 – Feedstock is legally sourced

#### Criterion 1.1 – Operators and operations are legal

1.1.1	<b>Operations related to feedstock sourcing and biomass production shall comply with all existing applicable laws and regulations.</b>
<i>Findings</i>	<p><b>Scale of assessment</b></p> <p>Public forest Private forest with management assistance programs Private forest without management assistance programs</p> <p><b>Analysis</b></p> <p>Canada is not on the list of countries where illegal harvesting is a domestic problem. Moreover, in order to combat imports of illegally harvested forest products, importers in Canada have obligations under Canadian law. The importation of forest products is governed by three main laws:</p> <ul style="list-style-type: none"> <li>- Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act</li> <li>- Plant Protection Act</li> <li>- Customs Act</li> </ul> <p>Canada has a rigorous and extensive system of forest governance to prevent abuse of tenure and ownership. The provinces have laws and regulations, and the staff to enforce them. Transparency International's 2022 Corruption Perception Report gives Canada a score of 74 out of 100, placing it fourteenth among countries with the lowest perception of corruption. Current laws and regulations encourage the implementation of sound forest management practices. Failure to comply with regulations can have a negative impact on the forest environment and the people who live and work there. The Loi sur les terres du domaine de l'État or the Loi sur l'aménagement durable du territoire forestier and their regulations govern forest management practices in Quebec.</p> <p>Public forest:</p> <p>The Règlement sur l'aménagement durable des forêts du domaine de l'État (RADF) applies to the public forest and provides a framework for forest management practices and operations. The Règlement sur le mesurage des bois récoltés dans les forêts du domaine de l'État (Regulation respecting the scaling of wood harvested from forests in the public domain) applies to all persons or organizations harvesting or purchasing wood from forests in the public domain.</p> <p>Private forest:</p> <p>In Quebec, wood from private forests is considered an agricultural product, and is governed in part by the Act respecting the marketing of agricultural, food and fish products and the regulations governing the marketing of wood. In addition to the provisions of this Act and those of the Sustainable Forest Development Act, the Civil Code of Québec provides remedies for cutting on private property without the owner's consent, or in contravention of the owner's requirements. Municipalities also have the power to regulate tree felling, to ensure that these regulations are enforced and, if necessary, to resort to the courts to punish offenders.</p>

### Enforcement and monitoring

A wood processing plant operating permit is mandatory, and requires the keeping of an annually updated register of inventories, timber receipts and consumption, as well as the nature and quantity of manufactured products. Allocated and harvested volumes in public and private forests can then be compared with mill deliveries. To ensure the sustainability of the resource and the protection of the forest environment, the Ministère des Ressources naturelles et des Forêts (MRNF) is responsible for forest planning and oversees the implementation of forest management. The MRNF reprimands individuals and companies whose actions undermine the integrity of the forest environment. A notice of non-compliance followed by a notice of infraction is issued when non-compliance has been confirmed. Offenders may be fined. The list of offenders under the Government Lands Act and the Sustainable Forest Development Act is proof of the application of this mechanism. Forest management companies in public forests must be ISO 14001 or CEAF certified. Staff and contractors receive training several times a year on the procedures to follow when they witness illegal activity. The incident must be reported to their supervisor, who must in turn notify the MRNF by completing a report form. Reports are then analyzed and processed by various MRNF officials and, if necessary, forwarded to the appropriate authorities, such as the Sûreté du Québec or wildlife officers. In private forests, tree felling is regulated by municipalities and regional county municipalities (MRCs). Felling permits must be obtained within the parameters defined by local authorities. Inspectors are responsible for assessing compliance with these regulations, and following up on complaints and denunciations. Forest producers taking advantage of the private forest development program must call on the services of a forest engineer to determine the appropriate prescriptions and to confirm that their activities have complied with these prescriptions.

#### In public forests:

In Quebec, the MRNF ensures the protection of the forest environment and reprimands infractions that undermine its integrity. It monitors forestry activities in public forests and publishes results, for example, on the application of laws and regulations, infractions issued, volumes harvested and compliance with the allowable cut. In 2005, Quebec created the position of Chief Forester, whose mission is "to determine forest potential, enlighten decision-makers and inform the public on the state of public forests and their management, in order to ensure the sustainability and diversified use of the forest environment". It provides independent advice to the Minister on forestry issues, produces a five-year assessment of forest conditions, and calculates allowable cut for the province's regions.

#### In private forests:

Forestry activities in private forests are also monitored by various stakeholders and levels of government. At the municipal level, forestry activities are monitored by inspectors. Since 1995, regional forest development agencies have also been monitoring activities that have benefited from the program. Wood harvested from private forests and marketed in Quebec is subject to the Loi sur la mise en marché des produits agricoles, alimentaires et de la pêche (Act respecting the marketing of agricultural, food and fishery products) and to regulations governing the marketing of wood by wood producers in each of Quebec's administrative regions. Depending on the region, the unions and boards monitor all or a specific category of wood harvested from private forests.

The rate of regulatory compliance with standards for the protection of wetlands and aquatic environments following forest management activities averaged 90% over the 2013-2018 period, according to the five-year review produced by the Ministère des Forêts, de la Faune et des Parcs (MFFP 2020). Coming into force on April 1er 2018, the RADF represents new standards focused on sustainable forest management. Its implementation has brought about several changes, particularly for the protection of watercourses and aquatic environments. Violations are issued by the MRNF and are available for public consultation.

Rates of compliance with municipal regulations are not publicly available. However, the private forest development agencies prepare annual reports on the compliance rates of delivery agents' work with the technical specifications of the silvicultural funding programs. These reports are posted on each of the regional

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	<p>private forest development agency websites. As for tree-cutting activities carried out in private forests without recourse to management assistance programs, no compilation has been observed that would allow us to conclude a rate of compliance with municipal by-laws.</p> <p><b>Risk conclusion and justification</b></p> <p>In public forests, compliance with regulatory requirements is documented and publicly accessible. The list of infractions is posted on the MRNF website. The ministry is responsible for forest planning and regularly monitors forest operations. BGAs have ISO 14001 (or equivalent) certification, which is audited annually by a third party. Corrective and action plans are in place to minimize negative impacts where possible, or to adopt new procedures to prevent problems recurring. The risk is therefore low.</p> <p>In both private and public forests, good practice guides are widely distributed. For activities benefiting from the development assistance program, a forestry engineer must write the prescriptions and monitor their implementation, which considerably reduces the risk of non-compliant practices. The risk is therefore low.</p> <p>On the other hand, for activities in private forests without the use of management assistance programs, there is no effective monitoring system to ensure compliance with regulatory requirements. Consequently, the risk is Specified.</p>
<p><i>Supply Base Verifiers</i></p>	<ul style="list-style-type: none"> <li>- Assess and confirm the compliance of forestry operations in private forests without recourse to management assistance programs, based on a justified sampling of field visits.</li> <li>- Confirm, with credible and corroborated evidence, the low risk of non-compliance of forest operations carried out in private forests without recourse to management assistance programs.</li> </ul>
<p><i>Evidence reviewed</i></p>	<ul style="list-style-type: none"> <li>- Bilan quinquennal de l'aménagement durable des forêts 2013-2018 (MFFP, 2020)</li> <li>- Directory of beneficiaries of supply guarantees</li> <li>- Authorization to transport public forest</li> <li>- <a href="https://mffp.gouv.qc.ca/les-forets/infractions-aux-lois/">https://mffp.gouv.qc.ca/les-forets/infractions-aux-lois/</a></li> <li>- <a href="https://mffp.gouv.qc.ca/les-forets/infractions-aux-lois/liste-contrevenants-lois-foret/">https://mffp.gouv.qc.ca/les-forets/infractions-aux-lois/liste-contrevenants-lois-foret/</a></li> <li>- State Lands Act</li> <li>- Regulation respecting the cultivation and operation of sugar bushes in forests in the domain of the State (RLRQ, chapter A-18.1, r. 2)</li> <li>- Sustainable Forest Development Act (LADTF)</li> <li>- Act respecting the marketing of agricultural, food and fishery products</li> <li>- Sustainable Forest Management Regulations (SFMR)</li> <li>- Regulation on the scaling of timber harvested from State-owned forests</li> <li>- Wood marketing regulations for wood producers</li> <li>- Regulations respecting the change of destination of wood purchased by a beneficiary of a supply guarantee in application of its guarantee (RLRQ, chapter A-18.1, r. 0.1)</li> </ul>

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<i>Risk rating</i>	<table> <tr> <td>Public forest</td> <td>Low risk</td> </tr> <tr> <td>Private forest under program</td> <td>Low risk</td> </tr> <tr> <td>Private forest outside the program</td> <td><b>Specified risk</b></td> </tr> </table>	Public forest	Low risk	Private forest under program	Low risk	Private forest outside the program	<b>Specified risk</b>
Public forest	Low risk						
Private forest under program	Low risk						
Private forest outside the program	<b>Specified risk</b>						
<b>1.1.2</b>	<b>Legal ownership of land and resource use rights shall be respected.</b>						
<i>Findings</i>	<p><b>Scale of assessment</b></p> <p>Quebec forests</p> <p><b>Analysis</b></p> <p>Canada has a rigorous and extensive system of forest governance to prevent abuse of tenure and ownership. In Quebec, the MRNF ensures the protection of the forest environment and reprimands infractions that undermine its integrity. It monitors forestry activities in public forests and publishes results, for example, on the application of laws and regulations, infractions issued, volumes harvested and compliance with the allowable cut. If not integrated into forest planning, activities that do not respect property rights can have a negative impact on resources and on the rights of owners and users. Land tenure and management rights are governed by the Sustainable Forest Development Act and the Lands Act. Several regulations govern the procedures for issuing operating permits, licenses and other legal documents required to carry out specific operations. Wood harvested from private forests is considered an agricultural product in Quebec, and is governed in part by the Act respecting the marketing of agricultural, food and fish products. In addition to the provisions of this Act and those of the Sustainable Forest Development Act, the Civil Code of Quebec provides for recourse for owners if harvesting has been carried out on their property without their consent or in contravention of their requirements.</p> <p><b>Enforcement and monitoring</b></p> <p>The government has several tools at its disposal for managing rights granted in public forests. A guaranteed supply agreement (GSA) gives the beneficiary the right to purchase an annual volume of wood from State-owned forest lands in one or more regions defined for this purpose, with a view to supplying the wood processing plant. Section 88 of the Sustainable Forest Development Act (chapter A-18.1). The guarantee specifies the annual volumes of wood, by species or group of species, that may be harvested by the beneficiary from each of the regions covered by the guarantee. The PRAU (Permis de récolte aux fins d'approvisionnement une usine de la transformation de bois) is a forestry right that authorizes its holder to harvest a volume of wood or a quantity of forest biomass from the forests of the State domain, from one or more management units. It is granted under section 74 of the Sustainable Forest Development Act. The permit is valid for a period of five years or less, in accordance with section 86.4 of the Act. Two types of PRAU are issued by the Minister: the merchantable wood PRAU, issued to legal entities or organizations that are not holders of a wood processing plant operating permit and are not related to a holder of such a permit; and the forest biomass PRAU, which may also be issued to a holder of a wood processing plant operating permit. In accordance with the conditions indicated on their permit, holders must sign an integration agreement with other forest rights holders present on the territory concerned by the harvest. PRAU holders must indicate the areas where they intend to carry out the work in their annual forest intervention program (PRAN). The Ministry oversees the implementation of sustainable forest management. The Land and Strategic Affairs, Land Infrastructure and Geospatial Information and Forestry sectors, among others, are responsible for ensuring that property rights and rights granted are respected. Respect for these rights is validated by means of ongoing site monitoring and annual compliance reports produced by the</p>						

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	<p>ministry's assessors. In private forests, forestry activities must comply with development and management plans, and in the case of activities supported by the agency assistance program, with the Protection and Enhancement Plan (PPMV). The majority of municipalities with private woodlands on their territory have adopted bylaws to regulate tree felling, to restrict the size of harvesting sites in a single block, or to protect riparian or exceptional environments. Municipalities may require you to obtain a permit. The MRNF is responsible for the management and development of natural resources and forests. The ministry has the resources needed to ensure compliance with the relevant laws and regulations, and to assess the state of natural resources. It grants cutting and supply rights to individuals and organizations, while ensuring that its planning is respected. In private forests, the MRNF delegates responsibility for planning, protection and development to regional agencies, as stipulated in section 132 of the LADTF. Municipalities also have the power to regulate tree felling, to ensure that by-laws are enforced and, if necessary, to take legal action to punish offenders. Forestry activities in private forests are also monitored by various stakeholders and levels of government. At the municipal level, forestry activities are monitored by inspectors. Forest producers taking advantage of the private forest development program must call on the services of a forest engineer to determine the appropriate prescriptions. Since 1995, regional forest development agencies have also been monitoring activities that have benefited from the program. The province's public and private territories are mapped and accessible to the public, notably on the Données Québec and Cadastre websites, which register the province's landholdings. Infractions in public forests are posted on the MRNF website and, where applicable, associated with non-respect of property and the public domain. No summaries or reports relating to the respect of property rights and tree felling in private forests were identified as part of the assessment. Individuals or organizations have access to forestry professionals and the legal system to protect their property rights and consensual rights. Private forest development agencies prepare annual reports on the compliance rates of delivery agents' work with the technical specifications of silvicultural funding programs. These reports are posted on each of the regional private forest development agency websites.</p> <p><b>Risk conclusion and justification</b></p> <p>The information gathered shows that there are adequate human and material resources to implement and monitor compliance with the regulatory requirements associated with property rights relating to land and resource use rights. The judicial system is recognized as credible and fair by society, landowners and rights-holders. There is little risk that property rights relating to land and resource use rights will not be respected.</p>
<i>Supply Base Verifiers</i>	-
<i>Evidence reviewed</i>	<ul style="list-style-type: none"> <li>- Bilan quinquennal de l'aménagement durable des forêts 2013-2018 (MFFP, 2020)</li> <li>- Directory of beneficiaries of supply guarantees</li> <li>- <a href="https://mffp.gouv.qc.ca/les-forets/infractions-aux-lois/">https://mffp.gouv.qc.ca/les-forets/infractions-aux-lois/</a></li> <li>- <a href="https://mffp.gouv.qc.ca/les-forets/infractions-aux-lois/liste-contrevenants-lois-foret/">https://mffp.gouv.qc.ca/les-forets/infractions-aux-lois/liste-contrevenants-lois-foret/</a></li> <li>- State Lands Act</li> <li>- Sustainable Forest Development Act</li> <li>- Act respecting the marketing of agricultural, food and fishery products</li> <li>- Wood marketing regulations for wood producers</li> </ul>
<i>Risk rating</i>	<b>Low risk</b> Specified risk

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1.1.3	<b>Feedstock shall be legally harvested, supplied and produced, including in compliance with CITES, EUTR and other applicable legal trade requirements.</b>
<i>Findings</i>	<p><b>Scale of assessment</b> Quebec forests</p> <p><b>Analysis</b> According to Transparency International, forest-trends (2021), there is a low risk of illegal logging occurring in Canada. Moreover, in order to combat imports of illegally harvested forest products, importers in Canada have obligations under Canadian law. The importation of forest products is governed by three main laws: <a href="#">Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act</a>, <a href="#">Plant Protection Act</a> and <a href="#">Customs Act</a>.</p> <p>Canada has a rigorous and extensive system of forest governance to prevent abuse of tenure and ownership. The provinces have laws and regulations, and the staff to enforce them. Transparency International's 2022 Corruption Perception Report gives Canada a score of 74 out of 100, placing it fourteenth among countries with the lowest perception of corruption. The legal framework and its application enable Canada and the province of Quebec to meet their commitments to protect the forest environment. Poor implementation can lead to over-harvesting that is harmful to the forest and its resources, and to the marketing of wood products without being able to determine their forest origins or the species marketed. Harvesting in public forests must be carried out in compliance with a comprehensive legislative framework, including the Sustainable Forest Land Management Act (LADTF) and the Regulation respecting the sustainable management of forests in the public domain (RADF), the Act respecting threatened or vulnerable species, the Wood Scalers Act, the Regulation respecting the scaling of wood harvested in forests in the public domain and the Species at Risk Act. All harvested wood is scaled and registered before it leaves the public domain, and documented by the primary processing plants. The Wild Animal and Plant Protection Act (WAPPRIITA) enables Canada to fulfill its commitments to CITES and the regulation of international and interprovincial trade. It prohibits the import, export and interprovincial movement of species covered by the Convention, unless the specimens are accompanied by the appropriate documents (licenses, permits). Forestry activities and imports and exports of tree species products must also comply with the specific requirements of international agreements entered into by Canada, such as the Convention on Biological Diversity and the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) (NRCAN 2015).</p> <p>In private forests Wood harvested from private forests and marketed in Quebec is subject to the Act respecting the marketing of agricultural, food and fish products, the regulations governing the marketing of wood by wood producers in Quebec's administrative regions, and the Transportation Act. Depending on the region, unions and boards monitor all or a specific category of wood harvested from private forests.</p> <p><b>Enforcement and monitoring</b> The Wild Animal and Plant Trade Regulations - Schedule 1 provide a list of CITES flora and fauna. Primary processing plants are required to submit an annual report to the government summarizing the tree species consumed and the origins of their supply.</p> <p>In public forests:</p>

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	<p>A wood processing plant operating permit is mandatory, and requires the keeping of an annually updated register of inventories, timber receipts and consumption, as well as the nature and quantity of manufactured products. Allocated and harvested volumes in public and private forests can then be compared with mill deliveries. Forest management companies in public forests must be ISO 14001 or CEAF certified. Staff and contractors receive training several times a year on the procedures to follow when they witness illegal activity. The incident must be reported to their supervisor, who must in turn notify the MRNF by completing a report form. Reports are then analyzed and processed by various MRNF officials and, if necessary, forwarded to the appropriate authorities, such as the Sûreté du Québec or wildlife officers.</p> <p>See below a list of laws and regulations in force in Quebec that meet the minimum requirements for assessing the legality of wood.</p> <p>In public forests:</p> <p>The MRNF ensures the protection of the forest environment and reprimands infractions that undermine its integrity. It monitors forestry activities in public forests and publishes results, for example, on the application of laws and regulations, infractions issued, volumes harvested and compliance with the allowable cut.</p> <p>In private forests :</p> <p>Forestry activities in private forests are also monitored by various stakeholders and levels of government. At the municipal level, forestry activities are monitored by inspectors. Forest producers taking advantage of the private forest development program must call on the services of a forest engineer to determine the appropriate prescriptions. Since 1995, regional forest development agencies have also been monitoring activities that have benefited from the program.</p> <p>A review of CITES Appendix 1 confirms that there are no Canadian tree species on the CITES list. All offences committed in public forests between 2019 and 2021 under the Forest Act and the Sustainable Forest Development Act are posted on the MRNF website. In 2021, certain infractions were associated with harvesting without a permit, harvesting species excluded from the harvesting permit, and transporting logs without a transport permit outside the harvesting site. No judicial decisions relating to the harvesting of wood in private forests and associated with the laws on the marketing of agricultural, food and fishery products and on transportation have been listed on the CanLII site.</p> <p><b>Risk conclusion and justification</b></p> <p>The existing series of checks and balances defined and monitored by governmental agencies including marketing boards allow to record wood harvests and wood consumption by the forest sector for both public and private forests. Mills must possess a valid governmental issued permit to operate and annual reporting for their renewal. The evidence shows biomass producers' feedstock is sourced in compliance with timber harvest, transport and manufacturing regulatory framework meeting the EUTR's legality requirements, and CITES.</p>
<i>Supply Base Verifiers</i>	-
<i>Evidence reviewed</i>	<ul style="list-style-type: none"> <li>- LADTF (in terms of authorizations and recognition of ecosystem-based management)</li> <li>- Forest Act</li> <li>- Regulations on the Sustainable Management of State-owned Forests (draft) (2014, G.O. 2, 4837)</li> <li>- By-laws for public forests</li> <li>- Wood scaling and transportation regulations allow tracking of wood harvested and delivered to mills.</li> <li>- Transport Act</li> </ul>

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	<ul style="list-style-type: none"> <li>- Act respecting the marketing of agricultural, food and fishery products</li> <li>- Natural Heritage Conservation Act (LCPN)</li> <li>- Act respecting threatened or vulnerable species and related regulations</li> <li>- Species at Risk Act (Canada)</li> <li>- Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act (WAPPRIITA)</li> <li>- Customs Act</li> <li>- <a href="http://cfs.nrcan.gc.ca/entrepotpubl/pdfs/35983.pdf">http://cfs.nrcan.gc.ca/entrepotpubl/pdfs/35983.pdf</a></li> <li>- Canada's forest management regulatory framework - Information for importers of Canadian forest products (March 2015)</li> </ul>
<i>Risk rating</i>	<b>Low risk</b> Specified risk
<b>1.1.4</b>	<b>Payments for harvest rights and feedstock, including duties, relevant royalties and taxes related to timber harvesting shall be complete and up-to-date.</b>
<i>Findings</i>	<p><b>Scale of assessment</b> Public forest Private forest</p> <p><b>Analysis</b> The payment of harvesting rights, taxes and royalties ensures that property rights are respected and generates income for the holders of these rights. In public forests, these payments are public funds used, among other things, to finance forest management in the province. Failure to make these payments can result in financial and legal penalties, and even revocation of harvesting rights in public forests. Non-payment of harvesting and timber duties, including fees, royalties and taxes related to timber harvesting, can threaten the credibility of the province's timber marketing and forest management systems. The value of forest resources may be called into question, as may sustainable forest management. Several laws and regulations govern the payment of all specific royalties related to forestry operations and required by law, such as royalties, stumpage fees or other volume-related charges. Section 87 of the Sustainable Forest Development Act (LADTF) stipulates that the Minister has the regulatory power to "... set the fees payable by the holder of the permits he indicates, as well as the conditions for payment of the fees". In private forests, forest harvesting is governed by the Act respecting the marketing of agricultural, food and fish products (m-35.1). Timber marketing regulations are in force for each region of Quebec to manage the joint plans of wood producers in private forests.</p> <p><b>Enforcement and monitoring</b> In public forests, cutting rights are required for harvested volumes, and fees are paid by industrialists for insect pest and fire control to SOPFIM and SOPFEU respectively. Non-payment of royalties and obligations entails financial penalties, in particular an amount equal to the interest accrued on the amount of royalties due will be added to the aforementioned fees. Ultimately, permits may be revoked for non-payment of royalties. Violators of the Lands Act and the Sustainable Forest Development Act receive notices of offence or tickets. Management of wood marketing in private forests by the unions and offices of the Union des</p>

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	<p>producteurs agricoles supports private forest owners in tracking the stumpage fees associated with the volumes of wood harvested from their property. Owners can choose how they wish to proceed, with or without forestry contractors, to recover their stumpage. For companies with infrastructure and private land, property taxes are applicable. Wood marketing in private forests is managed by the unions and offices of the Union des producteurs agricoles. The Minister of the MRNF oversees the application of the LADTF through MRNF officials. This department issues permits and monitors harvest volumes by cutting rights holders and consumption by primary processing plants. The resources of the government and relevant authorities allow for proper control of the payment of fees, royalties and taxes related to timber harvesting in Quebec. The list of offenders is posted and updated on the MRNF website. As far as stumpage fees in private forests are concerned, marketing by unions and boards, and the monitoring of accredited forestry advisors and contractors in most regions of Quebec are all resources that ensure payment of these stumpage fees, not to mention the fact that citizens have recourse to a credible legal system.</p> <p><b>Risk conclusion and justification</b></p> <p>The information gathered shows that adequate human and material resources are in place to ensure that tree harvesting payments are made. The judicial system is recognized as credible and fair by society, landowners and rights-holders. There is a low risk that payments for harvesting rights and raw materials, including fees, royalties and applicable taxes related to tree harvesting, will not be made.</p>
<p><i>Supply Base Verifiers</i></p>	<p>-</p>
<p><i>Evidence reviewed</i></p>	<ul style="list-style-type: none"> <li>- Regulation respecting the scaling of timber harvested from forests in the domain of the State (RLRQ, chapter A-18.1, r. 5)</li> <li>- Regulation respecting the method of assessing the annual royalty and the method and frequency of assessing the market value of standing timber purchased by beneficiaries under their supply guarantee (RLRQ, chapter A-18.1, r. 6)</li> <li>- Regulation respecting the scaling of timber harvested from forests in the domain of the State (RLRQ, chapter A-18.1, r. 5.1)</li> <li>- Regulation respecting the terms and conditions of payment of the annual royalty and of timber purchased by beneficiaries under their supply guarantee (RLRQ, chapter A-18.1, r. 6.1)</li> <li>- Regulation respecting forest royalties (RLRQ, chapter A-18.1, r. 11)</li> <li>- Regulation respecting the rate per cubic metre of wood applicable to the calculation of the contribution payable by the holder of a timber harvesting permit to regional agencies for the development of private forests (RLRQ, chapter A-18.1, r. 13)</li> <li>- Wood Scalers Act (RLRQ, chapter M-12.1)</li> <li>- LADTF</li> <li>- Excise Tax Act (GST)</li> <li>- Act respecting the Québec sales tax (QST)</li> <li>- Fuel tax law</li> <li>- Customs Act</li> <li>- Income Tax Act (federal)</li> <li>- Taxation Act (provincial), which includes a section on taxation of forestry operations</li> </ul>

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<i>Risk rating</i>	Public forest <b>Low risk</b> Private forest <b>Low risk</b>
<b>1.1.5</b>	<b>There shall be adequate protection of the Supply Base from unauthorised and illegal activities, such as illegal logging, mining, and encroachment.</b>
<i>Findings</i>	<p><b>Scale of assessment</b> Quebec forests</p> <p><b>Analysis</b> Canada's forestry regime is recognized as one of the most advanced in the world. According to Transparency International, forest-trends (2021), there is a low risk of illegal logging occurring in Canada. It is on the list only because of wood imports. The provinces have their own laws and regulations, and have the staff and controls to enforce them. The province of Quebec exercises legislative authority over the conservation and management of its forest resources. Laws and regulations govern activities on forest lands. The provincial government, through its ministries and municipalities, ensures the application of this legal framework. Citizens also have tools at their disposal to protect their rights and forest resources, notably through the legal system and various tools for reporting illegal activities. Illegal and unplanned activities do not contribute to sustainable forest management strategies. They cause losses to forest owners and rights holders. Unsupervised and uncontrolled, they can have a negative impact on forest ecosystems. Several laws and regulations exist to protect it from illegal harvesting, false declarations of harvested volumes, illegal occupation of public land and poaching. The Crown Lands Act, the Natural Heritage Conservation Act and the Sustainable Forest Development Act (LADFT) govern the use of forest land and the exploitation of forest resources. Regulations governing the scaling of timber harvested from forests in the domain of the State ensure that the quantities of timber harvested are recorded before leaving the harvesting site and upon delivery to mills. Wood harvested from private forests and marketed in Quebec is subject to the Loi sur la mise en marché des produits agricoles, alimentaires et de la pêche (Act respecting the marketing of agricultural, food and fish products) and to the regulations governing the marketing of wood by wood producers in Quebec's administrative regions, as well as to the Transport Act. Depending on the region, unions and boards monitor all or a specific category of wood harvested from private forests. Municipalities have tree-cutting bylaws. Under the Act respecting land use planning and development, RCM development plans define land-use scales to ensure the harmonious and sustainable cohabitation of all activities on their territory. Hunting and trapping regulations are derived from the Act respecting the conservation and development of wildlife, while Quebec's fishing regulations are derived from the federal Fisheries Act.</p> <p><b>Enforcement and monitoring</b> Since 2013, the MRNF has been responsible for forest planning in public forests and for tracking allocated and harvested timber. In 2010, the wood marketing office set up under the LADTF makes wood available on the open market. All wood harvested from public forests is subject to supply guarantees, contractual agreements and permits. A wood processing plant operating permit is mandatory, and requires the keeping of an annually updated register of inventories, timber receipts and consumption, as well as the nature and quantity of manufactured products. Allocated and harvested volumes in public and private forests can then be compared with mill deliveries. Forest management companies in public forests must be ISO 14001 or CEAF certified. They must train their staff and contractors on the procedures to follow when they witness illegal activity. The incident must be reported to their supervisor, who must in turn notify the MRNF by completing a report form. Report forms can be completed online on a publicly accessible form (<a href="http://www.mffp.gouv.qc.ca/faune/protection/braconnage-inscription.asp">http://www.mffp.gouv.qc.ca/faune/protection/braconnage-inscription.asp</a>).</p>

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	<p>Reports are then analyzed and processed by various MRNF officials and, if necessary, forwarded to the appropriate authorities, such as the Sûreté du Québec or wildlife officers. In private forests, municipal and MRC inspectors, as well as provincial and municipal police forces, monitor respect for property rights and the application of municipal by-laws. In private forests, monitoring is also carried out by the woodlot owner, neighbors and the community. In the event of illegal activity, police or wildlife officers may intervene. The Ministère des Ressources naturelles et des Forêts (MRNF) oversees the development of public lands. It can lease or sell land, or grant other forms of use rights. Any permanent use of land is subject to authorization from the Ministry. Once an illegal occupation has been denounced, the Ministry or one of the delegated MRCs initiates procedures to ensure that the illegal occupant leaves the site and that it is restored to its original state. Wildlife officers have a mandate to protect wildlife by, among other things, combating poaching. Wildlife management organizations, such as controlled harvesting zones (ZECs) and outfitters, ensure the sound management of wildlife and their habitats. In private forests, it's the municipalities, supported by their inspectors and the legal system, who enforce the laws and regulations. The list of public forest infractions is available to the public on the MRNF (<a href="https://mrnf.gouv.qc.ca">https://mrnf.gouv.qc.ca</a>). It is possible to observe a few infractions associated with illegal activities. In 2016, a summary report on the Canadian legal system governing Canada's forests emphasized that the LADTF was too recent to observe results in society, as judicial decisions do not create law. Identifying judicial cases of illegal activity in private forests is complex. A search for the keywords "foret" and "arbres" on the CANLII site reveals no municipal court forestry cases in the last 12 months.</p> <p><b>Risk conclusion and justification</b></p> <p>The information gathered points to a legal framework and a recognized system for dealing credibly and fairly with illegal activities. As a result, the risk of forests not being adequately protected from illegal activities is low.</p>
<p><i>Supply Base Verifiers</i></p>	<p>-</p>
<p><i>Evidence reviewed</i></p>	<ul style="list-style-type: none"> <li>- Annual management reports - MRNF</li> <li>- <a href="http://www.mrnf.gouv.qc.ca">www.mrnf.gouv.qc.ca</a></li> <li>- <a href="https://mffp.gouv.qc.ca/la-faune/protection-de-faune/s-o-s-braconnage/">https://mffp.gouv.qc.ca/la-faune/protection-de-faune/s-o-s-braconnage/</a></li> <li>- CANLII.org</li> <li>- What does the evolution of the Canadian legal system governing forests in Canada tell us about the governance of natural resources and their development, Canada Research Chair in Environmental Law, 2016, p. 246</li> <li>- Customs Act</li> <li>- Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act</li> <li>- Act respecting the conservation and development of wildlife</li> <li>- Fisheries Act</li> <li>- Public forest bylaws</li> <li>- Loi sur la mise en marché des produits agricoles, alimentaires et de la pêche m-35.1</li> <li>- Regulation respecting the marketing of wood by wood producers in the Québec City region r. 123</li> <li>- Forest Transportation Contract Regulations</li> </ul>

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	<ul style="list-style-type: none"> <li>- List of offences in public forests</li> <li>- <a href="https://www.rncan.gc.ca/forets/canada/lois/13304">https://www.rncan.gc.ca/forets/canada/lois/13304</a></li> </ul>
<i>Risk rating</i>	<b>Low risk</b> Specified risk

### Principle 2 – Feedstock sourcing does not harm the environment

#### Criterion 2.1 – Biodiversity is maintained or enhanced

<b>2.1.1</b>	<b>Key species, habitats, ecosystems, and areas of high conservation value (HCV) pertaining to biodiversity in the Supply Base shall be identified.</b>
<i>Findings</i>	<p><b>Scale of assessment</b>          Public forest          Private forest with management assistance programs          Private forest without management assistance programs</p> <p><b>Analysis</b>          In Quebec, forest inventories, species occurrence data and land mapping enable us to identify a large proportion of biodiversity-related natural habitats, ecosystems and high conservation value (HCV) areas. Producers are responsible for training forest operators and identifying areas as requiring protection during forest management. Biomass producers have access to this information to enable them to demonstrate that raw materials are sourced from areas where biodiversity species, habitats, ecosystems and High Conservation Values (HCVs) (HCV categories 1 to 4) are identified.          Category 1 HCV: Significant global, regional or national concentration of biodiversity values.          HCV 2: Extensive forests of global, regional or national importance at landscape level. This HCV category includes intact forest landscapes (IFL).          HCV 3: Forest areas in rare, threatened or endangered ecosystems.          HCV 4: Forest areas that provide basic services of nature in critical situations (e.g., watershed protection, erosion control).</p> <p><u>Threats or potential impacts</u>          The potential threats or negative impacts of forest management vary according to key species, habitats, ecosystems and category 1-3 HCVs.          As a general rule, forests and other areas of high conservation value should be included in the management plan.          Category 1 HCV: Significant global, regional or national concentration of biodiversity values. Forestry operations with forestry machinery, forest roads and tree harvesting can destroy or reduce the quality of critical habitat in significant areas of concentration of wildlife and plant species. This loss of quality through deterioration or elimination can be detrimental to the survival of certain species. Some species are sensitive to human activities. The road network can provide access to these concentration zones and encourage illegal harvesting and hunting. For many species, the consequences of forest management are multifactorial. For the woodland caribou, listed as threatened under Canada’s Species at Risk Act since 2003, and as vulnerable in Quebec under the provincial Act Respecting</p>

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Threatened or Vulnerable Species since 2005 for example, rejuvenation of the forest canopy and the creation of access roads lead to an increase in the population of other cervids and their predators (bears and wolves).

HCV 2: Large forests of global, regional or national importance at landscape level. Forest management leads to the opening up of the forest canopy and consequent fragmentation of forest landscapes through road creation and logging. This generally results in a reduction in the connectivity of forest habitats on a landscape scale, and a reduction in the size of forest massifs comprising intact forest landscapes.

HCV 3 and 4: Forest areas in rare, threatened or endangered ecosystems and areas that provide basic services of nature in critical situations. Habitats of species at risk are included in HCV 1. The Quebec government has included in its Forest Act a definition of exceptional forest ecosystems that are exceptional on a provincial or regional scale, such as old-growth or rare forests, or that are home to species that are threatened, vulnerable or likely to become so (VSS). Forest areas such as wetlands, watersheds, drinking water are also integrated in forest and landscape management plans. In 2023, the Conservation of wetlands and environments Act (*Loi concernant la conservation des milieux humides et hydriques*) entered into force to better consider the essential services of these ecosystems. The consequences of forestry operations in HCVs 3 & 4 are similar to those described for HCVs 1 and 2, i.e. they can lead to the destruction and degradation of these HCVs for the same reasons as described above.

These impacts also apply to key species, habitats and forest ecosystems.

### Public forest

The Sustainable Forest Development Act and the Regulation respecting the sustainable development of forests in the domain of the State provide a framework for forestry practices and establish criteria for the classification of EFEs. The Règlement sur l'aménagement durable des forêts (RADF), for its part, contains terms and conditions designed to identify and protect certain HCVs when implementing forest management. Forest planning is governed by the Forest Planning Manual (see article 54 of the LADTF) for the implementation of integrated forest management plans (PAFI). Consultation mechanisms targeting interested parties and land users (First Nation communities, sugar bush leaseholders, trappers, etc.) also make it possible to identify HCVs relating to biodiversity. Article 55 of the LADTF provides for the establishment of local integrated resource and land management tables to take into account the interests and concerns of people and organizations affected by forest management activities. Article 57 also provides for public consultations on integrated forest management plans. For management units certified under the FSC program, PFIs are identified and monitored by the MRNF in support of program certificate holders.

### Private forest

Under the Act respecting land use planning and development, the RCMs' development plans define land use scales to ensure the harmonious and sustainable cohabitation of all activities carried out on their territory. The main laws governing work carried out in private forests relevant to maintaining high conservation values are the Act respecting the conservation and development of wildlife, the Act respecting the protection of agricultural land and agricultural activities, the Environment Quality Act, the Act respecting threatened or vulnerable species and the Species at Risk Act.

### Private and public forests

Canada's Species at Risk Act aims to protect VSSEs and their habitat. In practice, however, Quebec's Act respecting threatened and vulnerable species prevails. The Minister of the Environment and Climate Change may enforce the federal law in public and private forests by order-in-council. This law aims to protect threatened flora and fauna and their habitats.

Other relevant laws are :

- Loi sur la conservation et la mise en valeur de la faune governs the conservation of wildlife and its habitat, as well as hunting, fishing and trapping activities.
- Quebec Act respecting threatened or vulnerable species

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- Canada's Species at Risk Act
- State Lands Act describes biological refuges.
- Loi sur la protection du territoire et des activités agricoles aims to protect land suitable for agriculture.
- The Environmental Quality Act aims to protect the environment and species.
- The purpose of the Natural Heritage Conservation Act is to ensure the preservation of natural heritage through the protection of ecosystems, ecological restoration and the sustainable use of ecosystems.
- The Act respecting land use planning and development requires RCMs to draw up and adopt a land use plan.

### **Enforcement and monitoring**

The occurrences and land use of VSS are recorded in the database of the Centre de données sur le patrimoine naturel du Québec (CDPNQ). This database is used for forest management planning. Since 2001, the Quebec government has had a legal framework for the protection of exceptional forest ecosystems (EFEs), which are rare forests, old-growth forests or refuge forests for threatened or vulnerable species. For the public forest, the Forest Planning Manual, standards and exchange procedures between the Ministry and stakeholders guide the Ministry's professionals in drawing up management plans. The MRNF carries out public consultations as well as separate consultations with First Nation communities it deems relevant. These consultations help improve the identification of high conservation values. They are carried out as part of the development of the tactical integrated forest management plan (PAFIT), and during operational and annual forest planning. In addition, the MRNF has set up a reporting procedure for forest land users, enabling them to report the occurrence of an HVCA or rare or ancient forest types. Report forms are forwarded to and reviewed by the MRNF's regional offices. Once validated, they are integrated into geomatic layers and taken into account in forest management. In private forests, regional plans for the protection and enhancement of private forests (PPMV), in line with MRC management plans, adopt an ecosystem approach with monitoring indicators to aim for the range of natural variation. The responsible authorities ensure public participation and consultation to establish the orientations and objectives of the PPMVs and plans. Either the forestry advisor or the landowner is responsible for identifying VSS habitat and other rare or sensitive ecosystems. The Minister of Sustainable Development, Environment and Parks is responsible for proposing a policy for the protection and management of VMEs and their habitats. In public forests, the implementation of this policy and forestry regulations is carried out mainly by the MRNF as part of forest management planning and forest operations control. Article 132 of the Sustainable Forest Development Act stipulates that private forest development agencies oversee forestry practices in private forests. They exercise this control by managing forest management assistance programs such as the private forest development program and the property tax refund program.

#### Public forest

The MRNF's Inventories Branch has a forest inventory program for acquiring and disseminating detailed knowledge of forest ecosystems, and for mapping them. A database of known habitats of rare species, VMEs and wildlife and plant sites protected by forest management (e.g., biological refuge, oquassa arctic char lake, spawning grounds, heronries, eagle nests) is maintained by the MRNF. In addition, there are currently 256 territories classified as EFEs, and a procedure exists for classifying new EFEs should new eligible areas be identified. The mechanism for reporting VME occurrences and potential EFEs exists and is open to the public. MRNF staff and forest workers receive annual training in the identification of the main VSSEs they may encounter in the forest. Finally, the risk of failing to identify and harm a sensitive ecosystem and HVC in wetlands is greatly reduced by the FDR, which requires the identification and creation of buffer zones in the vicinity of wetlands. To support certificate holders, MRNF monitors the status of PFIs as defined by FSC.

#### Private forest with management assistance programs:

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	<p>Thanks to the collaboration of forestry technicians and professionals with private woodlot owners, agencies and implementation, the current system provides a forest management plan that includes mapping of the property and environmental characteristics, including the presence of listed habitats of species at risk.</p> <p><u>Private forest without management assistance programs:</u></p> <p>Activities carried out without recourse to management assistance programs are therefore not necessarily supervised or documented by forestry professionals. Although, in theory, these activities must comply with management plans, municipal by-laws and other laws and regulations associated with forestry operations in private forests, the lack of public information demonstrating compliance with these requirements means that it is not possible to confirm whether HCVs have been identified and mapped on these properties.</p> <p><b>Risk conclusion and justification</b></p> <p>In both public and private forests, a forest management assistance sub-program and supervision by MRNF staff or private forest development agencies ensure that the regulatory framework is applied. Even if HCVs are not explicitly recognized by regulation, their consideration is ensured by the implementation of ecosystem-based management required by the LADTF. The risk is therefore low. In the case of activities in private forests without the use of management assistance programs, a certain risk is posed by the absence of documentation or supervision by forestry professionals.</p>						
<i>Supply Base Verifiers</i>	<ul style="list-style-type: none"> <li>- Confirm the identification of biodiversity-related HCV habitat in forest management plans or prescriptions for private forest(s) without recourse to management assistance programs.</li> <li>- Verify the presence of VMEs in the CDPNQ database in the private forest(s).</li> </ul> <p>Obtain field visit reports to validate the presence and implementation of management activities appropriate to VME habitats in private forest(s).</p>						
<i>Evidence reviewed</i>	<ul style="list-style-type: none"> <li>- FSC National Risk Assessment for Canada. 2019. FSC Canada. <a href="https://connect.fsc.org/document-center/documents/707ac9d8-d2d8-4f08-8768-6949bb3f3361">https://connect.fsc.org/document-center/documents/707ac9d8-d2d8-4f08-8768-6949bb3f3361</a></li> <li>- Special protection measures for flora and fauna in public forests. Government of Quebec.</li> <li>- Agency: <a href="https://www.foretprivee.ca/jamenage-ma-foret/intervenants-en-foret-privee/agences-regionales-demise-en-valeur-de-la-foret-privee/# :~:text=Les%20agences%20r%C3%A9gionales%20de%20mise,am%C3%A9nagement%20durable%20du%20territoire%20forestier.">https://www.foretprivee.ca/jamenage-ma-foret/intervenants-en-foret-privee/agences-regionales-demise-en-valeur-de-la-foret-privee/# :~:text=Les%20agences%20r%C3%A9gionales%20de%20mise,am%C3%A9nagement%20durable%20du%20territoire%20forestier.</a></li> <li>- Species at Risk Act decrees. <a href="https://www.sararegistry.gc.ca/approach/act/orders_f.cfm">https://www.sararegistry.gc.ca/approach/act/orders_f.cfm</a></li> <li>- Integration of ecological issues into 2018-2023 integrated forest management plans.</li> <li>- MRNF EMS-FDA reporting procedure.</li> <li>- Exceptional forest ecosystems: key elements of Quebec's biological diversity. Accessed April 5 :</li> <li>- Bouchard, A. R., 2005. Lignes directrices pour la gestion des territoires classés écosystèmes forestiers exceptionnels (Article 24.4 de la Loi sur les forêts), Québec, Gouvernement du Québec, Ministère des Ressources naturelles, de la Faune et des Parcs, Direction de l'environnement forestier, 23 p.</li> <li>- Brown E., Dudley N., Lindhe A., Muhtaman D. R., Stewart C. and Synnott T. 2021 Generic Guide to HIGH CONSERVATION VALUES. HCV Resource Network. <a href="https://global-uploads.web-flow.com/624493bb51507d22cf218d50/6286873a7b2cd77136c6a62c_HCVCommonGuide_french-07-17-web.pdf">https://global-uploads.web-flow.com/624493bb51507d22cf218d50/6286873a7b2cd77136c6a62c_HCVCommonGuide_french-07-17-web.pdf</a></li> </ul>						
<i>Risk rating</i>	<table border="0"> <tr> <td>Public forest</td> <td>Low risk</td> </tr> <tr> <td>Private forest under program</td> <td>Low risk</td> </tr> <tr> <td>Private forest outside the program</td> <td><b>Specified risk</b></td> </tr> </table>	Public forest	Low risk	Private forest under program	Low risk	Private forest outside the program	<b>Specified risk</b>
Public forest	Low risk						
Private forest under program	Low risk						
Private forest outside the program	<b>Specified risk</b>						

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2.1.2	<p><b>Threats to and impacts on the identified key species, habitats, ecosystems, and areas of high conservation value (HCV) pertaining to biodiversity in the Supply Base shall be identified and evaluated.</b></p>
Findings	<p><b>Scale of assessment</b>          Public forest          Private forest with management assistance programs          Private forest without management assistance programs</p> <p><b>Analysis</b>          With a mandate to improve forestry practices in Quebec, the MRNF's Direction de la recherche forestière (DRF) conducts and funds research into the effects of forest management on forest ecosystems, wildlife and climate change. The results of this research help assess the impact of forest management in the province. In addition, the Canadian Forest Service, the Canadian Wildlife Service, other federal entities and researchers from several universities are conducting research into the negative impacts and threats of forestry activities in the forest environment. The Public Land Use Plan (PLUP) sets out the uses and protection of public land. The current approach to public land use allows for input from local communities, including First Nation peoples. In public forest management units, the consultation process for the development of tactical integrated forest management plans (PAFIT) includes consultation with the public and forest users. The PATP and PAFIT consultation processes are potential sources of information for identifying certain threats to biodiversity. In private forests, consultations as part of the preparation of management and development plans (Schémas d'aménagement et de développement) and protection and enhancement plans (Plans de protection et de mise en valeur - PPMV) provide an opportunity to reveal certain threats to biodiversity. In assessing this indicator, we have considered the threats and negative impacts on known habitats and occurrences of the main species, as well as the main natural habitats, ecosystems and areas of high conservation value (HCV) relating to biodiversity. There is a risk that some habitats and occurrences are not known, making it impossible to implement protection measures. This aspect is dealt with in indicator 2.1.3. We do not deal with it here in order to reduce redundancy in the risk analysis. The threats posed by forest management to the main species, natural habitats, ecosystems and High Conservation Value (HCV) areas relating to biodiversity are diverse and exist at both landscape and harvesting site scales. Road construction and tree harvesting can destroy or reduce habitat quality in significant wildlife and plant concentration areas. This loss of quality through deterioration or elimination can be detrimental to the survival of certain species. In addition, the road network can provide access to these concentration zones and encourage illegal harvesting and hunting. For many species, the consequences of forest management are multifactorial. For woodland caribou, for example, the rejuvenation of the forest canopy and the creation of access roads lead to an increase in the population of other cervids and their predators (bear and wolf). Forest management can lead to the fragmentation of forest landscapes through the construction of new roads and forest harvesting, reducing the connectivity of forest habitats on a landscape scale and the size of forest stands. Forestry regulations are periodically updated to minimize threats and mitigate their consequences.</p> <p><u>Public forest</u>          The Sustainable Forest Development Act (LADTF) and the Regulation respecting the sustainable development of forests in the domain of the State provide a framework for forestry practices and establish criteria for the classification of EFEs. The Règlement sur l'aménagement durable des forêts (RADF), for its part, contains terms and conditions that protect certain HCVs when implementing forest management, notably harvesting in riparian environments (Art. 34), forest massifs (Art. 146) and the area of application of the Woodland Caribou Recovery Plan (Art. 59-61). Forest planning is governed by the Manuel de planification forestière (see art. 54 of the LADTF) for the implementation of integrated forest management plans (PAFI). The main other laws applicable to public forests are</p>

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listed below.

### Private forest

Under the Act respecting land use planning and development, the RCMs' development plans define land use scales to ensure the harmonious and sustainable cohabitation of all activities carried out on their territory. The main laws governing work carried out in private forests relevant to maintaining high conservation values are the Act respecting the conservation and development of wildlife, the Act respecting the protection of agricultural land and agricultural activities, the Environment Quality Act, the Act respecting threatened or vulnerable species and the Species at Risk Act.

Other relevant laws are :

- The Act respecting the conservation and development of wildlife, which governs the conservation of wildlife and its habitat, as well as hunting, fishing and trapping activities.
- Quebec's Act respecting threatened or vulnerable species
- Canada's Species at Risk Act
- The State Lands Act, which describes biological refuges.
- The Act respecting the protection of agricultural land and agricultural activities, which aims to protect land suitable for agriculture.
- The Environment Quality Act, which aims to protect the environment and species.
- The Natural Heritage Conservation Act, which aims to ensure the preservation of natural heritage through the protection of ecosystems, ecological restoration and the sustainable use of ecosystems.
- The Act respecting land use planning and development, which requires RCMs to draw up and adopt a land use plan.

### **Enforcement and monitoring**

#### Public forest

The LADTF and the Règlement sur l'aménagement durable des forêts du domaine de l'État provide a framework for forestry practices in line with the sustainable forest management strategy. The Quebec government periodically updates this legislative framework to take account of new knowledge, particularly concerning threats to biodiversity. The forest planning process is carried out in accordance with the LADTF and the RADF, and takes into account the various protective allocations set out in the PATP. Forest management in public forests provides for the implementation of the principle of ecosystem-based management by integrating management targets inspired by the historical variability of the forest ecosystem. Tools (e.g. habitat quality index, habitat quality model, habitat quality score, habitat potential assessment keys) have been developed to assess changes in the habitat quality of focal species caused by forest management. Using these tools, the forest management approach implemented in Quebec ensures that biological diversity and ecosystems representative of natural forests as a whole are maintained at landscape scale. This "gross filter" approach reduces threats to a majority of species, natural habitats, ecosystems and areas of high conservation value. Compliance with the FDR during forestry operations is verified by MRNF agents who monitor forestry activities. Consultations with the public and affected parties are carried out by MRNF planners. In the event that a species at risk or an exceptional habitat is discovered by MRNF agents or other informed land users, a reporting system exists to notify the MRNF that an attribute requiring protection has been observed on the territory.

#### Private forest

The periodic updating of the guide to sound forest management practices in private forests enables us to take into account new knowledge and practices, particularly those associated with threats, and suggests measures to mitigate environmental impacts. Regulatory obligations and sound intervention practices are implemented

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	<p>by the owner or contractor carrying out the work. Activities supervised by accredited advisors and benefiting from forest management assistance are assessed by agency inspectors. These inspectors verify compliance with the criteria of the forest management assistance program and report any irregularities in accordance with sound forestry practices.</p> <p>With regard to the implementation of forest management practices that comply with current regulations, MRNF agents must draw up a PAFIT in accordance with legislation and monitor the compliance of forest management work. Harvesting sites must be carried out in accordance with the prescription provided by the MRNF, which includes measures to protect the habitat of VMEs and known sensitive environments. In private forests, regional agencies for the development of private forests oversee work subsidized by the forest management assistance program. In some cases, municipalities or regional county municipalities (MRCs) carry out inspections to ensure that felling operations comply with municipal legislation.</p> <p><u>Public forest</u></p> <p>Measures exist and are implemented to ensure the protection of many VSSEs, their habitats and rare, refuge and old-growth forests, as well as other special ecosystems. These regulatory measures are periodically updated to take account of new scientific knowledge about the species, their habitats and the threats posed by forestry operations. Forest planning takes into account numerous attributes associated with wildlife habitat and biodiversity that have been surveyed and mapped on the managed territory. Many of these measures are associated with roads and the protection of wetlands and riparian areas. The notion of focal species and their consideration in forest planning has also been updated by the MRNF. Operators are responsible for carrying out the harvest in accordance with the prescription provided by the MRNF and in compliance with the requirements of the FDR. Prescriptions include measures to protect VSS habitat and known sensitive environments. The MRNF conducts compliance reviews to monitor operator performance.</p> <p><u>Private forest using forest management assistance programs</u></p> <p>The guide to good practice describes measures to be adopted to protect sensitive habitats. The extent to which these measures are taken into account depends on the level of awareness of the landowner and the contractor carrying out the work. In the case of subsidized work, the involvement of forestry advisors helps raise awareness, leading to better identification of sensitive habitats, increased compliance with regulations and improved implementation of best practices.</p> <p><u>Private forest without recourse to forest management assistance programs</u></p> <p>Although, in theory, these activities must comply with management plans, municipal by-laws and other laws and regulations associated with private forestry operations, the lack of public information demonstrating compliance with these requirements means that it is not possible to confirm whether HCVs have been identified and mapped on these properties.</p> <p><b>Risk conclusion and justification</b></p> <p>In public forests and private forests where forest management assistance programs are used, supervision by MRNF staff and private forest development agencies ensures that the regulatory framework is applied. There is therefore little risk that threats and impacts will not be identified and assessed. However, in the case of activities carried out in private forests without recourse to management assistance programs, the work is not necessarily supervised or assessed by forestry professionals. There is therefore a definite risk in private forests without the use of management assistance programs that the threats and impacts on the main species, natural habitats, ecosystems and areas of high conservation value (HCV) relating to biodiversity in the supply area will not be identified and assessed.</p>
<i>Supply Base Verifiers</i>	- Confirm the identification of biodiversity-related HCV habitat in forest management plans or private forest prescriptions without the need for management assistance programs.

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	<ul style="list-style-type: none"> <li>- Verify and document the presence of VMEs using the CDPNQ database in private forests without recourse to management assistance programs.</li> <li>- Conduct field visits by experts to inventory VME habitat in private forest(s) without recourse to management assistance programs.</li> </ul>
<p><i>Evidence reviewed</i></p>	<ul style="list-style-type: none"> <li>- FSC National Risk Assessment for Canada. 2019. FSC Canada.</li> <li>- <a href="https://connect.fsc.org/document-center/documents/707ac9d8-d2d8-4f08-8768-6949bb3f3361">https://connect.fsc.org/document-center/documents/707ac9d8-d2d8-4f08-8768-6949bb3f3361</a></li> <li>- Special protection measures for flora and fauna in public forests. Government of Quebec</li> <li>- <a href="https://MRNF.gouv.qc.ca/les-forets/protection-milieu-forestier/mesures-protection-particulieres-flore-faune/#:~:text=L am%C3%A9nage-ment%20must%20pr%C3%A9serve%20the,which%20suit%20%C3%A0%20the%C3%A8ce.">https://MRNF.gouv.qc.ca/les-forets/protection-milieu-forestier/mesures-protection-particulieres-flore-faune/#:~:text=L am%C3%A9nage-ment%20must%20pr%C3%A9serve%20the,which%20suit%20%C3%A0%20the%C3%A8ce.</a></li> <li>- List of regional private forest development agencies: <a href="https://www.foretprivee.ca/jamenage-ma-foret/inter-venants-en-foret-privee/agences-regionales-de-mise-en-valeur-de-la-foret-privee/#:~:text=Les%20agences%20r%C3%A9gionales%20de%20mise,am%C3%A9nagement%20durable%20du%20territoire%20forestier.">https://www.foretprivee.ca/jamenage-ma-foret/inter-venants-en-foret-privee/agences-regionales-de-mise-en-valeur-de-la-foret-privee/#:~:text=Les%20agences%20r%C3%A9gionales%20de%20mise,am%C3%A9nagement%20durable%20du%20territoire%20forestier.</a></li> <li>- Species at Risk Act Orders. <a href="https://www.sararegistry.gc.ca/approach/act/orders_f.cfm">https://www.sararegistry.gc.ca/approach/act/orders_f.cfm</a></li> <li>- Integration of ecological issues into 2018-2023 integrated forest management plans. <a href="https://cdn-contenu.quebec.ca/cdn-contenu/forets/documents/gestion/CH_7_1_Especes_menacees_vulnerables_MRNF.pdf">https://cdn-contenu.quebec.ca/cdn-contenu/forets/documents/gestion/CH_7_1_Especes_menacees_vulnerables_MRNF.pdf</a></li> <li>- Integrating ecological issues into integrated forest management plans <a href="https://MRNF.gouv.qc.ca/docu-ments/forets/amenagement/solutions-enjeux.pdf">https://MRNF.gouv.qc.ca/docu-ments/forets/amenagement/solutions-enjeux.pdf</a></li> <li>- MRNF EMS-FDA reporting procedure. <a href="https://operationsregionales.mffpMRNFv.qc.ca/portal/apps/MapJournal/index.html?appid=9029cd9fc25a4a3783f752df1e11518f">https://operationsregionales.mffpMRNFv.qc.ca/portal/apps/MapJournal/index.html?appid=9029cd9fc25a4a3783f752df1e11518f</a></li> <li>- Exceptional forest ecosystems: key elements of Quebec's biological diversity. Accessed April 5: <a href="https://MRNF.gouv.qc.ca/les-forets/connaissances/connaissances-forestieres-environnementales/">https://MRNF.gouv.qc.ca/les-forets/connaissances/connaissances-forestieres-environnementales/</a></li> <li>- Bouchard, A. R., 2005. Lignes directrices pour la gestion des territoires classés écosystèmes forestiers exceptionnels (Article 24.4 de la Loi sur les forêts), Québec, Gouvernement du Québec, Ministère des Ressources naturelles, de la Faune et des Parcs, Direction de l'environnement forestier, 23 p. <a href="https://MRNF.gouv.qc.ca/docu-ments/forets/connaissances/lignes-directrices.pdf">https://MRNF.gouv.qc.ca/docu-ments/forets/connaissances/lignes-directrices.pdf</a></li> <li>- Brown E., Dudley N., Lindhe A., Muhtaman D. R., Stewart C. and Synnot T. 2021 Generic Guide to HIGH CONSERVATION VALUES. HCV Resource Network. <a href="https://global-uploads.web-flow.com/624493bb51507d22cf218d50/6286873a7b2cd77136c6a62c_HCVCommonGuide_french-07-17-web.pdf">https://global-uploads.web-flow.com/624493bb51507d22cf218d50/6286873a7b2cd77136c6a62c_HCVCommonGuide_french-07-17-web.pdf</a></li> <li>- The public land allocation approach. March 2021. <a href="https://www.google.com/url?sa=t&amp;rct=j&amp;q=&amp;esrc=s&amp;source=web&amp;cd=&amp;ved=2ahUKEwi7iMyFh8qDAXmKkFHRjBAhIQFnoECBcQAQ&amp;url=https%3A%2F%2Fcdn-contenu.quebec.ca%2Fcdn-contenu%2Fenvi-ronnement%2Fterritoire%2Fdocuments%2FPR_approche-PATP_MERN.pdf&amp;usq=AOvVaw2TWQJA-bOtI9EJtu4bGlbeye&amp;opi=89978449">https://www.google.com/url?sa=t&amp;rct=j&amp;q=&amp;esrc=s&amp;source=web&amp;cd=&amp;ved=2ahUKEwi7iMyFh8qDAXmKkFHRjBAhIQFnoECBcQAQ&amp;url=https%3A%2F%2Fcdn-contenu.quebec.ca%2Fcdn-contenu%2Fenvi-ronnement%2Fterritoire%2Fdocuments%2FPR_approche-PATP_MERN.pdf&amp;usq=AOvVaw2TWQJA-bOtI9EJtu4bGlbeye&amp;opi=89978449</a></li> <li>- Habitat quality assessment. Visited January 6, 2024. <a href="https://www.quebec.ca/agriculture-environnement-et-ressources-naturelles/faune/gestion-faune-habitats-fauniques/habitats-fauniques/evaluation-qualite-habitats">https://www.quebec.ca/agriculture-environnement-et-ressources-naturelles/faune/gestion-faune-habitats-fauniques/habitats-fauniques/evaluation-qualite-habitats</a></li> <li>- Guide d'intégration des besoins associés aux espèces fauniques dans la planification forestière. <a href="https://www.google.com/url?sa=t&amp;rct=j&amp;q=&amp;esrc=s&amp;source=web&amp;cd=&amp;ved=2ahUKEwjY5PLHlCqDAXUB-FVkfHV1CB3YQFnoECAwQAQ&amp;url=https%3A%2F%2Fmffp.gouv.qc.ca%2Fdocu-ments%2Ffaune%2Fespeces%2FGuideIntegrationBesoins-planif-forestiere.pdf&amp;usq=AOv-Vaw13nYCfv_r7IUaG80C5H84f&amp;opi=89978449">https://www.google.com/url?sa=t&amp;rct=j&amp;q=&amp;esrc=s&amp;source=web&amp;cd=&amp;ved=2ahUKEwjY5PLHlCqDAXUB-FVkfHV1CB3YQFnoECAwQAQ&amp;url=https%3A%2F%2Fmffp.gouv.qc.ca%2Fdocu-ments%2Ffaune%2Fespeces%2FGuideIntegrationBesoins-planif-forestiere.pdf&amp;usq=AOv-Vaw13nYCfv_r7IUaG80C5H84f&amp;opi=89978449</a></li> </ul>

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<i>Risk rating</i>	<table> <tr> <td>Public forest</td> <td>Low risk</td> </tr> <tr> <td>Private forest under program</td> <td>Low risk</td> </tr> <tr> <td>Private forest outside the program</td> <td><b>Specified risk</b></td> </tr> </table>	Public forest	Low risk	Private forest under program	Low risk	Private forest outside the program	<b>Specified risk</b>
Public forest	Low risk						
Private forest under program	Low risk						
Private forest outside the program	<b>Specified risk</b>						
<b>2.1.3</b>	<b>Key species, habitats, ecosystems, and areas of high conservation value (HCV) pertaining to biodiversity in the Supply Base shall be maintained or enhanced.</b>						
<i>Findings</i>	<p><b>Scale of assessment</b>          Public forest          Private forest with management assistance programs          Private forest without management assistance programs</p> <p><b>Analysis</b>          The biomass producer must demonstrate that it has appropriate control systems and procedures in place to maintain and enhance the status of biodiversity-critical species, habitats, ecosystems and areas of high conservation value (HCVs) in the supply base.          The HCV categories considered in the assessment of this indicator are :</p> <ul style="list-style-type: none"> <li>- HCV category 1 (significant global, regional or national concentration of biodiversity values)</li> <li>- HCV category 2 (Extensive forests of global, regional or national importance at a landscape scale, including intact forest landscapes mapped by Global Forest Watch)</li> <li>- HCV category 3 (Forest areas in rare, threatened or endangered ecosystems)</li> <li>- HCV category 4 (ecosystem services)</li> </ul> <p><u>Public forest</u>          In Quebec, the forestry regime is based on "ecosystem-based" forest management, the aim of which is to maintain the attributes and main functions of natural forests. This type of management attempts to mimic natural disturbances so that the range of variability of ecosystems in managed forests approximates the variability of natural forests. This approach is consistent with the notion of a gross filter, and maintains the habitat of the main species, as well as the main natural habitats and ecosystems.</p> <p><u>Threats or potential impacts</u>          The forest area is subject to socio-economic pressures that may threaten the implementation of integrated forest management in line with the principles of ecosystem-based management and the Sustainable Forest Management Strategy. The cumulative impact of logging over the past century, combined with the needs of the industrial complex and forest communities, can threaten the maintenance or enhancement of high conservation values at the landscape scale, such as woodland caribou and large forest massifs. At the stand level, the absence of post-harvest data may limit managers' ability to demonstrate that key biodiversity values are being maintained or enhanced. Logging can cause the loss, fragmentation and degradation of woodland caribou habitat, thereby increasing the risk of predation (changing predator-prey dynamics). In the case of boreal caribou, it has been shown that there is a relationship between the rate of habitat disturbance (including natural and anthropogenic disturbance) and the probability of population self-sufficiency. Since it takes several decades for forest stands to recover from</p>						

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disturbance (e.g., logging or fire), it is important to consider the effects of a given threat in the context of disturbances already existing on the territory (cumulative impacts). The modified Recovery Strategy for Woodland Caribou (*Rangifer tarandus caribou*), Boreal Population, in Canada (hereinafter the "Recovery Strategy") provides more information on threats to the species. The maintenance of vast forests of global, regional or national importance, including PFIs, can be threatened by forest management. These areas are necessary for species such as woodland caribou, and for ecological functions such as carbon sequestration. Without proper forest management, human disturbance will reduce the size of vast forests and PFIs, threatening their existence on the land.

The MRNF's Direction de la recherche forestière (DRF), whose mandate is to improve forestry practices in Quebec, conducts and funds research into the impact of forest management on forest ecosystems, wildlife and the impact of climate change. The concept of HCVs is not specifically recognized in Quebec regulations. However, HCVs are likely to be protected by regulation. The Loi sur l'aménagement durable du territoire forestier (LADTF) and the Règlement sur l'aménagement durable des forêts du domaine de l'État (RADF). It includes measures to promote the conservation of biological diversity (HCV 2 and 3) (e.g. biological refuges, LADTF articles 27 to 30; exceptional forest ecosystems, articles 31-35), the protection of soil and water (HCV 4) (e.g. soil protection, RADF article 153; wetlands, LADTF article 35.1 and RADF articles 27 and 28) and the maintenance of the contribution of forest ecosystems to major ecological cycles (HCV 3). The law also allows for the creation of provincial bodies responsible for protecting forests against fire (LADTF articles 181 to 195), insect pests and cryptogamic diseases (LADTF articles 196 to 210). The results of the DRF's research help to assess the impact of forest management in a changing climate and thus ensure better regulation to maintain key biodiversity species, habitats, ecosystems and High Conservation Value (HCV) areas.

### Private forest

Under the Act respecting land use planning and development, the RCMs' development plans define land use scales to ensure the harmonious and sustainable cohabitation of all activities carried out on their territory. The main laws governing development of wildlife, the Act respecting the protection of agricultural land and agricultural activities, the Environment Quality Act, the Act respecting threatened or vulnerable species and the Species at Risk Act. The regional private forest development agencies, created by the LADTF (articles 132 to 168), have the objective of guiding and developing the development of private forests within their territories, with a view to sustainable forest management.

### Private and public forests

Canada's Species at Risk Act aims to protect threatened and vulnerable species and their habitat (category HCV 1). In practice, however, Quebec's Loi sur les espèces menacées et vulnérables prevails. In exceptional cases, Canada's Minister of the Environment and Climate Change may apply the federal law in public and private forests by order-in-council. More generally, the Environment Quality Act aims to protect the environment and the species that inhabit it. The Act also addresses issues related to protecting the health of the communities occupying the land. In particular, it covers the protection of riparian environments and the release of contaminants into the environment.

Other relevant laws are:

- The Act respecting the conservation and development of wildlife governs the conservation of wildlife and its habitat, as well as hunting, fishing and trapping activities.
- The State Lands Act describes biological refuges.
- The Act Respecting the Protection of Agricultural Land and Agricultural Activities aims to protect land suitable for agriculture.
- The Environment Quality Act aims to protect the environment as well as species.
- The Natural Heritage Conservation Act aims to ensure the preservation of natural heritage through the protection of ecosystems, ecological restoration and the

sustainable use of ecosystems.

- Under the Act respecting land use planning and development, RCMs are required to draw up and adopt a land use plan.
- The purpose of the Archives Act is to regulate the archiving of documents emanating from private and public organizations.

### **Enforcement and monitoring**

The Ministère des Ressources naturelles et des Forêts (MRNF) is responsible for establishing the objectives and means of ensuring that the health, vitality and functions of forest ecosystems are maintained. The implementation of ecosystem-based management is one of the cornerstones of the MRNF's Sustainable Forest Management Strategy (SADF). The integration of ecological issues into integrated forest management plans, Part II - Developing solutions to issues considers the range of natural disturbances present on a forest territory to define the approaches to be favored in forest planning. Objectives include ecological issues (forest age structures, wetlands, etc.), management strategies (species in short supply, wildlife sites of interest, etc.) and silvicultural strategies (inspired by the different disturbance regimes affecting the territory). The PAFIT also includes the development and implementation of a process for assessing ecological vulnerabilities and risks in relation to climate change. In the spruce-moss forest and part of the fir-fir forest, forest management aims to maintain large, sparsely fragmented and well-distributed forest stands within the management unit, notably through the use of spatial organization compartments (SOCs). The target area for SOCs is 30km<sup>2</sup> in spruce and 20km<sup>2</sup> in fir. This size of massif would be large enough to maintain the main species sensitive to fragmentation. Operationally, the beneficiaries of the guaranteed supply agreements (BGA) carry out the harvests in accordance with the silvicultural prescriptions drawn up by the MRNF and in compliance with the FDR. The HCV reports carried out in Quebec for FSC certification show that the forest planning process and consultations make it possible to identify and protect a large proportion of potential HCVs, including woodland caribou habitat and PFIs. Direction 2 of the SADF aims to maintain quality habitats for species requiring special attention and for those that are sensitive to forest management. The objectives of the Strategy include applying a forest management distribution model based on the natural forest, and ensuring that forest management contributes to the recovery of woodland caribou populations. A land-user reporting system exists to identify occurrences, and a database of confirmed occurrences is used in forest management planning to protect VSS and their habitat. Habitat protection measures are based on scientific knowledge and are implemented as part of forest management planning and forest operations. Consultation with affected stakeholders enables us to find harmonization measures to reduce the negative social and environmental impacts of forestry operations. An annual report to the integrated land resource management tables (TGIRT) and to First NationFirst Nation communities shows compliance with harmonization measures and prescriptions. All comments and complaints from third parties are considered and archived by the MRNF. In private forests, agencies provide financial and technical support for the protection of HCVs. They draw up a Protection and Enhancement Plan (PPMV) for their territory, describing the characteristics of the area and the management objectives for sustainable forest management. The PPMVs must comply with the land use and development plans set out in the Act respecting land use planning and development, which determine the major orientations and uses of the territory. PPMVs describe the forest environment at the landscape level, while identifying issues at the stand level and respecting land-use allocations. Cooperation between the various partners in the private forest (forestry groups, private firms) and field monitoring provide information for assessing the state and functions of forest ecosystems. Monitoring of wood mobilization and compliance with allowable cut allow us to assess the pressure exerted on private forests. Regulatory obligations and sound intervention practices provide for the protection of sensitive environments. Their implementation is encouraged by the Programme de mise en valeur de la forêt privée, which provides financial support for certain forest management activities. Municipalities and MRCs generally require a permit for tree felling.

In the public forest, the MRNF and its partners have access to a range of tools to manage the potential threats to HCVs posed by forest management activities. MRNF inspectors monitor compliance with regulations and prescriptions. To this end, each work site on public forest land is visited at least once by MRNF

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representatives. In the event of non-compliance, notices are issued to rectify the situation. Non-compliance may lead to infractions and prosecution by the government if not corrected to the MRNF's satisfaction. At the end of the year, BGAs are required to produce an annual report signed by the forest engineer in charge, which includes accountability for a number of elements, such as rutting levels, respect for riparian buffer strips and so on. State of the forest reports have been produced and tabled since the early 1990s. Under the Sustainable Forest Development Act (LADTF), the MRNF is responsible for producing and tabling the five-year report on sustainable forest management in the National Assembly. These reports present the results obtained in terms of sustainable forest management and an analysis of the means used to achieve the department's objectives and overall vision. In private forests, municipalities and regional private forest development agencies oversee forest management work. The agencies carry out consultations as part of the development of regional plans for the protection and enhancement of private forests (PPMV). In the case of private forests with development assistance, silvicultural work is the subject of a prescription and an execution report signed by a forest engineer, which is submitted to the regional private forest agency for approval. The execution report includes a verification of the work's compliance with the requirements of the MRNF's technical reference manual for private forests. This report, signed by a forestry engineer, includes elements such as respect for riparian buffer strips and maximum trail occupancy in the case of a CPRS. In addition, the agency funding the work will carry out random compliance checks on up to 10% of the area treated. In cases where work is carried out without an assistance program, there is little supervision. In some cases, municipalities or regional county municipalities (MRCs) have staff who carry out inspections to verify that felling work complies with municipal laws.

In Quebec, the forest management issues associated with woodland caribou and PFI can be considered more fully in the public forest, where they are almost exclusively localized.

### Public forest

The management approach in force strives for the maintenance of ecosystems representative of the natural forest, thus maintaining habitats for the main species and ecosystems. Measures provided for recovery plans for VMEs other than woodland caribou are implemented for their mapped habitats and if observed on harvesting sites. MRNF agents as well as all contractors and their employees undergo training to identify VMEs, natural habitats, ecosystems, and areas with high conservation value (HCV) characteristics related to biodiversity. Many woodland caribou populations are in a precarious state and are not self-sufficient. Range and/or action plans should take into account natural disturbances and the cumulative effects of development between and within woodland caribou ranges. The Guidance Document on Range-Specific Plans for Woodland Caribou, Boreal Population and Woodland Caribou, Atlantic-Gaspésie Population (*Rangifer tarandus caribou*): Modified Recovery Strategy 2020 (proposal) provide more information on what the range plans should contain. It is important to note that the scenarios studied by the Independent Panel on Woodland and Mountain Caribou in 2022 did not include measures for the entire territory covered by local caribou ranges in Quebec. At the time of writing, the Quebec government was developing its strategy for the woodland and mountain caribou of the Gaspé Peninsula. For the time being, current forest management does not take into account cumulative disturbance objectives consistent with the federal recovery program, by local woodland caribou population ranges. Forest management aims to maintain low-disturbance forest stands of around 30 km<sup>2</sup> in spruce and 20 km<sup>2</sup> in fir. PFIs as defined and identified by Global Forest Watch (GFW) are not integrated into MRNF forest planning. There is therefore no management framework specifically aimed at maintaining them at the landscape level. An update of the PFIs carried out by the MRNF in 2022 shows that, as of January 1er 2017, the PFI partially located in forest management unit 03771 no longer met GFW criteria, even though it benefits from administrative protection for the creation of a protected area announced by the provincial government in 2021. MRNF monitoring shows compliance with clause 1.1 of FSC guideline ADV-20-007-018 regarding PFI disturbance levels at the management unit level. At the landscape level, of the thirty-one PFIs across the province, one PFI in the Lac-Saint-Jean region (2019) and one in the Côte-Nord region (2020) have been downgraded in accordance with clause 1.2 of the same guideline. A third PFI in Abitibi and in territory certified under the FSC certification program was downgraded in 2019. These results more accurately describe the 2020 GFW results for loss of area, if not PFI. The GFW assessment uses Potapov's

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	<p>definition of PFI (Potapov et al. 2009, Global mapping and monitoring the extent of forest alteration: The Intact Forest Landscapes method), which excludes slash-and-burn from PFI, but which is nevertheless part of the natural disturbance regime of the province's forest land. In 2021, a study commissioned by FSC shows that around 52% of the PFI area in Quebec is made up of operational constraints (slopes, unproductive areas, wetlands) or caribou protection zones.</p> <p><u>Private forest using forest management assistance programs</u></p> <p>There are no reports on the effectiveness of species at risk protection in private forests. However, the annual reviews of the PPMVs of private forest development agencies provide information on training courses concerning SSSEs and actions taken to improve biodiversity protection in private forests. The updating of PPMVs in recent years has made it possible to integrate more notions of biodiversity, wildlife habitats, connectivity and so on. Activities undertaken with forest management assistance programs are required to maintain identified key species, natural habitats, ecosystems and HCVs.</p> <p><u>Private forest without management assistance programs</u></p> <p>In the absence of documentation on the implementation and monitoring of activities carried out without recourse to management assistance programs, it is impossible to demonstrate that HCVs have been identified and mapped on these properties.</p> <p><b>Risk conclusion and justification</b></p> <p><u>Public forests</u></p> <p>Current ecosystem-based management promotes the maintenance and enhancement of key natural habitats, ecosystems, and areas of high conservation value (HCV) relating to biodiversity. Maintaining low-disturbance forest stands contributes to this objective.</p> <p>With regard to IFLs as defined by GFW Canada, there is a Specified risk that they will not be maintained at the landscape scale, not being considered during forest management planning (harvesting and road planning). Among woodland caribou ranges, a Specified risk is defined given the absence of management criteria and strategies in line with the Government of Canada's Modified Woodland Caribou Recovery Strategy.</p> <p><u>Private forests with management assistance programs</u></p> <p>In private woodlots where management assistance programs are used, thanks to the collaboration of forestry technicians and professionals with private woodlot owners, the current system ensures compliance with regulations and best practices, thereby minimizing the potential impact of threats to the forest, habitats, species and ecosystems. There is a low risk that key natural habitats, ecosystems, and areas of high conservation value (HCV) relating to biodiversity will not be maintained or enhanced.</p> <p><u>Private forest without management assistance programs:</u></p> <p>In private forests, without the use of management assistance programs, there is no documented and easily accessible verification system that confirms the maintenance of key species, natural habitats, ecosystems and HCVs at stand level. A defined risk is issued to confirm compliance with this indicator at stand level in private forests without the use of management assistance programs.</p>
<p><i>Supply Base Verifiers</i></p>	<ul style="list-style-type: none"> <li>- Obtain expert advice that woodland caribou habitat is maintained or enhanced in the forest of origin.</li> <li>- Demonstrate that forestry planning is consistent with the objectives of the modified Recovery Strategy for the boreal population of woodland caribou (<i>Rangifer tarandus caribou</i>) in Canada.</li> <li>- Using a GIS mapping exercise, check that harvesting does not degrade the PFIs located in the organization's supply regions.</li> <li>- In private forests without using management assistance programs:</li> </ul>

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	<ul style="list-style-type: none"> <li>- Have qualified personnel conduct field visits to confirm the implementation of sound forest management practices to maintain or enhance sensitive habitats, species and ecosystems identified in private forests, without recourse to management assistance programs.</li> <li>- To obtain evidence of the implementation of sound forest management practices to maintain or enhance identified sensitive habitats, species and ecosystems in private forests without recourse to management assistance programs.</li> </ul>						
<i>Evidence reviewed</i>	<ul style="list-style-type: none"> <li>- Sound intervention practices in private forests. <a href="https://www.foretrivee.ca/wp-content/uploads/2022/05/Guide_des_Saines_Pratiques_2022-WEB.pdf">https://www.foretrivee.ca/wp-content/uploads/2022/05/Guide_des_Saines_Pratiques_2022-WEB.pdf</a></li> <li>- FSC National Risk Assessment for Canada. 2019. FSC Canada. <a href="https://connect.fsc.org/document-center/docu-ments/707ac9d8-d2d8-4f08-8768-6949bb3f3361">https://connect.fsc.org/document-center/docu-ments/707ac9d8-d2d8-4f08-8768-6949bb3f3361</a></li> <li>- Independent Woodland and Mountain Caribou Commission <a href="https://mffp.gouv.qc.ca/documents/faune/es-peces/RA_Commission-independante-caribous-forestiers-montagnards.pdf">https://mffp.gouv.qc.ca/documents/faune/es-peces/RA_Commission-independante-caribous-forestiers-montagnards.pdf</a></li> <li>- Équipe de rétablissement du caribou forestier du Québec (2020). Bilan de mi-parcours du Plan de rétablis-se-ment du caribou forestier (Rangifer tarandus caribou) au Québec (1er juin 2013 au 31 mars 2018), produced for the Ministère des Forêts, de la Faune et des Parcs, Direction générale de la gestion de la faune et des habitats, 35 p. <a href="https://mffp.gouv.qc.ca/documents/faune/especes/bilan-retablissement_mi-parcours_caribou-forestier_2013-2018.pdf">https://mffp.gouv.qc.ca/documents/faune/especes/bilan-retablissement_mi-parcours_caribou-forestier_2013-2018.pdf</a></li> <li>- Modified recovery program for woodland caribou (Rangifer tarandus caribou), boreal population, in Canada. <a href="https://wildlife-species.canada.ca/species-risk-registry/virtual_sara/files/plans/Rs-CaribouBorealeAmdMod-v01-2020Dec-Fra.pdf">https://wildlife-species.canada.ca/species-risk-registry/virtual_sara/files/plans/Rs-CaribouBorealeAmdMod-v01-2020Dec-Fra.pdf</a></li> <li>- Woodland caribou, Atlantic-Gaspésie population (Rangifer tarandus caribou): modified 2020 recovery plan (proposal). <a href="https://www.canada.ca/fr/environnement-changement-climatique/services/registre-public-especes-peril/programmes-retablissement/caribou-des-bois-gaspesie.html">https://www.canada.ca/fr/environnement-changement-climatique/services/registre-public-especes-peril/programmes-retablissement/caribou-des-bois-gaspesie.html</a></li> <li>- The 2019-2020-2021 research project directory. <a href="https://www.mffp.gouv.qc.ca/publications/enligne/forets/activ-ites-recherche/projets/index.asp">https://www.mffp.gouv.qc.ca/publications/enligne/forets/activ-ites-recherche/projets/index.asp</a></li> <li>- Potapov P., Laestadius L., Yaroshenko A., Turubanova S. 2009. Global mapping and monitoring the extent of forest alteration: The Intact Forest Landscapes method. FAO, Forest Resources Assessment, Working Paper 166. <a href="https://www.intactforests.org/pub.map.html">https://www.intactforests.org/pub.map.html</a></li> <li>- Williams J., Lapointe U., Paixao C., Zanotta C. and T. Clark 2021. Assessing the Impact of Implementing FSC's Protection Measures for Intact Forest Landscapes in Canada <a href="https://fsc.org/sites/default/files/2021-10/FSC%20CA%20Final%20M34_%20IFL%20_102521.pdf">https://fsc.org/sites/default/files/2021-10/FSC%20CA%20Final%20M34_%20IFL%20_102521.pdf</a></li> </ul>						
<i>Risk rating</i>	<table> <tr> <td>Public forest</td> <td><b>Specified risk</b></td> </tr> <tr> <td>Private forest under program</td> <td>Low risk</td> </tr> <tr> <td>Private forest outside the program</td> <td><b>Specified risk</b></td> </tr> </table>	Public forest	<b>Specified risk</b>	Private forest under program	Low risk	Private forest outside the program	<b>Specified risk</b>
Public forest	<b>Specified risk</b>						
Private forest under program	Low risk						
Private forest outside the program	<b>Specified risk</b>						

## Criterion 2.2 – Ecosystem productivity, functions, and services are maintained or enhanced

**2.2.1 Feedstock shall not be sourced from land that had one of the following statuses in January 2008 and no longer has that status due to land conversion: a. Forests; b. Wetlands; c. Peatlands; d. Highly biodiverse grasslands**

<i>Findings</i>	<p><b>Scale of assessment</b></p> <p>Public forest</p> <p>Private forest with management assistance programs</p>
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Private forest without management assistance programs

### **Analysis**

As described in the SBP guidelines, the aim of this indicator is to verify that biomass supply does not lead to conversion of a forest to another land use. In Quebec, forest conversion is not permitted in public and private forests without prior authorization. Conversion is mainly caused by infrastructure construction and the conversion of woodlands to farmland. The federal and provincial governments monitor forest conversion across the country.

### Threats or potential impacts

Carrying out forest management work without sufficient assessment to minimize the loss of forest area, wetlands and grasslands with high biodiversity can result in significant impacts on these environments, including fragmentation, loss of habitat and loss of biodiversity. In public forests, conversion can be used to build permanent roads, mines, energy infrastructure such as dams, wind turbines or wood processing plants. In private forests, forest areas zoned residential can be harvested for commercial and residential infrastructure construction. Some forest areas zoned agricultural can be harvested for conversion to farmland.

In public forests, harvesting is subject to the regulations governing the sustainable development of forests in the public domain (RADF), which aim to ensure the maintenance or reconstitution of forest cover, the protection of aquatic and wetland environments in accordance with the Sustainable Development of Forest Land Act (LADTF) (article 54), and the implementation of forest planning (PAFI). Under articles 153, 154 and 155 of the LADTF, cutting that does not protect natural regeneration and soils is prohibited, and the site must be left in conditions conducive to the establishment of natural regeneration. Before harvested timber begins to be transported, the Règlement sur le mesurage des bois récoltés dans les forêts du domaine de l'État (Regulation on the scaling of timber harvested from forests in the public domain) requires that a scaling authorization be obtained to determine the origin of the timber when it is unloaded at a mill. In private forests, private forest development agencies oversee the development and implementation of the development program governed by the LATDF. Under section 79.1 of the Act respecting land use planning and development, "the council of a regional county municipality may, by by-law, regulate or restrict the planting or felling of trees in all or part of the territory of the regional county municipality in order to ensure the protection of the forest cover and promote the sustainable management of private forests". The zoning by-law in question "regulates or restricts the planting or felling of trees in order to protect the forest cover and promote the sustainable development of private forests". Agricultural land, including areas under forest cover, is protected by the Act respecting the protection of agricultural land and related regulations. Other relevant laws and regulations for public and private forests:

- The Act respecting the protection of agricultural land and agricultural activities, which aims to protect land suitable for agriculture.
- The Environment Quality Act, which aims to protect the environment and species.
- The Natural Heritage Conservation Act, which aims to ensure the preservation of natural heritage through the protection of ecosystems, ecological restoration and the sustainable use of ecosystems.

### **Enforcement and monitoring**

#### Public forest:

Forest management activities require an intervention permit issued by the MRNF. Authorizations are required for harvesting activities that could lead to land conversion, as well as for the construction of mining or energy infrastructures such as hydroelectric dams or wind turbines. In public forests, the conversion of forest environments to other uses may be permitted under permits for purposes other than forest harvesting. Projects involving significant conversion are subject to an environmental impact assessment, and measures to protect sensitive environments will be implemented in accordance with the Regulation respecting the

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environmental impact assessment and review of certain projects. The Loi sur la qualité de l'environnement (Environment Quality Act) provides a framework for environmental impact assessments.

### Private forest with management assistance programs

Forestry activities included in the private forest development assistance program must be prescribed and monitored by a forestry engineer recognized by the agencies. The management plan and silvicultural prescription must include consideration of sensitive<sup>3</sup> and high-value features before forestry activities are carried out. The Programme d'aide à la mise en valeur des forêts privées does not allow for forest conversion.

### Private forest without management assistance programs

If the owner obtains a building permit from the municipality, conversion of the forest cover to another use may be permitted. Municipalities and regional county municipalities (RCMs) monitor compliance with municipal by-laws.

In public forests, the beneficiaries of a supply guarantee are responsible for carrying out the harvest in accordance with the prescription provided by the MRNF. The prescription includes measures to protect known sensitive environments. Except in the case of permits for other purposes, such as the construction of infrastructures such as dams, roads, high-voltage lines or wind turbines, no conversion is permitted. The MRNF monitors harvested areas to ensure that they are regenerated after logging. Post-cutting silvicultural work is delegated to RexForêt. In private forests, the land is subject to concerted planning at various levels of government with local stakeholders. The Commission de protection du territoire agricole (CPTAQ) is responsible for evaluating applications for non-agricultural land use, subdivision and lot alienation, as well as for the inclusion of a lot in the agricultural zone. It oversees the protection of maple groves on agricultural land. Land uses and zoning must be respected unless derogations or modifications are requested. Municipal by-laws limit the size of total cuttings to more than 4 ha. Woodlot owners must apply to the municipality for a permit before carrying out any work over a larger area. As for forestry activities carried out under the private forest development program, the regional agencies supervise them with the help of their own staff and the accreditation of forestry advisors.

According to the State of Canada's Forests - Annual Report 2022, since 1990, less than half of 1% of Canada's forest has been deforested, i.e. converted to non-forest land use. In the 1970s and 1980s, deforestation was mainly due to agricultural expansion and hydroelectric development. Logging is not generally considered to be deforestation, as it requires the regeneration of forest stands.

### Public forest

The regulatory framework and its implementation by the MRNF ensure that there are no unauthorized conversions in public forests. When conversion is authorized, the primary purpose is not to supply a wood processing plant. The regulation governing the scaling of wood harvested from public forests enables wood to be accounted for and traced from the forest of origin to primary processing plants.

### Private forest with management assistance programs

Assistance programs and sound practices require that sites sensitive to harvesting be protected either through adapted practices or by excluding them from harvested areas. Compliance is ensured by private forest development agencies. In addition, owners using these programs are supported by forestry professionals who ensure compliance with regulations and program requirements. The agencies' annual reports, which are available to the public, attest to the high performance of accredited advisors and the high compliance rate of activities carried out under the assistance program.

### Private forest without management assistance programs:

Activities must comply with management plans, municipal bylaws and other laws and regulations governing forestry operations in private forests. If the owner obtains a building permit, conversion may be permitted. The Act respecting land use planning and development gives municipalities the right to apply to the Superior Court for an order compelling the offender to rectify the situation. There are three possible motions: a motion for cessation, a motion for annulment and a motion

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	<p>for demolition. Judicial decisions are posted on canlii.org.</p> <p><b>Risk conclusion and justification</b></p> <p>Biomass harvesting in public forests is governed sustainable management regulations in the public domain (RADF). A harvesting permit issued by the MRNF is required for forest harvesting in public forests. Conversion of forest cover to other uses is permitted for non-forestry projects approved by MRNF. Conversion is not permitted for the sole purpose of supplying wood processing plants. In private forests, municipalities and MRCs are responsible for ensuring compliance with their bylaws. Ultimately, they have access to the legal system to enforce their claims. There is a low risk that a biomass producer's wood supply will result in the conversion of forest cover to other non-forest uses in Quebec, both in public and private forests.</p>						
<i>Supply Base Verifiers</i>	-						
<i>Evidence reviewed</i>	<ul style="list-style-type: none"> <li>- Sustainable Forest Development Act</li> <li>- Act respecting land use planning and development</li> <li>- 1Intégration des enjeux écologiques dans les plans d'aménagement forestier intégrés de 2018-2023, Cahier 1, Concepts généraux liés à l'aménagement écosystémique des forêts (MFFP, June</li> <li>- 2Sustainable forest management strategy</li> <li>- 3L'intégration des enjeux écologiques dans les plans d'aménagement forestier intégré, part II - Élaboration de solution aux enjeux (MFFP, December 2013)</li> <li>- Work permits and authorizations <a href="https://mffp.gouv.qc.ca/les-forets/services-entreprises-et-organismes/permis-dintervention-et-autorisations/">https://mffp.gouv.qc.ca/les-forets/services-entreprises-et-organismes/permis-dintervention-et-autorisations/</a></li> <li>- Zoning by-law <a href="https://www.mamh.gouv.qc.ca/amenagement-du-territoire/guide-la-prise-de-decision-en-urban-isme/reglementation/reglement-de-zonage/#:~:text=Le%20r%C3%A8glement%20de%20zonage%20per-met,et%20l'appearance%20of%20constructions.">https://www.mamh.gouv.qc.ca/amenagement-du-territoire/guide-la-prise-de-decision-en-urban-isme/reglementation/reglement-de-zonage/#:~:text=Le%20r%C3%A8glement%20de%20zonage%20per-met,et%20l'appearance%20of%20constructions.</a></li> <li>- Planning and Development Act <a href="https://www.legisquebec.gouv.qc.ca/fr/document/lc/A-19.1">https://www.legisquebec.gouv.qc.ca/fr/document/lc/A-19.1</a></li> <li>- Forest Act <a href="https://www.legisquebec.gouv.qc.ca/fr/document/lc/f-4.1">https://www.legisquebec.gouv.qc.ca/fr/document/lc/f-4.1</a></li> <li>- Environment Quality Act <a href="https://www.legisquebec.gouv.qc.ca/fr/document/lc/Q-2">https://www.legisquebec.gouv.qc.ca/fr/document/lc/Q-2</a></li> </ul>						
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Private forest outside the program	<b>Low risk</b>						
<b>2.2.2</b>	<b>Ecosystems, their health, vitality, functions and services in the Supply Base shall be maintained or enhanced.</b>						
<i>Findings</i>	<p><b>Scale of assessment</b></p> <p>Public forest</p> <p>Private forest</p> <p><b>Analysis</b></p>						

### Context

Maintaining the health, vitality and functions of ecosystems depends on preserving their natural ecological functions. According to the principle of ecosystem-based management advocated in Quebec, the closer the condition of managed forests is to that of natural forests, the better the chances of wildlife and plant species finding habitat conditions to which they are adapted. Ecosystem-based management aims to maintain ecosystem health and biodiversity. This type of management attempts to mimic natural disturbances in order to bring the condition of the managed forest closer to that of the natural forest. Forest age structure, spatial organization, plant composition, forest stand structure, the scarcity of certain types of wood and the ecological functions of wetlands and riparian areas are the main ecological issues assessed with the aim of bringing the managed forest closer to the natural forest. These objectives help to ensure sustainable forest management and maintain supply levels.

### Threats or potential impacts

There are many threats caused by forest management to the health and vitality of forest ecosystems: overexploitation, the introduction of invasive exotic species, loss of productivity caused by soil compaction and lack of regeneration are just some examples. These threats could lead to a loss of resilience in forest ecosystems, a loss of yield and a reduced capacity to adapt to climate change, thereby diminishing the ecological services provided by forests.

Ecosystem-based management is supported by the Sustainable Forest Development Act (LADTF), introduced in 2010, and the Regulation respecting the sustainable management of forests in the domain of the State (RADF) to promote sustainable management of Quebec's forests. Measures promote the conservation of biological diversity (e.g. biological refuges (LADTF sections 27 to 30; exceptional forest ecosystems, sections 31-35), the protection of soil and water (e.g. soil protection, RADF section 153; wetlands (LADTF sections 35.1 - 35.5 and RADF sections 27 and 28) and the maintenance of the contribution of forest ecosystems to major ecological cycles. The law also allows for the creation of provincial bodies responsible for protecting forests against fire (LADTF articles 181 to 195), insect pests and cryptogamic diseases (LADTF articles 196 to 210). The LADTF requires the BFEC to calculate the sustainable yield potential of the territory from a sustainable development perspective (LADTF article 48), the aim of which is to help maintain forest productivity while preserving their ecological integrity and meeting the needs of present and future generations. This calculation must be carried out at management unit level and revised every five years (LADTF article 46). The objectives of the regional agencies for the development of private forests, created by the LADTF (articles 132 to 168), are to guide and develop the development of private forests within their territory, with a view to sustainable forest management. They also provide financial and technical support for the protection and enhancement of these forests. The protection and enhancement plans (PPMV) drawn up by the agencies must comply with the land use and development plans set out in the Act respecting land use planning and development, which determine the major orientations and uses of the territory. Most Quebec municipalities and MRCs have by-laws governing tree felling. Generally speaking, tree-cutting is prohibited within a 15-metre strip along the banks of permanent lakes and watercourses. In other areas vulnerable to erosion or bordering intermittent streams, commercial tree-cutting is limited to 30% of the forest canopy. These regulations normally require a silvicultural prescription signed by a forestry engineer for regeneration cuts of more than four hectares. More generally, the Environment Quality Act, which aims to protect the environment and the living species that inhabit it, must consider issues related to the protection of human health and safety, as well as the realities of the territories and communities that inhabit them. This includes the protection of riparian environments and the release of contaminants into the environment.

### **Enforcement and monitoring**

#### Public forest

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The Ministère des Ressources naturelles et des Forêts (MRNF) is responsible for establishing the objectives and means for maintaining the health, vitality and functions of forest ecosystems. The objectives are set out in tactical forest management plans (PAFIT) and include ecological issues (forest age structures, wetlands, etc.), management strategies (species in short supply, wildlife sites of interest, etc.) and silvicultural strategies (inspired by the different disturbance regimes affecting the territory). The PAFIT also includes the development and implementation of a process for assessing ecological vulnerabilities and risks in relation to climate change. The aim is to implement an adaptation process to ensure responsible forest management that takes into account the best available knowledge. In operational terms, the beneficiaries of the guaranteed supply agreement (GSA) are responsible for harvesting the timber. These operations must comply with silvicultural prescriptions drawn up by the MRNF, as well as with the FDR. The Office of the Chief Forester (OCF) calculates the sustainable yield for each management unit in Quebec. The Minister determines the allocations (level of allowable harvest) for each management unit.

### Private forest

Agencies develop a PPMV for their territory, which describes the characteristics of the territory and the management objectives that promote sustainable forest management. PPMVs describe the forest environment at the landscape level, while identifying issues at the stand level and respecting land-use allocations. In recent years, they have been updated to include greater attention to biodiversity, wildlife habitats, connectivity, etc. Concerted action between the various partners in the private forest (forestry groups, private firms) and field and strategic monitoring provide high-quality information for assessing the state and functions of forest ecosystems. Monitoring of wood mobilization and compliance with allowable cut allow us to assess the pressure exerted on private forests. Municipalities and MRCs generally require a permit to cut down trees in compliance with their regulations. Municipal inspectors are responsible for enforcing municipal by-laws on their territory. Guides are available to help forest producers manage private forests. For example, the Fédération des producteurs forestiers du Québec (FPFQ) has published the Guide des saines pratiques en forêt privée (Guide to sound forestry practices in private forests), which helps to apply environmental impact mitigation measures during forestry operations. Similarly, the Guide des saines pratiques d'interventions forestières en milieu humide et boisé was developed by the Agence forestière des Bois-Francs. Both guides are available online free of charge. In the case of owners who work with a forestry group or a silvicultural company (with development assistance), silvicultural prescriptions are prepared for each harvesting site. In this case, the forestry engineer will develop a silvicultural prescription to maintain ecosystem health, vitality and function.

### Public and private forests

The respective missions of SOPFEU and SOPFIM are to protect forests, communities and strategic infrastructures against wildfire and insect epidemics, while ensuring the sustainability of the forest environment. They protect both public and private forests. They work to prevent forest fires by raising awareness and issuing restrictions on activities permitted in the forest when the risk of fire is very high. A large proportion of Quebec's forests are certified to SFI and/or FSC standards. These sustainable forest management standards cover many aspects of forest health and vitality, and are audited annually by a third party.

### Public forest:

The State is responsible for enforcing the LADFT. The management objectives of the PAFIT are monitored (annually or every five years), and the results are then incorporated into subsequent versions of the PAFIT. The MRNF has an ISO 14001 system, audited annually by a third party, to structure its objectives and ensure that established procedures are properly implemented. When non-conformities are identified by the audit team, the MRNF must take the appropriate corrective action. Operationally, the MRNF is responsible for ensuring compliance with the FDR. To this end, each work site on public land is visited at least once by MRNF representatives while it is underway. Notices of non-conformity with a timetable for corrective action are issued when elements do not comply with one of the regulations. Non-compliance can lead to infractions and prosecution by the government if corrective action is not taken within the required timeframe. At the end of the year, BGAs are required to produce an annual report signed by the forest engineer in charge, which includes accountability for a number of items such as

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cutting levels, respect for riparian buffer strips, etc. State of the forest reports have been produced and tabled since the early 1990s. Under the Sustainable Forest Development Act (SFDA), the MRNF is responsible for producing and tabling the five-year report on sustainable forest management in the National Assembly. These reports present the results obtained in terms of sustainable forest management and an analysis of the means used to achieve the ministry's objectives and overall vision.

### Private forest

In private forests, municipal and MRC inspectors are responsible for verifying that work complies with regulations. These inspections are often carried out following complaints from third parties. In the case of private forests using management assistance programs, silvicultural work is subject to a prescription and an execution report signed by a forest engineer, which is submitted to the regional private forest agency for approval. The execution report includes a verification of the work's compliance with the requirements of the MRNF's technical reference manual for private forests. This report, signed by a forestry engineer, includes elements such as respect for riparian buffer strips and maximum trail occupancy in the case of a CPRS. In addition, the agency funding the work will carry out random compliance checks on up to 10% of the area treated.

Ecosystem-based management is implemented throughout the province, with the issue of forest age structure being a key component of ecosystem-based management. The MRNF has set up plans to restore old-growth forests in management units where the history of forestry activities has significantly reduced their proportion, with the ultimate aim of restoring a more natural forest. Overall, just over half of all forest management units (FMUs) are in the process of restoring their age structure, with the balance having a low or medium degree of alteration.

The latest assessment of the state of Quebec's forests covers the period from 2013 to 2018. In terms of species diversity, the number of protected flora sites was 177, and the number of wildlife habitats of threatened or vulnerable species protected in the public forest was 1,426. In 2018, floral species and 10 wildlife species were subject to protection measures. As of March 31, 2023, 253,338 km<sup>2</sup> (16.78%) of the continental environment (land and freshwater) was formally protected. In 2021, Quebec made a clear commitment to achieving the 30% target for protected areas by 2030 advocated by the United Nations Convention on Biological Diversity (CBD) and by all nature conservation stakeholders in Quebec and elsewhere in Canada. The Chief Forester has analyzed the results achieved in terms of sustainable management of forests in the State domain. In terms of the biological diversity criterion, he notes that forest cover is stable and ecosystem diversity is in good balance. However, there is a shortage of old-growth forests in the forest area. According to the report, pressure on the forest is at its lowest level in 30 years. The spruce budworm epidemic is an important issue for forest health and productivity. The area affected rose from 3.3 to 7.2 million over the period 2013-2018. In private forests, an increase in standing volume of 231 Mm<sup>3</sup> (+45%) was observed between the first and fourth ten-year inventories. This was due in particular to an increase in the area of stands of 7 metres (m) or more, to the small portion of the annual allowable cut that is harvested, and to silvicultural investments. In the private forest, the proportion of mature and old-growth stands rose from 17% to 34% between the first and fourth inventories. This is due to the small portion of the annual allowable cut that is harvested. All in all, volume gains for the private forest were particularly significant in mixed (+73%) and hardwood (+43%) stands, over the period covered by the four inventories. In its most recent annual review (2021), SOPFIM delivered the biggest protection program in its history, treating over 741,000 hectares against spruce budworm, mainly in Abitibi-Témiscamingue. It was sprayed in both public and private forests.

### **Risk conclusion and justification**

In public forests, the forestry regime is based on ecosystem-based management, the aim of which is to maintain the attributes and main functions of natural forests. The government is responsible for forest planning and regularly monitors forest operations. In private forests, there is less control, especially in private forests without management

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	assistance programs. However, the results show a significant increase in forest capital, and "guardians" exist at the municipal and MRC levels. The risk is therefore low for both public and private forests in Quebec.				
<i>Supply Base Verifiers</i>	-				
<i>Evidence reviewed</i>	<ul style="list-style-type: none"> <li>- Sustainable Forest Development Act, LQ 2010, c 3. Page consulted May 19, 2023. <a href="https://canlii.ca/t/dlrs">https://canlii.ca/t/dlrs</a></li> <li>- Règlement sur l'aménagement durable des forêts du domaine de l'État, RLRQ c A-18.1, r 0.01. Page consulted May 19, 2023. <a href="https://canlii.ca/t/dvjj">https://canlii.ca/t/dvjj</a></li> <li>- Environment Quality Act. RLRQ c Q-2. Page consulted May 19, 2023. <a href="https://canlii.ca/t/1b1x">https://canlii.ca/t/1b1x</a></li> <li>- Tactical integrated forest management plan (PAFIT). <a href="https://www.quebec.ca/agriculture-environnement-et-ressources-naturelles/forets/planification-forestiere/plans-regionaux-consultations">https://www.quebec.ca/agriculture-environnement-et-ressources-naturelles/forets/planification-forestiere/plans-regionaux-consultations</a></li> <li>- Protection and Enhancement Plan for Private Forests in the Lower St. Lawrence Region (PPMV) <a href="https://www.agence-bsl.qc.ca">https://www.agence-bsl.qc.ca</a></li> <li>- Société de protection des forêts contre le feu (SOPFEU) <a href="https://sopfeu.qc.ca/">https://sopfeu.qc.ca/</a></li> <li>- Société de protection des forêts contre les insectes et maladies (SOPFIM). <a href="https://sopfim.qc.ca/fr/">https://sopfim.qc.ca/fr/</a></li> <li>- SFI 2022 standards and rules. <a href="https://forests.org/fr/normes-et-regles-sfi-2022-document-complet-2/">https://forests.org/fr/normes-et-regles-sfi-2022-document-complet-2/</a></li> <li>- FSC Canadian forest management standard. FSC-STD-CAN-01-2018 V 1-0 EN. Page consulted on May 19, 2023. <a href="https://ca.fsc.org/ca-fr/amenagement-forestier#:~:text=La%20norme%20natio-nale%20du%20FSC,en%20mati%C3%A8re%20d'%C3%A9galit%C3%A9%20des">https://ca.fsc.org/ca-fr/amenagement-forestier#:~:text=La%20norme%20natio-nale%20du%20FSC,en%20mati%C3%A8re%20d'%C3%A9galit%C3%A9%20des</a></li> <li>- Agence forestière des Bois-Francs (2021). Guide des saines pratiques d'interventions forestières en milieu humide boisé des forêts privées du Québec, collective work coordinated by C. Anneou, Victoriaville, 47 pages. Page consulted May 19, 2023. <a href="https://www.afbf.qc.ca/wp-content/uploads/2022/03/Guide-milieu-humide-Fi-nal.pdf">https://www.afbf.qc.ca/wp-content/uploads/2022/03/Guide-milieu-humide Fi-nal.pdf</a></li> <li>- Guide terrain. Saines pratiques d'intervention en forêt privée. 5ième edition. Fédération des producteurs forestiers du Québec. 2022. Page consulted May 19, 2023. <a href="https://www.foretprivee.ca/je-protege-ma-foret/saines-pra-tiques-dintervention-forestiere/?contenu=les-interventions-en-foret">https://www.foretprivee.ca/je-protege-ma-foret/saines-pra-tiques-dintervention-forestiere/?contenu=les-interventions-en-foret</a></li> <li>- Zoning by-law. Chapter 13 - Provisions relating to the felling and planting of trees. Municipality of Eastman. Consulted May 19, 2023. <a href="https://eastman.quebec/wp-content/uploads/2015/01/reglement-abattage-arbres.pdf">https://eastman.quebec/wp-content/uploads/2015/01/reglement-abattage-arbres.pdf</a></li> <li>- MRC des chenaux. By-law concerning tree cutting and protection of the forest cover. Page consulted May 19, 2023 <a href="https://www.mrcdeschenaux.ca/app/uploads/2015/09/R%C3%A8glement-sur-labattage-darbres-et-la-protec-tion-du-couvert-forestiersans-carto-Refondu.pdf">https://www.mrcdeschenaux.ca/app/uploads/2015/09/R%C3%A8glement-sur-labattage-darbres-et-la-protec-tion-du-couvert-forestiersans-carto Refondu.pdf</a></li> <li>- Bilan quinquennal de l'aménagement durable des forêts 2013-2018, Government of Quebec. Page consulted on March 24, 2023, available at: <a href="https://mffp.gouv.qc.ca/documents/forets/amenagement/reddition-comptes/FT16_SuperficiesVolumes.pdf">https://mffp.gouv.qc.ca/documents/forets/amenagement/reddition-comptes/FT16 SuperficiesVolumes.pdf</a></li> <li>- Responsibilities of the Chief Forester, Office of the Chief Forester. Page consulted on March 24, 2023, available at: <a href="https://forestierenchef.gouv.qc.ca/wp-content/uploads/Responsabilites-du-Forestier-en-chef.pdf">https://forestierenchef.gouv.qc.ca/wp-content/uploads/Responsabilites-du-Forestier-en-chef.pdf</a></li> </ul>				
<i>Risk rating</i>	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Public forest</td> <td style="text-align: right;"><b>Low risk</b></td> </tr> <tr> <td>Private forest</td> <td style="text-align: right;"><b>Low risk</b></td> </tr> </table>	Public forest	<b>Low risk</b>	Private forest	<b>Low risk</b>
Public forest	<b>Low risk</b>				
Private forest	<b>Low risk</b>				

## Annex 1 Detailed findings for Supply Base Evaluation

<b>2.2.3</b>	<b>Soil quality in the Supply Base shall be maintained or enhanced.</b>
<i>Findings</i>	<p><b>Scale of assessment</b> Public forest Private forest with management programs Private forest without management programs</p> <p><b>Analysis</b> Management activities can alter forest soils through disturbance, erosion and compaction. Soil quality is essential to ensure good forest regeneration following forest management activities. High-quality soil supports tree productivity, maintains or improves water quality, and maintains biodiversity by encouraging the presence of plant and animal species. Soil quality is assessed in particular by the level of compaction, the absence of significant debris on the landscaped surface and the maintenance of the mineral layer (absence of stripping).</p> <p><u>Threats or potential impacts</u> Soil sensitivity to forestry operations is well mapped for the whole of Quebec and is available online free of charge. However, the mapping may not be sufficiently precise to enable soil protection at the microsite level during forestry operations. In addition, inadequate monitoring of forestry activities in private forests may be insufficient to preserve soil quality. Harvesting could therefore take place on sensitive soils, resulting in compaction, rutting, erosion or nutrient loss.</p> <p><u>Public forest</u> The Sustainable Forest Land Management Act (LADTF), assented to in 2010, requires forest management to contribute to maintaining and improving the productivity of forest ecosystems and to conserving soil and water in public domain forests (article 2). On State-owned land, the Règlement sur l'aménagement durable des forêts de domaine de l'État (RADF) prohibits logging without soil protection (art. 153). Ruts formed in felling and skidding trails during forestry operations must not cover more than 25% of the trail length per total cutting area (art. 45). Furthermore, in certain sensitive forest stands, branches must be left on the felling site to prevent long-term loss of soil fertility (art. 46).</p> <p><u>Private forest</u> In private forests, the MRNF delegates responsibility for planning, protection and development to regional agencies, as stipulated in section 132 of the LADTF. Regional agencies for the development of private forests, established under the LADTF (sections 132 to 168), are responsible for guiding and developing the development of private forests within their territory, with a view to sustainable forest management. Most Quebec municipalities and MRCs have by-laws governing tree felling. Generally speaking, tree-cutting is prohibited in a 15-metre strip bordering permanent lakes and watercourses. In other areas vulnerable to erosion or bordering intermittent streams, commercial tree-cutting is limited to 30% of the forest canopy. These regulations normally require a silvicultural prescription signed by a forestry engineer for regeneration cuts of more than four hectares. Municipal bylaws on tree planting and felling may consider soil protection issues. More generally, the purpose of the Environment Quality Act is to protect the environment, safeguard the living species that inhabit it, and take into account issues related to the protection of human health and safety, as well as the realities of the territories and communities that inhabit them. In particular, it covers the protection of riparian environments and the release of contaminants into the environment.</p> <p><b>Enforcement and monitoring</b></p>

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### Public forest

The MRNF is responsible for establishing objectives and means to ensure that the integrity of forest ecosystems is maintained. For example, in the PAFIT de l'Outaouais, the effect of forest management on soils has been established as a regional issue. Forest planning is the responsibility of the MRNF, which uses mapping of susceptibility to rutting and nutrient loss (ecoforest layers) to decide on the harvesting season and other constraints needed to protect soils. These constraints are incorporated into the silvicultural prescriptions signed by MRNF forest engineers. In operational terms, the beneficiaries of guaranteed supply agreements (GSAs) are responsible for harvesting the woody material. These operations must comply with silvicultural prescriptions drawn up by the MRNF and the RADF. Regular monitoring is carried out by foremen to keep soil damage to a minimum.

### Private forest

Agencies draw up a Protection and Enhancement Plan (PPMV) for their territory, which describes the characteristics of the territory and the management objectives that promote sustainable forest management. PPMVs must comply with the land use and development plans set out in the Act respecting land use planning and development, which determines the major orientations and uses of the territory. The PPMV describes surface deposits, while the mapping of soil sensitivity to rutting is available on Forêt Ouverte. In the case of owners who use management assistance programs, silvicultural prescriptions are prepared for each harvesting site. The forest engineer will develop a silvicultural prescription that incorporates measures to ensure soil integrity is maintained. In this case, the properties are visited by accredited advisors who ensure that the work carried out complies with the silvicultural prescription. Guides are available to help forest producers manage private forests. For example, the Fédération des producteurs forestiers du Québec (FPFQ) has published the Guide des saines pratiques en forêt privée (Guide to sound forestry practices in private forests), which helps to apply environmental impact mitigation measures during forest interventions. Similarly, the Guide des saines pratiques d'interventions forestières en milieu humide et boisé was developed by the Agence forestière des Bois-Francs. Both guides are available online free of charge. Municipalities and MRCs generally require a permit for tree felling. Municipal inspectors are responsible for enforcing municipal bylaws on their territory. Sensitivity mapping for rutting and nutrient loss is available free of charge from Forêt Ouverte ([www.foretouverte.ca](http://www.foretouverte.ca)).

### Public forest

On an operational level, the MRNF evaluates compliance with the FDR requirements. To this end, each work site on public land is visited at least once by MRNF representatives while it is underway. Notices of non-conformity with a timetable for corrective action are issued when elements fail to comply with one of the regulations. Non-compliance can lead to infractions and prosecution by the government if corrective action is not taken within the required timeframe. At the end of the year, BGAs are required to produce an annual report signed by the forest engineer in charge, which includes accountability for a number of items such as rutting levels, respect for riparian buffer strips, etc. Soils sensitive to rutting and nutrient loss have also been mapped and integrated into the MFFP planning control plan. Forest management companies must hold ISO 14001 (or CEAF) certification, and follow procedures that comply with FDR regulations. Annual audits are carried out by a third party to verify compliance with these standards. Notices of nonconformity with a timetable for corrective action are issued when elements fail to meet any of the requirements of these standards.

### Private forest

Regional development agencies manage financial support programs for silvicultural activities. The work is the subject of a prescription and an execution report signed by a forestry engineer, which is submitted to the regional private forestry agency for approval. The execution report includes a verification of the work's compliance with the requirements of the MRNF's technical reference manual for private forests. This report, signed by a forestry engineer, includes elements such as respect for riparian buffer strips and maximum trail occupancy in the case of a CPRS. In addition, the agency funding the work will carry out random compliance checks on up to 10% of the area treated. Municipalities are responsible for monitoring and enforcing the forestry laws and regulations that govern their territory.

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	<p>Sanctions and remedies are provided for in the law or in municipal by-laws.</p> <p><u>Public forest</u> According to the latest five-year report produced by the government, the rate of compliance with local standards aimed at reducing soil disturbance is deemed acceptable and stable. Intervention control activities have been carried out, and where necessary, problem situations have been handled by Québec (2023).</p> <p><u>Private forest</u> Although data is not available for the whole of Quebec, regional development agencies publish annual reports detailing the performance of consultants accredited to implement development assistance programs.</p> <p><b>Risk conclusion and justification</b> In public forests, the forestry regime is based on ecosystem-based management, the aim of which is to maintain the attributes and principal functions of natural forests. The government is responsible for forest planning and regularly monitors forest operations. The BGA has ISO 14001 (or equivalent) certification, which is audited annually by a third party. The risk is therefore low. Mapping of sensitive sites is available for both private and public forests. In addition, a guide to sound practices that includes soil protection measures is widely distributed. In forests with management assistance programs, prescriptions are developed and followed under the supervision of a forest engineer, which considerably reduces the risk of non-compliant practices. The risk is therefore low. On the other hand, the risk is Specified for activities carried out in private forests without recourse to management assistance programs, due to the absence of public data and documented monitoring of soil protection.</p>
<p><i>Supply Base Verifiers</i></p>	<ul style="list-style-type: none"> <li>- Verify that measures have been implemented to ensure soil protection in private forests without recourse to management assistance programs.</li> </ul>
<p><i>Evidence reviewed</i></p>	<ul style="list-style-type: none"> <li>- Sustainable Forest Development Act, LQ 2010, c 3. Page consulted May 19, 2023. <a href="https://canlii.ca/t/dlrs">https://canlii.ca/t/dlrs</a></li> <li>- Règlement sur l'aménagement durable des forêts du domaine de l'État, RLRQ c A-18.1, r 0.01. Page consulted May 19, 2023. <a href="https://canlii.ca/t/dvjj">https://canlii.ca/t/dvjj</a></li> <li>- Environment Quality Act. RLRQ c Q-2. Page consulted May 19, 2023. <a href="https://canlii.ca/t/1b1x">https://canlii.ca/t/1b1x</a></li> <li>- Plan d'aménagement forestier intégré et tactique (PAFIT). <a href="https://www.quebec.ca/agriculture-environnement-et-ressources-naturelles/forets/planification-forestiere/plans-regionaux-consultations">https://www.quebec.ca/agriculture-environnement-et-ressources-naturelles/forets/planification-forestiere/plans-regionaux-consultations</a></li> <li>- Plans de protection et de mise en valeur des forêts privées de la région du Bas-St-Laurent (PPMV). Page consulted May 19, 2023. <a href="https://www.agence-bsl.qc.ca">https://www.agence-bsl.qc.ca</a>.</li> <li>- SFI 2022 standards and rules. <a href="https://forests.org/fr/normes-et-regles-sfi-2022-document-complet-2/">https://forests.org/fr/normes-et-regles-sfi-2022-document-complet-2/</a></li> <li>- FSC Canadian forest management standard. FSC-STD-CAN-01-2018 V 1-0 EN. Page consulted on May 19, 2023. <a href="https://ca.fsc.org/ca-fr/amenagement-forestier#:~:text=La%20norme%20natio-nale%20du%20FSC,en%20mati%C3%A8re%20d'%C3%A9galit%C3%A9%20des">https://ca.fsc.org/ca-fr/amenagement-forestier#:~:text=La%20norme%20natio-nale%20du%20FSC,en%20mati%C3%A8re%20d'%C3%A9galit%C3%A9%20des</a></li> <li>- Agence forestière des Bois-Francs (2021). Guide des saines pratiques d'interventions forestières en milieu humide boisé des forêts privées du Québec, collective work coordinated by C. Annecou, Victoriaville, 47 pages. Page consulted May 19, 2023. <a href="https://www.afbf.qc.ca/wp-content/uploads/2022/03/Guide-milieu-humide_Fi-nal.pdf">https://www.afbf.qc.ca/wp-content/uploads/2022/03/Guide-milieu-humide_Fi-nal.pdf</a></li> <li>- Fédération des producteurs forestiers du Québec. 2022. Guide terrain. Saines pratiques d'intervention en forêt privée. 5ième edition. Page consulted May 19, 2023. <a href="https://www.foretprivee.ca/je-protege-ma-foret/saines-pra-tiques-dintervention-forestiere/?contenu=les-interventions-en-foret">https://www.foretprivee.ca/je-protege-ma-foret/saines-pra-tiques-dintervention-forestiere/?contenu=les-interventions-en-foret</a></li> <li>- Municipality of Eastman. 2015. Zoning by-law. Chapter 13 - Disposition relative à l'abattage et à la plantation d'arbres. Accessed May 19, 2023. <a href="https://eastman.quebec/wp-content/uploads/2015/01/reglement-abattage-ar-bres.pdf">https://eastman.quebec/wp-content/uploads/2015/01/reglement-abattage-ar-bres.pdf</a></li> </ul>

## Annex 1 Detailed findings for Supply Base Evaluation

	<ul style="list-style-type: none"> <li>- MRC des chenaux. 2003. By-law concerning tree cutting and the protection of forest cover. Page consulted May 19, 2023. <a href="https://www.mrcdeschenaux.ca/app/uploads/2015/09/R%C3%A8glement-sur-labattage-darbres-et-la-protection-du-couvert-forestiersans-carto_Refondu.pdf">https://www.mrcdeschenaux.ca/app/uploads/2015/09/R%C3%A8glement-sur-labattage-darbres-et-la-protection-du-couvert-forestiersans-carto_Refondu.pdf</a></li> <li>- Québec (2023). Bilan quinquennal de l'aménagement durable des forêts 2013-2018, Government of Quebec. Page consulted on March 24, 2023, available at: <a href="https://mffp.gouv.qc.ca/documents/forets/amenagement/red-dition-comptes/FT16_SuperficiesVolumes.pdf">https://mffp.gouv.qc.ca/documents/forets/amenagement/red-dition-comptes/FT16_SuperficiesVolumes.pdf</a></li> <li>- Responsibilities of the Chief Forester, Office of the Chief Forester. Page consulted on March 24, 2023, available at: <a href="https://forestierenchef.gouv.qc.ca/wp-content/uploads/Responsabilites-du-Forestier-en-chef.pdf">https://forestierenchef.gouv.qc.ca/wp-content/uploads/Responsabilites-du-Forestier-en-chef.pdf</a></li> </ul>						
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Public forest	Low risk						
Private forest under program	Low risk						
Private forest outside the program	<b>Specified risk</b>						
<b>2.2.4</b>	<b>Where the removal of harvest forest residues and / or stumps occurs, this shall not lead to irreversible negative impacts to the ecosystem.</b>						
<i>Findings</i>	<p><b>Scale of assessment</b> Public forest Private forest</p> <p><b>Analysis</b> <u>Context</u> Several studies are underway in Canada and Quebec to assess the potential negative impacts of forest biomass harvesting on forest ecosystems. The Canadian Forest Service's ongoing forest biomass management research projects focus on forest biomass harvesting, including soil fertility mapping and site sensitivity to forest biomass harvesting, and the development and validation of indicators of site sensitivity to biomass harvesting.</p> <p><u>Threats or potential impacts</u> Unregulated harvesting of forest biomass can have negative impacts on the ecosystem: biodiversity, water environments and soil and stand productivity (ref. the carbon balance goes beyond the scale of the ecosystem where harvesting takes place). The Règlement sur l'aménagement durable des forêts du domaine de l'État (RADF) provides for the maintenance of branches and crowns close to the stump in forest stands belonging to ecological subregions and types defined to prevent long-term soil fertility losses (art. 46), and Appendix 3 lists sites presenting long-term soil fertility problems. Article 126 of the FDR provides for the windrowing or spreading of felling residues during full-tree cutting. No regulations associated with the extraction of forest biomass in private forests have been identified.</p> <p><b>Enforcement and monitoring</b> In public forests, partial cutting strategies or retention strategies within intensive cutting treatments, such as cutting with regeneration and soil protection (CPRS), aim to maintain pre-established regeneration and residual structure in harvested stands. Compliance with SFMPs makes it possible to monitor the achievement of targets associated with ecological issues relevant to forest biomass harvesting, such as the quantity and quality of woody matter on the ground and the internal structure of stands. By monitoring the values, objectives, indicators and targets set out in the PAFIs, we are able to take stock of target achievement at the end</p>						

## Annex 1 Detailed findings for Supply Base Evaluation

of the five-year period. Apart from the management of forest biomass marketing by a syndicate, no specific mechanism for forest biomass harvesting in private forests has been identified.

### In public forests

To ensure the sustainability of the resource and the protection of the forest environment, the Ministère des Ressources naturelles et des Forêts (MRNF) is responsible for forest planning and oversees the implementation of forest management. Forest management companies operating in public forests must be ISO 14001 or CEAFF certified. The MRNF ensures the protection of the forest environment and reprimands infractions that undermine its integrity. It monitors forestry activities in public forests and publishes results, for example, on the application of laws and regulations, infractions issued, volumes harvested and compliance with the allowable cut. In 2005, Quebec created the position of Chief Forester, whose mission is "to determine forest potential, enlighten decision-makers and inform the public on the state of public forests and their management, in order to ensure the sustainability and diversified use of the forest environment". It provides independent advice (art. 45, LADTF) to the Minister on forestry issues, produces a five-yearly assessment of forest conditions, and calculates allowable cut for the province's regions.

### In private forests

Forestry activities in private forests are also monitored by various stakeholders and levels of government. At the municipal level, forestry activities are monitored by inspectors. Since 1995, regional forest development agencies have also been monitoring activities that have benefited from the program. Wood harvested from private forests and marketed in Quebec is subject to the Loi sur la mise en marché des produits agricoles, alimentaires et de la pêche (Act respecting the marketing of agricultural, food and fishery products) and to regulations governing the marketing of wood by wood producers in each of Quebec's administrative regions. Depending on the region, the unions and boards monitor all or a specific category of wood harvested from private forests. Some unions and boards manage a quota for the marketing of forest biomass in private forests.

### Public forest

Sites with thin soils, steep slopes, very coarse and coarse textured soils, sites with excessive drainage and acidic or poorly fertile sites are recognized as being sensitive to loss of productivity with the removal of forest residues. Mapping of these sensitive sites is available in Quebec, facilitating their integration into forest planning. Harvesting requirements apply to the extraction of forest biomass by whole-tree and residual harvesting processes. Certain forest biomass allocation agreements and permits for harvesting wood to supply a wood processing plant (PRAU) allow for the harvesting of non-market volumes. From 2016 to 2018, nearly 667,000 m<sup>3</sup> of non-merchantable wood were allocated for harvest in Quebec's public forests. These volumes must be harvested in compliance with the RADF and the specific characteristics of forest stands. These forest biomass harvesting agreements are in effect in the following administrative regions: 01, 02, 03, 04, 06, 08 and 10. PRAU holders must comply with the RADF and harvesting conditions defined in the agreements.

### Private forest

In Quebec, there is no specific mechanism for monitoring and documenting forest biomass harvesting operations in private forests.

### **Risk conclusion and justification**

Several studies are underway in Canada and Quebec to assess the potential impacts of forest biomass harvesting on forest ecosystems. The Canadian Forest Service's ongoing forest biomass management research projects focus on forest biomass harvesting, including soil fertility mapping and site sensitivity to forest biomass harvesting, and the development and validation of indicators of site sensitivity to biomass harvesting. Whole trees with stumps and roots are not harvested in Quebec. In the public forest, biomass harvesting of roundwood and logging residues is carried out in compliance with the RADF and LADTF. Forest planning and prescriptions are adjusted to the presence of sites sensitive to nutrient loss, to comply with section 46 of the FDR. Distribution of logging residues or partial cuts is provided for. Thus, the

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	risk of biomass harvesting causing negative impacts in public forests is low. However, since no laws or practices have been associated with biomass harvesting in private forests, the analysis concludes that there is a definite risk for this tenure.				
<i>Supply Base Verifiers</i>	Plan forest biomass harvesting in private forests in compliance with section 46 of the FDR and with reference to mapping of sites sensitive to nutrient loss.				
<i>Evidence reviewed</i>	<ul style="list-style-type: none"> <li>- Harvesting forest biomass: sound practices and ecological issues in Canada's boreal forest (Thiffault et al. 2015, 87 pages)</li> <li>- Development and validation of indicators of site sensitivity to biomass harvesting - <a href="http://scf.rncan.gc.ca/pro-jets/82">http://scf.rncan.gc.ca/pro-jets/82</a></li> <li>- RADF compliance report</li> <li>- Reporting infractions in public forests</li> </ul>				
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Public forest	Low risk				
Private forest	<b>Specified risk</b>				
<b>2.2.5</b>	<b>Quality and quantity of ground water, surface water and water downstream shall be maintained or enhanced.</b>				
<i>Findings</i>	<p><b>Scale of assessment</b>          Public forest          Private forest with management assistance programs          Private forest without management assistance programs</p> <p><b>Analysis</b>          According to the Ministère de la Lutte aux Changements Climatiques, de la Faune et des Parcs (MELCCFP), quality waters must be free from substances or materials originating from human activities which, alone or in combination with other factors, may have consequences for the environment, human health or the health of all forms of aquatic, semiaquatic and terrestrial life. Nor must the water contain any color, odor, taste, turbidity or other condition to a degree likely to interfere with any use of the watercourse. The quantity of groundwater, surface water and downstream water is maintained by promoting the integrity of riparian and aquatic environments, allowing the free flow of water.</p> <p>The threats posed by forest management in areas critical to the protection of water quality, flood prevention and aquatic wildlife are mainly forest roads (construction and maintenance of roads and bridges), physical damage to watercourses caused by inappropriate practices leading to sediment erosion and soil compaction, and sedimentation in watercourses by runoff or underground leakage.</p> <p><u>Regulatory framework</u>          In Canada, the Navigation Protection Act prohibits the construction, placement, alteration, repair, reconstruction, removal or decommissioning of a structure on, over, under or through listed navigable waters. This would apply to the banks of the St. Lawrence and Saguenay rivers. In addition, the Fisheries Act provides for the</p>				

## Annex 1 Detailed findings for Supply Base Evaluation

protection of fish habitat. Under this Act, no person shall carry out any work or undertaking that results in the harmful alteration, disruption or destruction of the habitat of a species of fish targeted by a commercial fishery, unless authorized by the Minister of Fisheries and Oceans Canada (s. 35). At provincial level, the government has a Quebec Water Strategy that applies to both public and private forests. This policy introduces government measures and commitments to implement watershed-based management and protect water quality and aquatic ecosystems in particular. The law concerning the conservation of wetlands and hydric environments was passed in 2017. As part of the Strategy and this law, the territory is divided into watershed organizations (OBV) to develop water master plans with local stakeholders. These plans highlight the territory's main challenges in terms of integrated water management and propose an action plan to improve the quality of water and aquatic ecosystems.

In 2018, Section V.1 of the Environment Quality Act (EQA), which deals with wetlands and hydric environments, and the Regulation respecting compensation for the impairment of wetlands and hydric environments, came into force. Regardless of tenure, the Environment Quality Act requires that a permit be issued for any wetland disturbance. The permit application process involves an analysis of the project in terms of environmental quality. The Environment Quality Act also provides for measures relating to the construction of roads, bridges and culverts throughout Quebec. It also provides for measures to maintain a minimum forest cover in riparian areas. In addition, regional county municipalities may enact other by-laws relating to the free flow of watercourses, in which it is generally forbidden to divert, dig or encroach on a watercourse.

### Public forest

The protection of water quality is supported by the Sustainable Forest Development Act (SFDA), assented to in 2010, and the Regulation respecting the sustainable management of forests in the domain of the State (RSFM), designed to promote the sustainable management of Quebec's forests. The FDR includes a number of water protection measures, notably the protection of lake and stream beds (art. 25, 26) and the wooded edges bordering them (art. 27 to 32), and the protection of intermittent watercourses (art. 34). Other articles dictate the minimum distance between a road and a lake, watercourse or marsh (art. 67), the detour of water into vegetated areas (art. 76), the minimum diameter of culverts (art. 79), winter roads (art. 82 and 83), the construction of culverts (art. 86 to 109), temporary crossings (art. 110 to 114), and so on.

### Private forest

The objectives of the regional agencies for the development of private forests, created by the LADTF (articles 132 to 168), are to guide and develop the development of private forests within their territory, with a view to sustainable forest management. They also provide financial and technical support for the protection and development of these forests. The Act respecting land use planning and development requires each regional county municipality (RCM) to have a land use plan that must "determine any zone where land use is subject to particular constraints for reasons of public safety, such as a flood, erosion, landslide or other cataclysm zone, or for reasons of environmental protection of riverbanks, littoral zones and flood plains." The Act also allows municipalities to regulate or prohibit all land uses "[...] in view of the topography of the land, the proximity of a watercourse or lake, the danger of flooding, landslides or other cataclysms [...] for reasons of public safety or the environmental protection of banks, littoral zones or flood plains". These situations apply to private woodlots. The Environment Quality Act includes a Policy for the Protection of Lakeshores, Riverbanks, Littoral Zones and Flood-plains, which sets minimum standards for, among other things, a 10 m riparian buffer strip (15 m if the slope is more than 30%). If an RCM's land-use plan fails to meet these standards, the MDDELCC can require it to be amended to correct the situation. As far as the negative impacts of herbicide application are concerned, herbicide use in forest management in Quebec is non-existent in public forests and unusual in private forests.

### **Enforcement and monitoring**

## Annex 1 Detailed findings for Supply Base Evaluation

### Public forest

The Ministère des Ressources naturelles et des Forêts (MRNF) is responsible for establishing objectives and means to ensure water quality in the forest. A number of water protection issues have been identified in the PAFITs, including 1) increased protection of small, ecologically significant wetlands, and 2) maintaining the integrity of riparian environments. These issues are characterized by concrete targets: 1) to protect an area equivalent to 17% of the reference territory's wetlands per development unit, 2) to protect 100% of the wetlands of interest identified, and 3) no harvesting in wooded edges withdrawn from development. Operationally, the MRNF is responsible for ensuring compliance with the FDR. To this end, each work site on public land is visited at least once by MRNF representatives while it is underway. Notices of non-conformity with a timetable for corrective action are issued when elements do not comply with one of the regulations. Non-compliance can lead to infractions and prosecution by the government if corrective action is not taken within the required timeframe. At the end of the year, BGAs are required to produce an annual report signed by the forest engineer in charge, which includes accountability for a number of elements, such as rutting levels, respect for riparian buffer strips, and so on. In addition, forest management companies must hold ISO 14001 (or CEAF) certification, and have procedures in place that comply with RADF regulations. Annual audits are carried out by a third party to verify compliance with these standards. Notices of non-conformity with a timetable for corrective action are issued when elements fail to meet any of the requirements of these standards. To ensure the sustainability of the resource and the protection of the forest environment, the MRNF has identified wetlands of interest in recent years. These valuable wetlands are subject to additional protection measures.

### Private forest

Agencies develop a Protection and Enhancement Plan (PPMV) for their territory, which describes the characteristics of the territory and the management objectives that promote sustainable forest management. PPMVs describe the forest environment at the landscape level, while identifying issues at the stand level, in keeping with the land use designation. In the case of landowners who have access to development assistance, silvicultural prescriptions are prepared for each harvesting site. In this case, the forestry engineer will develop a silvicultural prescription to maintain water quality during harvesting operations. Guides are available to help forest producers manage private forests. For example, the Fédération des producteurs forestiers du Québec (FPFQ) has published the Guide des saines pratiques en forêt privée (Guide to sound forestry practices in private forests), which helps to apply environmental impact mitigation measures during forest interventions. Similarly, the Guide des saines pratiques d'interventions forestières en milieu humide boisé was developed by the Agence forestière des Bois-Francs. Both guides are available online free of charge. Activities in private forests must comply with management plans, municipal by-laws and other laws and regulations associated with forestry operations in private forests.

### Public and private forests

A large proportion of Quebec's forests are certified to SFI and/or FSC standards. These sustainable forest management standards cover several elements related to water protection, and are audited annually by a third party.

### Public forest

The State is responsible for enforcing the LADFT. The management objectives of the PAFIT are monitored (annually or every five years), and the results are then incorporated into subsequent versions of the PAFIT. The MRNF has an ISO 14001 system, audited annually by a third party, to structure its objectives and ensure that established procedures are properly implemented. When non-conformities are identified by the audit team, the MRNF must take the appropriate corrective action. The MRNF reprimands actions that undermine the integrity of the forest environment. Thus, any person or company engaging in management activities in the public forest in a manner that does not comply with the Forest Act or the Sustainable Forest Development Act is committing an offence and may be liable to a fine. The list of offenders under the Sustainable Forest Development Act is proof of the application of this mechanism.

### Private forest

## Annex 1 Detailed findings for Supply Base Evaluation

	<p>In private forests, municipalities are responsible for ensuring compliance with current regulations, and have the right to impose penalties in the event of non-compliance. They also have the right to amend laws and regulations if they deem them inadequate to maintain water quality. In the case of private forests using management assistance programs, silvicultural work is subject to a prescription and execution report signed by a forestry engineer, which is submitted to the regional private forest agency for approval. The execution report includes a verification of the work's compliance with the requirements of the MRNF's technical reference manual for private forests. This report, signed by a forestry engineer, includes basic elements such as bank protection and respect for riparian buffer strips. In addition, the agency funding the work will carry out random compliance checks on up to 10% of the area treated.</p> <p><u>Public forest</u></p> <p>The rate of regulatory compliance with wetland and aquatic environment protection standards following the completion of forest management activities averaged 90% over the 2013-2018 period, according to the five-year review produced by the Ministère des Forêts, de la Faune et des Parcs (MFFP). The Ministry of the Environment (MELCCFP) has tabled a summary report on priority issues for Quebec watersheds in 2020. The five priority issues were poor surface water quality, destruction or degradation of wetland quality, bank or coastal erosion, the presence of an invasive exotic species, and degradation or loss of wildlife habitat. Water quality in Quebec is characterized using 20 indicators by the MELCCFP. According to the "Rapport synthèse sur l'état des ressources en eau et des écosystèmes aquatiques 2020", the state of water quality is highly variable. Sixty percent (60%) of indicators (12 out of 20) are positive (good and intermediate good), and 15% (3 out of 20) are intermediate. Negative results are recorded for areas heavily occupied by agricultural activities. Uneven monitoring of forestry operations carried out in private forests without recourse to management assistance programs does not allow us to verify whether negative impacts on the water system have been minimized.</p> <p><b>Risk conclusion and justification</b></p> <p>In public forests, the government is responsible for forest planning and regularly monitors forest operations. BGAs have ISO 14001 (or equivalent) certification, which is audited annually by a third party. The risk is therefore low. Mapping of sensitive sites is available for both private and public forests. In addition, best practice guides that include soil protection measures are widely distributed. For activities carried out under management assistance programs, prescriptions are developed and monitored under the supervision of a forestry engineer, which considerably reduces the risk of non-compliant practices. The risk is therefore low. On the other hand, there is no public database to validate the soil protection of activities carried out in private forests without recourse to management assistance programs. Consequently, the risk is Specified.</p>
<p><i>Supply Base Verifiers</i></p>	<ul style="list-style-type: none"> <li>- In private forests without using management assistance programs</li> <li>- Conduct field visits by qualified personnel to confirm the implementation of sound forest management practices to maintain or improve the quality and quantity of groundwater, surface water and downstream water in private forests without recourse to management assistance programs.</li> <li>- Obtain evidence demonstrating the implementation of sound forest management practices to maintain or improve the quality and quantity of groundwater, surface water and downstream water in private forests without recourse to management assistance programs.</li> </ul>
<p><i>Evidence reviewed</i></p>	<ul style="list-style-type: none"> <li>- Summary report on the state of water resources and aquatic ecosystems 2020: <a href="https://www.envi-ronnement.gouv.qc.ca/eau/rapport-eau/rapport-eau-2020-synthese.pdf">https://www.envi-ronnement.gouv.qc.ca/eau/rapport-eau/rapport-eau-2020-synthese.pdf</a></li> <li>- Bilan quinquennal de l'aménagement durable des forêts 2013-2018, Government of Quebec, accessed March 24, 2023, available at: <a href="https://mffp.gouv.qc.ca/documents/forets/amenagement/reddition-comptes/FT16_Superfici-ciesVolumes.pdf">https://mffp.gouv.qc.ca/documents/forets/amenagement/reddition-comptes/FT16_Superfici-ciesVolumes.pdf</a></li> </ul>

## Annex 1 Detailed findings for Supply Base Evaluation

	<ul style="list-style-type: none"> <li>- Règlement sur l'aménagement durable des forêts du domaine de l'État, RLRQ c A-18.1, r 0.01. Page consulted May 19, 2023. <a href="https://canlii.ca/t/dvjj">https://canlii.ca/t/dvjj</a></li> <li>- Environment Quality Act. RLRQ c Q-2. Page consulted May 19, 2023. <a href="https://canlii.ca/t/1b1x">https://canlii.ca/t/1b1x</a></li> <li>- Plan d'aménagement forestier intégré et tactique (PAFIT). <a href="https://www.quebec.ca/agriculture-environnement-et-ressources-naturelles/forets/planification-forestiere/plans-regionaux-consultations">https://www.quebec.ca/agriculture-environnement-et-ressources-naturelles/forets/planification-forestiere/plans-regionaux-consultations</a></li> <li>- Protection and Enhancement Plan for Private Forests in the Lower St. Lawrence Region (PPMV) <a href="https://www.agence-bsl.qc.ca">https://www.agence-bsl.qc.ca</a></li> <li>- SFI 2022 standards and rules. <a href="https://forests.org/fr/normes-et-regles-sfi-2022-document-complet-2/">https://forests.org/fr/normes-et-regles-sfi-2022-document-complet-2/</a></li> <li>- FSC Canadian forest management standard. FSC-STD-CAN-01-2018 V 1-0 EN. Page consulted on May 19, 2023. <a href="https://ca.fsc.org/ca-fr/amenagement-forestier#:~:text=La%20norme%20natio-nale%20du%20FSC,en%20mati%C3%A8re%20d%C3%A9galit%C3%A9%20des">https://ca.fsc.org/ca-fr/amenagement-forestier#:~:text=La%20norme%20natio-nale%20du%20FSC,en%20mati%C3%A8re%20d%C3%A9galit%C3%A9%20des</a></li> <li>- Agence forestière des Bois-Francs (2021). Guide des saines pratiques d'interventions forestières en milieu hu-mide boisé des forêts privées du Québec, collective work coordinated by C. Anecou, Victoriaville, 47 pages. Page consulted May 19, 2023. <a href="https://www.afbf.qc.ca/wp-content/uploads/2022/03/Guide-milieu-humide_Fi-nal.pdf">https://www.afbf.qc.ca/wp-content/uploads/2022/03/Guide-milieu-humide_Fi-nal.pdf</a></li> <li>- Guide terrain. Saines pratiques d'intervention en forêt privée. 5ième edition. Fédération des producteurs forestiers du Québec. 2022. Page consulted May 19, 2023. <a href="https://www.foretprivee.ca/je-protège-ma-foret/saines-pra-tiques-d'intervention-forestiere/?contenu=les-interventions-en-foret">https://www.foretprivee.ca/je-protège-ma-foret/saines-pra-tiques-d'intervention-forestiere/?contenu=les-interventions-en-foret</a></li> <li>- Zoning by-law. Chapter 13 - Provisions relating to the felling and planting of trees. Municipality of Eastman. Consulted May 19, 2023. <a href="https://eastman.quebec/wp-content/uploads/2015/01/reglement-abattage-arbres.pdf">https://eastman.quebec/wp-content/uploads/2015/01/reglement-abattage-arbres.pdf</a></li> <li>- MRC des chenaux. By-law concerning the felling of trees and the protection of the forest cover. Page consulted May 19, 2023</li> <li>- <a href="https://www.mrcdeschenaux.ca/app/uploads/2015/09/R%C3%A8glement-sur-labattage-darbres-et-la-protec-tion-du-couvert-forestiersans-carto_Refondu.pdf">https://www.mrcdeschenaux.ca/app/uploads/2015/09/R%C3%A8glement-sur-labattage-darbres-et-la-protec-tion-du-couvert-forestiersans-carto_Refondu.pdf</a></li> <li>- Bilan quinquennal de l'aménagement durable des forêts 2013-2018, Government of Quebec. Page consulted on March 24, 2023, available at: <a href="https://mffp.gouv.qc.ca/documents/forets/amenagement/reddition-comptes/FT16_SuperficiesVolumes.pdf">https://mffp.gouv.qc.ca/documents/forets/amenagement/reddition-comptes/FT16_SuperficiesVolumes.pdf</a></li> <li>- Responsibilities of the Chief Forester, Office of the Chief Forester. Page consulted on March 24, 2023, available at: <a href="https://forestierenchef.gouv.qc.ca/wp-content/uploads/Responsabilites-du-Forestier-en-chef.pdf">https://forestierenchef.gouv.qc.ca/wp-content/uploads/Responsabilites-du-Forestier-en-chef.pdf</a></li> </ul>						
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Private forest under program	Low risk						
Private forest outside the program	<b>Specified risk</b>						
<b>2.2.6</b>	<b>Air emissions shall comply with national legislation or in the absence of national legislation with industry best practice.</b>						
<i>Findings</i>	<p><b>Scale of assessment</b> Public forest Private forest</p> <p><b>Analysis</b> The scope of the indicator is limited to forest management activities such as windrow burning or prescribed burning. It excludes emissions from industrial sources</p>						

## Annex 1 Detailed findings for Supply Base Evaluation

(e.g. sawmills) and those generated by machinery used to harvest and transport woody material. In Quebec, the use of fire is included in the definition of forest management. Typically, fire can be used to burn windrows or to carry out prescribed burning, an activity designed to reduce the risk of fire or to restore and maintain ecological integrity.

The threats to air quality from forestry activities are:

- Environmental emissions of carbon monoxide, nitrogen oxide and volatile organic compounds
- Air quality deterioration and potential health impacts
- Complaints about poor air quality

The Loi sur l'aménagement durable du territoire forestier (LADTF) governs forestry activities in forested areas, including the use of prescribed burning. In private forests, municipal by-laws are responsible for prescribed burning.

### **Enforcement and monitoring**

"Any person or organization carrying out work or having work carried out in the forest, except in the case of forest management activities carried out within the framework of a plan drawn up or approved by the Minister, must notify the protection organization operating in the territory concerned of its intention and obtain from this organization, if the latter deems it appropriate, a protection plan (...). This plan must be submitted to the Minister for approval. The costs incurred by the monitoring activities provided for therein shall be borne by the person or organization carrying out the work in the forest", section 192, LADTF. A burning permit is required in public forests. Permit applications are made through SOPFEU. Depending on the scope of the work and the period during which it will be carried out, a Protection Plan may be required. SOPFEU is the Quebec paragonovernmental organization whose mission is to protect forests, communities and strategic infrastructures against forest fires. MRNF representatives visit a worksite at least once. Forest management companies must have ISO 14001 (or CEAF) certification and procedures that comply with the LADTF. Annual audits are carried out by a third party to verify compliance with these standards. Notices of non-conformity with a timetable for corrective action are issued when elements fail to meet any of the requirements of these standards. In addition, Article 193 stipulates that anyone using fire as a silvicultural treatment must comply with any directives issued for this purpose by the protection agency, which must be approved in advance by the Minister. Offenders are liable to fines ranging from \$500 to \$50,000 (Article 239). Most municipalities regulate open burning, and where permitted, require a permit before burning.

#### Public forest

The MRNF is responsible for enforcing the LADTF and issuing burning permits. In the event that forest management activities are carried out without the required permits, offenders expose themselves to offences and prosecution by the government.

#### Private forest

Burning activities are not practised in private woodland management.

It should be noted that the practice of prescribed burning is extremely rare in Quebec, in both public and private forests. Prescribed burning has only been used in La Mauricie National Park in recent decades. Windrow burning is also a rare practice in public and non-existent in private forests in Quebec, given climatic, seasonal and operational constraints, as well as the requirement of the Protection Plan. The use of excavators to increase the height of windrows and reduce their surface area makes burning less relevant. The list of offenders under the Sustainable Forest Development Act does not include any forest burning offences (<https://mffp.gouv.qc.ca/les-forets/infractions-aux-lois/liste-contrevenants-lois-foret/>).

### **Risk conclusion and justification**

## Annex 1 Detailed findings for Supply Base Evaluation

	The practice of prescribed burning is extremely rare in Quebec, in both public and private forests, and its use is highly regulated by the MRNF and municipalities. As a result, the risk of atmospheric emissions not complying with regulations is low in both public and private forests.				
<i>Supply Base Verifiers</i>	-				
<i>Evidence reviewed</i>	<ul style="list-style-type: none"> <li>- Sustainable Forest Development Act (LADTF)</li> <li>- SOPFEU. Instructions and legislation relating to industrial burning. <a href="https://sopfeu.qc.ca/wp-content/uploads/2021/04/Consignes_legislation_relatives_brulage_industriel_intention_promoteur.pdf">https://sopfeu.qc.ca/wp-content/uploads/2021/04/Consignes_legislation_relatives_brulage_industriel_intention_promoteur.pdf</a> Accessed January 31, 2024</li> </ul>				
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<b>2.2.7</b>	<b>Pesticides shall only be used as part of an Integrated Pest Management (IPM) plan in compliance with national legislation, chemical safety data sheets and industry best practice. Banned pesticides shall not be used.</b>				
<i>Findings</i>	<p><b>Scale of assessment</b> Public forest Private forest</p> <p><b>Analysis</b> Since 2001, the use of chemical pesticides (insecticides and herbicides) for forest management in Quebec's public forests has been prohibited. This position stems from the implementation of the Forest Protection Strategy published in 1994 by the Ministère des Ressources naturelles (MRN) (commitment number 36). Possible threats from the use of chemical products and insect pest control are:</p> <ul style="list-style-type: none"> <li>- Impacts on human, wildlife and aquatic health.</li> <li>- Loss of insect and plant biodiversity.</li> <li>- Contamination of waterways and soils.</li> <li>- Misidentifying pests and resorting to incorrect treatment.</li> </ul> <p>In Canada, jurisdiction over pesticides is shared between the federal, provincial/territorial and municipal governments. The federal government controls the registration and re-evaluation of pesticides, as well as their marketing and labelling. The provinces and territories can regulate the storage, sale, use, transportation and disposal of federally registered pesticides. They also manage the training and certification of sellers and users, as well as spills and accidents. In addition, they have the power to restrict or prohibit the use of registered products within their jurisdiction. For their part, in several provinces, municipalities have the power to establish more extensive regulations, mainly concerning the use of pesticides in urban areas, taking into account their local particularities. In private forests, owners can use pesticides in plantations, nurseries and seed orchards, but their use is governed by the Pesticides Act and the Environment Quality Act. Section 34 of Quebec's Pesticides Act stipulates that a permit is required to sell pesticides or to carry out work involving the use of a pesticide by ground in forest areas. All</p>				

## Annex 1 Detailed findings for Supply Base Evaluation

chemical uses, such as vegetation control in Hydro-Québec transmission and distribution rights-of-way, are subject to the Pesticides Act and the Environment Quality Act.

### Enforcement and monitoring

In Quebec, forestry companies are responsible for harvesting the woody material, while the MRNF is responsible for putting it back into production and for non-commercial treatments. It is therefore up to the MRNF, through Rexforêt, to ensure that the cutblocks are regenerated and free to grow according to the objectives of the silvicultural prescription. As mentioned above, no chemical pesticides are used for forest management on public land. SOPFIM is responsible for protecting the forest resource against insects and diseases in harmony with its environment, including the spraying of Btk (*Bacillus thuringiensis* variety *kurstaki*) on public and private lands. In private forests, the use of pesticides is not prohibited, but these treatments are not subsidized by development agencies. To apply pesticides in forest areas, you must first obtain an "Application in forest areas" permit (sub-category C7 or D7). In addition, to apply pesticides in forest areas, you must hold the required certificate, or work under the supervision of the holder of such a certificate. In addition, you must :

- Equip the sprayer with a device to prevent pesticide spillage if the tank can hold 200 liters or more of pesticide;
- Mark out the boundaries of application zones before applying a pesticide;
- Place a sign at the entrance to any road leading into the area to be treated prior to application;
- Publish in a newspaper or broadcast on television or radio a notice announcing pesticide application work one to three weeks before it is to begin if you are the operator of a forest area in a public forest or a landowner planning to apply pesticides to more than 100 hectares in the same administrative region during the same year;
- Respect distances from sensitive elements.

The Quebec Pesticide Risk Indicator (QPRI) was developed jointly by MAPAQ, the Institut national de santé publique du Québec (INSPQ) and the Ministry. This indicator is a tool for characterizing pesticide-related health and environmental risks, and for monitoring their evolution at various levels: company, sector, regional or provincial. At provincial level, the eQPRI is used as an indicator to assess the evolution of health and environmental risks in the Bilan des ventes de pesticides au Québec. For pesticide application in road, rail or energy transportation corridors, it is necessary to hold an "Application in uncultivated terrain" certificate (sub-category CD3) or to work under the supervision of the holder of such a certificate, on the premises where the activity is carried out.

The application of the Pesticides Act is verified by the MELCCFP, which visits companies and users authorized to use pesticides in Quebec. In public forests, compliance inspections are carried out by the MRNF for each work site.

Since 2001, the use of chemical pesticides (insecticides and phytocides) for forest management in Quebec's public forests has been prohibited. SOPFIM uses Btk (biological pesticide) against spruce budworm. In private forests, private or public plantations, forest nurseries, seed orchards and farm woodlots, ground application of pesticides (insecticides and fungicides) can be one of the control methods recommended as part of integrated forest epidemic management. However, the use of non-chemical means, such as selective cutting or biological control, is encouraged. The balance sheet for pesticide sales in Quebec (MELCCFP 2021) shows that 3.8 M kg of pesticides were sold in Quebec in 2021. Of this figure, 199,889 kg came from the use of *Bacillus thuringiensis*. Chemical pesticides are mainly used in agriculture. For 2021, this report shows 10 active ingredients (including biopesticides) used in Quebec, none of which are banned. In addition, only *Bacillus thuringiensis* var. *kurstaki* is used in forest management (to protect forests against insects). In 2016, 2% of Hydro-Québec's rights-of-way were treated with herbicides, while the rest of the vegetation was controlled mechanically. As a result, the use of chemical pesticides is virtually non-existent, and is not one of the treatments offered by forestry groups.

## Annex 1 Detailed findings for Supply Base Evaluation

	<p><b>Risk conclusion and justification</b> Given the absence of chemical pesticide use for forest management on public lands since 2001, the requirements for use permits, toxicity assessment tools and the MRNF's involvement in forest management in Quebec, the risk is low.</p>				
<i>Supply Base Verifiers</i>	-				
<i>Evidence reviewed</i>	<ul style="list-style-type: none"> <li>- MELCCFP. 2021. Bilan des ventes de pesticides au Québec. <a href="https://cdn-contenu.quebec.ca/cdn-con-tenu/adm/min/environnement/pesticides/bilan-ventes-pesticides-quebec.pdf">https://cdn-contenu.quebec.ca/cdn-con-tenu/adm/min/environnement/pesticides/bilan-ventes-pesticides-quebec.pdf</a> Page consulted February 2, 2024.</li> <li>- MRNF, 2000. Bilan de l'implantation de la Stratégie de protection des forêts 1995-1999. Ministère des Res-sources naturelles du Québec. Service de l'aménagement forestier. <a href="https://mffp.gouv.qc.ca/documents/forets/pro-tection/Bilan_1995-99.pdf">https://mffp.gouv.qc.ca/documents/forets/pro-tection/Bilan_1995-99.pdf</a> Page consulted February 2, 2024.</li> </ul>				
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<b>2.2.8</b>	<b>Waste shall be disposed of in an environmentally appropriate manner.</b>				
<i>Findings</i>	<p><b>Scale of assessment</b> Public forest Private forest</p> <p><b>Analysis</b> For the purposes of this indicator, "waste" is defined as any substance or object that is discarded, intended for discarding or is required to be discarded. The retention of wood waste and post-harvest residues from forest management activities is covered by indicator 2.2.4. According to the European Commission's guidelines on waste classification, the following types of environmentally hazardous waste apply to forest management activities:</p> <ul style="list-style-type: none"> <li>- Oil waste and liquid fuel waste;</li> <li>- Waste organic solvents, refrigerants and propellants; and</li> <li>- Packaging waste: absorbents, wiping cloths, filter materials and protective clothing not otherwise specified.</li> </ul> <p>Waste such as old tires, brake pads and other machine parts, as well as culvert pipes, are also included in this indicator.</p> <p>Failure to dispose of waste properly can lead to soil contamination, reduced water quality and a negative visual impact. Waste can also have a negative impact on fauna, flora and ecosystems.</p> <p>Several laws and regulations apply to the management of waste and residual hazardous materials in the context of forest management in Quebec. Since the Sustainable Forest Development Act (LADTF) came into force on April 1er 2013, forest management activities planned in public forests must be carried out by companies holding a certification recognized by the Ministère des Ressources naturelles et des Forêts (MRNF). Two types of certification are recognized: the international ISO 14001 standard and the Programme de certification des entreprises en aménagement forestier (CEAF). In both cases, the main objective is the</p>				

same: to minimize the impact of our activities on the environment, in accordance with a series of established requirements, including waste oil and waste management. Section 20 of the Environment Quality Act, RLRQ cQ-2, specifies that anyone responsible for the accidental release of a contaminant (...) or hazardous material into the environment must notify the Minister without delay. Section 194 of the same by-law prohibits the open burning of residual materials, even for partial recovery, except in the case of branches, trees, dead leaves, explosive products or empty containers of explosive products. Several sections of the Règlement sur l'aménagement durable des forêts du domaine de l'État (RADF), RLRQ c A-18.1, r0.01 (RADF) mention prohibitions related to waste, including the following sections:

- Article 40. Washing water from forestry machinery that cannot be discharged into the forest environment must be recovered and treated in accordance with applicable laws and regulations.
- Article 42. The discharge of hydrocarbons, chemical products or other contaminants of a similar nature is prohibited in the forest environment during forest management activities.
- Article 63. When construction, improvement, repair, maintenance or closure work is carried out on a road or section of road, waste and other residual materials other than granular, organic or plant material must be collected and transported outside the forest to an appropriate site. (...)
- Article 129. The forest camp area must be cleaned at the end of its use by removing all installations, equipment, debris and waste found there. (...)

Finally, the Regulation respecting the recovery and reclamation of products by enterprises (Q-2, r.40.1) aims to reduce the quantities of residual materials to be disposed of by making enterprises responsible for the recovery and reclamation of the hazardous materials they place on the market, and by encouraging the design of more environmentally-friendly products.

### **Enforcement and monitoring**

In Quebec, all companies and Rexforêt operating on public land must hold ISO 14001 or CEAF certification. The scope must include harvesting as well as timber loading. These certifications oblige holders to implement procedures to manage residual hazardous materials and waste from forestry operations. The mission of the Société de gestion des huiles usagées (SOGHU) is to manage a program to recover, reclaim and educate users in an efficient and economically, environmentally and socially responsible manner about used oils and glycols (antifreeze), used oil and glycol (antifreeze) containers of 50 liters or less (including used aerosol containers of lubricants and brake cleaners) and used filters on behalf of its members. Vendors of hazardous products and collection facilities are monitored to assess their compliance with regulations. The extensive monitoring carried out in public forests under the responsibility of certification program registrars and government officials reduces the risk of improper waste disposal.

#### Public forest

Operationally, the MRNF is responsible for ensuring compliance with the FDR. To this end, each work site on public land is visited at least once by MRNF representatives while it is underway. Notices of non-conformity with a timetable for corrective action are issued when elements do not comply with one of the regulations. Non-compliance can lead to infractions and prosecution by the government if corrective action is not taken within the required timeframe. Forest management companies must hold ISO 14001 (or CEAF) certification, and have procedures in place that comply with FDR regulations. Annual audits are carried out by a third party to verify compliance with these standards. Notices of non-conformity with a timetable for corrective action are issued when elements fail to meet any of the requirements of these standards.

#### Private forest

As for private forests, the risks of mismanagement of waste and hydrocarbons are also considered low, given the regulatory framework and the proximity of

## Annex 1 Detailed findings for Supply Base Evaluation

	<p>inhabited areas.</p> <p>The most recent lists of offenders under the Sustainable Forest Development Act were consulted. No offences related to hazardous materials are listed.</p> <p><b>Risk conclusion and justification</b></p> <p>Given the existence of robust provincial legislation relating to waste and hazardous material spills, and the structure in place to recover oils and other contaminated products, the risk is low in both public and private forests.</p>				
<i>Supply Base Verifiers</i>	-				
<i>Evidence reviewed</i>	<ul style="list-style-type: none"> <li>- Hazardous Materials Regulations. <a href="https://www.canlii.org/fr/qc/legis/regl/rlrq-c-q-2-r-32/derniere/rlrq-c-q-2-r-32.html#art8">https://www.canlii.org/fr/qc/legis/regl/rlrq-c-q-2-r-32/derniere/rlrq-c-q-2-r-32.html#art8</a></li> <li>- MELCCFP. 2021. Bilan des ventes de pesticides au Québec. <a href="https://cdn-contenu.quebec.ca/cdn-con-tenu/adm/min/environnement/pesticides/bilan-ventes-pesticides-quebec.pdf">https://cdn-contenu.quebec.ca/cdn-con-tenu/adm/min/environnement/pesticides/bilan-ventes-pesticides-quebec.pdf</a> Page consulted February 2, 2024.</li> <li>- MRNF, 2000. Bilan de l'implantation de la Stratégie de protection des forêts 1995-1999. Ministère des Res-sources naturelles du Québec. Service de l'aménagement forestier. <a href="https://mffp.gouv.qc.ca/documents/forets/pro-tection/Bilan_1995-99.pdf">https://mffp.gouv.qc.ca/documents/forets/pro-tection/Bilan_1995-99.pdf</a> Page consulted February 2, 2024.</li> <li>- Transportation of Dangerous Goods Act (Canada)</li> <li>- Emergency-Environment response register</li> <li>- Société de gestion des huiles usagées (SOGHU)</li> <li>- Register of BNQ CEAF-certified forest management companies</li> <li>- Sustainable forest management by-law section IV</li> <li>- Transportation of Dangerous Goods Act (Canada)</li> <li>- Environmental Quality Act</li> <li>- Transportation of Dangerous Goods Regulations (Quebec)</li> <li>- Regulation respecting the recovery and reclamation of products by businesses (Quebec)</li> <li>- Regulation respecting the recovery and reclamation of used oils, oil or fluid containers and used filters (Quebec)</li> </ul>				
<i>Risk rating</i>	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">Public forest</td> <td style="text-align: right;"><b>Low risk</b></td> </tr> <tr> <td>Private forest</td> <td style="text-align: right;"><b>Low risk</b></td> </tr> </table>	Public forest	<b>Low risk</b>	Private forest	<b>Low risk</b>
Public forest	<b>Low risk</b>				
Private forest	<b>Low risk</b>				
<b>2.2.9</b>	<b>Harvesting levels shall be justified as to how they can be sustained with reference to inventory and growth data for the Supply Base.</b>				
<i>Findings</i>	<p><b>Scale of assessment</b></p> <p>Public forest</p> <p>Private forest</p>				

### **Analysis**

In 2004, a report was published by the Coulombe Commission, charged with studying the management of Quebec's public forest. Among other things, their mandate was to evaluate forest management and allowable cut results, following concerns expressed by the environmental community about over-harvesting. The report recommended major changes to the calculation of allowable cut, including improvements to growth curves, consideration of spatialization and land access, and regionalization to take account of local harvesting constraints. Following the commission's recommendations, a new forestry regime was implemented in 2013. In today's context, allowable cut corresponds to the maximum volume of annual timber harvests per species or group of species that can be harvested while ensuring the renewal and evolution of the forest based on sustainable forest management objectives. The principle of "sustained yield" is applied. On public lands, sustainable management under the new regime is based on the sustainability of the forest environment, the impact of climate change on forests, the natural dynamics of forests, the maintenance and improvement of the productive capacity of forests, and the diversification of forest use. Excluded from the calculation are several areas related to protected areas, woodland caribou, First Nation agreements, paludification, maple syrup production, riparian woodland edges and forest fires.

Overexploitation would lead to a shortage of certain products, which could result in the closure of certain factories. Since the economy of some communities depends to a large extent on the forest, significant social consequences could follow. A harvesting level higher than the allowable cut could lead to a significant reduction in old-growth forest across the landscape, loss of wildlife habitat and impact on hydrological cycles.

In private forests, part of the harvested volume is used by the owner (firewood, sawing with mobile sawmills) and is therefore not included in the volume marketed.

#### Public forest

In 2013, the government created the Chief Forester, whose responsibility is to calculate and maintain up-to-date the allowable cut for the public forest at the provincial and forest management scales, independently of the government. His role and responsibilities are set out in Chapter V of the Sustainable Forest Development Act (LADTF). The Chief Forester's responsibilities include establishing the methods, means and tools required to calculate allowable cut, determining the forestry and ecological data required to carry out the analyses used to determine allowable cut, determining allowable cut for management units, proximity forests and certain residual forest areas, taking into account regional and local sustainable forest management objectives, to modify the allowable cut assigned to a territory, at the Minister's request, when circumstances are such that, without immediate modification, sustainable forest management would be compromised, and to analyze the results obtained in terms of sustainable management of forests in the domain of the State and to transmit this analysis to the Minister at the time and under the conditions set by the latter (Art. 46).

#### Private forest

The objectives of the regional agencies for the development of private forests, created by the LADTF (articles 132 to 168), are to guide and develop the development of private forests within their territory, with a view to sustainable forest management. They also provide financial and technical support for the protection and development of these forests. Protection and enhancement plans include a study of the forestry potential of the territory covered by the various agencies, as well as an indication of production objectives and recommended management methods, particularly those designed to ensure a sustainable wood supply (article 150).

### **Enforcement and monitoring**

#### Public forest

Since 1970, the ministry responsible for forestry has carried out periodic inventories in Quebec's attributable forests, in order to update knowledge of ecosystems and monitor changes in forest cover by species and age group. The results of these inventories are then made public and provided to the Chief Forester. The Office of the Chief Forester (OCF) produces sustained yield allowable cut calculations for each of Quebec's management units. It is responsible for publishing and updating the allowable cut manual. Current calculation methods include risks associated with natural disturbances (forest fire modeling, climate change, insect epidemics).

## Annex 1 Detailed findings for Supply Base Evaluation

From now on, the calculation will be carried out on an ongoing basis, depending on the availability of new inventory data, major changes to the territory (creation of protected areas, major natural disturbances) or major changes to management strategies. It is the Ministère des Ressources naturelles et des Forêts (MRNF) that will determine the allocations (the level of harvesting permitted) for each management unit, based on the calculations produced by the BFEC. The results of the allowable cut calculations are also presented in the tactical forest management plans (PAFIT), which are revised every five years. The MRNF is responsible for delimiting and presenting harvesting sites each year that meet management strategies and the objectives set out in the TSFMA, while respecting allowable cut. Volumes are allocated annually to guaranteed supply agreement (GSA) holders or sold by the Bureau de mise en marché des bois. The results of the allowable cut calculation for each management unit are posted on the BFEC website.

### Private forest

Agencies draw up a Protection and Enhancement Plan (PPMV) for their territory, which describes the characteristics of the territory, the management objectives promoting sustainable forest management, and the average annual allowable cut. PPMVs must comply with the land use and development plans set out in the Act respecting land use planning and development. They describe the forest environment on a landscape scale, while identifying issues at stand level and respecting land use allocations. Annual monitoring of wood mobilization in relation to allowable cut enables us to assess the pressure exerted on private forests. In the case of owners using management assistance programs, silvicultural prescriptions are prepared for each harvesting site. In this case, the forest engineer will develop a silvicultural prescription to ensure proper forest management and the return of forest productivity.

### Public forest

The MRNF is responsible for the sustainable development and management of public forests, including forest planning, forest operations, monitoring and control, timber scaling and the allocation of forest rights (LADTF, Art. 52). It is also responsible for ensuring compliance with the Sustainable Forest Management Strategy. The MRNF monitors harvest levels by species on an annual basis. In the event of overharvesting (i.e., volumes harvested in excess of inventory estimates), the excess harvested volume is deducted from the following year's allowable harvest level. Unharvested wood volumes may be left standing, marketed by the Bureau de mise en marché des bois or sold to one or more wood processing plants. Under the Sustainable Forest Development Act (SFDA), the MRNF is responsible for producing and tabling a five-year report on sustainable forest management in the National Assembly. These reports present the results achieved in terms of sustainable forest management, as well as an analysis of the means used to achieve the department's objectives and overall vision. State of the forest reports have been produced and tabled since the early 1990s. At the end of the year, BGAs are required to produce an annual report signed by the forest engineer in charge, which includes accountability for a number of elements, including volumes and areas harvested.

### Private forest

In the case of private forests using management assistance programs, silvicultural work is subject to a prescription and execution report signed by a forestry engineer, which is submitted to the regional private forest agency for approval. The execution report includes a verification of the work's compliance with the requirements of the MRNF's technical reference manual for private forests. This report, signed by a forestry engineer, includes compliance with the silvicultural prescription in terms of volume and area. In addition, the agency funding the work will carry out random compliance checks on up to 10% of the area treated. Wood marketing is carried out by the wood producers' unions and boards in each region. The boards are responsible for compiling marketing data for the territory covered by their joint plan. However, part of the harvested volume is used by the owner (firewood, sawmilling with mobile sawmills) and is therefore not compiled in the marketed volume.

### Results

#### Public forest

## Annex 1 Detailed findings for Supply Base Evaluation

According to the 2013-2018 five-year review produced by the Quebec government, productive forest area in public forests is relatively similar between the first and fourth inventories (down 1%), i.e. between 1970 and 2019. A decrease in young stands (-3%) and mature and old stands (-4%) was observed between the first and fourth inventories. Regenerated stands, on the other hand, increased from 10% in the second survey to 20% in the fourth. The proportion of softwood stands in public forests has gradually declined since the first inventory in 1970, mainly in the bioclimatic zone of moss spruce stands. However, the decline was less marked between the third and fourth inventories, when the proportion of coniferous stands fell from 59% to 58%. A decrease of 181 Mm<sup>3</sup> (-8%) in standing volume was observed in public forests, between the first and fourth inventories. This was largely due to a 12% decrease in the area of stands 7 m or taller (Table 3), and a 4% decrease in the area of mature and old-growth stands. Declines were mainly observed in the Saguenay-Lac-Saint-Jean and Nord-du-Québec regions, accompanied by a decrease of around 29% in standing volume between the first and fourth inventories. Significant increases in standing volume were observed between the first and fourth inventories in the Outaouais (+16%), Mauricie (+18%), Laurentides (+19%) and Lanaudière (+22%) regions. According to the 2018-2023 report produced by the MRNF, 70.6% of the annual allowable cut was harvested during the period.

### Private forest

According to the 2013-2018 five-year balance sheet produced by the State, productive forest area increased by 7% between the first and fourth inventories (1970 to 2019). An increase of 231 Mm<sup>3</sup> (+45%) was observed between the first (1970-1983) and fourth (2001-2018) inventories. The increase in standing volume is attributable to a 19% increase in the area of stands 7 m and over, and a doubling in the area of mature and old-growth stands. In addition, the private forest saw a significant increase in the area of mature and old-growth stands, whose proportion rose from 17% to 34% between 1970 and 2019. This is due to the low proportion of annual allowable cut harvested.

For the period 2013-2018, a volume corresponding to 84% of the forestry potential for conifers was not harvested, whereas for hardwoods, the harvest was of the order of 50%. During this period, a total of 28,248,450 m<sup>3</sup> of wood was not harvested, including 694,350 m<sup>3</sup> in the SAHM. The desire of owners not to cut trees, the profitability of harvesting mixed stands and the lack of takers for certain species could explain why these volumes were not harvested. Forest producers market an average of 5.39 Mm<sup>3</sup> of wood annually. In 2022, the volume delivered amounted to 6.0 Mm<sup>3</sup> of wood. The total area of productive private forest is 6.7 M hectares, for a total allowable cut of 16.95 Mm<sup>3</sup>. For Quebec as a whole, the volume marketed therefore represents around 35% of the allowable cut.

### **Risk conclusion and justification**

#### Public forest

The Office of the Chief Forester (OCF) produces sustainable yield calculations for each of Quebec's management units. These calculations are revised every 10 years and are subject to an independent review. The MRNF rigorously monitors harvest volumes on public land. A robust system is in place to ensure that all harvested volumes are compiled. The risk is therefore low.

#### Private forest

In private forests, regional development agencies establish the sustainable yield allowable cut. There is less control over the volume harvested than in public forests, and part of the volume harvested is used by the owner (firewood, sawmilling with mobile sawmills) and is therefore not included in the volume marketed. However, given that only 35% of the annual allowable cut is marketed, the risk of overharvesting is low.

## Annex 1 Detailed findings for Supply Base Evaluation

<i>Supply Base Verifiers</i>	-				
<i>Evidence reviewed</i>	<ul style="list-style-type: none"> <li>- Fédération des producteurs forestiers du Québec. La forêt privée chiffrée, 2023, revised, June 2023, 36 p. <a href="https://www.foretprivee.ca/wp-content/uploads/2023/07/La-foret-privee-chiffree-2023-MaJ-Juin.pdf">https://www.foretprivee.ca/wp-content/uploads/2023/07/La-foret-privee-chiffree-2023-MaJ-Juin.pdf</a></li> <li>- Bilan quinquennal de l'aménagement durable des forêts 2013-2018, Government of Quebec, accessed March 24, 2023, available at: <a href="https://mffp.gouv.qc.ca/documents/forets/amenagement/reddition-comptes/FT16_Superfici-ciesVolumes.pdf">https://mffp.gouv.qc.ca/documents/forets/amenagement/reddition-comptes/FT16_Superfici-ciesVolumes.pdf</a></li> <li>- Responsibilities of the Chief Forester, Office of the Chief Forester, consulted March 24, 2023, available at: <a href="https://forestierenchef.gouv.qc.ca/wp-content/uploads/Responsabilites-du-Forestier-en-chef.pdf">https://forestierenchef.gouv.qc.ca/wp-content/uploads/Responsabilites-du-Forestier-en-chef.pdf</a></li> <li>- Forest Potential Determination Manual, Office of the Chief Forester, accessed March 24, 2023, available at: <a href="https://forestierenchef.gouv.qc.ca/possibilites-forestieres/periode-2023-2028/manuel-determination-2023-2028/">https://forestierenchef.gouv.qc.ca/possibilites-forestieres/periode-2023-2028/manuel-determination-2023-2028/</a></li> <li>- Fiche synthèse sur les possibilités forestières au Québec, Ministère des Ressources naturelles et des Forêts, con-sulted May 29, 2023, available at: <a href="https://cdn-contenu.quebec.ca/cdn-contenu/adm/min/forets-faune-parcs/nou-velles/2021/NA_PossibilitesForestieres.pdf">https://cdn-contenu.quebec.ca/cdn-contenu/adm/min/forets-faune-parcs/nou-velles/2021/NA_PossibilitesForestieres.pdf</a></li> <li>- Détermination du volume non récolté de la période 2013-2018 potentiellement disponible à la récolte pour la période 2018-2023, Office of the Chief Forester, accessed May 29, 2023, available at: <a href="https://forestieren-chef.gouv.qc.ca/wp-content/uploads/fiche_vnr_-octobre-2019_finale.pdf">https://forestieren-chef.gouv.qc.ca/wp-content/uploads/fiche_vnr_-octobre-2019_finale.pdf</a></li> </ul>				
<i>Risk rating</i>	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 150px;">Public forest</td> <td style="text-align: right;"><b>Low risk</b></td> </tr> <tr> <td>Private forest</td> <td style="text-align: right;"><b>Low risk</b></td> </tr> </table>	Public forest	<b>Low risk</b>	Private forest	<b>Low risk</b>
Public forest	<b>Low risk</b>				
Private forest	<b>Low risk</b>				
<b>2.2.10</b>	<b>Harvested areas shall be regenerated.</b>				
<i>Findings</i>	<p><b>Scale of assessment</b></p> <p>Public forest Private forest with management assistance programs Private forest without management assistance programs</p> <p><b>Analysis</b></p> <p>In Quebec, the government's sustainable forest management strategy stipulates that natural regeneration should be encouraged when an adequate quantity of quality seedlings can be obtained within an acceptable timeframe. Every year, some 130 million seedlings are planted in Quebec. Since the current forestry regime came into force, the Ministère des Ressources naturelles et des Forêts (MRNF) has been responsible for forest management in Quebec. To carry out silvicultural work, the MRNF has chosen to delegate this responsibility to Rexforêt. Every year, the MRNF invests over \$200 million in silviculture. The presence of sufficient, well-distributed regeneration of desired species is crucial to both forest yields and ecosystem viability. Threats to the proper return to production of harvested areas include a lack of monitoring of harvested areas, poor reforestation quality and a lack of funds for silviculture.</p> <p><u>Public forest</u></p> <p>The Sustainable Forest Development Act (LADTF) institutes a forestry regime aimed at implementing sustainable forest management and ensuring the monitoring</p>				

## Annex 1 Detailed findings for Supply Base Evaluation

and control of interventions carried out in forests in the domain of the State, including site preparation and reforestation work (art. 1). The Règlement sur l'aménagement durable des forêts du domaine de l'État (RADF) specifies certain provisions relating to recultivation. It stipulates that the site must be left in conditions conducive to the rapid establishment of natural regeneration (art. 120, 127, 129 and 154); for example, the site surface must be free of logging waste. Forest regeneration must be monitored in accordance with silvicultural regulations (art. 155). As ruts are likely to affect regeneration establishment and soil quality on felling and skidding trails, they must not cover more than 25% of trail length per total cutting area (art. 45).

### Private forest

The objectives of the regional agencies for the development of private forests, created by the LADTF (articles 132 to 168), are to guide and develop the development of private forests within their territory, with a view to sustainable forest management. They also provide financial and technical support for the protection and development of these forests. The Act respecting land use planning and development stipulates that any municipality or MRC may regulate, by zone, soil excavation, humus removal, planting, tree felling and any excavation or fill work (art. 79.3).

### **Enforcement and monitoring**

#### Public forest

At management unit level, the MRNF sets compositional objectives in the PAFITs. In the Outaouais region, for example, the number of plants of endangered species (white pine, red pine, yellow birch, red oak) planted has been identified as an indicator and is monitored annually. These objectives are based on the vegetation potential of the area, and regeneration areas are required to respect a spatial distribution and targets close to natural historical proportions across the territory, with the aim of mimicking natural disturbances. In public forests, MRNF silviculturists (forest engineers) determine minimum density and composition requirements. They include this information in silvicultural prescriptions, based on site ecology and silvicultural guides. In operational terms, the beneficiaries of guaranteed supply agreements (BGAs) are responsible for harvesting the timber. At the end of the year, BGAs are required to produce an annual report signed by the forest engineer in charge, which includes accountability for a number of elements, such as respect for skidding trails to minimize damage to pre-established regeneration. The MRNF ensures compliance with the FDR by visiting each work site on public land at least once during its execution. Notices of non-conformity with a timetable for corrective action are issued when elements do not comply with one of the regulations. Non-compliance can lead to offences and prosecution by the government if corrective action is not taken within the required timeframe. Following harvesting, the MRNF assesses the presence of natural regeneration. If regeneration is insufficient, work will be planned to bring these areas back into production by applying silvicultural techniques (scarification, planting, replanting). The work is contracted out to forest management companies by Rexforêt, a subsidiary of Investissement Québec that was created in 2013 following the introduction of the new forest regime to ensure the implementation of government forest management programs. Forest management companies must have ISO 14001 (or CEAF) certification and regulatory-compliant procedures (RADF). Annual audits are carried out by a third party to verify compliance with these standards. Notices of non-conformity with a timetable for corrective action are issued when elements fail to meet any of the requirements of these standards. Forest management companies are also required to produce a worksite report signed by a forest engineer guaranteeing the quality of reforestation, education or scarification work carried out and compliance with silvicultural prescriptions. Following completion of the work, Rexforêt validates the quality of the forest management work by validating the quality of the inventories carried out by the forest management companies. To provide a framework for silvicultural efforts, the MRNF has produced silvicultural guides that bring together the scientific knowledge needed by silviculturists in the forest planning process to ensure that silviculture in Quebec is adapted to the ecology of the sites and the multiple management objectives established. These guides also contain choices of silvicultural scenarios or possible treatment sequences to ensure that the management strategy enables wood production, while respecting the production capacity of sites and their constraints in relation to management (risk of windthrow, susceptibility to insects and disease, trafficability, etc.). In Quebec, natural regeneration is widely favored. For sites that do not regenerate naturally to the desired species within a reasonable timeframe, reforestation with native species is recommended.

#### Private forest

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Agencies draw up a Protection and Enhancement Plan (PPMV) for their territory, describing the characteristics of the area and the management objectives that promote sustainable forest management. The PPMVs must comply with the land use and development plans set out in the Act respecting land use planning and development, which determine the major orientations and uses of the territory. The PPMV describes surface deposits, while the mapping of soil sensitivity to rutting is posted on Forêt Ouverte. For owners using development assistance programs, silvicultural prescriptions are prepared for each harvesting site. The forestry engineer will develop a silvicultural prescription that incorporates measures to ensure the maintenance of sufficient regeneration based on the ecology of the site. In this case, and even if the work is not financed by the PAMVFP (Programme de mise en valeur de la forêt privée), the properties are visited by accredited advisors who ensure that the work complies with the silvicultural prescription. Guides are available to help forest producers manage private forests. For example, the Fédération des producteurs forestiers du Québec (FPFQ) has published the Guide des saines pratiques en forêt privée, which proposes measures for mitigating environmental impacts during forest operations. As in public forests, the guide stresses the importance of protecting regeneration and soils. The guide suggests obtaining a silvicultural prescription signed by a forestry engineer, which contains provisions for site access and regeneration protection. For example, winter interventions can protect regeneration on certain sites. A rutting proportion of 25% of trail length is recommended. The application of silvicultural treatments, including scarification, planting and education, is suggested to ensure the return of forest cover when natural regeneration is insufficient. It also suggests reforestation quickly after scarification to avoid soil compaction and erosion. A diversification of tree species is suggested, and the guide gives a number of tips for successful planting. This guide is available online free of charge. Municipalities and MRCs generally require a permit for tree felling. Municipal inspectors are responsible for enforcing municipal bylaws on their territory.

### Public forest

Since 2013, the Ministère des Ressources naturelles et des forêts (MRNF) has been responsible for forest planning on public land, and for ensuring that the forest cover returns after cutting. To ensure the success of plantations, the ministry carries out a follow-up a few years after planting and can prescribe plantation education work (cleaning, thinning, clearing).

### Private forest

In the case of private forests with development assistance, the silvicultural work is the subject of a prescription and an execution report signed by a forest engineer, which is submitted to the regional private forest agency for approval. The execution report includes a verification of the work's compliance with the requirements of the MRNF's technical reference manual for private forests. This report, signed by a forestry engineer, includes elements such as respect for riparian buffer strips and maximum trail occupancy in the case of a CPRS. In addition, the agency funding the work will carry out random compliance checks on up to 10% of the area treated. Municipalities are responsible for monitoring and enforcing the forestry laws and regulations that govern their territory. Sanctions and remedies are provided for in the law or in municipal by-laws. However, very few municipalities have by-laws governing recultivation, and the expertise and resources to monitor them.

### Public forest

According to the latest five-year report produced by the government, the forest is being maintained and there has been no deforestation caused by forestry operations (MRNF 2023). A decrease in young stands (-3%) and mature and old stands (-4%) was observed between the first and fourth inventories. Regenerated stands, on the other hand, increased from 10% in the second survey to 20% in the fourth. Reporting for the 2020-2021 season concludes that regeneration criteria have been met at 84% for full cuts, 91% for partial cuts and 87% for artificial regeneration (MRNF).

### Private forest

Agency annual reports are available to the public and show the high performance of accredited advisors and a high compliance rate for activities carried out under the assistance program.

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	<p><b>Risk conclusion and justification</b></p> <p>The MRNF is responsible for forest planning, the preparation of silvicultural prescriptions and regular monitoring of forestry activities. Rexforêt is responsible for monitoring contracts and post-treatment inventories (commercial and non-commercial). BGA has ISO 14001 (or equivalent) certification, which is audited annually by a third party. The risk is therefore low. For activities carried out under management assistance programs, prescriptions are developed and monitored under the supervision of a forestry engineer, which considerably reduces the risk of non-compliant practices. The risk is therefore low.</p> <p>On the other hand, there is no public database to validate the regeneration of stands after final felling carried out without recourse to management aid programs. Consequently, the risk is Specified.</p>									
<i>Supply Base Verifiers</i>	Obtain evidence of the implementation of sound forest management practices to regenerate sites harvested in private forests outside the program.									
<i>Evidence reviewed</i>	<ul style="list-style-type: none"> <li>- Sustainable Forest Development Act, LQ 2010, c 3. Page consulted May 19, 2023. <a href="https://canlii.ca/t/dlrs">https://canlii.ca/t/dlrs</a></li> <li>- Règlement sur l'aménagement durable des forêts du domaine de l'État, RLRQ c A-18.1, r 0.01. Page consulted May 19, 2023. <a href="https://canlii.ca/t/dvjj">https://canlii.ca/t/dvjj</a></li> <li>- Tactical integrated forest management plan (PAFIT). <a href="https://www.quebec.ca/agriculture-environnement-et-ressources-naturelles/forets/planification-forestiere/plans-regionaux-consultations">https://www.quebec.ca/agriculture-environnement-et-ressources-naturelles/forets/planification-forestiere/plans-regionaux-consultations</a></li> <li>- Protection and Enhancement Plan for Private Forests in the Lower St. Lawrence Region (PPMV) <a href="https://www.agence-bsl.qc.ca">https://www.agence-bsl.qc.ca</a></li> <li>- MRNF Accountability Report 2020-2021, <a href="https://mffp.gouv.qc.ca/les-forets/amenagement-durable-forets/suivis-forestiers-traitements-sylvicoles-rentabilite-investissements/">https://mffp.gouv.qc.ca/les-forets/amenagement-durable-forets/suivis-forestiers-traitements-sylvicoles-rentabilite-investissements/</a></li> <li>- SFI 2022 standards and rules. <a href="https://forests.org/fr/normes-et-regles-sfi-2022-document-complet-2/">https://forests.org/fr/normes-et-regles-sfi-2022-document-complet-2/</a></li> <li>- FSC Canadian forest management standard. FSC-STD-CAN-01-2018 V 1-0 EN. Page consulted on May 19, 2023. <a href="https://ca.fsc.org/ca-fr/amenagement-forestier#:~:text=La%20norme%20natio-nale%20du%20FSC,en%20mati%C3%A8re%20d'%C3%A9galit%C3%A9%20des">https://ca.fsc.org/ca-fr/amenagement-forestier#:~:text=La%20norme%20natio-nale%20du%20FSC,en%20mati%C3%A8re%20d'%C3%A9galit%C3%A9%20des</a></li> <li>- Guide terrain. Saines pratiques d'intervention en forêt privée. 5<sup>e</sup> édition. Fédération des producteurs forestiers du Québec. 2022. Page consulted May 19, 2023. <a href="https://www.foretprivee.ca/je-protege-ma-foret/saines-pratiques-dintervention-forestiere/?contenu=les-interventions-en-foret">https://www.foretprivee.ca/je-protege-ma-foret/saines-pratiques-dintervention-forestiere/?contenu=les-interventions-en-foret</a></li> <li>- Bilan quinquennal de l'aménagement durable des forêts 2013-2018, Government of Quebec. Page consulted on March 24, 2023, available at: <a href="https://mffp.gouv.qc.ca/documents/forets/amenagement/reddition-comptes/FT16_SuperficiesVolumes.pdf">https://mffp.gouv.qc.ca/documents/forets/amenagement/reddition-comptes/FT16_SuperficiesVolumes.pdf</a></li> </ul>									
<i>Risk rating</i>	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%;">Public forest</td> <td style="width: 33%;">Low risk</td> <td style="width: 33%;"></td> </tr> <tr> <td>Private forest under program</td> <td>Low risk</td> <td></td> </tr> <tr> <td>Private forest outside the program</td> <td><b>Specified risk</b></td> <td></td> </tr> </table>	Public forest	Low risk		Private forest under program	Low risk		Private forest outside the program	<b>Specified risk</b>	
Public forest	Low risk									
Private forest under program	Low risk									
Private forest outside the program	<b>Specified risk</b>									
<b>2.2.11</b>	<b>The impacts of natural processes such as fires, pests and diseases shall be managed.</b>									
<i>Findings</i>	<p><b>Scale of assessment</b></p> <p>Public forest</p> <p>Private forest</p>									

### Analysis

#### Context

In Quebec, forest management takes into account the impact of natural processes, notably natural disturbances, which are taken into account when calculating allowable cut. In addition, ecosystem-based management targets are in place, notably to maintain forest age-class diversity and forest cover variability. Underestimation of natural disturbances in forest management planning is the main threat. Climate change is increasing the frequency and intensity of natural disturbances, which could widen the gap between current forest variability and the range of natural variability in forest environments.

#### Public forest

Article 1 of the Loi sur l'aménagement durable du territoire forestier (LADTF) specifies that the forestry regime aims to implement sustainable forest management, in particular through ecosystem-based management. Consequently, integrated forest management plans (PAFI) must be based on ecosystem-based management (sections 53 and 58 of the LADTF). The main objective of ecosystem-based management is to reduce the gap between the current managed forest and the range of historical variability of the natural forest. The specific objectives for ecosystem-based management that are incorporated into management unit plans are derived from the objectives outlined in the Sustainable Forest Management Strategy (SADF) and the issues recommended by the TLGIRT. Special plans for timber recovery following natural disturbances, including fire, windthrow and insect epidemics, may be decreed and may derogate from forest management standards (article 60 of the LADTF). Allowable cut calculations by the Chief Forester's Office (BFEC) are updated in the event of significant impacts related to natural disturbances. The fight against natural disturbances is defined in the Sustainable Forest Management Strategy and described in the articles of Title VI (Forest Protection) of the LADTF.

#### Private forest

Section 150 of the LADF stipulates that regional private forest development agencies must prepare a Private Forest Protection and Development Plan (PPMV). This plan defines the objectives for each agency's territory. With regard to the protection of private forests against natural disturbances, the LADTF (art. 185) stipulates that if a fire starts in a private forest whose owner is not a member of the protection organization with jurisdiction over this territory, any representative of this organization is authorized to enter the forest and take all necessary measures to fight the fire.

### Enforcement and monitoring

#### In public forests

The implementation of ecosystem-based management is one of the cornerstones of the Sustainable Forest Management Strategy (SADF) of the Ministère des Ressources naturelles et des Forêts (MRNF). The integration of ecological issues into integrated forest management plans, Part II - Developing solutions to issues 3 considers the range of natural disturbances present on a forest territory to define the approaches to be favored in forest planning. Landscape-level interventions and planned wood volume recoveries in windthrow and burned areas are modulated according to the principles and objectives of ecosystem-based management defined by the MRNF. Five-year targets defined in the forest management plan guide planners, who regularly monitor target achievement for each management plan. For all Quebec forests, SOPFEU, a government-owned corporation, fights forest fires. SOPFEU's actions include fire detection, prevention through education and awareness-raising, and fire suppression. SOPFIM carries out environmental monitoring to detect and track insect pest epidemics. Aerial insecticide spraying programs are designed to minimize impact on the forest environment. The success of these programs is attained when 70% of treated stands retain a minimum of 50% of their forest cover. MRNF planners are responsible for drawing up PAFITs and PAFIOs in collaboration with TGIRT. In the event of large-scale natural disturbance, special recovery plans may be decreed by the Minister responsible for forests, with the participation of the local integrated resource management

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	<p>table, as provided for in article 60 of the LADTF. Cutting prescriptions are drawn up by the MRNF and forwarded to cutting rights holders, who must comply with the prescriptions during harvesting activities. These plans may deviate from forest management standards, and may be exempt from the full consultation process required for PAFITs. SOPFEU and SOPFIM are responsible for fighting forest fires, diseases and pests on public forest land and large private properties. When an epidemic of harmful insects or a cryptogamic disease affects or is about to affect a forest in the public domain, the Minister asks the protection organization to prepare an intervention plan for the territory that the Minister delimits. The response plan is approved by the Minister. It is applied and made public by the protection agency (art. 199, LADTF).</p> <p><u>Public forest</u> Forest management planning helps maintain the natural variability of forest ecosystems, and in the event of major natural disturbance, special plans can be drawn up to recover woody material still suitable for industrial processing. These special plans may deviate from forest management standards. Where applicable, special plans include an explanation of how and why particular modalities do not comply with certain sections of the FDR. Natural disturbances are monitored by SOPFEU and SOPFIM, who also actively combat forest fires, diseases and pests. This helps reduce the extent and frequency of natural disturbances.</p> <p><u>Private forest with and without forest management assistance program</u> According to statistics provided by the Fédération des producteurs forestiers du Québec, some 1.26 million ha had been infested by the budworm in Quebec's private forests. As in public forests, areas affected by forest disturbances can be reclaimed, and both SOPFEU and SOPFIM are active in private forests to combat fire, disease and forest pests.</p> <p><b>Risk conclusion and justification</b> The capacity of Crown corporations is limited by the extent of natural disturbances. Nevertheless, it has been shown that both the forest manager and the Chief Forester consider the impacts of natural disturbances in their assessment of forest management and in calculating the annual allowable cut levels. Thus, there is a low risk that the impacts of natural disturbances shall not be considered in forest management. As described, natural disturbance management by the MRNF and paragonovernmental corporations (i.e. SOPFEU, SOP- FIM) applies throughout the province's forest territory. There is a low risk the impacts of natural disturbances shall not be managed in private forests.</p>
<i>Supply Base Verifiers</i>	n/a
<i>Evidence reviewed</i>	<ul style="list-style-type: none"> <li>- Sustainable Forest Development Act</li> <li>- SOPFIM website (e.g. annual reports, current epidemics, spraying)</li> <li>- SOPFEU website (e.g. annual reports)</li> <li>- NAPPI, A., et al. (2011). La récolte dans les forêts brûlées - Enjeux et orientations pour un aménagement écosys-témique, Québec, Ministère des Ressources naturelles et de la Faune, Direction de l'environnement et de la pro-tection des forêts, 51 p.</li> <li>- <sup>1</sup>Intégration des enjeux écologiques dans les plans d'aménagement forestier intégrés de 2018-2023, Cahier 1, Concepts généraux liés à l'aménagement écosystémique des forêts (MFFP, June</li> </ul>

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	<ul style="list-style-type: none"> <li>- <sup>2</sup>Sustainable forest management strategy. <a href="https://cdn-contenu.quebec.ca/cdn-contenu/adm/min/energie-res-sources-naturelles/publications-adm/strategie/STR_amenagement_durable_forets_MFFP.pdf">https://cdn-contenu.quebec.ca/cdn-contenu/adm/min/energie-res-sources-naturelles/publications-adm/strategie/STR_amenagement_durable_forets_MFFP.pdf</a></li> <li>- SOPFIM, private forest. <a href="https://sopfim.qc.ca/fr/foret-privee/">https://sopfim.qc.ca/fr/foret-privee/</a><sup>3</sup></li> <li>- L'intégration des enjeux écologiques dans les plans d'aménagement forestier intégré, partie II - Élaboration desolutions aux enjeux (MFFP, December 2013)</li> <li>- Five-year review of sustainable forest management 2013-2018. <a href="https://mffp.gouv.qc.ca/nos-publications/bilan-amenagement-durable-forets-2013-2018/">https://mffp.gouv.qc.ca/nos-publications/bilan-amenagement-durable-forets-2013-2018/</a></li> <li>- SOPFEU's interactive map of fire hazards and active fires in Quebec. <a href="https://cartes.sopfeu.qc.ca/#incendies">https://cartes.sopfeu.qc.ca/#incendies</a></li> <li>- Processes and principles of the Office of the Chief Forester. <a href="https://forestierenchef.gouv.qc.ca/wp-content/uploads/processus_cpf_2018-2023.pdf">https://forestierenchef.gouv.qc.ca/wp-content/uploads/processus_cpf_2018-2023.pdf</a></li> <li>- Information on special development plans and financial assistance for designated organizations. January 2023. <a href="https://cdn-contenu.quebec.ca/cdn-contenu/forets/documents/planification/GM_PAS_aide_financiere_organismes_designes_MRNF.pdf">https://cdn-contenu.quebec.ca/cdn-contenu/forets/documents/planification/GM_PAS_aide_financiere_organismes_designes_MRNF.pdf</a></li> <li>- <a href="https://mffp.gouv.qc.ca/documents/forets/amenagement/forets-brulees-enjeux.pdf">https://mffp.gouv.qc.ca/documents/forets/amenagement/forets-brulees-enjeux.pdf</a></li> <li>- Abbreviated special management plan for the recovery of fire-affected woods applicable in 2023-2024. <a href="https://cdn-contenu.quebec.ca/cdn-contenu/forets/documents/planification/Abitibi-Temiscamingue/PS_Abitibi_Bois_2023-2024_Feu-297_UA084-51.pdf">https://cdn-contenu.quebec.ca/cdn-contenu/forets/documents/planification/Abitibi-Temiscamingue/PS_Abitibi_Bois_2023-2024_Feu-297_UA084-51.pdf</a></li> </ul>
<i>Risk rating</i>	<p>Public forest <b>Low risk</b></p> <p>Private forest <b>Low risk</b></p>
<b>2.2.12</b>	<b>Genetically modified trees shall not be used.</b>
<i>Findings</i>	<p><b>Scale of assessment</b> Quebec forests</p> <p><b>Analysis</b> The marketing and use of genetically modified trees are not authorized in Canada. The introduction of genetically modified trees could transfer their new characteristics to native tree species, invade native tree populations and behave like pest species, or provoke the emergence of resistant insects. The Plant Protection Act and the Seeds Act are the two main federal laws for confirming the safety of genetically modified trees. The Canadian Environmental Protection Act requires environmental impact assessments of GMOs not covered by other federal authorities, notably micro-organisms.</p> <p><b>Enforcement and monitoring</b> Research on genetically modified trees is subject to strict requirements in order to limit the possibility of environmental impacts. The Canadian Food Inspection Agency (CFIA) is responsible for regulating the environmental release of plants with novel traits. "These plants cannot be placed on the market until a rigorous assessment has been conducted by the CFIA and Health Canada to confirm that they pose no risk (...) if released into the environment like other conventional plant varieties grown in Canada." (<a href="http://www.inspection.gc.ca">http://www.inspection.gc.ca</a>) Environment Canada carries out environmental impact assessments of GMOs under the Canadian Environmental Protection Act. There is no open research on genetically modified trees in Quebec.</p>

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	<p><b>Risk conclusion and justification</b></p> <p>Since the commercial use genetically modified trees is not authorized in Canada, the risk of genetically modified trees being used by biomass producers sourcing from the province of Quebec is low.</p>
<i>Supply Base Verifiers</i>	n/a
<i>Evidence reviewed</i>	<ul style="list-style-type: none"><li>- Permits issued by the Canadian Food Inspection Agency</li><li>- <a href="http://laws-lois.justice.ca">http://laws-lois.justice.ca</a></li><li>- <a href="http://www.inspection.gc.ca">http://www.inspection.gc.ca</a></li><li>- List of applicants, plants and approvals <a href="http://www.inspection.gc.ca/vegetaux/vegetaux-a-caracteres-nou-veaux/fra/1300137887237/1300137939635">http://www.inspection.gc.ca/vegetaux/vegetaux-a-caracteres-nou-veaux/fra/1300137887237/1300137939635</a></li></ul>
<i>Risk rating</i>	Quebec Forest <b>Low risk</b>

**Principle 3 – Feedstock is only sourced from Supply Bases where the forest carbon stock is stable or increasing in the long term**

**Criterion 3.1 – Feedstock sourcing is consistent with international requirements for land use, land-use change and forestry (LULUCF) emissions**

<p><b>3.1.1</b></p>	<p><b>LULUCF emissions shall be accounted for through one of the following routes:</b></p> <p><b>Route A</b></p> <p>Feedstock may be sourced from a country of origin which is party to the Paris Agreement, and which has submitted a Nationally Determined Contribution to the United Nations Framework Convention on Climate Change (UNFCCC) covering carbon emissions and removals from agriculture, forestry and land use which ensure the changes in carbon stock associated with biomass harvest are counted towards the country’s commitment to reduce or limit greenhouse gas emissions, or</p> <p><b>Route B</b></p> <p>Feedstock may be sourced from a country of origin which is party to the Paris Agreement and has national or sub-national laws in place (developed in accordance with Article 5 of the Paris Agreement and applicable in the area of harvest), to conserve and enhance carbon stocks and sinks, and provided there is evidence that reported LULUCF-sector emissions do not exceed removals, or</p> <p><b>Route C</b></p> <p>Feedstock may be sourced from a Supply Base where an assessment demonstrates that both the carbon stock is stable, and the forests’ capacity to act as a carbon sink is stable or increasing over the long term.</p>
<p><i>Findings</i></p>	<p><b>Scale of assessment</b></p> <p>Quebec forests</p> <p><b>Analysis</b></p> <p>Canada is a signatory to the Paris Agreement and respects its commitments under the United Nations Framework Convention on Climate Change. Disturbances play an important role in determining whether forests are carbon sinks or sources. Logging and natural disturbances such as forest fires and pests are common disturbances known to significantly reduce carbon stocks in Canadian forests. Canada, and thus Quebec, have committed to reducing their greenhouse gas emissions, by ratifying the Kyoto Protocol and the Paris Agreement. Under Article 3 of the Kyoto Protocol, signatory countries undertake to take stock of forest areas affected by human activities, and to measure their carbon footprint since 1990. For Quebec, the greenhouse gas reduction strategy is part of the Plan for a Green Economy 2030.</p> <p>Section 11 of the Sustainable Forest Management Act requires the development and publication of a Sustainable Forest Management Strategy. The Sustainable Forest Management Strategy states that the Chief Forester is responsible for developing expertise in forest carbon accounting and monitoring as part of the allowable cut process. Section 60 of the Sustainable Forest Management Act states that a special management plan should ensure the recovery of affected wood in the event of naturally occurring disturbances.</p>

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	<p><b>Enforcement and monitoring</b></p> <p>To analyze the carbon balance of Canada's managed forests, the Canadian Forest Service (CFS) uses the National Forest Carbon Monitoring, Accounting and Reporting System (NFCMARS). In 2018, Quebec, through the Office of the Chief Forester, committed to developing a forest carbon accounting and monitoring platform for Quebec's public forests. To this end, an agreement with the Canadian Forest Service has enabled the Chief Forester to obtain access to the Generic Forest Carbon Budget Model (GFCBM). This tool estimates the evolution of net carbon stocks and exchanges by forests. The first stage of the project involved a global analysis of the province's forest carbon balance. Quebec, through the Office of the Chief Forester, is committed to developing a forest carbon accounting and monitoring platform for Quebec's public forests. To this end, an agreement with the Canadian Forest Service has enabled the Chief Forester to obtain access to the Generic Forest Carbon Budget Model (GFCBM). This tool estimates the evolution of net carbon stocks and exchanges by forests. The first stage of the project involved a global analysis of the province's forest carbon balance. "Canada has followed through on its Paris commitments by developing a new national plan to reduce greenhouse gas (GHG) emissions, increase resilience to the effects of climate change and move towards clean economic growth."(canada.ca). The country submitted its 7e national communication on climate change and 3e biennial report to meet the requirements of the Framework Convention.</p> <p><b>Risk conclusion and justification</b></p> <p>Low risk is defined as option A of the indicator is reached.</p>
<p><i>Supply Base Verifiers</i></p>	<p>-</p>
<p><i>Evidence reviewed</i></p>	<ul style="list-style-type: none"> <li>- Canada's 2021 Nationally Determined Contribution under The Paris Agreement <a href="https://unfccc.int/sites/default/files/NDC/2022-06/Canada%27s%20Enhanced%20NDC%20Submission1_FINAL%20EN.pdf">https://unfccc.int/sites/default/files/NDC/2022-06/Canada%27s%20Enhanced%20NDC%20Submission1_FINAL%20EN.pdf</a></li> <li>- Canada's National Reports to the United Nations Framework Convention on Climate Change (2017), available at: <a href="https://www.canada.ca/fr/environnement-changement-climatique/services/changements-climatiques/emissions-gaz-effet-serre/septieme-communication-nationale-troisieme-rapport-biennal.html">https://www.canada.ca/fr/environnement-changement-climatique/services/changements-climatiques/emissions-gaz-effet-serre/septieme-communication-nationale-troisieme-rapport-biennal.html</a></li> <li>- The State of Canada's Forests 2022 Annual Report, Natural Resources Canada, accessed March 23, 2023, available at: <a href="https://ressources-naturelles.canada.ca/sites/nrcan/files/forest/sof2022/SoF_Annual_2022_FR_access.pdf">https://ressources-naturelles.canada.ca/sites/nrcan/files/forest/sof2022/SoF_Annual_2022_FR_access.pdf</a></li> <li>- Forest Carbon, Government of Canada, consulted on March 23, 2023, available at: <a href="https://ressources-naturelles.canada.ca/changements-climatiques/changements-climatiques/carbone-forestier/13086">https://ressources-naturelles.canada.ca/changements-climatiques/changements-climatiques/carbone-forestier/13086</a></li> <li>- Stratégie d'aménagement durable des forêts, Government of Quebec, consulted on March 30, 2023, available at: <a href="https://cdn-contenu.quebec.ca/cdn-contenu/adm/min/energie-ressources-naturelles/publications-adm/strategie/STR_aménagement_durable_forets_MFFP.pdf">https://cdn-contenu.quebec.ca/cdn-contenu/adm/min/energie-ressources-naturelles/publications-adm/strategie/STR_aménagement_durable_forets_MFFP.pdf</a></li> </ul>
<p><i>Risk rating</i></p>	<p>Quebec Forest <b>Low risk</b></p>

**Criterion 3.2 – Carbon stocks in the forest area of the Supply Base are stable or increasing in the long term**

<p><b>3.2.1</b></p>	<p><b>All feedstock sourcing shall be consistent with either of these two options:</b></p> <p><b>Option A</b> Feedstock may be sourced from Supply Bases where an assessment of the Supply Base shows that the forest carbon stocks are stable or increasing, or</p> <p><b>Option B</b> Feedstock may be sourced, if the assessment shows that the forest carbon stocks are declining in the Supply Base, provided that the decline is due to natural processes (fire, pests etc.), and sourcing of feedstock has the aim to recover feedstock that would otherwise be lost or to assist regeneration.</p>
<p><i>Findings</i></p>	<p><b>Scale of assessment</b> Public forest Private forest</p> <p><b>Analysis</b> Biomass producers must demonstrate that their feedstock supply comes from sources where forest carbon stocks are maintained or increasing. Feedstock harvesting may continue if forest carbon stocks are declining due to natural processes (fire, pests, etc.), otherwise in order to avoid feedstock loss or to ensure natural regeneration.</p> <p><u>Threats or potential impacts</u> Disturbances play an important role in determining whether forests are carbon sinks or sources. Logging and natural disturbances such as forest fires and pests are common disturbances known to significantly reduce carbon stocks in Canadian forests. Harvesting intensity is often an important parameter in determining biomass stocks and post-harvest biomass recovery. A high rate of forest harvesting would lead to a drop in carbon stocks, affecting the positive balance of carbon sinks in Quebec forests. Canada and Quebec have committed to reducing their greenhouse gas emissions by ratifying the Kyoto Protocol and the Paris Agreement. Under Article 3 of the Kyoto Protocol, signatory countries undertake to identify forest areas affected by human activities, and to measure their carbon footprint since 1990. For Quebec, the greenhouse gas reduction strategy is part of the Plan for a Green Economy 2030. Section 11 of the Sustainable Forest Development Act requires the development and publication of a Sustainable Forest Management Strategy. The Sustainable Forest Management Strategy states that the Chief Forester is responsible for developing expertise in forest carbon accounting and monitoring as part of the allowable cut process. Section 60 of the Sustainable Forest Management Act stipulates that a special management plan should ensure the recovery of affected wood in the event of naturally occurring disturbances.</p> <p><b>Enforcement and monitoring</b> To analyze the carbon balance of Canada's managed forests, the Canadian Forest Service (CFS) uses the National Forest Carbon Monitoring, Accounting and Reporting System (NFCMARS). In 2018, Quebec, through the Office of the Chief Forester, committed to developing a forest carbon accounting and monitoring platform for Quebec's public forests. To this end, an agreement with the Canadian Forest Service has enabled the Chief Forester to obtain access to the Generic</p>

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Forest Carbon Budget Model (GFCBM). This tool estimates the evolution of net carbon stocks and exchanges by forests. The first stage of the project involved a global analysis of the province's forest carbon balance.

Forest fires, windthrow and insect epidemics are the main natural disturbances affecting Quebec forests. The Minister prepares and applies a special management plan to ensure the recovery of affected wood. The aim is to harvest most of the wood that is unlikely to survive the epidemic, before the trees become unfit for processing. Special management plan sites are targeted according to priorities 1 (very high vulnerability) and 2 (high vulnerability). The Ministry's actions include

- Preventive harvesting: harvesting of the most vulnerable stands before the epidemic, and of damaged but living stands during the epidemic;
- Salvage: harvesting stands with a variable proportion of dead trees;
- Modulation of silvicultural treatments: managing the risks of using certain treatments during epidemic periods;
- Direct control: biological insecticide sprays in partnership with SOPFIM in areas eligible for protection.

The Canadian Forest Service (CFS) uses the National Forest Carbon Monitoring, Accounting and Reporting System (NFCMARS) to fulfill Canada's international obligation to report annually on GHG emissions and changes in CO<sub>2</sub> reservoirs in the country's forests. The Chief Forester measures the effect of management strategies on carbon sequestration by forests and wood products to establish a provincial forest carbon balance for public forests. The MRNF's Direction de la protection des forêts (DPF) is responsible for aerial surveys to identify the most vulnerable areas affected by epidemics.

In Quebec, from the point of view of carbon stocks and net exchanges in forests, most of the forest estate is located on public land. Of the more than 900,000 km<sup>2</sup> covered by the forest estate, 92% is public land and 269,000 km<sup>2</sup> is designated for forest management. Around 80% of the area harvested each year regenerates naturally in public forests. After 20 years, more than 60% of the area harvested in deciduous forests has reached a height of 7 m. This proportion is 30% in mixed forests and 8% in boreal forests. In the case of boreal forests, 75% of harvested areas have reached a height of 7 m after 40 years.

Privately-owned forests cover 70,000 km<sup>2</sup>, including 66,246 km<sup>2</sup> of productive forest land. Almost all private forest properties (88%) are less than 50 hectares in size. What's more, the majority of private forests are located in the south of the province, in populated areas that are little affected by forest fires. For example, on average, 1,231 ha have been affected annually by forest fires in these regions over the past 32 years. Although a major spruce budworm epidemic is continuing in both private and public forests, the impacts of the epidemic are likely to be more pronounced in public forests, given the more northerly spread of the epidemic and the larger softwood stand structure. Since 1990, harvesting in private forests has never reached AAC levels. Thus, although there are no specific studies on the accounting of net forest carbon exchange in private forests in Quebec, existing data suggest that the forest carbon stock in private forests is not at risk from factors other than natural disturbances.

For public forests, in 2022, the Bureau du forestier en chef au Québec (BFEC) published the first forest carbon balance for the province. The BFEC used the CFS model to assess the effect of management strategies on the carbon reservoir when calculating allowable cut assumptions. The analyses show that the public forest constitutes a reservoir that has remained stable since 1990. Since 2012, a slight decrease in sequestration capacity has been observed, due in part to tree mortality linked to the spruce budworm epidemic. This may explain the downward trend ranging from 0 to 12% for most MUs analyzed representing an average reduction of 10Tc/ha or 5% over the 140 year horizon. Over the 2013-2018 period, 55 special management plans have been produced to harvest some of this wood and ensure regeneration over an area of just over 36,000 hectares. In total, the amount of stock stored in the reservoirs of Quebec's productive forest areas is estimated at nearly 6 billion tC. In the cumulative total of the BFEC calculation horizon (2023 to 2163), the managed forest constitutes a carbon sink.

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	<p><b>Risk conclusion and justification</b></p> <p>The province's results show a slight decrease in sequestration power explained by tree mortality linked to the spruce budworm epidemic. Since 2014, the Ministry has notably implemented plans for the recovery of wood affected by the epidemic. This type of plan makes it possible to harvest the majority of wood volumes that are unlikely to resist the epidemic, before the trees become unfit for processing. In this way, these plans act upstream of wood loss and consequently of carbon stock loss, by storing carbon in forest products. These data are in line with the federal government's findings for the country's managed forests, which suggest rising GHG emissions associated with natural disturbances. Low risk is defined as option B of the indicator is reached.</p>
<p><i>Supply Base Verifiers</i></p>	<p>-</p>
<p><i>Evidence reviewed</i></p>	<ul style="list-style-type: none"> <li>- Programme de protection contre la tordeuse des bourgeons de l'épinette pour la petite forêt privée, Gouvernement du Québec, consulted on March 23, 2023, available at: <a href="https://mffp.gouv.qc.ca/les-forets/protection-mi-lieu-forestier/epidemie-de-la-tordeuse-des-bourgeons-de-lepinette/programme-protection/">https://mffp.gouv.qc.ca/les-forets/protection-mi-lieu-forestier/epidemie-de-la-tordeuse-des-bourgeons-de-lepinette/programme-protection/</a></li> <li>- Suivi de la gestion des forêts, Government of Quebec, consulted on March 23, 2023, available at: <a href="https://www.quebec.ca/agriculture-environnement-et-ressources-naturelles/forets/gestion-forets-publiques/amenagement-durable-forets/suivi-gestion">https://www.quebec.ca/agriculture-environnement-et-ressources-naturelles/forets/gestion-forets-publiques/amenagement-durable-forets/suivi-gestion</a></li> <li>- Bilan quinquennal de l'aménagement durable des forêts 2013-2018, Government of Quebec, consulted on March 23, 2023, available at: <a href="https://mffp.gouv.qc.ca/nos-publications/bilan-amenagement-durable-forets-2013-2018/">https://mffp.gouv.qc.ca/nos-publications/bilan-amenagement-durable-forets-2013-2018/</a></li> <li>- Bilan provincial du carbone forestier, période 2023-2028, Office of the Chief Forester, consulted on March 23, 2023, available at: <a href="https://forestierenchef.gouv.qc.ca/wp-content/uploads/rap-00629-rapport-sur-levaluation-du-carbone-des-unites-damenagement-4.0.2.pdf">https://forestierenchef.gouv.qc.ca/wp-content/uploads/rap-00629-rapport-sur-levaluation-du-carbone-des-unites-damenagement-4.0.2.pdf</a></li> <li>- The State of Canada's Forests Annual Report 2022, Natural Resources Canada, accessed March 23, 2023, available at: <a href="https://ressources-naturelles.canada.ca/sites/nrcan/files/forest/sof2022/SoF_Annual_2022_FR_accès.pdf">https://ressources-naturelles.canada.ca/sites/nrcan/files/forest/sof2022/SoF_Annual_2022_FR_accès.pdf</a></li> <li>- Forest Carbon, Government of Canada, consulted on March 23, 2023, available at: <a href="https://ressources-naturelles.canada.ca/changements-climatiques/changements-climatiques/carbone-forestier/13086">https://ressources-naturelles.canada.ca/changements-climatiques/changements-climatiques/carbone-forestier/13086</a></li> <li>- Stratégie d'aménagement durable des forêts, Government of Quebec, consulted on March 30, 2023, available at: <a href="https://cdn-contenu.quebec.ca/cdn-contenu/adm/min/energie-ressources-naturelles/publications-adm/strategie/STR_amenagement_durable_forets_MFFP.pdf">https://cdn-contenu.quebec.ca/cdn-contenu/adm/min/energie-ressources-naturelles/publications-adm/strategie/STR_amenagement_durable_forets_MFFP.pdf</a></li> <li>- Plan d'action sur la mobilisation des propriétaires forestiers à la récolte de bois, Government of Quebec, consulted on March 30, 2023, available at: <a href="https://cdn-contenu.quebec.ca/cdn-contenu/forets/documents/PL_mobilisation_forets_privées_MFFP.pdf">https://cdn-contenu.quebec.ca/cdn-contenu/forets/documents/PL_mobilisation_forets_privées_MFFP.pdf</a></li> <li>- National Risk Assessment for Controlled Wood, FSC International, accessed March 22, 2023, available at <a href="https://connect.fsc.org/document-centre/documents/resource/344">https://connect.fsc.org/document-centre/documents/resource/344</a></li> </ul>
<p><i>Risk rating</i></p>	<p>Public forest    <b>Low risk</b> Private forest    <b>Low risk</b></p>

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<b>3.2.2</b>	<b>Primary feedstock shall not be sourced from forest areas where site productivity is low and, according to local definitions or norms, the areas are classified as low-productive or difficult to regenerate.</b>
<i>Findings</i>	<p><b>Scale of assessment</b> Public forest Private forest with management assistance programs Private forest without management assistance programs</p> <p><b>Analysis</b> The southern part of Quebec is temperate hardwood forest. The soil is fertile, thanks to rapidly decomposing litter. Further north lies the boreal forest, with a climate characterized by long, very cold, dry winters and short, cool, wet summers. Quebec's forests are generally productive and relatively easy to regenerate. There are, however, some low-productivity areas and sites potentially at greater risk of regeneration failure. Producers must demonstrate that 1re raw materials do not come from forest areas where productivity is low or difficult to regenerate. In AAC calculations, low-productivity stands can be classified as either low-productivity stands or unproductive stands. Unproductive territories: These are identified using the field code (CO_TER) present in the ecoforestry data. These territories are mainly composed of dry barrens, wet barrens or alders. Unproductive areas are located on curves with no volume in the allowable cut calculations (0 m<sup>3</sup>/ha). Low-productivity forest stands: Stands where it is not possible to produce a minimum of 50 cubic metres of wood per hectare over a 90 or 120-year horizon.</p> <p><u>Threats or potential impacts</u> <u>Forests north of the northern limit</u> The northern boundary is the territorial limit of attributable forests that marks the line between northern and southern Quebec. North of the line, climatic conditions and soils mean that growth is slow and sites can be difficult to regenerate. <u>Forests sensitive to soil depletion and low productivity</u> In some forests with ombrotrophic organic forest soils or very thin, poor, coarse-textured or poorly drained mineral soils, branch harvesting could lead to long-term loss of soil fertility (Ouimet and Duchesne, 2009) caused by acid atmospheric deposition. Sensitive sites were identified by assessing critical loads based on the combined impact of acid precipitation and forest biomass harvesting on the long-term maintenance of soil fertility (Ouimet and Duchesne, 2008). Low-productivity sites are more difficult to regenerate. In addition, water quality may decline, the risk of erosion is higher, biological diversity may be affected and soil productivity may decrease following forest harvesting. <u>Forests sensitive to soil depletion and low productivity.</u> <u>Public forest</u> The LADTF institutes a forestry regime aimed at implementing sustainable forest management and ensuring the monitoring and control of interventions carried out in forests in the domain of the State. Appendix 3 of the Règlement sur l'aménagement durable des forêts du domaine de l'État (RADF) specifies the ecological types considered most sensitive to soil mineral depletion by forest vegetation and to excess acidity generated by forest biomass harvesting. A total of 30 ecological types were deemed sensitive to forest biomass harvesting in one or other of Quebec's ecological subregions. Depending on the sub-region examined, these ecological types are to be excluded from biomass harvesting programs, and trunk-only harvesting should be considered for these sites. For the ecological types identified,</p>

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article 46 of the FDR specifies that branches must be left on the felling site, close to the stump, to prevent long-term loss of soil fertility. The notion of unproductive and low-productivity forest areas is derived from the MRNF's forest inventory standards and the Chief Forester's Office's allowable cut calculation procedures. For the public forest, unproductive forest land (30 to 50 m<sup>3</sup>/ha) is simply removed from forest management planning.

### Private forest

Regional private forest development agencies, created by the LADTF (sections 132 to 168), are responsible for guiding and developing the development of private forests within their territory, with a view to sustainable forest management. The regulatory framework for private forests does not include concrete measures to protect forests sensitive to soil depletion.

### **Enforcement and monitoring**

#### Forests north of the northern limit

Since 2013, the Ministère des Ressources naturelles et des Forêts (MRNF) has delimited the northern limit. This boundary was established following the recommendations of a committee of experts who defined four criteria specific to the bio- physical dimension of sustainable forest management, based on the general criteria of the Montreal Process. The criteria selected are: constraints of the physical environment, forest production capacity, forest vulnerability to the risk of fire and maintenance of biodiversity in the environment (MRNF, 2013). The northern limit issue does not apply to private forests, since private lots are found in the southern part of Quebec.

#### Forests sensitive to soil depletion and low productivity

##### Public forest

When preparing silvicultural prescriptions, MRNF silviculturists (forest engineers) check for the presence of sensitive sites as defined in Appendix 3 of the FDR. When part of the planned work site is located in a sensitive area, the planner indicates in the prescription that harvesting must be carried out leaving branches close to the stump. In operational terms, the beneficiaries of guaranteed supply agreements (BGA) are responsible for harvesting the woody material. At the end of the year, BGAs are required to produce an annual report signed by the forest engineer in charge, which includes accountability for a number of elements, including compliance with the silvicultural prescription. Low-productivity forest stands are forest areas where it is not possible to produce a minimum of 50 cubic meters of wood per hectare over a 90 or 120-year period. These stands are excluded from the area under management when calculating allowable cut.

##### Private forest

Agencies draw up a Protection and Enhancement Plan (PPMV) for their territory, describing the characteristics of the area and the management objectives that promote sustainable forest management. The PPMVs must comply with the land use and development plans set out in the Act respecting land use planning and development, which determine the major orientations and uses of the territory. The PPMV describes surface deposits, while the mapping of sites sensitive to soil depletion is posted on Forêt Ouverte ([www.foretouverte.gouv.qc.ca](http://www.foretouverte.gouv.qc.ca)). In the case of owners working with an accredited advisor (with development assistance), silvicultural prescriptions are prepared for each harvesting site. In this case, the forestry engineer will develop a silvicultural prescription that incorporates measures to prevent soil depletion. Even if the work is not funded by the Programme d'aide à la mise en valeur des forêts privées (PAMVFP), the properties are visited by accredited advisors who ensure that the work complies with the silvicultural prescription. Municipalities and MRCs generally require a permit for tree felling. Municipal inspectors are responsible for enforcing municipal bylaws on their territory.

#### Forests north of the northern limit

The territory north of the northern limit is not part of a management unit and is therefore not subject to allowable cut calculations. No allocations or cutting permits

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may be granted on this territory.

### Forests sensitive to soil depletion

#### Public forest

Since 2013, the Ministère des Ressources naturelles et des Forêts (MRNF) has been responsible for forest planning on public land. The MRNF ensures compliance with the FDR by visiting each worksite on public land at least once during their completion. Notices of non-conformity with a timetable for corrective action are issued when elements fail to comply with one of the regulations. Non-compliance can lead to offences and prosecution by the government if corrective action is not taken within the required timeframe. In addition, the MRNF has an ISO 14001 management system audited by a third party. This management system ensures the quality of documents produced by the MRNF. The MRNF's management system includes a checklist for the content of silvicultural prescriptions.

#### Private forest

In the case of private forests with development assistance, silvicultural work is subject to a prescription and execution report signed by a forestry engineer, and submitted for approval to the regional private forest agency. The execution report includes a verification of the work's compliance with the requirements of the MRNF's technical reference manual for private forests. This report, signed by a forestry engineer, includes elements such as respect for riparian buffer strips and maximum trail occupancy in the case of a CPRS. In addition, the agency funding the work will carry out random compliance checks on up to 10% of the area treated. Municipalities are responsible for monitoring and enforcing the forestry laws and regulations that govern their territory. Sanctions and remedies are provided for in the law or in municipal by-laws. However, very few municipalities have by-laws governing recultivation, and the expertise and resources to monitor them. In the case of activities carried out in private forests without recourse to management assistance programs, there is no data or documentation to show that procedures have been implemented to protect sensitive low-productivity sites. It should be borne in mind that the areas harvested in private forests are minimal, both in terms of surface area and in relation to the forest's production capacity. What's more, harvesting often involves manual felling, delimiting at the stump and skidding with small equipment (tractors, ATVs).

### Public and private forests

A large proportion of Quebec's forests are certified to SFI and/or FSC standards. These sustainable forest management standards cover several elements related to compliance with laws and regulations, as well as silvicultural prescriptions.

### Forests north of the northern limit

The territory north of the northern limit is excluded from forest management. The provincial synthesis shows that new allowable cut calculations for the period 2023-2028 have been made for 29 management units (MUs). None of these management units exceed the northern limit (BFEC 2023).

### Forests sensitive to soil depletion and low productivity

#### Public forest

The list of offenders under the Forest Act and the Sustainable Forest Development Act ([https://mffp.gouv.qc.ca/wp-content/uploads/contrevenants\\_2e\\_parution\\_2021.jpg](https://mffp.gouv.qc.ca/wp-content/uploads/contrevenants_2e_parution_2021.jpg)) shows that over the past three years, there have been no offences relating to article 46 of the FDR.

Analysis of the Chief Forester's results for the 2023-2028 period shows that low-productivity land represents 3.12% (1.3 Mha) of the total area of management units. These sites are excluded from allowable cut calculations and commercial forest sites. Thus, they, are not included in forest management strategies.

#### Private forest

No data have been compiled for the whole of Quebec to determine the proportion of private forest cuttings that leave the branches close to the stump. However, we do know that around 35% of allowable cut is marketed annually, and that the cuttings in private forests are small (FPFQ 2023). What's more, harvesting is

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	<p>generally done by manual felling with delimiting at the stump.</p> <p><b>Risk conclusion and justification</b></p> <p>For public forests, compliance with regulatory requirements is documented and accessible to the public. The list of in- fractions is posted on the MRNF website. The ministry is responsible for forest planning, preparing silvicultural prescriptions and regularly monitoring forest operations. BGAs have ISO 14001 (or equivalent) certification, which is audited annually by a third party and verified every three years. Remedial and action plans are in place to minimize impacts where possible, or to adopt new procedures to prevent recurrence. The risk is therefore low. In addition, strata identified during the forest inventory as having low productivity are currently excluded from the forest planning process in public areas. In private forests, in the context of management benefiting from the development assistance program, a forest engineer must write prescriptions and monitor implementation, which considerably reduces the risk of non-compliant practices. In the case of activities in private forests without recourse to management assistance programs, it is impossible to assess compliance with regulatory requirements or whether activities are adequately addressing this issue in the absence of a documented monitoring system. Consequently, the risk is Specified.</p>
<i>Supply Base Verifiers</i>	<p>Confirm that the primary supply does not come from sites sensitive to nutrient loss harvested in final cut without redistribution of branches and tops within the cutting area in private forests without recourse to management assistance programs.</p>
<i>Evidence reviewed</i>	<ul style="list-style-type: none"> <li>- Fédération des producteurs forestiers du Québec. La forêt privée chiffrée, 2023, revised June 2023, 36 p.</li> <li>- Sustainable Forest Development Act, LQ 2010, c 3. Page consulted May 19, 2023. <a href="https://canlii.ca/t/dlrs">https://canlii.ca/t/dlrs</a> Règlement sur l'aménagement durable des forêts du domaine de l'État, RLRQ c A-18.1, r 0.01. Page consulted May 19, 2023. <a href="https://canlii.ca/t/dvjj">https://canlii.ca/t/dvjj</a></li> <li>- Tactical integrated forest management plan (PAFIT). <a href="https://www.quebec.ca/agriculture-environnement-et-ressources-naturelles/forets/planification-forestiere/plans-regionaux-consultations">https://www.quebec.ca/agriculture-environnement-et-ressources-naturelles/forets/planification-forestiere/plans-regionaux-consultations</a></li> <li>- Protection and Enhancement Plan for Private Forests in the Lower St. Lawrence Region (PPMV) <a href="https://www.agence-bsl.qc.ca">https://www.agence-bsl.qc.ca</a></li> <li>- SFI 2022 standards and rules. <a href="https://forests.org/fr/normes-et-regles-sfi-2022-document-complet-2/">https://forests.org/fr/normes-et-regles-sfi-2022-document-complet-2/</a></li> <li>- FSC Canadian forest management standard. FSC-STD-CAN-01-2018 V 1-0 EN. Page consulted on May 19, 2023. <a href="https://ca.fsc.org/ca-fr/amenagement-forestier#:~:text=La%20norme%20natio-nale%20du%20FSC,en%20mati%C3%A8re%20d'%C3%A9galit%C3%A9%20des">https://ca.fsc.org/ca-fr/amenagement-forestier#:~:text=La%20norme%20natio-nale%20du%20FSC,en%20mati%C3%A8re%20d'%C3%A9galit%C3%A9%20des</a></li> <li>- Bilan quinquennal de l'aménagement durable des forêts 2013-2018, Government of Quebec. Page consulted on March 24, 2023, available at: <a href="https://mffp.gouv.qc.ca/documents/forets/amenagement/reddition-comptes/FT16_SuperficiesVolumes.pdf">https://mffp.gouv.qc.ca/documents/forets/amenagement/reddition-comptes/FT16_SuperficiesVolumes.pdf</a></li> <li>- Office of the Chief Forester, Provincial synthesis of results. Forest Opportunities 2023-2028. Accessed November 21, 2023. <a href="https://forestierenchef.gouv.qc.ca/wp-content/uploads/SYN-00180-Synthese-provinciale-4.12.0.pdf">https://forestierenchef.gouv.qc.ca/wp-content/uploads/SYN-00180-Synthese-provinciale-4.12.0.pdf</a></li> <li>- Ministère des Ressources naturelles du Québec, 2013. Rapport du Comité scientifique chargé d'examiner la limite nordique des forêts attribuables. Forest sector. 148 p. + 6 appendices.</li> <li>- Ouimet, R, and L. Duchesne. 2009. Assessment of forest ecological types sensitive to soil mineral depletion by biomass harvesting. MRNF, Direction de la recherche forestière. Occasional report. 26 p.</li> <li>- OUIMET, R. and L. DUCHESNE, 2008. Combined impact of acid precipitation and forest biomass harvesting on the long-term maintenance of soil fertility: evaluation and mapping of critical loads. Ministère des Ressources naturelles et de la Faune, Direction de la recherche forestière. Special report. 38 p.</li> </ul>

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<i>Risk rating</i>	<table> <tr> <td>Public forest</td> <td>Low risk</td> </tr> <tr> <td>Private forest under assistance program</td> <td>Low risk</td> </tr> <tr> <td>Private forest outside the aid program</td> <td><b>Specified risk</b></td> </tr> </table>	Public forest	Low risk	Private forest under assistance program	Low risk	Private forest outside the aid program	<b>Specified risk</b>
Public forest	Low risk						
Private forest under assistance program	Low risk						
Private forest outside the aid program	<b>Specified risk</b>						
<b>3.2.3</b>	<b>Primary feedstock shall not be sourced from forest areas in the Supply Base which, according to local definitions or norms, are classified as having combined attributes of high carbon stocks and high conservation value (HCV).</b>						
<i>Findings</i>	<p><b>Scale of assessment</b></p> <p>Public forest Private forest with management assistance programs Private forest without management assistance programs</p> <p><b>Analysis</b></p> <p>Canada, and thus Quebec, have committed to reducing their greenhouse gas emissions, by ratifying the Kyoto Protocol and the Paris Agreement, which implement the recommendations of the United Nations Framework Convention on Climate Change. Under Article 3 of the Kyoto Protocol, signatory countries undertake to take stock of forest areas affected by human activities and to measure their carbon footprint since 1990. Quebec's greenhouse gas reduction strategy is set out in the "Plan for a Green Economy 2030". This plan aims to reduce emissions by 37.5% by 2030, compared with the 1990 baseline, while carbon neutrality is scheduled for 2050. Producers must demonstrate that raw materials are not sourced from forests that are both 1) high forest carbon stock forests and 2) high conservation value (HCV) forests. According to the Chief Forester, in line with the SBP definition in his guidance document for Standard 1 version 2, stocks (tC/ha) are defined as the total quantities of solid carbon stored in forest reservoirs (trees, roots, soils) (BFEC 2023). This is an accumulation from the last disturbance in the ecosystem. Disturbances, including those of anthropogenic origin, play an important role in determining whether forests are carbon sinks or sources. Forests with high carbon stocks are important to protect, as their harvesting could lead to a decline in carbon stocks that would negatively affect the carbon sink balance of Quebec's forests. Logging and natural disturbances such as forest fires and pests are known to significantly reduce carbon stocks in Canadian forests. Harvesting intensity is an important parameter in determining biomass stocks and post-harvest biomass recovery. A high rate of forest harvesting would result in lower carbon stocks, which would negatively affect the carbon balance of Quebec's forests.</p> <p><u>High carbon stocks</u></p> <p>Section 11 of the Loi sur l'aménagement durable du territoire forestier (LADTF) requires the development and publication of a Sustainable Forest Management Strategy. This strategy states that the Chief Forester is responsible for developing expertise in forest carbon accounting and monitoring as part of the allowable cut process. Section 60 of the LADTF states that a special management plan should ensure the recovery of affected timber in the event of naturally occurring disturbances. The purpose of the Natural Heritage Conservation Act is the conservation of natural heritage. This law aims to facilitate the expansion of the network of territories covered by conservation measures in Quebec, and the effective management of protected areas.</p> <p><u>High conservation values</u></p> <p>The Sustainable Forest Development Act and the Regulation respecting the sustainable development of forests in the domain of the State (RADF) provide a framework for forestry practices and establish criteria for classifying exceptional forest ecosystems (EFEs). The RADF, for its part, contains terms and conditions</p>						

that protect certain HCVs when forest management is implemented. Forest planning is governed by the Manuel de planification forestière (see article 54 of the LADTF) for the implementation of integrated forest management plans (PAFI). High conservation values are also protected under the Loi sur les terres du domaine de l'État (biological refuges) and the Loi sur les espèces menacées et vulnérables du Québec.

### **Enforcement and monitoring**

#### High carbon stocks

To analyze the carbon balance of Canada's managed forests, the Canadian Forest Service (CFS) uses the National Forest Carbon Monitoring, Accounting and Reporting System (NFCMARS). In 2018, Quebec, through the Office of the Chief Forester, committed to developing a forest carbon accounting and monitoring platform for Quebec's public forests. To this end, an agreement with the Canadian Forest Service has enabled the Chief Forester to obtain access to the Generic Forest Carbon Budget Model (GFCBM). This tool estimates the evolution of net carbon stocks and exchanges by forests. The first stage of the project involved a global analysis of the province's forest carbon balance. Forest fires, windthrow and insect epidemics are the main natural disturbances affecting Quebec forests. The Minister prepares and applies a special management plan to ensure the recovery of affected wood. The aim is to harvest most of the wood that is unlikely to survive the epidemic, before the trees become unfit for processing. Special management plan sites are targeted on the basis of their vulnerability.

In April 2021, the Quebec government announced a new conservation target, making a clear commitment to achieving the 30% protected areas target by 2030. As of March 2023, the network of protected areas covers 272,338 km<sup>2</sup>. To this area must be added the legal designations of exceptional forest ecosystems, wildlife habitats, plant habitats and biological refuges, which are not included in the protected areas register.

#### High conservation values

The Ministère des Ressources naturelles et de la Faune (MRNF) is responsible for establishing the objectives and means of ensuring the protection of forests with high conservation values. These values, together with the terms and conditions of protection, are set out in the PAFITs, and the terms and conditions of protection are incorporated into allowable cut calculations and silvicultural prescriptions by MRNF forest managers. For example, a 20-metre wooded edge at the edge of peat bogs, marshes and swamps is left untouched and unharvested, helping to maintain forests with high carbon stocks. In operational terms, the beneficiaries of the guaranteed supply agreement (GSA) are responsible for harvesting the woody material. In private forests, the Protection and Enhancement Plan (PPMV) describes the characteristics of the territory and the management objectives for sustainable forest management. PPMVs describe the forest environment at the landscape level, while identifying issues at the stand level, in keeping with land-use allocations. In the case of owners who work with a forestry group or a silvicultural company (using the development assistance program), silvicultural prescriptions are prepared for each harvesting site. In this case, the forestry engineer will develop a silvicultural prescription that will enable high conservation value forests to be maintained during harvesting operations. Guides are available to help forest producers manage private forests. For example, the Fédération des producteurs forestiers du Québec (FPFQ) has published the Guide des saines pratiques en forêt privée, a guide to mitigating environmental impacts during forest operations. The guide is available online free of charge.

Activities in private forests must comply with management plans, municipal by-laws and other laws and regulations associated with forestry operations in private forests.

#### High carbon stocks

The Canadian Forest Service (CFS) uses the National Forest Carbon Monitoring, Accounting and Reporting System (NFCMARS) to fulfill Canada's international obligation to report annually on GHG emissions and changes in CO<sub>2</sub> reservoirs in the country's forests. The Chief Forester measures the effect of management strategies on carbon sequestration by forests and wood products to estimate. The MRNF's Direction de la protection des forêts (DPF) is responsible for aerial surveys to

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identify the most vulnerable areas affected by epidemics. Plans will then be developed to recover the woody material as soon as possible.

### High conservation values

The State is responsible for ensuring that the LADFT is applied. The management objectives of the PAFIT are monitored (annually or every five years), and the results are then incorporated into subsequent versions of the PAFIT. The MRNF has an ISO 14001 system, audited annually by a third party, to structure its objectives and ensure that established procedures are properly implemented. When non-conformities are identified by the audit team, the MRNF must take the appropriate corrective action. Operationally, the MRNF is responsible for ensuring compliance with the FDR. To this end, each work site on public land is visited at least once by MRNF representatives while it is underway. Notices of non-conformity with a timetable for corrective action are issued when elements do not comply with one of the regulations. Non-compliance can lead to infractions and prosecution by the government if corrective action is not taken within the required timeframe. In addition, forest management companies are required to have ISO 14001 (or CEAF) certification and procedures that comply with FDR regulations. Annual audits are carried out by a third party to verify compliance with these standards. Notices of non-conformity with a timetable for corrective action are issued when elements fail to meet any of the requirements of these standards. The MRNF reprimands actions that undermine the integrity of the forest environment. Any person or company carrying out management activities in the public forest in a manner that does not comply with the LADTF is guilty of an offence and may be liable to a fine. The list of LADTF offenders is proof of the application of this mechanism. In private forests, municipalities are responsible for ensuring compliance with current regulations, and have the right to impose penalties in the event of non-compliance. They also have the right to modify laws and regulations if they deem them inadequate to ensure environmental protection. Inspections related to forestry operations are rarely given priority, and municipalities often lack the resources and skills required to carry out forestry inspections. On the other hand, inspections are carried out in the event of complaints from neighbours or the public. In the case of private forests with management programs, silvicultural work is the subject of a prescription and an execution report signed by a forest engineer, which is submitted to the regional private forest agency for approval. The execution report includes a verification of the work's compliance with the requirements of the MRNF's technical reference manual for private forests. This report, signed by a forestry engineer, includes basic elements such as bank protection and respect for riparian buffer strips. In addition, the agency funding the work will carry out random compliance checks on up to 10% of the area treated.

### High carbon stocks

For the period 2013-2018, the annual average area harvested is just under 181,000 ha, including 144,043 ha in regeneration cuts. The average for the period represents less than 1% of the 27.1 million ha earmarked for forest management and 0.2% of the 905,792 km<sup>2</sup> of forest. [https://mffp.gouv.qc.ca/documents/forets/amenagement/reddition-comptes/FT19\\_SuperficieRecolte.pdf](https://mffp.gouv.qc.ca/documents/forets/amenagement/reddition-comptes/FT19_SuperficieRecolte.pdf)

In 2020, an estimate by the Chief Forester put the total stock value for all the province's management units at around 6 billion tC. For the current calculation (2023-2028), for all 31.5 M hectares of productive forest, the total stock value is estimated at 5.82 billion tC. The values are therefore fairly similar, even if they come from different sources. This is a value for under-managed forest only, and therefore excludes protected areas, steep slopes, etc. The weighted average of stocks for the three periods reveals a downward trend between the periods 2023-2028, 2083- 2088 and 2158-2163. In the period 2023-2028, forest reservoirs contain an average of 188 tC/ha. This value is 182 tC/ha for 2083-2088 and 178 tC/ha for 2158-2163. This represents an average decrease of 10 tC/ha or 5% from 2023 to 2163 for the management units analyzed (BFEC, 2022). Removing wood from the ecosystem through harvesting results in a transfer of carbon stocks from the forest to forest products, and may therefore lead to a reduction in the average photo- synthetic capacity of managed areas for some management units. However, the BFEC simulates forest management scenarios that maximize sustained yield timber harvesting, whereas in reality, the actual harvest level is much lower than the allowable cut. For example, for the year 2021, 22.4 M cubic meters were harvested out of an allowable cut of 31.5 M3. As a result, BFEC simulations

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	<p>underestimate long-term carbon stocks. These results suggest that carbon stocks will be maintained over time. In addition to the areas listed in Quebec's protected areas register, other areas are likely to contain high carbon stocks. For example, exceptional forest ecosystems, certain wildlife and plant habitats, wildlife refuges and significant wetlands have legal protection designations. It is important to bear in mind that the vast majority of these areas will not be harvested.</p> <p><u>High conservation values</u></p> <p>For public forests, compliance with regulatory requirements is documented and accessible to the public. An analysis of the list of infractions posted on the MRNF website shows that infractions are very rarely related to high conservation value forests. There is no report on the effectiveness of the protection of attributes of high conservation value, but rather a report on the performance of the delivery agents. These annual PPMV assessments of private forest development agencies also provide further information on actions taken to improve biodiversity protection in private forests. Thanks to the collaboration of forestry technicians and professionals with private woodlot owners, the current system ensures compliance with regulations and good practices, which greatly reduces threats to forests, habitats, species and ecosystems. For forestry activities carried out in private forests without recourse to management programs, harvesting is not supervised by agency professionals. The paucity of existing data does not allow us to confirm that high-carbon and HCV forest areas are adequately identified and protected.</p> <p><b>Risk conclusion and justification</b></p> <p>Although there are currently no formal mechanisms in the public forest to prevent the harvesting of forests with high carbon stocks, a combination of protected areas on the territory and inoperable and inaccessible forests ensure that carbon stocks are maintained over time. The Chief Forester monitors carbon stocks as part of allowable cut calculations for under-managed forests. In addition, a robust system is in place to identify and protect HCV forests on the territory. The risk is therefore low for public forests. In private forests, in the context of management benefiting from the development assistance program, a forest engineer must write the prescriptions and monitor implementation, which considerably reduces the risk of a significant impact on HCVs. In the case of private forest operations without development assistance programs, harvesting takes place over very small areas, and only 39% of the annual allowable cut is harvested (Quebec, 2023), resulting in forest ageing and a considerable increase in standing carbon stocks. Indeed, standing volume in private forests has risen from 715 M m<sup>3</sup> in 2016 (MFFP 2016) to 850 M m<sup>3</sup> in 2021, an increase of almost 20% in just 5 years. As a result, the risk for private forests is low.</p>
<p><i>Supply Base Verifiers</i></p>	<p>-</p>
<p><i>Evidence reviewed</i></p>	<ul style="list-style-type: none"> <li>- Sustainable Forest Development Act, LQ 2010, c 3. Page consulted May 19, 2023. <a href="https://canlii.ca/t/dlrs">https://canlii.ca/t/dlrs</a></li> <li>- Natural Heritage Conservation Act. RLRQ c C-61.01, Page consulted on November 26, 2023. <a href="https://can-lii.ca/t/6dzc9">https://can-lii.ca/t/6dzc9</a></li> <li>- Loi sur les terres du domaine de l'État. RLRQ c T-8.1, Page consulted on November 26, 2023. <a href="https://can-lii.ca/t/6dfm2">https://can-lii.ca/t/6dfm2</a></li> <li>- Quebec Act respecting threatened and vulnerable species. RLRQ c E-12.01, Page consulted on November 26, 2023. <a href="https://canlii.ca/t/6dms7">https://canlii.ca/t/6dms7</a></li> <li>- Règlement sur l'aménagement durable des forêts du domaine de l'État, RLRQ c A-18.1, r 0.01. Page consulted May 19, 2023. <a href="https://canlii.ca/t/dvji">https://canlii.ca/t/dvji</a></li> <li>- Tactical integrated forest management plan (PAFIT). <a href="https://www.quebec.ca/agriculture-environnement-et-ressources-naturelles/forets/planification-forestiere/plans-regionaux-consultations">https://www.quebec.ca/agriculture-environnement-et-ressources-naturelles/forets/planification-forestiere/plans-regionaux-consultations</a></li> <li>- Protection and Enhancement Plan for Private Forests in the Lower St. Lawrence Region (PPMV) <a href="https://www.agence-bsl.qc.ca">https://www.agence-bsl.qc.ca</a></li> <li>- SFI 2022 standards and rules. <a href="https://forests.org/fr/normes-et-regles-sfi-2022-document-complet-2/">https://forests.org/fr/normes-et-regles-sfi-2022-document-complet-2/</a></li> </ul>

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	<ul style="list-style-type: none"> <li>- FSC Canadian forest management standard. FSC-STD-CAN-01-2018 V 1-0 EN. Page consulted on May 19, 2023. <a href="https://ca.fsc.org/ca-fr/amenagement-forestier#:~:text=La%20norme%20nationale%20du%20FSC,en%20mati%C3%A8re%20d%C3%A9galit%C3%A9%20des">https://ca.fsc.org/ca-fr/amenagement-forestier#:~:text=La%20norme%20nationale%20du%20FSC,en%20mati%C3%A8re%20d%C3%A9galit%C3%A9%20des</a></li> <li>- Bilan quinquennal de l'aménagement durable des forêts 2013-2018, Government of Quebec. Page consulted on March 24, 2023, available at: <a href="https://mffp.gouv.qc.ca/documents/forets/amenagement/reddition-comptes/FT16_SuperficiesVolumes.pdf">https://mffp.gouv.qc.ca/documents/forets/amenagement/reddition-comptes/FT16_SuperficiesVolumes.pdf</a></li> <li>- Office of the Chief Forester, Provincial synthesis of results. Forest Opportunities 2023-2028. Accessed November 21, 2023. <a href="https://forestierenchef.gouv.qc.ca/wp-content/uploads/SYN-00180-Synthese-provinciale-4.12.0.pdf">https://forestierenchef.gouv.qc.ca/wp-content/uploads/SYN-00180-Synthese-provinciale-4.12.0.pdf</a></li> <li>- Chief Forester, 2022. Bilan provincial du carbone forestier - Période 2023-2028, Roberval, Québec, 40 pages. <a href="https://forestierenchef.gouv.qc.ca/wp-content/uploads/rap-00629-rapport-sur-levaluation-du-carbone-des-unites-damenagement-4.0.2.pdf">https://forestierenchef.gouv.qc.ca/wp-content/uploads/rap-00629-rapport-sur-levaluation-du-carbone-des-unites-damenagement-4.0.2.pdf</a></li> <li>- Chief Forester, 2022. 3.11 - Forest carbon accounting and monitoring. Updated August 9, 2022. <a href="https://for-estierenchef.gouv.qc.ca/wp-content/uploads/6474edbf992f0.pdf">https://for-estierenchef.gouv.qc.ca/wp-content/uploads/6474edbf992f0.pdf</a></li> <li>- Québec 2023. Key figures for Québec forestry. Edition 2023. <a href="https://cdn-contenu.quebec.ca/cdn-contenu/forets/documents/entreprises/RA_chiffres-cles_forets_MRNF.pdf">https://cdn-contenu.quebec.ca/cdn-contenu/forets/documents/entreprises/RA_chiffres-cles_forets_MRNF.pdf</a></li> <li>- MFFP. Ressources et industries forestières du Québec. 2021. Portrait statistique - Édition 2021. <a href="https://cdn-contenu.quebec.ca/cdn-contenu/forets/documents/entreprises/RA_portrait_statistiques_industries_forestieres_MRNF.pdf">https://cdn-contenu.quebec.ca/cdn-contenu/forets/documents/entreprises/RA_portrait_statistiques_industries_forestieres_MRNF.pdf</a></li> <li>- MFFP. Ressources et industries forestières du Québec. 2016. Portrait statistique - Édition 2016. <a href="https://numerique.banq.qc.ca/patrimoine/details/52327/4152970?docref=GVHJN-JRvFwgOjVHEHNKZg">https://numerique.banq.qc.ca/patrimoine/details/52327/4152970?docref=GVHJN-JRvFwgOjVHEHNKZg</a></li> </ul>						
<i>Risk rating</i>	<table> <tr> <td>Public forest</td> <td><b>Low risk</b></td> </tr> <tr> <td>Private forest under assistance program</td> <td><b>Low risk</b></td> </tr> <tr> <td>Private forest without assistance program</td> <td><b>Low risk</b></td> </tr> </table>	Public forest	<b>Low risk</b>	Private forest under assistance program	<b>Low risk</b>	Private forest without assistance program	<b>Low risk</b>
Public forest	<b>Low risk</b>						
Private forest under assistance program	<b>Low risk</b>						
Private forest without assistance program	<b>Low risk</b>						

### Criterion 3.3 – Feedstock sourcing shall not compete with wood sourcing for long-lived wood products

<b>3.3.1</b>	<b>Feedstock sourcing shall be in compliance with the principles of cascading use, high quality stem wood shall not be used as feedstock if it is in substantial demand for long-lived products in the Supply Base.</b>
<i>Findings</i>	<p><b>Scale of assessment</b></p> <p>Public forest Private forest</p> <p><b>Analysis</b></p> <p><u>Context</u></p> <p>Biomass producers must demonstrate that high-quality stems are not used as biomass feedstock if there is a demand for long-life products.</p>

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If the best quality wood is used for biomass production, the woody material that had the potential to store CO<sub>2</sub> for a long time will be burned, emitting CO<sub>2</sub> and contributing to GHG emissions. There is no regulatory framework requiring that the best quality wood be used for long-life products in either Quebec's private or public forests.

Under section 52 of the Sustainable Forest Development Act (LADTF), the Minister of Natural Resources and Forestry (MRNF) is responsible for timber scaling. Article 70 prescribes the system for scaling and classifying merchantable timber in public forests. The purpose of this system is to bill stumpage fees for wood harvested from public forests. Section 86.2 of the LADTF defines residual forest biomass as non-merchantable woody material resulting from forest management activities or from short-rotation plantations planted for energy production. The Bureau de mise en marché des bois (BMMB) was established under Title III of the LADTF. Its mandates and responsibilities are described in sections 119 to 126.

### **Enforcement and monitoring**

#### Public forest

Generally speaking, the forest industry has three mechanisms for sourcing merchantable wood in Quebec. The industrialist must: (1) have a guarantee of supply (GOS), (2) and/or purchase wood at the Bureau de mise en marché des bois (BMMB) auctions, or (3) have a permit to harvest wood for the purpose of supplying a wood processing plant (PRAU) with merchantable wood. Sawmill residues (sawdust, bark, wood chips, etc.) are used to produce biomass. Another option for non-merchantable wood is to obtain a PRAU forest biomass permit. The holder then obtains a forestry right to harvest residual forest biomass in the various management units of the public forest. As with merchantable wood volumes, forest biomass volumes are also determined according to the allowable cut established by the Office of the Chief Forester. Once the wood or biomass has been harvested, it is measured by the MRNF. These data are used to determine volumes in cubic metres by species and wood quality. The methodology is described in the Timber Scaling Manual produced by the BMMB. This system enables the government to invoice industrialists for stumpage fees based on the quality of the wood received.

#### Private forest

Measuring and grading of wood is often carried out by the owner and verified by the industrialist who buys the wood. The conditions are generally described in the wood purchase contract. Scaling and grading methods vary according to the mill receiving the wood. Forest producers' unions employ forestry technicians who carry out verifications to attest to the accuracy of the scaling and grading carried out by the manufacturers. For both public and private forests, the systems put in place are for advisory purposes only, and do not guarantee the final use that will be made of them by industrialists. For public forests, the MRNF is responsible for determining the standards for scaling wood harvested from public forests in Quebec. Scaling harvested wood involves collecting measurements of diameter, length and quality. In this way, the Ministry is able to charge full market value for wood harvested from public forests. The BMMB is responsible for defining scaling and grading methods in a manual that it keeps up to date. For private forests, in some regions, the syndicat des producteurs forestiers is responsible for marketing all producers' lumber, while in other regions, only pulp and panel quality lumber is marketed by these organizations. In such cases, the producer is responsible for finding an outlet for his lumber. The forest producers' union can help by informing them of the purchasing conditions of local mills. The data suggest a strong relationship between secondary residues from primary wood processing and the manufacture of biomass energy. Looking at the total market for forest products, the energy component still seems very marginal to justify replacing the use of wood for other, higher value-added products. Furthermore, according to calculations by the Office of the Chief Forester, the allowable cut of forest biomass generated by harvesting activities (residual forest biomass) ranged from 8.298 M tmv to 8.779 M tmv per year between 2016-2022. However, allocations to licensees never exceeded 1 million mtv over the same period. Non-market biomass harvested in public forests ranged from 20,900 tmv to 140,300 tmv per year between 2016 and 2022. This suggests that there are enough residues in the forest to avoid

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	<p>having to use higher-quality stems for biomass production.</p> <p><b>Risk conclusion and justification</b></p> <p>There is a wood scaling system that grades the quality of logs for billing stumpage fees in public forests, and similarly, there are several standards to guide wood processing in private forests. Although these systems function solely as advice, in practice the system in place encourages all types of wood to be used, and the total value of a harvest to be maximized for lumber and other higher value-added wood products. Although the current system is not legally binding, there is a low risk that higher-quality wood will be used for biomass production if the industry wishes, in both public and private forests.</p>				
<i>Supply Base Verifiers</i>	<ul style="list-style-type: none"> <li>- Product sorting at the harvest site or in the lumber yards</li> <li>- Sales records by product</li> <li>- Documents showing efforts made to define product quality and value before the harvest period</li> <li>- Efforts to find new or better markets for high-quality forest products</li> </ul>				
<i>Evidence reviewed</i>	<ul style="list-style-type: none"> <li>- Manual de mesurage des bois récoltés sur les terres du domaine de l'État Fiscal year 2023-2024. MRNF, consulted April 6, 2023 and available at: <a href="https://bmmb.gouv.qc.ca/media/72960/manuel_de_mesurage_2023.pdf">https://bmmb.gouv.qc.ca/media/72960/manuel_de_mesurage_2023.pdf</a></li> <li>- Ressources et industries forestières du Québec, portrait statistique 2021. MRNF, consulted on April 6, 2023 and available at: <a href="https://cdn-contenu.quebec.ca/cdn-contenu/forets/documents/entreprises/RA_portrait_statistiques_industries_forestieres_MRNF.pdf">https://cdn-contenu.quebec.ca/cdn-contenu/forets/documents/entreprises/RA_portrait_statistiques_industries_forestieres_MRNF.pdf</a></li> <li>- Rôles du syndicat de producteurs forestiers, Fédération des producteurs forestiers du Québec. Web page, consulted on April 6, 2023 and available at: <a href="https://www.foretprivee.ca/je-vends-mon-bois/roles-du-syndicat-de-producteurs-forestiers/">https://www.foretprivee.ca/je-vends-mon-bois/roles-du-syndicat-de-producteurs-forestiers/</a></li> <li>- Légis Québec, Publications Québec, consulted on April 6, 2023, available at <a href="https://www.legisque-bec.gouv.qc.ca/fr/">https://www.legisque-bec.gouv.qc.ca/fr/</a></li> </ul>				
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Private forest	<b>Low risk</b>				

### Principle 4 – Feedstock sourcing benefits people and communities

#### Criterion 4.1 – Decent working conditions are provided, and labour rights are safeguarded

<b>4.1.1</b>	<b>Freedom of association and the right to collective bargaining shall be respected in the workplace.</b>
<i>Findings</i>	<p><b>Scale of assessment</b> Quebec forests</p> <p><b>Analysis</b> Canada is a signatory to the ILO's fundamental conventions (29, 87, 98, 100, 105, 111, 138, 182), including convention number 98 on the right to organize and</p>

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	<p>collective bargaining. Canadian and Quebec laws and regulations on labour standards and workers' rights provide a framework for the workplace in keeping with Canada's obligations under these conventions. Despite the legal and regulatory framework, since the new forestry regime was introduced in 1985, the outsourcing of forestry work, with a high proportion of subcontracting and individual harvesting companies, has made unionization more difficult in this sector. The unionization rate among forestry workers was 68% in 1985, dropping to 44% in 1990 and 33% in 1997<sup>1</sup>.</p> <p><u>Possible threat:</u></p> <p>Workers did not use the resources provided by the Act respecting labour standards to assert their right to association in the workplace. The Labour Code governs collective labour relations and is enshrined in the Quebec Charter of Human Rights and Freedoms and the Canadian Charter of Rights and Freedoms. It governs the exercise of the right of association in the work- place. The exercise of the right of association is protected from any hindrance, sanction or reprimand. Article 12 prohibits "... an employer from interfering in the activities of an employees' association or financing its activities". In such cases, certification cannot be granted [art. 29 and 31] and the employer is liable to a fine [art. 143].</p> <p><b>Enforcement and monitoring</b></p> <p>The unionization process is defined by the Labor Code. It defines the rights of employees, unions and employers. The employee association can only be created and certified once it has demonstrated that the majority of employees wish to join. The Comité sectoriel de main-d'œuvre en aménagement forestier (CSMOAF) analyzes the issues present in the sector, proposes strategies to meet the workforce challenges deemed to be priorities, and publishes annual reports on these activities. It maintains dialogue with local partners and contributes to the development of the workforce and the improvement of human resources management practices within companies. It oversees a working group on forest entrepreneurship. Silvicultural companies operating in public forests must obtain certification under the Programme de certification des pratiques de gestion des entreprises sylvicoles (PGES), which targets moonlighting, non-compliance with occupational health and safety requirements, and lack of transparency towards workers<sup>2</sup>. The Act instituting the Administrative Labour Tribunal (RLRQ, chapter T-15.1) defines the mandate of the tribunal, which ensures the diligent and effective application of the Labour Code. The International Trade Union Confederation's 2023 Rights Index gives Canada a score of 3, signifying the presence of workers' rights violations in the country. The assessment does not refer to the forestry sector in Canada or Quebec. The decisions of the administrative labour tribunal are available on the web. The Decision Bank of the Société québécoise d'information juridique (SOQUIJ) displays the Tribunal's reasoned decisions (<a href="https://soquij.qc.ca/a/fr">https://soquij.qc.ca/a/fr</a>). Decisions concerning union accreditation or recognition of an association can be accessed via the Corail online service (see Labour relations online). Collective agreements, letters of understanding, grievance awards, decisions and orders are also available.</p> <p><b>Risk conclusion and justification</b></p> <p>The framework provided by the regulatory system and its enforcement by the entities provided for therein ensure respect for the rights to freedom of association and collective bargaining. The Administrative Labor Tribunal responds to grievances and requests for rulings. Its decisions are accessible to the public. There is a low risk that the right of association and collective bargaining will not be respected.</p>
<p><i>Supply Base Verifiers</i></p>	<p>-</p>
<p><i>Evidence reviewed</i></p>	<p>- <a href="http://www.ilo.org">www.ilo.org</a></p>

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	<ul style="list-style-type: none"> <li>- <a href="http://www3.publicationsduquebec.gouv.qc.ca/gazetteofficielle.fr.html">www3.publicationsduquebec.gouv.qc.ca/gazetteofficielle.fr.html</a></li> <li>- <a href="http://scf.nrcan.gc.ca/index/forestindustryincanada/3?lang=en">scf.nrcan.gc.ca/index/forestindustryincanada/3?lang=en</a></li> <li>- <a href="http://www.worksmartontario.gov.on.ca">www.worksmartontario.gov.on.ca</a></li> <li>- <a href="http://www.employer-rights.com/d3.html">www.employer-rights.com/d3.html</a></li> <li>- International Trade Union Confederation, 2007, Internationally Recognised Core Labour Standards in Canada: Report for the WTO General Council Review of the Trade Policies of Canada</li> <li>- Quebec Labour Code</li> <li>- Canada Labour Code</li> <li>- Charter of Human Rights and Freedoms</li> <li>- Canadian Charter of Rights and Freedoms</li> <li>- Online labor relations (<a href="https://www.corail.gouv.qc.ca/abonnement/acceder.do">https://www.corail.gouv.qc.ca/abonnement/acceder.do</a>)</li> <li>- Bank of reasoned Tribunal decisions (<a href="https://www.tat.gouv.qc.ca/decisions-et-registres/decisions/banques-de-decisions-de-la-soquij/">https://www.tat.gouv.qc.ca/decisions-et-registres/decisions/banques-de-decisions-de-la-soquij/</a>)</li> <li>- <sup>1</sup>Barré, P. &amp; Rioux, C. (2012). The forest products industry in Quebec: the crisis of a socio-productive model. <i>Recherches sociographiques</i>, 53 (3), 645-669.</li> <li>- <a href="http://csmoaf.com">csmoaf.com</a></li> <li>- <sup>2</sup><a href="https://bnq.qc.ca/fr/normalisation/101-normalisation/index.php?option=com_content&amp;view=article&amp;id=495&amp;Itemid=1404">https://bnq.qc.ca/fr/normalisation/101-normalisation/index.php?option=com_content&amp;view=article&amp;id=495&amp;Itemid=1404</a></li> </ul>
<i>Risk rating</i>	Quebec forest <b>Low risk</b>
<b>4.1.2</b>	<b>Forced or compulsory labour shall not be used.</b>
<i>Findings</i>	<p><b>Scale of assessment</b> Quebec forests</p> <p><b>Analysis</b> Assessment of the risk of wood material being supplied using some form of forced labour. According to the International Labor Organization (ILO) Forced Labor Convention, 1930 (No. 29), forced or compulsory labour is: "all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily." The main threat is workers' lack of awareness of minimum labour standards and of the resources available to them to enforce their rights. Canada has signed the fundamental conventions of the International Labour Organization (ILO), including the Forced Labour Convention (No. 29). These conventions are among the eight fundamental ILO conventions considered essential to the promotion of decent work. The Act respecting labour standards (RLRQ c N-1.1) and the Regulation respecting labour standards (RLRQ c N-1.1, r 3) protect the rights of workers in Quebec. The Act includes provisions on the right to rest (Art. 79), hours of work (Art. 59.0.1), vacations (Art. 60) and sick leave (Art. 79.1). The regulations specify the</p>

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	<p>minimum wage (Art. 2), the maximum amounts that may be charged for meals and accommodation (Art. 6), the normal working week in a forestry operation (Art. 10) and night work by children (Art. 35.1). These laws and regulations apply to both public and private lands.</p> <p><b>Enforcement and monitoring</b></p> <p>Employers are required to register their employees with the Commission des normes, de l'équité, de la santé et de la sécurité du travail du Québec (CNESST). CNESST representatives ensure that organizations comply with the various laws by monitoring and evaluating their activities. What's more, if a worker believes he or she has witnessed a situation that does not comply with labour standards, he or she can file a confidential complaint by contacting the CNESST by telephone or via the website. In addition, a guide to labour standards is available free of charge on the CNESST website. On public land (except IPT), all organizations carrying out non-commercial silvicultural work (planting, mechanical clearing, etc.) must participate in the Silvicultural Business Management Practices Program (SBMP). This program targets moonlighting, non-compliance with cascading subcontracting and non-compliance with occupational health and safety rules. Certification is subject to annual third-party audits. Under the Act respecting Labour Standards, the CNESST's mandate is to oversee the application of the law and ensure compliance with labour standards. The CNESST is responsible for promoting labour rights and obligations. Failure to comply with the Act respecting labour standards may result in violations and fines.</p> <p>CNESST conducts periodic audits of employers. By law, the CNESST auditor has broad auditing and investigative powers, including:</p> <ul style="list-style-type: none"> <li>- enter any employer's workplace or establishment at any reasonable time;</li> <li>- require disclosure, for examination or reproduction of extracts, of any relevant book, report, contract, file, account, register, record, file or document;</li> <li>- interview any person it deems appropriate for the purposes of its audit;</li> <li>- require third parties to produce any document relevant to its verification.</li> </ul> <p>In the event of contraventions, the inspector could suspend work in the forest, and the company would be subject to being placed on the list of employers who contravene the law. No offenders in the logging sector have been identified in connection with forced labour, according to the CNESST website. Canada is ranked 166/167 in the Prevalence Index Rank of the Global Slavery Index, with a proportion of the population that would be vulnerable to living in conditions of modern slavery of 0.48/1000 (2022 data).</p> <p><b>Risk conclusion and justification</b></p> <p>Given the strong legal structure, the obligation for employers to register with the CNESST, the involvement of government bodies such as the CNESST in supervising employers and ensuring compliance with labour standards, and the low level of risk in Canada according to the Global Slavery Index, the risk is low for Quebec.</p>
<p><i>Supply Base Verifiers</i></p>	<p>-</p>
<p><i>Evidence reviewed</i></p>	<ul style="list-style-type: none"> <li>- List of CNESST offending employers (<a href="https://www.cnesst.gouv.qc.ca/fr/salle-presse/employeurs-contrevenants">https://www.cnesst.gouv.qc.ca/fr/salle-presse/employeurs-contrevenants</a>)</li> <li>- List of companies certified by the Programme des pratiques de gestion des entreprises sylvicole (PGES)(<a href="https://www.bnq.qc.ca/fr/clients-certifies.html">https://www.bnq.qc.ca/fr/clients-certifies.html</a>)</li> <li>- An Act respecting labour standards in Québec (<a href="https://canlii.ca/t/6dqz7">https://canlii.ca/t/6dqz7</a>)</li> <li>- International Labour Organization (ILO) (<a href="https://www.ilo.org/global/lang--fr/index.htm">https://www.ilo.org/global/lang--fr/index.htm</a>)</li> <li>- Guide sur les normes du travail au Québec (<a href="https://www.cnesst.gouv.qc.ca/sites/default/files/documents/normes-travail-quebec.pdf">https://www.cnesst.gouv.qc.ca/sites/default/files/documents/normes-travail-quebec.pdf</a>)</li> </ul>

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<i>Risk rating</i>	Quebec forest <b>Low risk</b>
<b>4.1.3</b>	<b>Child labour shall not be used.</b>
<i>Findings</i>	<p><b>Scale of assessment</b> Quebec forests</p> <p><b>Analysis</b> Assessment of the risk of wood material being supplied using child labour. According to the International Labour Organization (ILO): "Not all work performed by children should be classified as child labour requiring elimination. The participation of children or adolescents above the minimum age for admission to employment in work that does not affect their health and personal development and does not interfere with their schooling, is generally considered to be something positive. This includes activities such as helping in the family business or earning pocket money outside school hours and during school vacations. These types of activities contribute to the development of children and the well-being of their families; they enable them to acquire skills and experience, and prepare them to become productive members of society in their adult lives. The term "child labour" is often defined as work that deprives children of their childhood, their potential and their dignity, and impairs their physical and mental development. It is work that: is mentally, physically, socially or morally hazardous and harmful to children; and/or interferes with their schooling by depriving them of the opportunity to attend school, forcing them to leave school early, or forcing them to attempt to combine school attendance with excessively long and arduous work." The main threat is workers' lack of awareness of minimum labour standards and of the resources available to them to enforce their rights. Canada is a signatory to the core conventions of the International Labour Organization (ILO), including Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, and Convention No. 138 concerning the Minimum Age for Admission to Employment. These conventions are among the eight fundamental ILO conventions considered essential to the promotion of decent work. It aims to ensure that children do not leave school to start work at too young an age, by specifying the age at which children can work or be employed. In Quebec, the minimum working age for young people under 18 is governed by section VI. 2 (sections 84.2 to 84.7) of the Act respecting labour standards. Thus, a young person aged 16 and under is not allowed to work during school hours or between 11 p.m. and 6 a.m. Young people under 14 must also provide their employer with written parental consent. It should be noted that in June 2023, the Quebec government passed Bill 19 to better regulate child labour. Employers are prohibited from employing children under the age of 14, except in certain exceptional cases. From September 1er 2023, all children subject to compulsory school attendance will be able to work a maximum of 17 hours a week, including 10 hours from Monday to Friday. In addition, the new law reinforces children's occupational health and safety by providing, within existing prevention and worker participation mechanisms, for the identification and analysis of risks that may particularly affect workers aged 16 and under. The Commission des normes, de l'équité, de la santé et de la sécurité du travail will also have the power to grant financial assistance to labour market players to support prevention initiatives. The coming into force of the new law also means higher fines for breaches of the child labour provisions of the Act respecting labour standards. [1] The Act respecting labour standards (RLRQ c N-1.1) governs hours of work (Art. 59.0.1) and the time of day. <sup>[1]</sup> <a href="https://www.quebec.ca/nouvelles/actualites/details/adoption-du-projet-de-loi-no-19-le-travail-des-enfants-sera-desormais-mieux-encadre-48374">https://www.quebec.ca/nouvelles/actualites/details/adoption-du-projet-de-loi-no-19-le-travail-des-enfants-sera-desormais-mieux-encadre-48374</a></p> <p><b>Enforcement and monitoring</b></p>

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	<p>Employers are required to register their employees with the Commission des normes, de l'équité, de la santé et de la sécurité du travail du Québec (CNESST). Failure to comply with the Act respecting labour standards can result in violations and fines. CNESST representatives ensure that organizations comply with the various laws by monitoring and evaluating their activities. Also, if a worker believes he or she has witnessed a situation that does not comply with labour standards, he or she can file a confidential complaint by contacting the CNESST by telephone or via the website. In addition, a guide to labour standards is available free of charge on the CNESST website. On public land (except IPT), all organizations carrying out non-commercial silvicultural work (planting, mechanical clearing, etc.) must participate in the Silvicultural Business Management Practices Program (SBMP). This program targets moonlighting, non-compliance with cascading subcontracting and non-compliance with occupational health and safety rules. Certification is subject to annual third-party audits.</p> <p>Under the Act respecting Labour Standards, the CNESST's mandate is to oversee the application of the law and ensure compliance with labour standards. The CNESST is responsible for promoting rights and obligations in the workplace. All employers in Quebec must be registered with the CNESST if they employ at least one worker, whether full-time or part-time.</p> <p>CNESST conducts periodic audits of employers. By law, the CNESST auditor has broad auditing and investigative powers, including:</p> <ul style="list-style-type: none"> <li>- enter any employer's workplace or establishment at any reasonable time;</li> <li>- require the disclosure, for examination or reproduction of extracts, of any relevant book, report, contract, file, account, register, record, file or document;</li> <li>- interview any person it deems appropriate for the purposes of its audit;</li> <li>- require third parties to produce any document relevant to its verification.</li> </ul> <p>In the event of contraventions, the company could be added to the list of employers who contravene the law. The list of employers in breach of the Act respecting labour standards is publicly available on the CNESST website. According to the CNESST website, no offenders in the forestry sector have been identified in connection with child labour.</p> <p><b>Risk conclusion and justification</b></p> <p>There are virtually no purely manual jobs left in forestry (all require the use of complex equipment and a driver's license), which effectively rules out the employment of children. Given the strong legal structure, the requirement for employers to register with CNESST, and the involvement of government bodies such as CNESST in monitoring employers and ensuring compliance with established requirements, the risk is low for Quebec.</p>
<p><i>Supply Base Verifiers</i></p>	<p>-</p>
<p><i>Evidence reviewed</i></p>	<ul style="list-style-type: none"> <li>- List of CNESST offending employers (<a href="https://www.cnesst.gouv.qc.ca/fr/salle-presse/employeurs-contrevenants">https://www.cnesst.gouv.qc.ca/fr/salle-presse/employeurs-contrevenants</a>)</li> <li>- List of companies certified by the Programme des pratiques de gestion des entreprises sylvicole (PGES)(<a href="https://www.bnq.qc.ca/fr/clients-certifies.html">https://www.bnq.qc.ca/fr/clients-certifies.html</a>)</li> <li>- An Act respecting labour standards in Québec (<a href="https://canlii.ca/t/6dqz7">https://canlii.ca/t/6dqz7</a>)</li> <li>- International Labour Organization (ILO) (<a href="https://www.ilo.org/global/lang--fr/index.htm">https://www.ilo.org/global/lang--fr/index.htm</a>)</li> <li>- Guide sur les normes du travail au Québec (<a href="https://www.cnesst.gouv.qc.ca/sites/default/files/documents/normes-travail-quebec.pdf">https://www.cnesst.gouv.qc.ca/sites/default/files/documents/normes-travail-quebec.pdf</a>)</li> <li>- Guide Santé en forêt - 2nd edition. <a href="https://www.cnesst.gouv.qc.ca/sites/default/files/documents/dc200-1524-4.pdf">https://www.cnesst.gouv.qc.ca/sites/default/files/documents/dc200-1524-4.pdf</a></li> </ul>

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<i>Risk rating</i>	Quebec forest <b>Low risk</b>
<b>4.1.4</b>	<b>Workers shall not be discriminated in hiring, remuneration, access to training, promotion, termination or retirement.</b>
<i>Findings</i>	<p><b>Scale of assessment</b> Quebec forests</p> <p><b>Analysis</b> According to the International Labour Organization (ILO) Discrimination Convention (No. 111), discrimination is de- fined as: (a) any distinction, exclusion or preference based on race, colour, sex, religion, political opinion, national extraction or social origin which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation; (b) any other distinction, exclusion or preference having the effect of nullifying or impairing equality of opportunity or treatment in respect of employment or occupation, which may be specified by the Member concerned after consultation with representative organizations of employers and workers, where such exist, and other appropriate bodies. Distinctions, exclusions or preferences based on the qualifications required for a particular job are not considered dis- crimination. For the purposes of this agreement, the words "employment" and "occupation" cover access to vocational training, access to employment and to the various occupations, as well as conditions of employment. It should be noted that indicator 4.1.9 examined grievance and dispute resolution mechanisms concerning workplace issues. Freedom from discrimination in the labour market is an important right in a just society. It enables workers with certain characteristics or ethnicities to have full access to employment and related opportunities and/or to receive an unfair level of remuneration for their work. Potential threats/impacts include a dissatisfied workforce, divisions within the workforce, lower staff retention levels, absenteeism. Discrimination within a company could lead to lawsuits and legal action against the company. Canada is a signatory to the fundamental conventions of the International Labour Organization (ILO), including the Equal Remuneration Convention, 1951 (No. 100) and the Discrimination (Employment and Occupation) Convention, 1958 (No. 111). These conventions are among the eight fundamental ILO conventions considered essential to the promotion of decent work. Section 15(1) of the Constitution Act, 1982 (Part I - Canadian Charter of Rights and Freedoms) stipulates that the rights and freedoms set out in the Charter "are guaranteed equally to male and female persons". Section 2 of the same Act cites freedom of religion as a fundamental freedom. In addition, section 15 (1) states that "every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability." The Canadian Human Rights Act (CHRA 1985, c H-6) prohibits discrimination based on race, national or ethnic origin, colour, religion, age, sex, sexual orientation, gender identity or expression, marital status, family status, genetic characteristics, conviction for which a pardon has been granted or disability, including in the workplace (s. 7). More specifically in Quebec, the Charter of Human Rights and Freedoms (RLRQ c C-12) states that "Every person has a right to the recognition and exercise, in full equality, of human rights and freedoms, without distinction, exclusion or preference based on race, colour, sex, gender identity or expression, pregnancy, sexual orientation, marital status, age except as provided by law, religion, political convictions, language, ethnic or national origin, social condition, handicap or the use of any means to palliate such handicap. ". Thus, an employer cannot refuse to hire a person on the grounds of skin colour, sexual</p>

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orientation, ethnic origin or disability. The Charter also provides for the creation of the Commission des droits de la personne et des droits de la jeunesse, responsible, among other things, for handling complaints of discrimination. The Act respecting labour standards (RLRQ c N-1.1) and the Regulation respecting labour standards (RLRQ c N-1.1, r3) protect the rights of workers in Quebec. More specifically, section 122 protects workers from discriminatory measures or reprisals. These laws and regulations apply to all companies in Quebec.

### **Enforcement and monitoring**

Employers are required to register their employees with the Commission des normes, de l'équité, de la santé et de la sécurité du travail du Québec (CNESST). CNESST representatives ensure that organizations comply with the various laws by monitoring and evaluating their activities, particularly in relation to the Act respecting labour standards. In addition, if a worker believes he or she has witnessed a situation that does not comply with labour standards, he or she can file a confidential complaint by contacting the CNESST by telephone or via the website. In addition, a guide to labour standards is available free of charge on the CNESST website. The Commission des droits de la personne et des droits de la jeunesse (CDPDJ) is an organization whose mission is to ensure the promotion and respect of the principles set out in the Charter of Human Rights and Freedoms. It is independent of government, and works for the sole benefit of the population and in the public interest. Its mission includes informing the public of the rights recognized by the Charter, investigating situations of discrimination and exploitation, and producing and promoting research and publications on human rights and freedoms. In addition, if a worker believes he or she has witnessed a situation of discrimination, he or she can file a confidential complaint with communicant CDPDJ by telephone or via the website. A guide to discrimination in the workplace is also available on the Commission's website. In 2019, the CNESST and the CDPDJ entered into a collaboration agreement concerning their interventions in matters of discrimination and harassment in employment. This agreement stems from the amendments made to the Act respecting labour standards on June 12, 2018, and expands the sharing of information between the two organizations and increases the consistency of actions.

Finally, a large proportion of Quebec's public land is certified to SFI and/or FSC standards. These sustainable forest management standards cover several elements related to discrimination and are audited annually by a third party. Ref: SFI Standard 2022, Chapter 2, Performance measure 11.2 and FSC-STD-CAN-01-2018 V 1-0 indicators 2.2.1, 2.2.6. Under the Act respecting labour standards, the CNESST is mandated to oversee the application of the law and enforce labour standards. Failure to comply with the Act respecting labour standards can result in violations and fines. CNESST inspectors visit workplaces periodically to ensure that they comply with labour standards. By law, CNESST auditors have broad auditing and investigative powers, including:

- enter any employer's workplace or establishment at any reasonable time;
- require disclosure, for examination or reproduction of extracts, of any relevant book, report, contract, file, account, register, record, file or document;
- interview any person it deems appropriate for the purposes of its audit;
- require third parties to produce any document relevant to its verification.

In the event of contraventions, the inspector could suspend work in the forest, and the company would be subject to being placed on the list of employers who contravene the law. The CDPDJ also has the power to investigate situations of discrimination, harassment and exploitation. The purpose of the investigation is to verify whether discrimination, discriminatory harassment, exploitation or reprisals can be proven, and whether the complainant has suffered material or moral consequences.

Quebec has a strong legal framework that applies to all employers in the province. Laws and regulations are in place, and the CNESST and CDPDJ are responsible for communicating the requirements and expectations relating to worker health and safety in the province. Several guides on discrimination are available online. CNESST inspectors have auditing and investigative powers, and carry out inspections both within companies and in the forest, for work in both public and private

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	<p>forests. The CDPDJ's 2021-2022 report states that 2,290 requests were made during this period, while 548 investigation files were opened. Investigations conducted by the Commission may concern cases of discrimination or harassment based on any of the 14 grounds set out in section 10 of the Charter. The number of investigation files is down on the 1047 files 10 years ago (2011-2012), and each of these files has been analysed and processed. Complaints resulted in a decision by the Complaints Committee (36%), termination of proceedings (34% - mainly due to lack of evidence), settlement (26%), court judgment (3%) or an unenforceable mandate (2%).</p> <p><b>Risk conclusion and justification</b></p> <p>Given the strong legal structure, the obligation for employers to register with the CNESST, the involvement of government agencies such as the CNESST and the CDPDJ in monitoring employers and verifying regulatory requirements in relation to discrimination, and the diligent handling of complaints filed with the CDPDJ, the risk is low for Quebec.</p>
<i>Supply Base Verifiers</i>	-
<i>Evidence reviewed</i>	<ul style="list-style-type: none"> <li>- International Labour Organization (ILO) (<a href="https://www.ilo.org/global/lang--fr/index.htm">https://www.ilo.org/global/lang--fr/index.htm</a>)</li> <li>- Canadian Human Rights Act (<a href="https://canlii.ca/t/6d6rl">https://canlii.ca/t/6d6rl</a>)</li> <li>- Québec Charter of Human Rights and Freedoms (<a href="https://canlii.ca/t/6dmsf">https://canlii.ca/t/6dmsf</a>)</li> <li>- An Act respecting labour standards (Québec) (<a href="https://canlii.ca/t/6dqz7">https://canlii.ca/t/6dqz7</a>)</li> <li>- Règlement sur les normes du travail (<a href="https://canlii.ca/t/6dl20">https://canlii.ca/t/6dl20</a>)</li> <li>- Guide de l'employeur. Commission des droits de la personne et des droits de la jeunesse. <a href="https://www.cdpdj.qc.ca/storage/app/media/publications/Recruter-sans-discriminer_Guide.pdf">https://www.cdpdj.qc.ca/storage/app/media/publications/Recruter-sans-discriminer_Guide.pdf</a></li> <li>- Guide sur les normes du travail au Québec (<a href="https://www.cnesst.gouv.qc.ca/sites/default/files/documents/normes-travail-quebec.pdf">https://www.cnesst.gouv.qc.ca/sites/default/files/documents/normes-travail-quebec.pdf</a>)</li> <li>- The 14 prohibited grounds for discrimination in comics: ethnic or national origin. CDPDJ. 2020. <a href="https://www.cdpdj.qc.ca/fr/publications/14motifsbd_Origine">https://www.cdpdj.qc.ca/fr/publications/14motifsbd_Origine</a></li> <li>- List of companies certified by the Programme des pratiques de gestion des entreprises sylvicole (PGES) (<a href="https://www.bnq.qc.ca/fr/clients-certifies.html">https://www.bnq.qc.ca/fr/clients-certifies.html</a>)</li> </ul>
<i>Risk rating</i>	Quebec Forest <b>Low risk</b>
<b>4.1.5</b>	<b>Wages paid to workers shall meet or exceed the legal minimum wage or where there is no statutory minimum wage industry norms shall be met or exceeded.</b>
<i>Findings</i>	<b>Scale of assessment</b>

Quebec forests

### Analysis

Assessment of the risk of workers not receiving the minimum wage required by law. In Quebec, the minimum wage rate is currently \$15.25 per hour. This rate has been in effect since May 1er 2023. Under the Act respecting labour standards, workers are entitled to the minimum wage, whether they work full-time, part-time, piecework or on commission. The main threat is workers' lack of awareness of minimum labour standards and of the resources available to them to enforce their rights. The Quebec Act respecting Labour Standards (RLRQ c N-1.1) and the Regulation respecting Labour Standards (RLRQ c N-1.1, r 3) protect the rights of workers in Quebec. Sections 40 to 51.1 dictate wage requirements, including entitlement to the minimum wage (Art. 40), the means (Art. 42) and the payment interval (Art. 43). The regulations specify the hourly value of the minimum wage (Art. 2), the maximum amounts that can be charged for meals and accommodation (Art. 6) and the normal working week in a forestry operation (Art. 10).

### Enforcement and monitoring

Employers are required to register their employees with the Commission des normes, de l'équité, de la santé et de la sécurité du travail du Québec (CNESST). CNESST representatives ensure that organizations comply with the various laws by monitoring and evaluating their activities. Failure to comply with the Act respecting labour standards can result in violations and fines. The Act respecting labour standards applies to both private and public forests.

If a worker believes he or she has witnessed a situation that does not comply with labour standards, he or she can file a confidential complaint by contacting the CNESST by telephone or via the website. In addition, a guide to labour standards that discusses the minimum wage is available free of charge on the CNESST website. On public lands (except intramunicipal public territories (IPT)), all organizations carrying out non-commercial silvicultural work (planting, mechanical clearing, etc.) must participate in the Silvicultural Business Management Practices Program (SBMP). This program targets moonlighting, non-compliance with cascading subcontracting, minimum wage for piecework and non-compliance with occupational health and safety rules. Certification is subject to annual third-party audits. Under the Act respecting Labour Standards, the CNESST's mandate is to oversee the application of the law and ensure compliance with labour standards. The CNESST is responsible for promoting rights and obligations in the workplace.

CNESST conducts periodic audits of employers. By law, the CNESST auditor has broad auditing and investigative powers, including:

- enter any employer's workplace or establishment at any reasonable time;
- require disclosure, for examination or reproduction of extracts, of any relevant book, report, contract, file, account, register, record, file or document;
- interview any person it deems appropriate for the purposes of its audit;
- require third parties to produce any document relevant to its verification.

In the event of contraventions, the company could be added to the list of employers who contravene the law.

No forestry offenders have been identified in connection with non-compliance with the minimum wage, according to the CNESST website. The average wage for forestry workers in Canada is \$26.75 an hour, well above the minimum wage.

### Risk conclusion and justification

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	Given the strong legal structure and the involvement of government bodies such as the CNESST, the risk is low for Quebec. Work related to non-commercial contract work is probably the sector most likely to fail to comply with the minimum wage requirement, but it has been subject to Business Management Practices (BMP) certification with annual third-party audits since 2013.
<i>Supply Base Verifiers</i>	-
<i>Evidence reviewed</i>	<ul style="list-style-type: none"> <li>- List of CNESST offending employers (<a href="https://www.cnesst.gouv.qc.ca/fr/salle-presse/employeurs-contrevenants">https://www.cnesst.gouv.qc.ca/fr/salle-presse/employeurs-contrevenants</a>)</li> <li>- List of companies certified by the Programme des pratiques de gestion des entreprises sylvicole (PGES)(<a href="https://www.bnq.qc.ca/fr/clients-certifies.html">https://www.bnq.qc.ca/fr/clients-certifies.html</a>)</li> <li>- An Act respecting labour standards (Québec) (<a href="https://canlii.ca/t/6dqz7">https://canlii.ca/t/6dqz7</a>)</li> <li>- Guide sur les normes du travail au Québec (<a href="https://www.cnesst.gouv.qc.ca/sites/default/files/documents/normes-travail-quebec.pdf">https://www.cnesst.gouv.qc.ca/sites/default/files/documents/normes-travail-quebec.pdf</a>)</li> <li>- Average salary in forestry in Canada (<a href="https://ca.talent.com/salary?job=forestry">https://ca.talent.com/salary?job=forestry</a>)</li> </ul>
<i>Risk rating</i>	Quebec Forest <b>Low risk</b>
<b>4.1.6</b>	<b>Working hours shall comply with legal requirements.</b>
<i>Findings</i>	<p><b>Scale of assessment</b> Quebec forests</p> <p><b>Analysis</b> The province of Quebec has a legal framework that governs working conditions, and in particular the length of time employees work for their employer. Quebec's Act respecting Labour Standards (LSA) governs, among other things, the length of a normal work week and the notion of overtime (art. 52 to 59.0.1). The forestry industry is covered by the provincial government's Règlement sur les normes du travail (RNT), which sets the length of a normal work week at 47 hours (art. 10). The creation of unions in Quebec, formed at the request of workers, has historically made it possible to respond to issues relating to working conditions in a number of areas, notably hours of work, which required excessively long consecutive hours. Today, many groups of forestry workers join union associations as a means of asserting their rights and negotiating their conditions with employers. Employers are required to declare income tax deductions at source to provincial (Revenu Québec) and federal (Canada Revenue Agency) government institutions for each salaried employee. Withholding taxes correspond to a percentage deducted from wages, most of which are time-based, based on the number of hours worked. Employer declarations thus impose transparency on how employees are remunerated. Although there are laws governing the length of a normal working week and overtime, and employers are required to declare their salaried employees' earnings based on hours worked, there may be discrepancies in the amount of overtime worked and how it is compensated. Non-unionized employees and workers without a written employment contract are more at risk. For example, non-unionized forestry workers without a work contract are not immune from working unrecognized hours in excess of the number of hours prescribed for a normal (regular) work week, and in excess of the number of overtime hours prescribed by the LSA and the</p>

NWA.

Exceeding an employee's normal workweek or permissible overtime hours can result in a violation of the LWOP and NWA for the employer, and its legal compliance and integrity. Exceeding working hours can also have a direct impact on workers' physical and psychological health, leading to incidents or accidents in the workplace. Exceeding working hours is also a factor likely to affect the reconciliation of time allocated to work and time allocated to family and personal life. These negative impacts on workers are factors that can make it more difficult to retain staff and recruit new ones in the forestry industry.

Quebec's Act respecting labour standards (art. 52 to 59.0.1) sets out the minimum working conditions to which all employees are entitled, which mainly excludes senior executives and self-employed workers. It applies to most employees, even if their conditions are governed by a collective agreement or collective agreement decree. Other conditions relating to working hours, such as overtime pay, mandatory rest periods and the right to refuse overtime, are set out in the Act. Quebec's Regulation respecting labour standards prescribes the number of regular working hours for workers in various fields, including forestry, which is set at 47 hours a week (art. 10 RNT), beyond which "overtime" must be paid at 50% more than the regular rate, or in time equivalent to one and a half times the overtime worked. The same regulation describes the notion of refusal to work overtime. A worker may refuse to work "more than 2 hours beyond his usual hours, or more than 14 hours of work per 24-hour period, whichever is shorter", "more than 12 hours per 24-hour period

if he does not have a fixed daily work schedule" and "after more than 50 hours in the same week (except for employees working in isolated areas or on James Bay, where refusal is permitted after 60 hours)". The Canada Labour Code sets out minimum working hours for Canadian workers: "except as otherwise provided under this Division: a) the normal working hours are eight hours per day and forty hours per week; b) no employer shall cause or permit any employee to work in excess of these hours". The Professional Syndicates Act is the Quebec legislation that sets out the conditions for creating or joining unions, and for negotiating collective agreements. Forest producers' union collective agreements determine the terms and conditions of individual employment contracts between employees and employers, and set out the rights and obligations of the parties covered by the agreement, such as minimum and maximum working hours for a normal work week and overtime. The Act respecting labour standards (s.52 to 59.0.1) also sets out certain conditions for collective agreements and negotiations on working hours for unionized employees.

### **Enforcement and monitoring**

The CNESST is a provincial public agency under the responsibility of the Ministry of Labour, whose objective is to "promote rights and obligations in matters of work", such as work schedules, and "ensure compliance by workers and employers with some ten laws and their regulations", notably the Act respecting labour standards (LSA), the Act respecting industrial accidents and occupational diseases (AIAOD), the Pay Equity Act (PEA) and the Act respecting occupational health and safety (AOHS). The CNESST allows employers to exercise their management rights to ensure the profitability of their business, but also ensures that, while exercising their rights, they offer their workers minimum working conditions, particularly with regard to working hours. The Canada Labour Code also provides a waiver mechanism in the form of a form for employers requiring a specific working framework for their sector of activity. Requests for exceptions must be evaluated and accepted by the Government of Canada before an employer can impose different working hours on its employees. Trade union organizations and collective agreements enable employees to negotiate their working conditions directly with the employer through their union, and provide member workers with a frame of reference that protects them with regard to the number of normal hours worked per week. Prevention mutuals are non-profit organizations, some of which offer advice and support to employers on best practices for safe working conditions, including recommended working hours and mandatory breaks. They can conduct internal audits to assess procedures and practices within a company. In Quebec, one of the best-known prevention mutuals in the forestry industry is the Prévisbois mutual (<https://www.previsbois.com/>), which offers a wide range of services and tools to employers.

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Human resources experts can work within companies to ensure that workers' rights, such as actual declared working hours and remuneration, are respected. Employment contracts between non-unionized employees and employers make it possible to agree on the working conditions and working hours prescribed by the LSA and the NWA for a normal week and in the event of overtime, and also confirm the employee's right to be registered with the CNESST. The terms and conditions set out in these contracts are valid until the expiry dates agreed by both parties. Such written contracts legally protect both employer and employee.

Employee policies and manuals are non-legal documents that allow the company to commit to certain working conditions and treatment of employees. Employees can refer to employee policies and manuals whenever necessary. Usually, these documents are made available to the public and various stakeholders. Training employees on their rights, such as the length of a normal working week, compulsory breaks and overtime, confirms the employer's commitment to its employees and ensures that all employees have received and acquired the right information. CNESST's support tools and the CNESST complaint filing process provide information to workers and offer a space for those who need to formulate complaints about their working conditions and the application of laws and regulations.

Canadian Legal Information Institute (CanLII): offers free public information on the laws and regulations that apply in Canada. Employees can find out about their rights directly from the institute.

The following items of evidence could be assessed during an audit/verification:

- Employment contracts with employees,
- Employee manual,
- Collective agreement (if applicable),
- Sample pay stubs,
- Job description,
- Register of training on working conditions,
- Internal policy or commitment to working hours,
- CNESST file,
- List of CNESST offenders,
- Complaints register or organization files.

Employers are required to meet their obligations to their workers under the laws applied by the CNESST, and in particular must register their employees with the CNESST when they have more than one within their organization. The CNESST also has the power to investigate employers and employees through its workplace rights and obligations complaints process. Employees, however, are responsible for making their own complaints about working conditions to the Commission, using the suggested complaint process. A register of employers who have contravened the various laws enforced by the CNESST is also available to the public for consultation. Unions study and defend the rights as well as the material and moral interests of their members (salaried employees). There are more than a dozen agricultural producers' unions in Quebec. The Fédération des producteurs forestiers has published a list of forestry unions: <https://www.foretrivee.ca/jamenage-ma-foret/intervenants-en-foret-privee/syndicats-offices-de-producteurs-forestiers/>. Some organizations provide public information on employability and working conditions, such as Statistics Canada, a Canadian statistical agency, which ensures that citizens or temporary residents "have access to the important information about Canada's economy, society and environment that they need to act effectively" as decision-makers. Some statistical studies on the number of hours worked and remuneration in Canada have been published between 2007 and 2019 by the organization. However, few data on working hours in the forestry sector are available for Quebec. Éducaloi is a provincial, neutral and independent organization that provides public information on Quebec's regulatory framework in all areas, including labour standards. It acts as an expert in "legal education and clear communication of the law". It enables citizens, especially workers, to "better understand

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	<p>the law, their rights and their responsibilities".</p> <p>The Quebec and Canadian legal framework and provincial organizations, such as the laws and regulations, the CNESST and Éducaloi, provide the public with all the necessary information on labour standards applicable to the Quebec context in the forestry industry. The various organizations clearly detail the maximum number of hours an employee should work in a normal work week, including mandatory breaks and overtime. In its study on the evolution of working conditions in Quebec (2021), the Ministry of Labour reported that the average declared hours worked in Quebec (all sectors combined) in 2017 was 34.5 hours per week. However, another study conducted by the Chaire de leadership en enseignement en foresterie autochtone in January 2022, Motivations et enjeux de la main-d'œuvre autochtone forestière: le cas des Innus de Pessamit, revealed that forestry workers were working beyond the regular hours regulated in Quebec, and that overtime was in some cases not accounted for by the employer. Some case law and media cases have been studied in Quebec concerning working hours; however, these cases were applicable to other sectors, such as agriculture, tourism and processing, whose conditions vary from those in the forestry sector.</p> <p><b>Risk conclusion and justification</b></p> <p>Based on the existence of a provincial regulatory framework (LNT and RNT) governing working hours and employers' obligation to register their employees with CNESST, as well as public resources to support employers and employees (Éducaloi, union organizations and prevention mutuals), it is possible to determine that criterion 4.1.6 represents a low risk for Québec. Cases of non-compliance published by the CNESST between 2022 and 2022 mainly concern disputes between employers and workers registered with the CNESST, concerning the 50% mark-up for any work performed in excess of the normal working week. Employers whose non-compliances have been issued by CNESST have been obliged to pay fines and compensate for the damage caused. These cases are infrequent and do not concern the forestry sector. This information points to a low risk of non-compliance with regulations on hours worked in the forestry sector in Quebec.</p>
<p><i>Supply Base Verifiers</i></p>	<p>-</p>
<p><i>Evidence reviewed</i></p>	<ul style="list-style-type: none"> <li>- An Act respecting labour standards,</li> <li>- Professional Unions Act,</li> <li>- Publications of the Ministère du Travail, de l'Emploi et de la Solidarité sociale (Government of Quebec),</li> <li>- Canada Labour Code,</li> <li>- CNESST website,</li> <li>- CNESST list of offenders: <a href="https://www.cnesst.gouv.qc.ca/fr/salle-presse/employeurs-contrevenants?loi=1066">https://www.cnesst.gouv.qc.ca/fr/salle-presse/employeurs-contrevenants?loi=1066</a></li> <li>- Statistics Canada, Government of Canada publications,</li> <li>- Educaloi. E.g.: Overtime, 2023,</li> <li>- Étude sur l'évolution des conditions de travail au Québec - Édition 2021, Gouvernement du Québec,</li> <li>- Étude sur la Durée normale du travail et heures supplémentaires - Direction de la Recherche et de l'innovation en milieu de travail, Ministère du travail du Québec, September 2021,</li> <li>- Motivations and challenges of the First Nation forestry workforce: the case of the Innu of Pessamit - Chair in Ab-original Forestry Education, January 2022,</li> </ul>

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	<ul style="list-style-type: none"> <li>- Camping Havana Resort, la CNESST donne raison à un travailleur mexicain - Radio-Canada.ca, 2023,</li> <li>- Federation of Forest Producers: <a href="https://www.foretrivee.ca">https://www.foretrivee.ca</a>, 2023</li> <li>- Erudit, La convention collective selon la Loi des Syndicats professionnels et la Loi de la Convention collective (c. 162 et 163, S.R.Q. 1941) Pierre-F. Côté.</li> </ul>
<i>Risk rating</i>	Quebec Forest <b>Low risk</b>
<b>4.1.7</b>	<b>Workers shall have access to health care provisions, sickness benefits, retirement benefits, invalidity benefits, death benefits, and workers' compensation.</b>
<i>Findings</i>	<p><b>Scale of assessment</b> Quebec forests</p> <p><b>Analysis</b> The International Labour Organization (ILO) has been concerned with workers' security and compensation since its creation in 1919. It has adopted several conventions concerning job security, workers' compensation and insurance (i.e. C012, C017, C0102, etc.), some of which Canada has not ratified. In Canada, there are five basic concepts underlying workers' compensation legislation, known as the Meredith Principles. These are automatic compensation, security of benefits, collective responsibility, independent administration and exclusive jurisdiction. In Quebec, the Commission des normes, de l'équité, de la santé et de la sécurité du travail (CNESST) is responsible for enforcing the law, and the Tribunal administratif du travail is the last resort.</p> <p>Workers' compensation is essential for both employers and employees. It ensures good working conditions, attracts workers and keeps employees safe. Benefits support workers and their families in the event of injury, accident, ill-health, job loss and retirement. The absence or inadequacy of workers' compensation increases the likelihood of social insecurity.</p> <p>In Canada, the Immigration and Refugee Protection Act (paragraph 38[1] a) allows claimants with refugee or other non-residence status, and who are not eligible for Quebec health insurance, to benefit from health care insurance coverage through the Interim Federal Health Program (IFH). The province of Quebec has a legal framework enabling people residing or staying on its territory to have access to provincial health insurance. This insurance is administered by the Régie de l'assurance maladie du Québec, which provides benefits for basic health care, such as drugs and hospital care. The Quebec Health Insurance Act and the Quebec Act respecting industrial accidents and occupational diseases govern access to health care benefits, among other things. Health Insurance Act - Provincial: The purpose of this Quebec law is to give all Quebecers reasonable and equitable access to the drugs they need for their state of health.</p> <p>Quebec's Act respecting labour standards sets out the minimum working conditions to which all employees are entitled, which mainly excludes senior executives and self-employed workers. It applies to most employees, even if their conditions are governed by a collective agreement or a collective agreement decree.</p> <p>Canada's Immigration and Refugee Protection Act (paragraph 38 [1] a) concerns immigration to Canada and the granting of asylum to persons who are displaced, persecuted or in danger. It specifies the powers of the Immigration and Refugee Board of Canada to rule on matters relating to immigrants and refugees. Immigration, Refugees and Citizenship Canada (IRCC) is the federal agency responsible for enforcing immigration law. It also facilitates the arrival of immigrants, offers protection to refugees and, through its programs (such as IFH), helps newcomers settle in Canada. The Act respecting industrial accidents and occupational diseases in Quebec is a Quebec law governing accidents and diseases occurring in the workplace. Its purpose is to provide compensation for occupational injuries</p>

and their consequences for beneficiaries. The occupational injury compensation process includes the provision of the care required to consolidate an injury, the physical, social and occupational rehabilitation of the injured worker, and the payment of in- come replacement benefits, compensation for bodily injury and, where applicable, death benefits. The Act applies to a worker who is the victim of a work accident or occupational disease that occurred in Quebec, and whose employer has an establishment in Quebec at the time of the incident.

### **Enforcement and monitoring**

In Canada, the IFH program offers limited, temporary health care coverage to people in groups that are not eligible for individual provincial or territorial health insurance, i.e. refugees and refugee claimants. The health care coverage offered by the program is similar to that offered by a provincial or territorial health insurance plan: in-patient and out-patient hospital services, services of physicians, registered nurses and other health care professionals licensed to practice. Services may or may not be work-related. Individuals must register with the Quebec health insurance plan to access services, in accordance with the conditions set out in the Health Insurance Act. Registered individuals receive a valid insurance card and are responsible for renewing it. Individuals who are not registered with RAMQ, or who have an expired card, are responsible for covering the costs of health care received, which may be reimbursed retroactively by RAMQ. Employers are also required to meet their obligations towards their workers under the laws applied by the CNESST, and in particular to register their employees with the CNESST when they have more than one within their organization. The CNESST allows employers to exercise their management rights to ensure the profitability of their business, but it also ensures that, while exercising their rights, they offer minimum working conditions to their workers, for example in terms of access to health care benefits. Union organizations and collective agreements also enable employee members to access health care benefits through the CNESST. Self-employed workers with no employees in their charge can register with and pay contributions to CNESST to receive compensation in the event of a workplace accident: for example, self-employed workers and employers themselves. In addition, private insurance for individuals, through Quebec insurance companies, provides access to health care benefits in or outside the workplace. Several insurance companies in Quebec offer insurance coverage for workers. Éducaloi is a provincial, neutral and independent organization that provides public information on Quebec's regulatory framework in all areas, including labour standards and health insurance. It acts as an expert in "legal education and clear communication of the law". It enables citizens, especially workers, to "better understand the law, their rights and their responsibilities".

The Government of Canada ensures that its benefit programs for workers with special status are implemented. RAMQ administers the individual health insurance plan for enrollees, so that they can benefit from various health care services, both work-related and non-work-related. It ensures that all individuals living in Quebec and enrolled in the health insurance plan have access to the coverage services offered. Quebec employers are responsible for complying with the laws and regulations enforced, among others, by the CNESST. For its part, the CNESST has the power to investigate employers and employees through its complaints process concerning rights and obligations in the workplace. Employees, however, are responsible for making their own complaints about working conditions to the Commission, using the suggested complaint process. A register of employers who have contravened the various laws enforced by the CNESST is also available to the public for consultation. Insurance companies and financial institutions can offer employment insurance benefits and coverage to workers who do not have access to group insurance, or who wish to obtain better products than those offered by their employers.

Given the legal framework in Quebec and Canada, the majority of Quebec residents and non-residents have access to individual insurance covering basic health care. What's more, in the event of injury or illness in the workplace, most workers are automatically insured by the CNESST. Private insurance is also available for employers and non-employees, providing more advantageous coverage than the basic services offered by RAQ and CNESST. CNESST provides workers with access to a complaints process concerning rights and obligations at work, to help employers comply with labour standards. A public register of offenders following

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	<p>complaints handled by CNESST is also available on the CNESST website. The complaints handled posted since 2020 mainly concern the amounts awarded to workers registered with the CNESST and who already have access to employment insurance benefits. Cases of non-compliance published by the CNESST mainly concern disputes over the amounts of compensation paid for work-related injury or illness.</p> <p><b>Risk conclusion and justification</b> Given the existence of a vigorous provincial and federal regulatory framework and the monitoring of access to health care benefits and employers' obligation to register their employees with the CNESST, the risk of non-compliance with criterion 4.1.7 in the forestry sector is low.</p>
<i>Supply Base Verifiers</i>	-
<i>Evidence reviewed</i>	<ul style="list-style-type: none"> <li>- Canlii, Health Insurance Act</li> <li>- Autorité des Services financiers (AMF), Disability insurance - 9 questions answered,</li> <li>- Government of Canada, Public Service Health Care Plan Benefit Card, Frequently Asked Questions,</li> <li>- Gouvernement du Québec, Manuel Sécurité en forêt, document 200-1524-4,</li> <li>- Gazette du Québec, Occupational Health and Safety Act, Decree Nov. 2021,</li> <li>- Fédération des producteurs forestiers du Québec, Occupational health and safety requirements,</li> <li>- CNESST, Extract from the list of offending employers,</li> <li>- Revenu Québec, Medical expenses,</li> <li>- Government of Canada, Non-Insured Health Benefits Program,</li> <li>- Government of Canada, Interim Federal Health Program, Coverage offered,</li> <li>- Government of Quebec, Health Insurance Plans,</li> <li>- Canlii, Règlement modifiant le Règlement sur la santé et la sécurité dans les travaux d'aménagement forestier,</li> <li>- Government of Canada, Canada's Health Care System.</li> </ul>
<i>Risk rating</i>	Quebec Forest <b>Low risk</b>
<b>4.1.8</b>	<b>Training shall be provided for all workers to allow them to implement the conditions set out in all elements of the SBP Standards relevant to their responsibilities.</b>
<i>Findings</i>	<p><b>Scale of assessment</b> Quebec forests</p> <p><b>Analysis</b></p>

Whether on public or private land, worker training is the responsibility of the company.

Contractors intent on maximizing short-term profits may neglect employee training, increasing the risks to their health and safety and to the environment.

The Professional Code and the Forest Engineers Act govern the practice of forestry in Quebec. The primary function of the Ordre des ingénieurs forestiers du Québec (OIFQ) is to protect the public by controlling admission to the practice of the profession and ensuring compliance with the rules of practice by requiring continuing education for its members. The Forest Engineers Act is first and foremost the tool that defines the field of practice and the title reserved for members of the Order. The origin of the employer's duty to adapt lies in the "Expovit" ruling of February 25, 1992. This ruling states that "the employer" must set up training programs to adapt employees to their jobs in line with technical and technological developments. He must not wait for employees to ask him to do so; it is up to him to take the initiative. If the employer fails to meet his obligation to adapt employees to their jobs, he will be liable for damages. He will have to pay damages to the employees who have suffered (Cass.soc., March 2, 2010). Source : <https://www.coindusalarie.fr/obligation-formation#action-de-formation-de-type-1--assurer-ladaptabilit%C3%A9-au-poste-de-travail-et-maintenir-le-salari%C3%A9-dans-lemploi>

Several training courses are mandatory by law. For example, under the Règlement sur la santé et la sécurité dans les travaux d'aménagement forestier (Art. 27-31), manual felling training is mandatory for workers who fell trees. First aid training is also necessary to ensure the safety of forest management work crews, and the regulation requires that one worker in 5 must have first aid training (Règlement sur les normes minimales de premiers secours et de premiers soins, Art. 3). Brushcutting training is optional, but recommended for all brushcutters. These laws and regulations apply to both public and private lands.

### **Enforcement and monitoring**

Employers are required to register their employees with the Commission des normes, de l'équité, de la santé et de la sécurité du travail du Québec (CNESST). CNESST representatives ensure that organizations comply with the various laws by monitoring and evaluating their activities, particularly in relation to the Act respecting labour standards. In addition, if a worker believes he or she has witnessed a situation that does not comply with labour standards, he or she can file a confidential complaint by contacting the CNESST by telephone or via the website. In addition, a guide to labour standards is available free of charge on the CNESST website. Workers have access to free or low-cost training to enhance their knowledge. The Fédération des producteurs forestiers du Québec (FPBQ) offers online training on subjects such as planning and carrying out silvicultural work, private forest economics, maple management, wildlife management and insect diseases and epidemics. The SFI Québec Committee has also developed training modules covering harvesting, forest roads and sound management practices. These courses are offered free of charge to all forestry workers in Quebec. CNESST training in safe manual felling is offered in all regions of Quebec. In addition, a large proportion of Quebec's public land is certified to SFI and/or FSC standards. These sustainable forest management standards cover compliance with laws and regulations, several elements related to worker training, and are subject to an annual third-party audit. Ref: SFI Standard 2022, Chapter 2, Performance measure 13.1.3 and FSC-STD- CAN-01-2018 V 1-0 indicators 2.5.1, 2.5.2.

Under the Act respecting labour standards, the CNESST is mandated to oversee the application of the law and enforce labour standards. Non-compliance with the Act respecting labour standards can result in violations and fines. CNESST inspectors visit workplaces periodically to ensure that they comply with labour standards. By law, CNESST auditors have broad auditing and investigative powers, including:

- enter any employer's workplace or establishment at any reasonable time;
- require disclosure, for examination or reproduction of extracts, of any relevant book, report, contract, file, account, register, record, file or document;
- interview any person it deems appropriate for the purposes of its audit;
- require third parties to produce any document relevant to its verification.

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	<p>In the event of contraventions, the inspector could suspend work in the forest, and the company would be subject to being placed on the list of employers who contravene the law. A number of training tools are available free of charge, including the series of video capsules developed by the SFI Québec Committee on sustainable forest management in Québec, covering harvesting, roads and sound practices. On its website, the CNESST offers guides for manual felling, brushcutting, moving around the forest, etc. ForêtCompétences, a not-for-profit joint sectoral committee for forest management, whose mission is to implement innovative strategies to support the development of the forestry workforce. One of its mandates is to periodically conduct a detailed review of the forest management workforce.</p> <p>Quebec has a strong legal framework that applies to all employers in the province. Laws and regulations are in place, and the CNESST is responsible for communicating the requirements and expectations for worker training in the province. According to the Comité sectoriel de main-d'œuvre en aménagement forestier (CSMOAF), most companies invest either 1% (37%) or 2-5% (32%) of their payroll in continuing education. The results of FSC and SFI audits in Quebec show that, in the vast majority of cases, the training offered by companies is adequate to enable workers to contribute effectively and safely to the implementation of management activities.</p> <p><b>Risk conclusion and justification</b></p> <p>Given the strong legal structure, the obligation for employers to register with the CNESST, and the involvement of government bodies such as the CNESST in monitoring employers, the risk is low workers will not be provided adequate training to implement the conditions set out in all elements of the SBP Standards relevant to their responsibilities.</p>
<i>Supply Base Verifiers</i>	-
<i>Evidence reviewed</i>	<ul style="list-style-type: none"> <li>- Forest Engineers Act. <a href="https://canlii.ca/t/19cv">https://canlii.ca/t/19cv</a></li> <li>- An Act respecting labour standards. <a href="https://canlii.ca/t/1b65">https://canlii.ca/t/1b65</a></li> <li>- Règlement sur la santé et la sécurité dans les travaux d'aménagement forestier <a href="https://canlii.ca/t/dh1s">https://canlii.ca/t/dh1s</a></li> <li>- Regulation on minimum standards of first aid and first aid <a href="https://canlii.ca/t/1q0c">https://canlii.ca/t/1q0c</a></li> <li>- Manual felling. CNESST. <a href="https://www.cnesst.gouv.qc.ca/sites/default/files/publications/abattage-manuel-2e-edition.pdf">https://www.cnesst.gouv.qc.ca/sites/default/files/publications/abattage-manuel-2e-edition.pdf</a></li> <li>- Fédération des producteurs forestiers du Québec. <a href="https://www.foretrivee.ca/">https://www.foretrivee.ca/</a></li> <li>- SFI Quebec Committee. <a href="https://sfi-quebec.org/">https://sfi-quebec.org/</a></li> <li>- SFI Forest Management Standard. 2022. <a href="https://forests.org/forestmanagementstandard/">https://forests.org/forestmanagementstandard/</a></li> <li>- FSC Forest Management Standard (FSC-STD-CAN-01-2018) <a href="https://ca.fsc.org/ca-en/forest-management">https://ca.fsc.org/ca-en/forest-management</a></li> <li>- ForestrySkills. <a href="http://www.csmoaf.com/">http://www.csmoaf.com/</a></li> <li>- Sectoral workforce diagnosis of the Quebec forest management industry 2020-2021. <a href="https://drive.google.com/file/d/188SqHEDE5Xhe22h5rBq4opo9Rnywa-GD/view">https://drive.google.com/file/d/188SqHEDE5Xhe22h5rBq4opo9Rnywa-GD/view</a></li> </ul>

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<i>Risk rating</i>	Quebec Forest <b>Low risk</b>
<b>4.1.9</b>	<b>Mechanisms shall be in place for resolving grievances and disputes in the workplace.</b>
<i>Findings</i>	<p><b>Scale of assessment</b> Quebec forests</p> <p><b>Analysis</b> When we talk about conflict, we're not just talking about disagreements. A disagreement becomes a conflict when one or more people feel anxious and unable to be themselves at work. This may mean that the disagreement has become personal, or that it has revealed a larger problem within the workplace. Tensions and conflicts between colleagues, if not properly managed, can do considerable harm to the working climate and have a serious impact on employees' psychological health. The main threat is workers' lack of awareness of the remedies available to them to enforce their rights. Conflicts lead to a dissatisfied workforce, divisions within the workforce, lower staff retention levels and absenteeism. The Quebec Act respecting Labour Standards (RLRQ c N-1.1) and the Regulation respecting Labour Standards (RLRQ c N-1.1, r 3) protect the rights of workers in Quebec. These laws and regulations apply on both public and private land.</p> <p><b>Enforcement and monitoring</b> Employers are required to register their employees with the Commission des normes, de l'équité, de la santé et de la sécurité du travail du Québec (CNESST). CNESST representatives ensure that organizations comply with the various laws by monitoring and evaluating their activities, particularly in relation to the Act respecting labour standards. What's more, if a worker is in conflict with his or her employer, or believes he or she has witnessed a situation that does not comply with labour standards, he or she can file a confidential complaint by contacting the CNESST by telephone or via the website. Should the CNESST decide not to intervene, the employee has 30 days to file a request for review. If the CNESST maintains its decision, the employee may ask the CNESST to transfer his complaint to the Tribunal administratif du travail. In addition, a large proportion of Quebec's public land is certified to SFI and/or FSC standards. These sustainable forest management standards cover several elements related to working conditions, and are subject to an annual third-party audit. The FSC standard specifically requires that a dispute resolution mechanism be in place (Indicator 2.6.2 - Standard FSC-STD-CAN-01-2018 V 1.0). A free guide to labour standards is available on the CNESST website.</p> <p>Under the Act respecting Labour Standards, the CNESST's mandate is to oversee the application of the law and ensure compliance with labour standards. The CNESST is responsible for promoting labour rights and obligations. Failure to comply with the Act respecting labour standards may result in violations and fines. All employers in Quebec must be registered with the CNESST if they employ at least one worker, whether full-time or part-time. The Tribunal administratif du Québec encourages the amicable settlement of disputes by offering a conciliation service in all its divisions. If the parties are unable to reach a settlement, or if they do not wish to resort to conciliation, they can be heard at a hearing before an administrative judge, who will render a decision after hearing the evidence and arguments of the parties. The list of employers who have contravened the Act respecting labour standards is available to the public on the CNESST website.</p> <p>The Comité sectoriel de main-d'œuvre en aménagement forestier monitors working conditions in the forestry sector in order to formulate and support innovative strategies for the development of the workforce and forestry trades in Québec. The committee documents working conditions and promotes dialogue with forestry</p>

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	<p>sector partners, including unions, cooperatives, manufacturers and government.</p> <p>Quebec has a strong legal framework that applies to all employers in the province. Laws and regulations are in place, and the CNESST is responsible for communicating the requirements and expectations related to worker health and safety in the province. When the parties fail to reach agreement, the Tribunal administratif du Québec renders a decision after hearing the evidence and arguments of the parties.</p> <p><b>Risk conclusion and justification</b></p> <p>Given the strong legal structure, the obligation for employers to register with the CNESST, and the involvement of government bodies such as the CNESST in monitoring employers, there risk is low grievances and disputes mechanisms in the workplace are not in place.</p>
<i>Supply Base Verifiers</i>	-
<i>Evidence reviewed</i>	<ul style="list-style-type: none"> <li>- An Act respecting labour standards (Québec) (<a href="https://canlii.ca/t/6dqz7">https://canlii.ca/t/6dqz7</a>)</li> <li>- Règlement sur les normes du travail (<a href="https://canlii.ca/t/6dl20">https://canlii.ca/t/6dl20</a>)</li> <li>- Guide sur les normes du travail au Québec (<a href="https://www.cnesst.gouv.qc.ca/sites/default/files/documents/normes-travail-quebec.pdf">https://www.cnesst.gouv.qc.ca/sites/default/files/documents/normes-travail-quebec.pdf</a>)</li> <li>- SFI Forest Management Standard. 2022. <a href="https://forests.org/forestmanagementstandard/">https://forests.org/forestmanagementstandard/</a></li> <li>- FSC Forest Management Standard (FSC-STD-CAN-01-2018) <a href="https://ca.fsc.org/ca-en/forest-management">https://ca.fsc.org/ca-en/forest-management</a></li> <li>- ForestrySkills. <a href="http://www.csmoaf.com/">http://www.csmoaf.com/</a></li> <li>- Tribunal administratif du Québec. <a href="https://www.taq.gouv.qc.ca/">https://www.taq.gouv.qc.ca/</a></li> </ul>
<i>Risk rating</i>	Quebec Forest <b>Low risk</b>
<b>4.1.10</b>	<b>Safeguards shall be put in place to protect the health and safety of workers by developing, communicating and implementing policies and procedures.</b>
<i>Findings</i>	<p><b>Scale of assessment</b></p> <p>Quebec forests</p> <p><b>Analysis</b></p> <p>Historically, the forestry sector has experienced high accident rates. Over the past two decades, mechanized harvesting has drastically reduced the risk of forestry jobs. In addition to more stringent health and safety regulations, improvements in worker training, supervision and safety equipment have gradually borne fruit. It should be noted that indicator 4.1.9 examined grievance and dispute resolution mechanisms concerning workplace issues, which may include health and safety. Forest workers operate with inadequate health and safety measures, including inappropriate safety equipment and poor supervision by employers and their agents. In relation to workers' health, the Act respecting labour standards (RLRQ c N-1.1) and the Regulation respecting labour standards (RLRQ c N-1.1, r 3) protect the rights of workers in Quebec. The Act includes provisions concerning the right to rest (Art. 79), hours of work (Art. 59.0.1), vacations (Art. 60) and sick leave (Art.</p>

79.1). With regard to worker safety, the Regulation respecting minimum standards of first aid and first aid (RLRQ c A-3.001, r 10) sets out requirements concerning the communication system with first-aid services (Art. 12), the minimum ratio of first-aid attendants per work site (Art. 3), the posting on the work site of trained first-aid attendants (Art. 14), and requirements when more than 20 workers are on the same site. The Prevention Program Regulation (Art. 4) requires companies to have a prevention program specific to their establishment, and to implement it. More specific to forestry work, the Règlement sur la santé et la sécurité dans les travaux d'aménagement forestier covers numerous requirements, notably in relation to manual felling (Art. 27-31), skidding (Art. 33-39), padlocking (Art. 41), personal protective equipment (Art. 43-51), first aid organization (Art. 51.1-51.7) and evacuation (Art. 51.8-51.14 and Appendix II). These laws and regulations apply to both public and private lands.

### **Enforcement and monitoring**

Employers are required to register their employees with the Commission des normes, de l'équité, de la santé et de la sécurité du travail du Québec (CNESST). Failure to comply with the Act respecting labour standards or regulations relating to the health and safety of workers can result in violations and fines. CNESST representatives ensure that organizations comply with the various laws by monitoring and evaluating their activities. This obligation applies to both private and public forests.

If a worker believes he or she has witnessed a situation that does not comply with labour standards, he or she can file a confidential complaint by contacting the CNESST by telephone or via the website. In addition, several guides on forest health and mechanical repairs are available free of charge on the CNESST website.

On public lands (except IPT), all organizations carrying out non-commercial silvicultural work (planting, mechanical clearing, etc.) must participate in the Silvicultural Business Management Practices Program (SBMP). Among other things, this program targets non-compliance with occupational health and safety rules, and is subject to annual third-party audits. In addition, a large proportion of Quebec's public land is certified to SFI and/or FSC standards. These sustainable forest management standards cover many aspects of worker health and safety, and are audited annually by a third party.

The CNESST is mandated to oversee the application of the Act respecting labour standards, the Act respecting occupational health and safety and the Act respecting industrial accidents. It is responsible for promoting rights and obligations at work.

CNESST inspectors periodically visit workplaces in both public and private forests to ensure that they are safe. By law, CNESST auditors have broad auditing and investigative powers, including:

- enter any employer's workplace or establishment at any reasonable time;
- require disclosure, for examination or reproduction of extracts, of any relevant book, report, contract, file, account, register, record, file or document;
- interview any person it deems appropriate for the purposes of its audit;
- require third parties to produce any document relevant to its verification.

In the event of contraventions, the inspector could suspend work in the forest, and the company would be subject to being placed on the list of employers who contravene the law. The rate charged by the CNESST in assessment rights depends on a company's accident history, which acts as an incentive to maintain sufficient preventive measures to keep the accident rate low.

Quebec has a strong legal framework that applies to all employers in the province. Laws and regulations are in place, and the CNESST is responsible for verifying the compliance of companies in the province in terms of worker health and safety. To this end, several health and safety guides are available online, including one for the forestry sector. CNESST inspectors have auditing and investigative powers, and carry out inspections of companies in both private and public forests. In 2021, CNESST carried out over 30,000 visits and opened 18,586 prevention-inspection intervention files. All these measures provide a framework for forestry

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	<p>activities to ensure that accidents are kept to a minimum.</p> <p><b>Risk conclusion and justification</b>            Given the strong legal structure, the obligation for employers to register with the CNESST, and the involvement of government bodies such as the CNESST in monitoring employers and ensuring compliance with occupational health and safety regulatory requirements, the risk is low for Quebec.</p>
<i>Supply Base Verifiers</i>	-
<i>Evidence reviewed</i>	<ul style="list-style-type: none"> <li>- List of CNESST offending employers (<a href="https://www.cnesst.gouv.qc.ca/fr/salle-presse/employeurs-contrevenants">https://www.cnesst.gouv.qc.ca/fr/salle-presse/employeurs-contrevenants</a>)</li> <li>- List of companies certified by the Programme des pratiques de gestion des entreprises sylvicole (PGES)(<a href="https://www.bnq.qc.ca/fr/clients-certifies.html">https://www.bnq.qc.ca/fr/clients-certifies.html</a>)</li> <li>- An Act respecting labour standards (Québec) (<a href="https://canlii.ca/t/6dqz7">https://canlii.ca/t/6dqz7</a>)</li> <li>- Règlement sur les normes du travail (<a href="https://canlii.ca/t/6dl20">https://canlii.ca/t/6dl20</a>)</li> <li>- Regulation on minimum standards of first aid and first aid treatment (<a href="https://canlii.ca/t/6dgv9">https://canlii.ca/t/6dgv9</a>)</li> <li>- Prevention program regulations (<a href="https://canlii.ca/t/6cxsj">https://canlii.ca/t/6cxsj</a>)</li> <li>- Règlement sur la santé et la sécurité dans les travaux d'aménagement (<a href="https://canlii.ca/t/6dql8">https://canlii.ca/t/6dql8</a>)</li> <li>- Guide sur les normes du travail au Québec (<a href="https://www.cnesst.gouv.qc.ca/sites/default/files/documents/normes-travail-quebec.pdf">https://www.cnesst.gouv.qc.ca/sites/default/files/documents/normes-travail-quebec.pdf</a>)</li> <li>- Guide Santé en forêt - Prevention of the main hazards in the forest. CNESST 2019. (<a href="https://www.cnesst.gouv.qc.ca/fr/organisation/documentation/formulaires-publications/prevention-principaux-">https://www.cnesst.gouv.qc.ca/fr/organisation/documentation/formulaires-publications/prevention-principaux-</a></li> </ul>
<i>Risk rating</i>	Quebec Forest <b>Low risk</b>

## Criterion 4.2 – Feedstock sourcing benefits communities

<b>4.2.1</b>	<b>Negative social and community impacts shall be identified and avoided.</b>
<i>Findings</i>	<p><b>Scale of assessment</b>            Public forest            Private forest</p> <p><b>Analysis</b>            Quebec's forestry sector is present in and generates economic spinoffs for over 900 Quebec municipalities, representing some 83% of all Quebec municipalities. The forestry sector is a major economic force for 152 Quebec municipalities. <a href="https://mffp.gouv.qc.ca/documents/forets/entreprise/Etude_municipalites_2019.pdf">https://mffp.gouv.qc.ca/documents/forets/entreprise/Etude_municipalites_2019.pdf</a></p>

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Negative social impacts on communities near and/or using the forest area can be social, cultural, economic or related to ecosystem health and ecosystem services. The most common social consequences are related to recreational activities such as hiking, hunting, fishing and motorized activities such as ATViing and snowmobiling. Certain communities and organizations involved in forest land management are mentioned in the Sustainable Forest Land Management Act (art. 55), but this list is not exhaustive:

- First Nation communities;
- Regional county municipalities;
- Beneficiaries of a supply guarantee;
- Persons or organizations managing controlled operating zones;
- Persons or organizations authorized to organize activities, provide services or operate a business in a wildlife reserve;
- Outfitting permit holders;
- Maple sugar bush cultivation and operation permit holders;
- Licensees harvesting wood to supply a wood processing plant;
- Tenants of land for agricultural purposes;
- Trapping permit holders holding a lease of exclusive trapping rights;
- Regional environmental councils.

This list may also include recreational tourism organizations (e.g., hunting and fishing clubs, snowmobile or QUAD clubs), watershed organizations (OBVs) and other environmental or conservation organizations not mentioned above.)

Existing mechanisms, or the lack of them, may not adequately identify local individuals, communities and organizations potentially affected by forest management activities. Furthermore, consultation mechanisms may not be effective enough to minimize the negative impacts of forest management on other users. These failures could have negative impacts on the pursuit of biomass harvesting, recreational tourism activities, harm ecosystem services or the maintenance of cultural practices on forest land.

Regulatory framework

### Public forest

Taking into account the values, interests and needs of the population, including First Nations, is the first challenge of the Sustainable Forest Management Strategy. Sustainability in the strategy is defined as forest management that meets the needs of today's society, without compromising those of future generations. The Quebec government has set itself a number of orientations and objectives to measure the achievement of these challenges. Under the Sustainable Forest Development Act (LADTF), local integrated resource and land management tables must be set up to take into account the interests and concerns of the people and organizations affected by planned forest management activities, set local objectives and agree on local harmonization measures (art. 55). Also under the LADTF, integrated forest management plans must be subject to public consultation by the party responsible for the composition and operation of the local integrated resource and land management table or, where applicable, by the regional county municipality (art. 57). Separate consultation procedures are also in place for local First Nation communities (art. 7). Indeed, taking their interests, values and needs into account is considered part of the definition of sustainable development. For example, they may be consulted a few weeks before the "official" regional consultations held by the Ministère des Ressources naturelles et des Forêts (MRNF). In Quebec, the government may delegate part of the forest management of public land to municipalities or regional county municipalities (art. 17.22 of the Act

respecting the Ministère des Ressources naturelles et des Forêts).

### Private forest

The LADTF also aims to provide a framework for private forest management, including the creation of regional private forest development agencies (Chapter IV). The purpose of these agencies is to guide and develop the development of private forests within their territory, with a view to sustainable forest management. They also provide financial and technical support for the protection and enhancement of these forests. The agencies contribute to the development of orientations that meet the needs of forest producers and the population. These orientations must respect the objectives of the land use and development plan drawn up by the regional county municipalities, as stipulated in the Act respecting land use planning and development. Municipalities and MRCs also have regulations governing forest cutting in private forests. These by-laws generally re-strict clear-cutting, thereby reducing the risk of forest harvesting having significant social consequences, notably on the visual quality of the land.

### **Enforcement and monitoring**

#### Public forest

The State is responsible for planning management activities in the public forest. The MRNF draws up forest management plans and strategies, adapted to the territorial realities of the regions, with the participation of local integrated resource and land management tables. Every five years, it produces a tactical integrated forest management plan (PAFIT), which includes a description of the territory and its occupants, as well as an analysis of the issues that have led to the sustainable forest management objectives for the specified territory. It also produces operational integrated forest management plans (PAFIO), which include harvesting areas and other forest management activities. PAFIOs also outline harmonization measures between different forest users. PAFIT, PAFIO and special plans are subject to public and First Nation consultation (LADTF, art. 57), which takes place a few weeks before official consultation. Based on the PAFIT and PAFIO, BGAs draw up the Annual Harvesting Plan (PRAN). This outlines the areas of intervention in which forest management activities will be carried out over the course of a year, and aims to generate the expected wood volumes in line with agreed harmonization measures. In the case of non-commercial work, the PRAN is produced by the MRNF. In forestry planning, the MRNF, BGAs and silvicultural companies have access to geomatic data that enables them to consider the territory's occupants and minimize the impact of work on them. Harmonization modalities or measures can be agreed to minimize social impact. No more than 10 days before the start of harvesting operations, BGAs are required to send a notice of work to a predefined list of stakeholders on the territory, as agreed in the administrative measures linked to the contract. As part of an operational harmonization process, they are required to meet with First Nation communities to agree on harmonization measures to minimize the impact on them.

#### Private forest

Agencies draw up a Protection and Enhancement Plan (PPMV) for their territory, which includes the territory's forestry aptitudes as well as management objectives favoring sustainable forest management. PPMVs must comply with the land use and development plans set out in the Act respecting land use planning and development, which determine the major orientations and land uses of the territory. The PPMV is available for consultation at the agency's head office or at any other location determined by the agency. Any person or organization may obtain a copy of the plan by paying a fee to the agency. The PPMV is forwarded to the MRCs whose territory falls within that of the Agence de mise en valeur des forêts privées. The MRCs concerned are required to give the agency their opinion (art. 152 of the LADTF) on the plan's compliance with the objectives of their land use and development plan, as stipulated in the Act respecting land use planning and development. When updating MPDPs, agencies conduct public consultations with their members. Activities in private forests must comply with management plans, municipal by-laws and other laws and regulations associated with forestry operations in private forests.

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	<p><u>Public and private forests</u> A large proportion of Quebec's forests are certified to SFI and/or FSC standards. These sustainable forest management standards cover several elements related to water protection, and are audited annually by a third party.</p> <p><u>Public forest</u> The State is responsible for ensuring compliance with the LADTF and for appointing a person to manage the local integrated resource and land management tables for each management unit. It must produce a five-year report on sustainable forest management, which includes an accounting of the implementation of the consultation policy and, more specifically, of the separate consultation procedures put in place for First Nation communities (LADFT, art. 224). The government may enter into agreements with First Nation communities to facilitate the exercise and monitoring of forest management activities by members of a community (LADTF, art. 8).</p> <p><u>Private forest</u> In private forests, municipalities are responsible for ensuring compliance with current regulations, and have the right to impose penalties in the event of non-compliance. They also have the right to modify laws and regulations if they deem them insufficient to reduce social impacts. Inspections related to forestry operations are rarely given priority, and municipalities often lack the resources and skills required to carry out forestry inspections. On the other hand, inspections are carried out in the event of complaints from neighbours or the public. In the case of private forests using management assistance programs, silvicultural work is subject to a prescription and execution report signed by a forestry engineer, which is submitted to the regional private forest agency for approval. The execution report includes a verification of the work's compliance with the requirements of the MRNF's technical reference manual for private forests. This report, signed by a forestry engineer, includes basic elements such as compliance with the prescription, harvesting rate and cutting area. In addition, the agency funding the work will carry out random compliance checks on up to 10% of the area treated.</p> <p><u>Public forest</u> In 2013-2018, the MRNF notes the work of 34 local integrated resource and land management tables, a total of 86 public consultations on forest management plans and 570 consultations on forest management plans with First Nation communities. A total of 5,400 harmonization measures reconciling different land uses were agreed.</p> <p><u>Private forest</u> Because of its private nature, development on these lands concerns the landowner and has very little social impact on neighbours or surrounding communities. The visual impact is probably the most common, which has led several MRCs or municipalities in tourist or resort areas to adopt by-laws limiting the extent of clear-cutting or piling areas. When laws or regulations are not respected, neighbours can turn to the courts to assert their rights.</p> <p><b>Risk conclusion and justification</b> Public consultation and local integrated resource and land management tables help identify the potentially negative social impacts of development activities. In addition, the MRNF requires that proof of agreements with other land users be signed before operations begin. The risk is therefore low. As a general rule, anyone can turn to the legal system to protect their rights if they believe they have been harmed by activities carried out in a private forest. The risk is therefore also low.</p>
<i>Supply Base Verifiers</i>	n/a

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<p><i>Evidence reviewed</i></p>	<ul style="list-style-type: none"> <li>- Bilan quinquennal de l'aménagement durable des forêts 2013-2018, Government of Quebec, accessed March 24, 2023, available at: <a href="https://mffp.gouv.qc.ca/documents/forets/amenagement/reddition-comptes/FT16_Superfici-ciesVolumes.pdf">https://mffp.gouv.qc.ca/documents/forets/amenagement/reddition-comptes/FT16_Superfici-ciesVolumes.pdf</a></li> <li>- Responsibilities of the Chief Forester, Office of the Chief Forester, consulted March 24, 2023, available at: <a href="https://forestierenchef.gouv.qc.ca/wp-content/uploads/Responsabilites-du-Forestier-en-chef.pdf">https://forestierenchef.gouv.qc.ca/wp-content/uploads/Responsabilites-du-Forestier-en-chef.pdf</a></li> <li>- Forest Potential Determination Manual, Office of the Chief Forester, accessed March 24, 2023, available at: <a href="https://forestierenchef.gouv.qc.ca/possibilites-forestieres/periode-2023-2028/manuel-determination-2023-2028/">https://forestierenchef.gouv.qc.ca/possibilites-forestieres/periode-2023-2028/manuel-determination-2023-2028/</a></li> </ul>
<p><i>Risk rating</i></p>	<p>Public forest <b>Low risk</b> Private forest <b>Low risk</b></p>
<p><b>4.2.2</b></p>	<p><b>Feedstock sourcing shall positively contribute to the local economy, including employment.</b></p>
<p><i>Findings</i></p>	<p><b>Scale of assessment</b> Public forest Private forest with management programs Private forest without management programs</p> <p><b>Analysis</b> Quebec's forests play a key role in the economic, social and environmental fabric of Quebec society. The supply of raw materials must make a positive contribution to the local economy, including employment. Public forests account for 92% of the province's forest estate, while private woodlots are mainly located in populated areas, where the province's most productive land is found. These forests play an important role in the vitality of municipalities. Without proper planning and consideration, the local benefits of raw material supply may not be maximized, or may not meet the expectations of the local population.</p> <p><u>Public forest</u> The government adopted the Sustainable Forest Management Act in 2013. In 2018, the Règlement sur l'aménagement durable des forêts du domaine de l'État (RADF) was introduced. The adoption of this regulation marks an important evolution in the management of public forests. The RADF provides a framework for the forest industry's forest management activities, as well as those of vacationers, outfitters and educational and research institutions. The LADT (RLRQ, chapter A-18.1) allows the Minister of Natural Resources and Forestry to grant a supply guarantee to a person or organization operating or planning to operate a wood processing plant. As a result, some one hundred wood processing plants in Quebec benefit from a guarantee of supply (GOS). The main elements of a supply guarantee are defined in sections 88 et seq. of the LADT. The intervention permit for harvesting wood to supply a wood processing plant (PRAU) authorizes its holder to harvest a volume of wood or a quantity of forest biomass on land in the domain of the State. Pursuant to section 103.7 of the LADT (chapter A-18.1), the holder of a PRAU must sign an integration agreement with the other stakeholders (guaranteed supply agreement [GSA] beneficiaries and other PRAU holders) on the territory concerned. Consented forest rights are legal documents (guarantees, contracts, agreements or permits) that authorize their holders to carry out forest management activities under certain conditions (section 103 of the LADT). Under section 126 of the LADT, the government determines</p>

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by regulation the methods and frequency by which the Bureau de mise en marché des bois (BMMB) must assess the market value of timber purchased under a GFA, and determines the method by which the BMMB must estimate the value of the annual royalty to be paid by the beneficiary of such a guarantee. Under section 174 of the LADT, an operating permit is required to operate a wood processing plant in a class prescribed by the government. This provision applies to all mills with an annual consumption of 2001m<sup>3</sup> or more. The Règlement sur les permis d'exploitation d'usines de transformation du bois describes the mechanism for obtaining a permit and the associated costs.

### Private forest

Title IV of the Sustainable Forest Development Act provides a framework for private forest management in the province. Section 128 of the Act states that the Ministère des Ressources naturelles et des Forêts (MRNF) shall develop programs to promote the sustainable management of private forests, and shall provide financial assistance to owners of private wood- lots.

### **Enforcement and monitoring**

#### Public forest

The Sustainable Forest Development Act (SFDA) is based on the Canadian Council of Forest Ministers' six criteria for sustainable forest management in Canada. The Sustainable Forest Management Strategy is derived from this Act, and defines the framework for mobilizing Quebec's forestry partners around a common vision of sustainable forest management. This strategy underpins all government policies and actions in forest management. In response to this framework strategy, the government adopted the National Wood Production Strategy, which aims to increase the collective wealth derived from Quebec's forests through measures to boost their productivity. The Sustainable Forest Development Act brings together all stakeholders and land managers, representing collective public or private interests in a given territory. This approach aims to integrate, from the outset of planning, their vision of land development, based on the conservation and enhancement of all environmental resources and functions. This includes integrated, concerted planning and development of land and forest resources. This approach contributes to increasing community benefits and spinoffs, and optimizing the use of land and resources. Under section 55 of the Sustainable Forest Development Act, integrated land and resource management commissions are defined and mandated to work with the MRNF to develop management plans. An operating permit is required to operate a wood processing plant with an annual consumption of 2,001 cubic meters (m<sup>3</sup>) or more. This permit is required to obtain a GA on public land in particular. The volumes entered on the permit represent the maximum volumes and species that can be processed, and naturally correspond to the mill's needs. In the process of granting a primary processing permit, the Minister assesses a mill's needs, defined as the quantity or annual volume of raw material required to maintain its operations while meeting its productivity, profitability and job maintenance objectives. Sections 91, 105 and 106 of the LADT refer to the needs of wood processing plants. The term "needs" is used, since it is defined as everything that appears to be "necessary" for existence. A wood-processing plant requires a specific volume of gasoline to function properly. This concept supports the Minister's decision regarding wood allocation.

#### Private forest

A series of government action plans are being implemented to guide investment and improve the business environment for producers. Private forest development assistance programs provide forest producers with financial assistance covering 80% to 95% of the technical and execution costs of silvicultural work. The property tax rebate program for recognized forest producers allows management costs to be deducted up to 85% from municipal or school taxes over several years. This assistance helps to increase the benefits and spinoffs for the community and optimize the use of private land and its resources.

#### Public forest

The MRNF is the government body responsible for the sustainable development and management of public forests. This responsibility includes forest planning,

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monitoring and control of forest operations, forest rights allocation and timber scaling.<sup>4</sup> It ensures compliance with a number of key sustainable management principles, including wealth creation, eco- system protection, social acceptability and accountability. The MRNF ensures that forest management is carried out according to an approach that preserves or improves the long - term health of forest ecosystems for the benefit of all. This approach takes the form of management strategies included in forest planning. Once allowable cuts have been identified by the Office of the Chief Forester (OCF), the MRNF allocates supply guarantees to primary wood processing plants. When the construction of a new mill or the restart of a closed mill begins, the company applies for a mill permit, specifying the projected sources of supply, which could include public sources (guarantee of supply). In all cases of plant permit application, the Minister must validate the plant's needs in order to determine the consumption class appearing on its permit. The same applies to a request for an increase in consumption on the mill permit, or a request for additional wood volume from a public or non-public source. In the specific case of an investment project or a change in consumption habits, the Minister studies the production-consumption parameters submitted in the business plan or application, and validates them using comparables. On this basis, he assesses the plant's need. Under the Sustainable Forest Development Act, the Bureau de mise en marché des bois (BMMB) is responsible for assessing the standing timber market value (SSTMV) payable by guaranteed-access licensees for each cubic metre of wood harvested.<sup>5</sup> In principle, forest royalties are reinvested by the government in forest management and local development. The Sustainable Forest Development Act stipulates that the Minister must draw up an integrated tactical and operational forest management plan for each management unit (DU), in collaboration with the Tables locales de gestion intégrée des ressources et du territoire (TLGIRT). TLGIRTs are a central element of the forestry regime. They ensure that the interests and concerns of people and organizations affected by development activities on public forest land are taken into account. They provide a forum for discussion and information between the MRNF and local stakeholders affected by forest management activities. Their work contributes to the planning and implementation of integrated forest management. TLGIRTs propose a set of issues and solutions for sustainable forest management, and agree on harmonization measures related to forest planning.

### Private forest

The annual volumes of wood that may be purchased by the beneficiary under its supply guarantee are residual volumes that the Minister determines, taking into account the needs of the wood processing plant and other existing sources of supply, such as wood from private forests and wood from outside Quebec. Private forest wood marketing organizations are recognized under the Act respecting the marketing of agricultural, food and fish products (RLRQ, chapter M-35.1). The Ministère des Ressources naturelles et des Forêts determines the volumes of wood available from private forests after consultation with the organizations responsible for their marketing. The Programme d'aide à la mise en valeur des forêts privées provides support to landowners wishing to carry out forest management work on their woodlots. Since 1995, this Ministry of Forests program has been administered regionally by private forest development agencies. These agencies carry out forestry planning on a regional scale, accredit forestry advisors to deliver the program to owners, and conduct audits of funded work.

An increasing number of recreational uses are also developing in the forest, notably through all-terrain vehicle or snow- mobile clubs, recreational trail management associations or hiking or horse-riding clubs, birdwatching or nature-watching clubs, rock-climbing or mountain-biking enthusiasts, mushroom or berry-pickers, etc. Regardless of tenure, the forestry sector is one of the economic pillars of Quebec and its regions. It encompasses forestry, logging, paper manufacturing and wood products. The forestry sector accounts for over 10% of total employment in 150 municipalities, and generates economic spinoffs in more than 900 municipalities (i.e., some 83% of all municipalities)<sup>4</sup>. Data for 2021 show that 1.6% of Quebec's overall economic activity is generated by the wood industry (GDP of \$5.9 billion).<sup>4</sup> Across the supply chain, nearly 130,000 jobs throughout Quebec are supported by the wood industry. Almost all of these jobs (93%) are salaried employees, who shared \$7.5 billion in employment income in 2021. All of this economic activity translated into \$6.8 billion in revenue for both levels of government. <sup>5</sup> According to Vision Biomasse Québec, the valorization of 1 million anhydrous metric tons of residual biomass would create 16,000 jobs, more than a quarter of which would be recurrent, during the plant construction and operation phases. <sup>4</sup> What's more, the forest is not used solely for logging or conservation purposes. Hunters,

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	<p>fishermen and trappers are also among the users of southern Quebec's private forest, whether their activities are traditional, heritage or sporting. For example, the latest data (2018) on hunting, fishing and trapping activities showed that some 960,000 Quebecers engage in at least one wildlife- and nature-related recreational activity in Quebec, generating C\$946 million in value added in the Quebec economy and more than 12,000 jobs. <sup>7</sup></p> <p>Particularly for private properties, as part of the targeted revision of the forestry regime announced in 2020, analyses have been carried out to improve the business environment for private forest producers. These analyses have resulted in a simplified tax environment for forest producers<sup>5</sup>. Silvicultural activities and wood processing in private forests have created 24,300 jobs in Quebec and generated sales of \$4.7 billion in 2021. Since 2002, these properties have provided between 14% and 21% of the Quebec forest industry's wood supply. <sup>7</sup> To support and encourage forest producers in the sustainable management of private forests, the government invests over \$80 million a year in silvicultural work<sup>4</sup>, various tax measures and the production of forest seedlings. Each of these tenures plays an equally important role in Quebec society, in economic, social and environmental terms. Although public forests account for 92% of the province's forest estate, private woodlots are mostly located in populated areas, where the province's most productive land is found. So, even if private properties represent a smaller surface area, they play an equivalent role to public forests in the vitality of municipalities. In this way, there is no distinction between public and private forests when assessing this indicator in the province.</p> <p><b>Risk conclusion and justification</b></p> <p>Since job creation in the forestry sector contributes to the stability of many municipalities, particularly those that are mono- industrial, maintaining, creating and diversifying jobs in the forestry sector is a major asset in the development of Quebec's regions. Jobs in the forestry sector contribute to local development, particularly in terms of employment. This indicator is therefore considered low risk in terms of the positive contribution of raw material supply to the local economy, including access to employment.</p>
<p><i>Supply Base Verifiers</i></p>	<p>Review of public reports confirming the sector's involvement in local development. For example:</p> <ul style="list-style-type: none"> <li>- Public consultation reports on tactical integrated forest management plans (PAFIT) and operational integrated forest management plans (PAFIO)</li> <li>- Fédération des producteurs de bois du Québec annual reports</li> <li>- Annual reports of Quebec wood producers' unions and agencies</li> <li>- Annual reports from Quebec companies and the forestry sector</li> <li>- Statistical portrait of the forestry sector (MRNF)</li> </ul>
<p><i>Evidence reviewed</i></p>	<ul style="list-style-type: none"> <li>- <sup>1,3</sup> <a href="https://www.quebec.ca/agriculture-environnement-et-ressources-naturelles/forets/gestion-forets-pu-bliques/amenagement-durable-forets/comment-amenager-forets">https://www.quebec.ca/agriculture-environnement-et-ressources-naturelles/forets/gestion-forets-pu-bliques/amenagement-durable-forets/comment-amenager-forets</a></li> <li>- <sup>2.9</sup> <a href="https://www.quebec.ca/agriculture-environnement-et-ressources-naturelles/forets/proprietaires-forets-privees/gestion-foret-privee">https://www.quebec.ca/agriculture-environnement-et-ressources-naturelles/forets/proprietaires-forets-privees/gestion-foret-privee</a></li> <li>- <sup>4</sup> <a href="https://www.quebec.ca/agriculture-environnement-et-ressources-naturelles/forets/entreprises-industrie/investir-produits-forestiers">https://www.quebec.ca/agriculture-environnement-et-ressources-naturelles/forets/entreprises-industrie/investir-produits-forestiers</a></li> <li>- <sup>5</sup> <a href="https://bmmb.gouv.qc.ca/publications-et-reglements/tarification-forestiere">https://bmmb.gouv.qc.ca/publications-et-reglements/tarification-forestiere</a></li> <li>- <sup>6</sup> <a href="https://www.quebec.ca/agriculture-environnement-et-ressources-naturelles/forets/entreprises-industrie/investir-produits-forestiers">https://www.quebec.ca/agriculture-environnement-et-ressources-naturelles/forets/entreprises-industrie/investir-produits-forestiers</a></li> <li>- <sup>7</sup> <a href="https://cifq.com/documents/file/Publications/region-impact-economique-de-la-filiere-de-la-transformation-du-bois-sur-les-regions-du-quebec.pdf">https://cifq.com/documents/file/Publications/region-impact-economique-de-la-filiere-de-la-transformation-du-bois-sur-les-regions-du-quebec.pdf</a></li> <li>- <sup>8</sup> <a href="https://cdn-contenu.quebec.ca/cdn-contenu/forets/documents/entreprises/RA_portrait_statistiques_industries_fo-restieres_MRNF.pdf">https://cdn-contenu.quebec.ca/cdn-contenu/forets/documents/entreprises/RA_portrait_statistiques_industries_fo-restieres_MRNF.pdf</a></li> </ul>

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	<ul style="list-style-type: none"> <li>- <sup>9</sup> <a href="https://visionbiomassequebec.org/chauffage-biomasse-forestiere/">https://visionbiomassequebec.org/chauffage-biomasse-forestiere/</a></li> <li>- <sup>10</sup> <a href="https://www.foretprivee.ca/infolettre-forets-de-chez-nous-plus/portrait-economique-des-activites-sylvicoles-et-de-la-transformation-du-bois-des-forets-privees-2022/">https://www.foretprivee.ca/infolettre-forets-de-chez-nous-plus/portrait-economique-des-activites-sylvicoles-et-de-la-transformation-du-bois-des-forets-privees-2022/</a></li> <li>- Sustainable forest management act. Available at: <a href="https://www.legisquebec.gouv.qc.ca/fr/document/lc/A-18.1/20121114">https://www.legisquebec.gouv.qc.ca/fr/document/lc/A-18.1/20121114</a></li> </ul>						
<i>Risk rating</i>	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Public forest</td> <td style="text-align: right;"><b>Low risk</b></td> </tr> <tr> <td>Private forest under program</td> <td style="text-align: right;"><b>Low risk</b></td> </tr> <tr> <td>Private forest outside the program</td> <td style="text-align: right;"><b>Low risk</b></td> </tr> </table>	Public forest	<b>Low risk</b>	Private forest under program	<b>Low risk</b>	Private forest outside the program	<b>Low risk</b>
Public forest	<b>Low risk</b>						
Private forest under program	<b>Low risk</b>						
Private forest outside the program	<b>Low risk</b>						
<b>4.2.3</b>	<b>Food, water supply or high conservation values (HCV) that are essential for the fulfilment of basic needs of communities shall be maintained or enhanced.</b>						
<i>Findings</i>	<p><b>Scale of assessment</b></p> <p>Public forest Private forest</p> <p><b>Analysis</b></p> <p>According to the SBP definition (glossary version 2), basic needs are defined as sites and resources fundamental to meeting the basic needs of local communities or indigenous peoples (for livelihoods, health, nutrition, water, etc.). These needs are identified through engagement with these communities or indigenous peoples. A site or resource is fundamental to meeting basic needs if the services it provides are irreplaceable, i.e. if alternatives are not easily accessible or affordable, and if its loss or damage causes severe suffering or harm to the stakeholders concerned. In Quebec, the indicator can be interpreted in two different ways:</p> <p>The notion of basic need, as described in the standard (a site or resource is fundamental to satisfying irreplaceable services through other easily accessible or affordable alternatives), is often associated with indigenous peoples who still maintain a unique relationship with the land.</p> <p>All bodies of water used for public purposes are considered to be common property in Quebec. The Act Affirming the Collective Nature of Water Resources and Promoting Better Governance of Water and Associated Environments (the "Water Act") recognizes the collective nature of water and the fact that it is part of Quebec's common heritage. As such, it is the Quebec state that plays the role of "guardian of the nation's interests in these resources". This spirit of protection and conservation underpins the legislative regime that governs water.</p> <p>Threats to the livelihoods and rights of indigenous communities :</p> <ul style="list-style-type: none"> <li>- Forest planning does not take into account the rights, interests, values and needs of communities.</li> <li>- Threats posed by forestry in areas essential to water supply include:             <ul style="list-style-type: none"> <li>- Construction and maintenance of roads and bridges near or over watercourses;</li> <li>- Physical damage to watercourses due to inappropriate development practices resulting in sedimentation, erosion and soil compaction; and</li> <li>- Indirect contamination of watercourses by surface runoff or underground leakage.</li> </ul> </li> </ul> <p><u>Regulatory framework</u></p>						

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Firstly, public land use planning is governed by public land use plans (PLTP). Section 5 of the Act respecting land use planning and development sets out the major land uses, and more specifically paragraphs 8 and 11, which describe the integrated management of water resources and the priority use of land for agricultural activities. With regard to forest management on public land, Section 1 of the Sustainable Forest Land Management Act describes how responsibilities for the forest regime are shared between the State, regional bodies, First Nation communities and forest users. The Act contains specific provisions for First Nation communities. Sections 6 and 7 ensure that the interests, values and needs of First Nation communities are taken into account in forest planning, while accommodating them where necessary.

According to article 55, forest management units must be the subject of a forest planning process based on regional and local consultation. This makes it possible to take into account the interests and concerns of people and organizations affected by planned forest management activities, and to agree on measures for harmonizing uses.

### Water supply

There are a variety of laws and regulations governing the use of water resources at both federal and provincial levels. For example, the federal Fisheries Act contains provisions for the protection of fish habitat. Under this law, no one may carry out work that could lead to the deleterious alteration, disruption or destruction of the habitat of a commercial fish species, unless authorized by the Minister of Fisheries and Oceans Canada. At the same time, there are general guidelines for water protection in the Canadian Environmental Protection Act. Together, these laws contain prohibitions on work in or near watercourses, on the alteration of fish habitat, and on pollution control and waste management. In Quebec, the main regulatory instrument is the Règlement sur les normes d'intervention dans les forêts du domaine public, which was replaced in 2018 by the Règlement sur l'aménagement durable des forêts du domaine de l'État (RADF). This regulation prescribes the standards to be followed for the protection of watercourses in public forests. In addition, the Environment Quality Act and the Act respecting land use planning and development also govern activities in wetlands and waterbodies on Crown and private land. The Act respecting land use planning and development requires each regional county municipality (RCM) to have a land use plan, which must "determine any zone where land use is subject to particular constraints for reasons of public safety, such as a flood, erosion, landslide or other cataclysm zone, or for reasons of environmental protection of wetlands and hydric environments." The Act also allows municipalities "to regulate or prohibit all or certain land uses [...] in view of the topography of the land, the proximity of wetlands and hydric environments, or the danger of flooding, landslides or other cataclysms [...] for reasons of public safety or environmental protection" concerning riverbanks, littoral zones or flood plains. This also applies to private woodlots. The Environment Quality Act includes a Policy for the Protection of Lakeshores, Riverbanks, Littoral Zones and Floodplains, which sets standards for, among other things, a 10 m riparian buffer strip (15 m if the slope is more than 30%; 3 m for agricultural land).

### **Enforcement and monitoring**

The major land uses outlined in the Act respecting land use planning and development represent the first concrete development actions. PATPs are developed under the coordination of the Ministère des Ressources naturelles et des forêts (MRNF). They are the result of a consensus established by the government departments and agencies concerned, with input from regional and local stakeholders and First Nation communities. These allocations and consultations are then incorporated into the allowable cut calculations carried out by the MRNF's Office of the Chief Forester and Forest Planning. Particularly on public lands, the MRNF has a duty to consult and, where appropriate, accommodate First Nation communities in order to incorporate their interests, values and needs. This obligation aims to reconcile the interests of First Nation peoples with those of society in general. More specifically, the Ministry invites representatives of First Nation communities to all its public consultations on sustainable forest management. In addition, the Ministry consults the First Nation communities concerned in order to adapt them to their own context. The LADTF stipulates that the consultation policy must include terms and conditions specific to First Nation communities, defined in a spirit of

## Annex 1 Detailed findings for Supply Base Evaluation

cooperation with these communities. Alternatively, for local communities, the Sustainable Forest Development Act brings together all stakeholders and land managers who represent collective public or private interests in a given territory. This approach aims to integrate, from the outset of planning, their vision of land development based on the conservation and enhancement of all environmental resources and functions. This includes integrated and concerted planning and development of forest lands and resources. Under section 55 of the Sustainable Forest Development Act, integrated land and resource management commissions are defined and mandated to work with the MRNF in drawing up management plans.

### Community water supply

The Quebec government also introduced a Water Policy in the fall of 2002. This policy introduces government measures and commitments to the implementation of watershed-based water management. In the wake of this policy, 40 watershed organizations (OBV) were created to develop integrated water management plans with interested local parties. These master plans address issues such as water quality and access. In private forests, forestry agencies draw up a Protection and Enhancement Plan (PPMV) for their territory, which describes the characteristics of the area and the management objectives for sustainable forest management. PPMVs describe the forest environment at the landscape level, while targeting issues at the stand level, in keeping with the land use designation.

For owners who work with an accredited advisor, silvicultural prescriptions are prepared for each harvesting site. Guides are available to help forest producers manage private forests. For example, the Fédération des producteurs forestiers du Québec (FPFQ) has published the Guide des saines pratiques en forêt privée (Guide to sound forestry practices in private woodlots), which is designed to help forestry producers apply environmental mitigation measures during forestry operations. The guide is available online free of charge. Activities in private forests must comply with management plans, municipal by-laws and other laws and regulations associated with forestry operations in private forests. If an RCM's schéma d'aménagement does not comply with these rules, the Ministère de l'Environnement, de la Lutte contre les changements climatiques, de la Faune et des Parcs (MELCCFP) can require that it be amended to correct the situation. The MELCCFP is also responsible for provincial oversight of the Environment Quality Act and the Act respecting land use planning and development. Otherwise, particularly for public forest management, the MRNF is responsible for implementing sustainable forest management. As such, it is responsible for ensuring compliance with a number of key sustainable management principles, including ecosystem protection and social acceptability. This responsibility also includes forest planning, and the monitoring and control of forest operations. In addition, the Sustainable Forest Development Act stipulates that the Minister must draw up an integrated tactical and operational forest management plan for each management unit (UA), in collaboration with the Tables locales de gestion intégrée des ressources et du territoire (TLGIRT). These tables provide a forum for exchanges and information between the MRNF and local stakeholders concerned by forest management activities. TLGIRTs propose a set of issues and solutions for sustainable forest management, and agree on harmonization measures related to forest planning. For private forests, the Programme d'aide à la mise en valeur des forêts privées provides support for owners wishing to carry out forest management work on their woodlots. Since 1995, this Ministry of Forests program has been administered regionally by private forest development agencies. These agencies carry out forestry planning on a regional scale, accredit forestry advisors to deliver the program to owners, and conduct audits of funded work.

Harvesting natural resources for subsistence and to maintain cultural traditions is a common practice among indigenous peoples. Forest harvesting activities can include hunting, fishing, trapping and plant gathering. These activities are still part of the First Nation way of life, particularly in the few forest regions where access to natural resources has not been diminished by over-exploitation and industrial activities. These traditional activities are, in many cases, the basis of First Nation or treaty rights, which are protected by the Constitution Act, 1982. Territories used by First Nation peoples for subsistence harvesting are ubiquitous and extend throughout the province. There is no public database listing sites of particular importance to First Nation peoples for subsistence harvesting. However, enforceable mechanisms exist in Quebec to mitigate the consequences of infringement of First Nation rights, including hunting, fishing, trapping, etc. In Quebec, forest management planning in the public forest is controlled and regulations are enforced. For forest management plans and harvesting permits to be approved, First

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	<p>Nation communities must be consulted in accordance with government policies on consultation and accommodation. The province has its own consultation guidelines and incorporates its approach to First Nation involvement in the forest management planning process. The Paix des braves signed with the Cree and the harmonization measures with the Innu of the Côte-Nord are just a few examples. According to the latest five-year review of sustainable forest management, the MRNF carried out 570 consultations on forest management plans with First Nation communities in the 2013-2018 period. In concrete terms, 5,400 harmonization measures reconciling different land uses were agreed during this period. For water supply, regardless of tenure, the Environment Quality Act requires a permit to be issued for any wetland disturbance. The application process involves an analysis of the project in terms of environmental quality. In addition, the Règlement sur le prélèvement des eaux et leur protection (RPEP) defines immediate, intermediate and remote protection areas around groundwater and surface water withdrawal sites intended for human consumption. The RPEP imposes minimum source protection measures in protection areas for water abstraction for human consumption. The RPEP requires those responsible for municipal water withdrawals supplying more than 500 people (category 1) to produce and update a vulnerability analysis report for their source every five years. Otherwise, forest planning is supervised and the associated regulations are rigorously applied. For example, according to the MRNF's latest statistics, the rate of regulatory compliance with standards following the completion of forest management activities in public forests averaged 90% over the 2013-2018 period. There are no subsistence harvests in private forests in Quebec. For water resources, as described above, drinking water sources are known and protected in Quebec, regardless of tenure. The Rapport sur l'état des ressources en eau et des écosystèmes aquatiques, published every five years by the MELCCFP, establishes a common base of knowledge on current water conditions. Of the 43 indicators in the report, 11.6% are associated with good status, 34.9% with intermediate-good status, 32.6% with intermediate status, 11.6% with intermediate-poor status and 9.3% with poor status. Intermediate-poor and poor indicators are found in watersheds where agriculture is present.</p> <p><b>Risk conclusion and justification</b></p> <p>There are opportunities for local communities, including First Nation peoples, to assert their rights, interests, values and needs in the forest planning process. There is no subsistence harvesting in private forests, and drinking water sources are inventoried and protected in the province. As a result, Quebec is considered low risk for this indicator. Indicator 2.2.5 takes a more in-depth look at the quality and quantity of water resources in the province.</p>
<i>Supply Base Verifiers</i>	-
<i>Evidence reviewed</i>	<ul style="list-style-type: none"> <li>- Rapport sur l'état des ressources en eau et des écosystèmes aquatiques du Québec 2020, Ministère de l'Environnement et de la Lutte contre les changements climatiques, consulted December 20, 2023, available at <a href="https://www.environnement.gouv.qc.ca/eau/rapport-eau/rapport-eau-2020.pdf">https://www.environnement.gouv.qc.ca/eau/rapport-eau/rapport-eau-2020.pdf</a></li> <li>- SBP Glossary of Terms and Definitions, Sustainable Biomass Program, consulted on December 20, 2023, available at <a href="https://sbpcert.wpenginepowered.com/wp-content/uploads/2023/05/SBP_Standards_Glossary_v2.0_final.pdf">https://sbpcert.wpenginepowered.com/wp-content/uploads/2023/05/SBP_Standards_Glossary_v2.0_final.pdf</a></li> <li>- Politique de consultation en matière d'aménagement et de gestion du milieu forestier, Ministère des forêts, de la faune et des parcs (2021), consulted December 20, 2023, available at <a href="https://cdn-contenu.quebec.ca/cdn-contenu/adm/min/energie-ressources-naturelles/publications-adm/politique/PO_consultation.pdf">https://cdn-contenu.quebec.ca/cdn-contenu/adm/min/energie-ressources-naturelles/publications-adm/politique/PO_consultation.pdf</a></li> <li>- Le plan d'affectation du territoire publique, une vision globale des terres et des ressources, Gouvernement du Québec, consulted on December 20, 2023, available at <a href="https://cdn-contenu.quebec.ca/cdn-contenu/environnement/territoire/Documents/PR_guide-PATP_MERN.pdf">https://cdn-contenu.quebec.ca/cdn-contenu/environnement/territoire/Documents/PR_guide-PATP_MERN.pdf</a></li> <li>- National Risk Assessment for Controlled Wood, FSC International, accessed December 20, 2023, available at <a href="https://connect.fsc.org/document-">https://connect.fsc.org/document-</a></li> </ul>

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	<p><a href="https://www.legisquebec.gouv.qc.ca/fr/document/lc/A-18.1/20121114">centre/documents/resource/344</a></p> <ul style="list-style-type: none"> <li>- Loi sur l'aménagement durable du territoire forestier, consulted on December 20, 2023, available at: <a href="https://www.legisquebec.gouv.qc.ca/fr/document/lc/A-18.1/20121114">https://www.legisquebec.gouv.qc.ca/fr/document/lc/A-18.1/20121114</a></li> <li>- Règlement sur l'aménagement durable des forêts du domaine de l'État, RLRQ c A-18.1, r 0.01, consulted on December 20, 2023, available at <a href="https://canlii.ca/t/dvjj">https://canlii.ca/t/dvjj</a></li> <li>- Plan d'aménagement forestier intégré tactique (PAFIT), consulted on December 20, 2023, available at <a href="https://www.quebec.ca/agriculture-environnement-et-ressources-naturelles/forets/planification-forestiere/plans-regionaux-consultations">https://www.quebec.ca/agriculture-environnement-et-ressources-naturelles/forets/planification-forestiere/plans-regionaux-consultations</a></li> <li>- Plan de protection et de mise en valeur des forêts privées de la région du Bas-St-Laurent (PPMV), consulted on December 20, 2023, available at <a href="https://www.agence-bsl.qc.ca">https://www.agence-bsl.qc.ca</a></li> <li>- SFI Standards and Rules 2022, consulted on December 20, 2023, available at <a href="https://forests.org/fr/normes-et-regles-sfi-2022-document-complet-2/">https://forests.org/fr/normes-et-regles-sfi-2022-document-complet-2/</a></li> <li>- FSC Canadian forest management standard. FSC-STD-CAN-01-2018 V 1-0 FR. consulted on December 20, 2023, available at <a href="https://ca.fsc.org/ca-fr/amenagement-forestier#:~:text=La%20norme%20natio-nale%20du%20FSC,en%20mati%C3%A8re%20d'%C3%A9galit%C3%A9%20des">https://ca.fsc.org/ca-fr/amenagement-forestier#:~:text=La%20norme%20natio-nale%20du%20FSC,en%20mati%C3%A8re%20d'%C3%A9galit%C3%A9%20des</a></li> <li>- Bilan quinquennal de l'aménagement durable des forêts 2013-2018, Government of Quebec, accessed December 20, 2023, available at: <a href="https://mffp.gouv.qc.ca/documents/forets/amenagement/reddition-comptes/FT16_Super-ficiesVolumes.pdf">https://mffp.gouv.qc.ca/documents/forets/amenagement/reddition-comptes/FT16_Super-ficiesVolumes.pdf</a></li> <li>- Légis Québec, Publications Québec, consulted on December 20, 2023, available at <a href="https://www.legisquebec.gouv.qc.ca/fr/">https://www.legisquebec.gouv.qc.ca/fr/</a></li> <li>- <a href="https://www.environnement.gouv.qc.ca/eau/prelevements/reglement-prelevement-protection/faq.htm#">Frequently asked questions about the Règlement sur le prélèvement des eaux et leur protection</a>, consulted on January 4, 2024, available at <a href="https://www.environnement.gouv.qc.ca/eau/prelevements/reglement-prelevement-protection/faq.htm#">https://www.environnement.gouv.qc.ca/eau/prelevements/reglement-prelevement-protection/faq.htm#</a></li> </ul>				
<i>Risk rating</i>	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Public forest</td> <td style="text-align: right;"><b>Low risk</b></td> </tr> <tr> <td>Private forest under program</td> <td style="text-align: right;"><b>Low risk</b></td> </tr> </table>	Public forest	<b>Low risk</b>	Private forest under program	<b>Low risk</b>
Public forest	<b>Low risk</b>				
Private forest under program	<b>Low risk</b>				
<b>4.2.4</b>	<b>Legal, customary, and traditional tenure and use rights of Indigenous Peoples and local communities related to the Supply Base shall be identified, documented, and respected.</b>				
<i>Findings</i>	<p><b>Scale of assessment</b></p> <p>Public forest Private forest</p> <p><b>Analysis</b></p> <p><u>Context</u></p> <p>The rights of First Nation peoples have been recognized in the Canadian Constitution since 1982. However, the Constitution does not define these rights or specify the territories in which they apply. A number of Canadian court rulings have confirmed First Nation rights in favour of First Nations. In general, disputes over land use rights are resolved with the help of the courts, or through treaty negotiation processes involving First Nations, federal and provincial governments.</p>				

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First Nation peoples retain a deep cultural bond with the lands and territories they have occupied and used for generations. This cultural connection extends beyond specific sites, and many communities continue to maintain and use this cultural heritage. This indicator is associated with indicator 4.2.7, which assesses the preservation of designated cultural heritage sites.

### Threats

Public forest: Supply comes from regions where First Nations have not been able to integrate their interests and concerns into forest management plans and activities.

Private forest: Forestry operations on private woodlots are carried out without any regard for contemporary agreements with First Nations.

### Regulatory framework

Both Canada and Quebec have a legislative, political and judicial framework concerning First Nation rights. For example, section 35 of the Constitution Act, 1982 recognizes and affirms the existing First Nation and treaty rights of the First Nation peoples of Canada. Subsequently, Canadian courts have established that "the Crown must intend to respond in a lasting way to the concerns of First Nation communities as they are expressed; this is what is expected of honourable conduct". From the principle of honourable conduct on the part of the Crown flows, among other things, the Crown's constitutional duty to consult and, where necessary, accommodate First Nation communities when contemplating a decision that may adversely affect their established or potential First Nation and treaty rights. The duty to accommodate where necessary is intended to mitigate the effect of the contemplated measure on these rights. The approach adopted by the Quebec government is described in the Interim Guide to Consulting First Nation Communities. The guide proposes guidelines for the various government departments and agencies whose activities could infringe on certain First Nation rights claimed by First Nation communities, without these rights necessarily having been defined or proven. The objective of the guide is to propose "...guidelines for the various government departments and agencies whose activities could infringe on certain First Nation rights claimed by First Nation communities, without these rights necessarily having been defined or proven" (p.4, Gouvernement du Québec, 2008)."

The legislative and regulatory framework described below provides tools for federal, provincial and First Nations governments to ensure that these rights are recognized and respected. One of the aims of the Cultural Heritage Act is to promote knowledge and protection of classified or designated archaeological sites. With regard to forest management on public land, section 1 of the Sustainable Forest Development Act (LADT) describes how responsibilities for the forest regime are shared between the State, regional bodies, First Nation communities and forest users. The LADT contains specific provisions for First Nation communities. Articles 6 and 7 ensure that the interests, values and needs of First Nation communities are taken into account in forest planning, while accommodating them where necessary. The LADT includes specific provisions for First Nation communities to ensure that their rights, interests, values and needs are taken into account in sustainable forest management (articles 6 to 12, 37, 38, 40, 55, 58 and 224). These provisions are consistent with the duty to consult and, where appropriate, accommodate. Section 8 of the LADT authorizes the Québec government to enter into agreements with any First Nation community, represented by a band council, to enable community members to carry out and monitor certain forest management activities and support sustainable forest development. Under section 24.1 of the Act respecting the conservation and development of wildlife, the government is also authorized to enter into agreements with communities to better reconcile wildlife conservation and management requirements with activities carried out by First Nation peoples for subsistence, ritual or social purposes, or to further facilitate the development and management of wildlife resources by First Nation peoples.

The LADTF also aims to provide a framework for private forest management, notably through the creation of regional private forest development agencies (Chapter IV). The purpose of these agencies is to guide and develop the development of private forests within their territory, with a view to sustainable forest management. They also provide financial and technical support for the protection and enhancement of these forests. The agencies contribute to the development of policies that meet the needs of forest producers and the general public. These guidelines must respect the objectives of the land use and development plan drawn up by the regional county municipalities, as stipulated in the Act respecting land use planning and development, which also concerns property rights. The Cultural Heritage

Act also applies to owners of woodlots where classified or designated archaeological sites are or may be located. The Civil Code of Quebec provides recourse for owners if harvesting has been carried out in contravention of their requirements.

### **Enforcement and monitoring**

The federal government, the Government of Quebec and the First Nations of Quebec have taken various measures as described below to recognize and guarantee respect for the rights of First Nation peoples to their lands, and their right to participate in the planning and implementation of forestry activities on those lands. The Quebec government must define and implement procedures for consulting First Nations to determine the extent to which their interests would be adversely affected by any action, before undertaking or permitting any exploration or resource development on their lands. In Quebec, First Nations have access to various tools to assert their rights and mitigate the disturbances that forestry activities can cause. The PATP includes archaeological sites and sectors, which are protected from forestry activities (articles 3 and 4 of the RADF). This protection is mandatory once the site or area is recognized in the PATP. Consultations during the development of tactical integrated forest management plans (PAFIT) help to finalize forest planning. Some- times, agreements with affected communities take longer than expected, resulting in the cessation of consultations, sus- pension or relocation of forestry operations until disputes are resolved. In the absence of treaties addressing the issue of consultation around forest management, the Quebec government allows communities to negotiate administrative agreements concerning consultations, which can set out terms and conditions including the territory to which they apply. In the case of the Innu, a protocol to facilitate consultation was signed between the communities of Mashteuiatsh, Essipit and Nutashkuan and the MFFP. In February 2017, the Abitibiwinni First Nation signed a consultation and accommodation agreement with the Quebec government. The Loi sur l'aménagement durable du territoire forestier requires that all First Nation communities be consulted separately by the Ministère des Ressources naturelles et des Forêts (MRNF, formerly MFFP) prior to the publication of PAFITs and during operational and annual forest planning. The Guide pour la consultation des communautés autochtones states that if First Nations express concerns about forestry activities, accommodation measures can be negotiated to minimize disturbance. A number of forest development companies have their own consultation processes with First Nations affected by their operations. Quebec law does not exclude the possibility of ordering a private individual to return land to First Nation people, even when it has long since passed into private ownership. Under articles 912 and 953 of the Civil Code, the owner of a property or the holder of any other real right may apply to a court (the Superior Court) to put an end to a dispossession or encroachment impeding the enjoyment of his or her property.

For forest management on public land in particular, the Ministère des Ressources naturelles et des Forêts is responsible for monitoring and controlling forestry operations in accordance with the directives of the Sustainable Forest Development Act (2010). As part of this process, the ministry is obliged to consult and, where appropriate, accommodate First Nation communities when considering any action likely to have a detrimental effect on the heritage resources, cultural sites or archaeological sites of Quebec's First Nation peoples.

For private forests, even if the mechanisms are less exhaustive than those for public land, private individuals cannot occupy or use land held by a First Nation people under their First Nation title without right. This is emphasized by the Supreme Court of Canada when it writes that "the right to control the land conferred by First Nation title means that governments and others who wish to use the land must obtain the consent of the First Nation title holders". In the case of encroachment on First Nation lands, "the usual remedies for infringement of interests in land are available, adapted as necessary to the particular nature of First Nation title". Although they are exempt from the fiduciary obligations to which the Crown is exclusively bound in its conduct in relation to First Nation lands, individuals, including corporations, may therefore be sued in relation to their activities on First Nation lands. At the preliminary stage, the courts have already ruled that actions for damages brought against individuals under provincial private law for alleged infringement of First Nation rights to land and resources are admissible. Forestry planning is supervised and the associated regulations are rigorously applied. For example, according to the latest MRNF statistics, the rate of regulatory

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compliance with standards following the completion of forest management activities averaged 90% over the 2013-2018 period. Otherwise, for forest management plans and harvesting permits to be approved, First Nation groups and communities must be consulted in accordance with government policies on consultation and accommodation. The province has its own consultation guidelines and integrates its approach to First Nation involvement in the forest management planning process. The Peace of the Braves signed with the Cree and the harmonization measures with the Innu of the North Shore are just a few examples. According to the latest five-year review of sustainable forest management, the MRNF carried out 570 consultations on forest management plans with First Nation communities in the 2013-2018 period. In concrete terms, 5,400 harmonization measures reconciling different land uses were agreed during this period.

Although land claims and treaty negotiations are ongoing in many parts of Canada, governmental and legal mechanisms allow all parties to freely express their claims, and to expect a fair and respectful adjudication of their rights. Such fair mechanisms are also in place in Quebec to resolve major disputes concerning traditional First Nation rights. Over the years, a number of court decisions have recognized and defined the scope of rights of Canada's First Nation peoples (e.g., Haida, Taku River and Tsilhqot'in). In August 2017, the Atikamekw community of Opitciwan obtained an injunction from the Quebec Superior Court, which determined that it had not been adequately consulted and had not had sufficient time to analyze a particular development plan. It should also be noted that several forestry companies have entered into specific agreements with First Nations, most of which provide for their own processes for resolving disputes with communities affected by their operations. A number of these private agreements have also led to business and economic development partnerships with First Nation communities. The sawmill operated by the Opitciwan Limited Partnership in Haute-Mauricie and the Boisaco group of companies on the North Shore are examples of successful partnerships of this kind between the forest industry and First Nations. Other agreements, of a contractual or supply nature, are commonplace in Quebec, as several communities have obtained forestry rights. In 2016, Université Laval created a Leadership Chair in First Nation Forestry Education, whose members include First Nation communities and the Quebec Forest Industry Council. The aim of the Chair is to promote First Nations self-government, for example through community capacity building and industry partnerships. More specifically, in the case of the Cree, Inuit and Naskapi, the federal and provincial governments have negotiated and concluded treaties and agreements that are implemented through legislation and regulations. Such treaties and agreements may provide for First Nation participation and consultation in various government decision-making processes. As for the Crees, they participate in land management through their involvement in the Cree-MFFP Joint Committee on Forestry. In addition, several First Nations with claims below the northern limit for timber allocations have entered into negotiations with the federal and Quebec governments. These nations include the Mohawks of Akwesasne; the Innu of Natuashish and Sheshatshiu; the Micmacs of Gesgapegiag, Gespeg and Listuguj; the Malecites of Viger; the Atikamekw of Manawan, Obedjiwan and Wemotaci; the Innu of the Mamuitun mak Nutashkuan Tribal Council; Regroupement Petapan inc. the Assemblée Mamu Pakatatau Mamit; and Ashuanipi Corporation. These negotiations cover a wide range of issues, including self-government (Innu, Akwesasne and Atikamekw), clarification of First Nation rights defined in pre-1975 treaties (Mi'kmaq and Maliseet) and land claims (Atikamekw, Innu and Mi'kmaq). Lists of agreements reached between First Nation groups and the federal and provincial governments are posted on the web pages of First Nation and Northern Affairs Canada and the First Nation Affairs Secretariat. Information on the situation of the various First Nation communities can also be found in the integrated forest management plans available on the MRNF website.

### **Risk conclusion and justification**

Although Canada is not a signatory to ILO Convention 169, the legislative, regulatory and jurisprudential frameworks mentioned above constitute sound practices in the spirit of the Convention's provisions. In general, conflicts concerning land use rights are resolved with the help of the courts or through treaty negotiation processes involving First Nations, the federal and provincial governments. Agreements have been reached with a large number of communities concerning forestry, hunting, fishing and other matters. The Supreme Court of Canada has insisted on respect for the honour of the Crown in its dealings with First Nation peoples. Consequently, the province has put in place a

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	regulatory system to ensure that the legal, customary and traditional land and use rights of First Nation peoples and local communities are identified, documented and respected. This indicator is therefore considered low risk for both public and private forests.				
<i>Supply Base Verifiers</i>	n/a				
<i>Evidence reviewed</i>	<ul style="list-style-type: none"> <li>- Loi sur l'aménagement durable du territoire forestier, consulted on December 20, 2023, available at: <a href="https://www.legisquebec.gouv.qc.ca/fr/document/lc/A-18.1/20121114">https://www.legisquebec.gouv.qc.ca/fr/document/lc/A-18.1/20121114</a></li> <li>- Règlement sur l'aménagement durable des forêts du domaine de l'État, RLRQ c A-18.1, r 0.01, consulted on December 20, 2023, available at <a href="https://canlii.ca/t/dvjj">https://canlii.ca/t/dvjj</a></li> <li>- Plan d'aménagement forestier intégré tactique (PAFIT), consulted on December 20, 2023, available at <a href="https://www.quebec.ca/agriculture-environnement-et-ressources-naturelles/forets/planification-forestiere/plans-regionaux-consultations">https://www.quebec.ca/agriculture-environnement-et-ressources-naturelles/forets/planification-forestiere/plans-regionaux-consultations</a></li> <li>- Plan de protection et de mise en valeur des forêts privées de la région du Bas-St-Laurent (PPMV), consulted on December 20, 2023, available at <a href="https://www.agence-bsl.qc.ca">https://www.agence-bsl.qc.ca</a></li> <li>- Act respecting the marketing of agricultural, food and fishery products</li> <li>- Wood marketing regulations for wood producers</li> <li>- Politique de consultation en matière d'aménagement et de gestion du milieu forestier, Ministère des forêts, de la faune et des parcs (2021), consulted December 20, 2023, available at <a href="https://cdn-contenu.quebec.ca/cdn-contenu/adm/min/energie-ressources-naturelles/publications-adm/politique/PO_consultation.pdf">https://cdn-contenu.quebec.ca/cdn-contenu/adm/min/energie-ressources-naturelles/publications-adm/politique/PO_consultation.pdf</a></li> <li>- Bilan quinquennal de l'aménagement durable des forêts 2013-2018, Government of Quebec, consulted on December 20, 2023, available at: <a href="https://mffp.gouv.qc.ca/documents/forets/amenagement/reddition-comptes/FT16_SuperficiesVolumes.pdf">https://mffp.gouv.qc.ca/documents/forets/amenagement/reddition-comptes/FT16_SuperficiesVolumes.pdf</a></li> <li>- Légis Québec, Publications Québec, consulted on December 20, 2023, available at <a href="https://www.legisquebec.gouv.qc.ca/fr/">https://www.legisquebec.gouv.qc.ca/fr/</a></li> <li>- <a href="http://www.statcan.gc.ca/pub/16-402-x/2011001/part-partie1-fra.htm">http://www.statcan.gc.ca/pub/16-402-x/2011001/part-partie1-fra.htm</a></li> <li>- <a href="http://www.statcan.gc.ca/pub/16-402-x/2011001/t024-fra.htm">http://www.statcan.gc.ca/pub/16-402-x/2011001/t024-fra.htm</a></li> <li>- <a href="http://www.mdelcc.gouv.qc.ca/EAU/potable/distribution/index.asp">http://www.mdelcc.gouv.qc.ca/EAU/potable/distribution/index.asp</a></li> <li>- <a href="https://robvq.qc.ca/obv">https://robvq.qc.ca/obv</a></li> <li>- Otis, G., La revendication d'un titre ancestral sur le domaine privé au Québec, 2021. Érudit. Volume 62, number1, March 2021, p. 277-323. Available at: <a href="https://www.erudit.org/fr/revues/cd1/2021-v62-n1-cd05902/1076011ar/">https://www.erudit.org/fr/revues/cd1/2021-v62-n1-cd05902/1076011ar/</a>, consulted February 6, 2024.</li> <li>- United Nations Declaration on the Rights of Indigenous Peoples Act</li> </ul>				
<i>Risk rating</i>	<table style="width: 100%; border: none;"> <tr> <td style="width: 60%;">Public forest</td> <td style="text-align: right;"><b>Low risk</b></td> </tr> <tr> <td>Private forest under program</td> <td style="text-align: right;"><b>Low risk</b></td> </tr> </table>	Public forest	<b>Low risk</b>	Private forest under program	<b>Low risk</b>
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<b>4.2.5</b>	<b>Mechanisms shall be in place for resolving grievances and disputes relating to tenure and use rights of the forest and other land management practices.</b>
<i>Findings</i>	<p><b>Scale of assessment</b> Quebec forests</p> <p><b>Analysis</b> On Quebec's public land, different users interact in the same space. Hunters, vacationers, hikers and forestry workers regularly rub shoulders, potentially creating conflicts of use. Mechanisms must be in place to resolve disputes over occupancy rights (leases, property boundaries), forest use rights and forest management practices. In private forests, conflicts arise mainly from disagreements over lot boundaries or rights of way to access a lot that has no public road access. Without dispute resolution mechanisms, some users may feel that their rights have been infringed. Conflicts could escalate, leading to dissatisfaction with the use of public land and potentially to illegal acts (property damage, violence, etc.). In private forests, potential impacts are lower, since the owner decides how his or her property is used. Conflicts over lot lines can lead to illegal logging.</p> <p><u>Public forest</u> Under the Sustainable Forest Development Act (LADTF), local integrated resource and land management tables (TLGIRT) are set up to ensure that the interests and concerns of people and organizations affected by forest management activities are taken into account. The composition and operation of the table, including dispute resolution procedures, are the responsibility of the regional bodies responsible for setting it up (LADTF Art. 55). Section 64 of the same Act stipulates that the agreement proposed by the Minister for the harvesting of the wood volumes of a guaranteed volume beneficiary must include a decision-making and dispute resolution procedure for these activities and the allocation of their costs.</p> <p><u>Private forest</u> For private forests, the Loi sur l'aménagement durable du territoire forestier (LADTF) requires that agency bylaws include a mechanism for decision-making by the board of directors, and for conflict resolution within the board (art. 141). In addition, wood producers' unions are created in accordance with the Professional Syndicates Act (R.S.Q., c. S-40) and are considered a specialized union within the meaning of the Agricultural Producers Act (R.S.Q., c. P-28). In private forests, disputes can also be settled through the Small Claims Division of the Court of Québec for cases where the sum in dispute is \$15,000 or less (not including interest). Disputes relating to rights of way are handled by the Superior Court. The FSC standard requires that dispute resolution mechanisms be in place to resolve disputes with First Nations and the impact of development activities on local communities and stakeholders. By the end of 2021, nearly 20 million hectares were FSC-certified in Quebec (FPAC).</p> <p><b>Enforcement and monitoring</b> <u>Public forest</u> TGIRTs make it possible to take into account the interests and concerns of people and organizations affected by planned forest management activities, to set local objectives for sustainable forest management and to agree on measures for harmonizing uses. It is generally the MRCs that are responsible for setting up the TGIRT and developing a dispute resolution process adapted to their region. TGIRT members adopt the dispute resolution process that will apply to their activities. Consultation mechanisms are provided for under Quebec's consultation policy on forest management and development orientations. Thus, during public</p>

## Annex 1 Detailed findings for Supply Base Evaluation

	<p>consultations on tactical integrated forest management plans (PAFIT) or operational integrated forest management plans (PAFIO), all members of the public can present arguments concerning their opposition to elements of forest planning or planned activities in the public forest. When difficulties are encountered in integrating a person's concerns regarding a worksite, the dispute resolution mechanism for harmonization of uses is applied by the MRNF's Direction de la gestion des forêts (DGFo). In accordance with the framework process for harmonization of uses, the MRNF has 50 working days to decide on a solution. Each dispute resolution is recorded by the MRNF in the appropriate register. In the case of disputes with First Nation communities, the MRNF implements customized dispute resolution mechanisms for each community.</p> <p><u>Private forest</u></p> <p>The LADF requires forest service providers in private forests to have a mechanism for decision-making and conflict management. Owners have access to forestry professionals and the legal system to manage conflicts. For example, forestry groups are required to have a dispute resolution policy and process in place to settle disputes with their members (owners) and workers. During negotiations between unions and mills, there are mechanisms for resolving disputes in raw material negotiations. The conciliation process is posted on the Ministry of Agriculture, Environment and Natural Resources website. <a href="https://www.quebec.ca/agriculture-environnement-et-ressources-naturelles/agriculture/encadrement-marches-agricoles-alimentaires/regler-differend/processus-conciliation">https://www.quebec.ca/agriculture-environnement-et-ressources-naturelles/agriculture/encadrement-marches-agricoles-alimentaires/regler-differend/processus-conciliation</a></p> <p>Since January 1er 2016, everyone must consider using private dispute prevention and resolution methods before going to court to resolve misunderstandings, problems, disputes, oppositions or even conflicts. The purpose of this obligation is to encourage people with a dispute to take action to try to reach an agreement before things escalate to the point of going to court.</p> <p><u>Public forest</u></p> <p>Throughout the planning process leading to the development of plans, in the event of failure of the applicable dispute resolution procedure (Art. 58), the Minister decides on disputes arising within the TGIRTs.</p> <p><u>Public and private forests</u></p> <p>The Quebec Ombudsman can help resolve a dispute with a public or private organization. He or she examines a problematic situation and makes recommendations to the organization in an attempt to resolve the dispute.</p> <p>Several dispute resolution mechanisms are in place in Québec. The MRNF collates comments received during public consultations and maintains a dispute registry. For both private and public forests, the MRNF plays an important role in integrating concerns into forest planning and in resolving disputes.</p> <p>In the event of major conflicts, such as a disagreement over a right-of-way on a private lot, the parties can turn to the courts to settle the dispute. For example, it is possible to obtain an interlocutory injunction in Superior Court in a matter of days or months to obtain the desired right-of-way. The judicial system is recognized as credible and fair by society, property owners and rights holders alike.</p> <p><b>Risk conclusion and justification</b></p> <p>Given the important role played by the TGIRTs and the MRNF in public consultation and the implementation of dispute management mechanisms, the risk is low for both public and private forests.</p>
<p><i>Supply Base Verifiers</i></p>	<p>-</p>

## Annex 1 Detailed findings for Supply Base Evaluation

<p><i>Evidence reviewed</i></p>	<ul style="list-style-type: none"> <li>- Sustainable Forest Development Act, RLRQ c A-18.1 (<a href="https://canlii.ca/t/dc35">https://canlii.ca/t/dc35</a>)</li> <li>- Framework for a dispute resolution mechanism for the harmonization of uses. (<a href="https://cdn-contenu.quebec.ca/cdn-contenu/forets/documents/planification/PS_harmonisation_usages_MFFP.pdf">https://cdn-contenu.quebec.ca/cdn-contenu/forets/documents/planification/PS_harmonisation_usages_MFFP.pdf</a>)</li> <li>- Manual for public consultation on integrated forest management plans and special management plans. <a href="https://cdn-contenu.quebec.ca/cdn-contenu/forets/documents/planification/GM_consultation_plans_MFFP.pdf">https://cdn-contenu.quebec.ca/cdn-contenu/forets/documents/planification/GM_consultation_plans_MFFP.pdf</a></li> <li>- Forest Management Certification in Canada. 2021 year-end status Report Québec. <a href="https://certificationcanada.org/wp-content/uploads/2022/04/2021-Yearend-SFM-Certification-Detailed-Report-QC.pdf">https://certificationcanada.org/wp-content/uploads/2022/04/2021-Yearend-SFM-Certification-Detailed-Report-QC.pdf</a></li> <li>- Small Claims Division of the Court of Quebec (<a href="https://www.quebec.ca/justice-et-etat-civil/petites-creances">https://www.quebec.ca/justice-et-etat-civil/petites-creances</a>)</li> <li>- FSC forest management standard (FSC-STD-CAN-01-2018) <a href="https://ca.fsc.org/ca-en/forest-management">https://ca.fsc.org/ca-en/forest-management</a></li> </ul>
<p><i>Risk rating</i></p>	<p>Quebec forest <b>Low risk</b></p>
<p><b>4.2.6</b></p>	<p><b>Where Indigenous Peoples' rights are identified in the Supply Base, and Free Prior and Informed Consent (FPIC) has not been achieved for the proposed and planned activities, a consultation and, if required, accommodation process shall be put in place.</b></p>
<p><i>Findings</i></p>	<p><b>Scale of assessment</b> Public forest Private forest</p> <p><b>Analysis</b> Although Canada is not a signatory to ILO Convention 169, in 2016 the country recognized the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). Finally, the country sanctioned the UNDRIP Act in its legislative and legal framework in June 2021. References to "free, prior and informed consent" (FPIC) appear throughout the Declaration. The preamble to the Act expressly recognizes that provincial and territorial governments have their own approaches and powers in relation to the implementation of the Declaration. The obligations set out in the Act apply specifically to the federal government, in consultation and cooperation with First Nation peoples.</p> <p><u>Public forest</u>: Supply comes from regions where First Nations have not been able to integrate their interests and concerns into forest management plans and activities.</p> <p><u>Private forest</u>: Forestry operations on private woodlots are carried out without any regard for contemporary agreements with First Nations.</p> <p>Both Canada and Quebec have a legislative, political and judicial framework concerning First Nation rights. For example, section 35 of the Constitution Act, 1982 recognizes and affirms the existing First Nation and treaty rights of the First Nation peoples of Canada. Subsequently, Canadian courts have established that "the Crown must intend to respond in a lasting way to the concerns of First Nation communities as they are expressed; this is what is expected of honourable conduct". From the principle of honourable conduct on the part of the Crown flows, among other things, the Crown's constitutional duty to consult and, where necessary, accommodate First Nation communities when contemplating a decision that may adversely affect their established or potential First Nation and treaty rights. The</p>

duty to accommodate where necessary is intended to mitigate the effect of the contemplated measure on these rights.

Since the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) Act received Royal Assent on June 21, 2021, references to "free, prior and informed consent" (FPIC) have appeared throughout the Declaration. This legislation advances the implementation of the Declaration, and is an important step in the renewal of the Government of Canada's relationship with First Nation peoples. The United Nations Declaration on the Rights of Indigenous Peoples Act imposes obligations only on the federal government. Although the full principle of free, prior and informed consent is not explicitly mentioned in the law, the concept of "consent" is not foreign to the Canadian legal system or to Quebec forestry regulations. Canadian courts have focused on the participatory aspects of the rights holders concerned. It is now generally accepted that resource extraction activities, such as forestry, require at least "good faith" consultation and, in some cases, even consent where significant and lasting impacts on First Nation and treaty rights are likely. The approach adopted by the Quebec government is described in the Guide intérimaire en matière de consultation des communautés autochtones. After the guide was adopted in 2006, Quebec invited the communities to submit their comments, which were taken into account when the guide was updated in 2008.

With regard to forest management on public land, section 1 of the Sustainable Forest Land Management Act (LADTF) describes how responsibilities for the forest regime are shared between the State, regional bodies, First Nation communities and forest users. The law contains specific provisions for First Nation communities. Articles 6 and 7 ensure that the interests, values and needs of First Nation communities are taken into account in forestry planning, while accommodating them where necessary. For example, the LADTF includes specific provisions for First Nation communities to ensure that their rights, interests, values and needs are taken into account in sustainable forest management (articles 6 to 12, 37, 38, 40, 55, 58 and 224). These provisions are consistent with the duty to consult and, where appropriate, accommodate. Section 8 of the LADTF authorizes the Québec government to enter into agreements with any First Nation community, represented by a band council, to enable community members to carry out and monitor certain forest management activities and support sustainable forest development. Under section 24.1 of the Act respecting the conservation and development of wildlife, the government is also authorized to enter into agreements with communities to better reconcile wildlife conservation and management requirements with activities carried out by First Nation peoples for subsistence, ritual or social purposes, or to further facilitate the development and management of wildlife resources by First Nation peoples. The LADTF also aims to provide a framework for private forest management, notably through the creation of regional private forest development agencies (Chapter IV).

### **Enforcement and monitoring**

The federal government, the Quebec government and the First Nations of Quebec have taken various measures to recognize and guarantee respect for the rights of First Nation peoples on their lands, and their right to participate in the planning and implementation of forestry activities that may take place there. The Quebec government must define and implement procedures for consulting First Nations to determine the extent to which their interests would be adversely affected by any action, before undertaking or permitting any resource exploration or development on their lands. In Quebec, First Nations have access to various tools to assert their rights and mitigate the disturbances that forestry activities can cause. While awaiting a treaty or judgment defining their rights, consultations during the development of tactical integrated forest management plans (PAFIT) help to finalize forest planning.

Particularly for forest management on public land, the Ministère des Ressources naturelles et des Forêts (MRNF) is responsible for monitoring and controlling forest operations in accordance with the directives of the Sustainable Forest Development Act (2010). In private forests, although there is no consultation and accommodation process, Quebec law does not preclude the possibility of ordering a private individual to return land to the natives, even when it has long since passed into the private domain. Under articles 912 and 953 of the Civil Code, the owner of a property or the holder of any other real right may apply to a court (the Superior Court) to put an end to a dispossession or encroachment impeding the enjoyment of his property.

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compliance with standards following the completion of forest management activities averaged 90% over the 2013-2018 period. Otherwise, for forest management plans and harvesting permits to be approved, First Nation groups and communities must be consulted in accordance with government policies on consultation and accommodation. The province has its own consultation guidelines and integrates its approach to First Nation involvement into the forest management planning process. The Paix des braves signed with the Cree and harmonization measures with the Innu of the Côte-Nord region are just a few examples. According to the latest five-year review of sustainable forest management, the MRNF carried out 570 consultations on forest management plans with First Nation communities in the 2013-2018 period. In concrete terms, 5,400 harmonization measures reconciling different land uses were agreed during this period.

It is also important to note that many forestry companies enter into specific agreements with First Nations which, for the most part, provide their own processes for resolving disputes with communities affected by their operations. A number of these private agreements have also led to business and economic development partnerships with First Nation communities. The sawmill operated by the Opitciwan Limited Partnership in Haute-Mauricie and the Boisaco group of companies on the North Shore are examples of successful partnerships of this kind between the forest industry and First Nations. Other agreements, of a contractual or supply nature, are commonplace in Quebec, as several communities have obtained forestry rights. In 2016, Université Laval created a Leadership Chair in First Nation Forestry Education, whose members include First Nation communities and the Quebec Forest Industry Council. The aim of the Chair is to promote First Nations self-government, for example through community capacity building and industry partnerships. More specifically, in the case of the Cree, Inuit and Naskapi, the federal and provincial governments have negotiated and concluded treaties and agreements that have been implemented through legislation and regulations. Such treaties and agreements may provide for First Nation participation and consultation in various government decision-making processes. As for the Crees, they participate in land management through their involvement in the Cree-MRNF Joint Committee on Forestry. In addition, several First Nations with claims to timber allocations below the northern limit have entered into negotiations with the federal and Quebec governments. These nations include the Mohawks of Akwesasne; the Innu of Natuashish and Sheshatshiu; the Micmacs of Gesgapegiag, Gespeg and Listuguj; the Malecites of Viger; the Atikamekw of Manawan Obedjiwan and Wemotaci; the Innu of the Mamuitun mak Nutashkuan Tribal Council; Regroupement Petapan inc. the Assemblée Mamu Pakatatau Mamit; and Ashuanipi Corporation.

In the case of private forests, even if the mechanisms are less exhaustive than those for public lands, private individuals cannot occupy or use without right the lands held by an First Nation people by virtue of their First Nation title. This is emphasized by the Supreme Court of Canada when it writes that "the right to control the land conferred by First Nation title means that governments and others who wish to use the land must obtain the consent of the First Nation title holders". In the case of encroachment on First Nation lands, "the usual remedies for infringement of interests in land are available, adapted as necessary to the particular nature of First Nation title". Although they are exempt from the fiduciary obligations to which the Crown is exclusively bound in its conduct in relation to First Nation lands, individuals, including corporations, may therefore be sued in relation to their activities on First Nation lands. At the preliminary stage, the courts have already ruled that actions for damages brought against individuals under provincial private law for alleged infringement of First Nation rights to land and resources are admissible.

### **Risk conclusion and justification**

Although Canada has not signed ILO Convention 169, the legislative, regulatory and jurisprudential frameworks mentioned above constitute sound practices in the spirit of the Convention's provisions. More specifically in Quebec, the regulatory framework prescribes the duty to consult and, where necessary, accommodate and mitigate as far as possible the potential negative effects of forestry activities on the potential or acquired rights of First Nations on public lands. The Supreme Court of Canada also insists that governments respect the honour of the Crown in its dealings with First Nation peoples, particularly in relation to the duty to consult and accommodate. Consequently, this

## Annex 1 Detailed findings for Supply Base Evaluation

	<p>indicator is considered low risk for public forests. Canadian courts and legislation recognize that legal and customary rights and private property rights can coexist. The LADTF describes the shared responsibility for the forestry regime that applies to the public domain forest and forest lands owned by private landowners or held as owners by an First Nation landholding corporation covered by the Act. Ultimately, a community may turn to the courts (Superior Court) to put an end to any dispossession or encroachment impeding the enjoyment of its rights.</p>				
<i>Supply Base Verifiers</i>	-				
<i>Evidence reviewed</i>	<ul style="list-style-type: none"> <li>- <a href="https://mffp.gouv.qc.ca/les-forets/infractions-aux-lois/liste-contrevenants-lois-foret/">https://mffp.gouv.qc.ca/les-forets/infractions-aux-lois/liste-contrevenants-lois-foret/</a></li> <li>- Loi sur l'aménagement durable du territoire forestier, consulted on December 20, 2023, available at: <a href="https://www.legisquebec.gouv.qc.ca/fr/document/lc/A-18.1/20121114">https://www.legisquebec.gouv.qc.ca/fr/document/lc/A-18.1/20121114</a></li> <li>- Règlement sur l'aménagement durable des forêts du domaine de l'État, RLRQ c A-18.1, r 0.01, consulted on December 20, 2023, available at <a href="https://canlii.ca/t/dvjj">https://canlii.ca/t/dvjj</a></li> <li>- Plan d'aménagement forestier intégré tactique (PAFIT), consulted on December 20, 2023, available at <a href="https://www.quebec.ca/agriculture-environnement-et-ressources-naturelles/forets/planification-forestiere/plans-regionaux-consultations">https://www.quebec.ca/agriculture-environnement-et-ressources-naturelles/forets/planification-forestiere/plans-regionaux-consultations</a></li> <li>- Plan de protection et de mise en valeur des forêts privées de la région du Bas-St-Laurent (PPMV), consulted on December 20, 2023, available at <a href="https://www.agence-bsl.qc.ca">https://www.agence-bsl.qc.ca</a></li> <li>- Act respecting the marketing of agricultural, food and fishery products</li> <li>- Wood marketing regulations for wood producers</li> <li>- Politique de consultation en matière d'aménagement et de gestion du milieu forestier, Ministère des forêts, de la faune et des parcs (2021), consulted December 20, 2023, available at <a href="https://cdn-contenu.quebec.ca/cdn-contenu/adm/min/energie-ressources-naturelles/publications-adm/politique/PO_consultation.pdf">https://cdn-contenu.quebec.ca/cdn-contenu/adm/min/energie-ressources-naturelles/publications-adm/politique/PO_consultation.pdf</a></li> <li>- Bilan quinquennal de l'aménagement durable des forêts 2013-2018, Government of Quebec, accessed December 20, 2023, available at: <a href="https://mffp.gouv.qc.ca/documents/forets/amenagement/reddition-comptes/FT16_Super-ficiesVolumes.pdf">https://mffp.gouv.qc.ca/documents/forets/amenagement/reddition-comptes/FT16_Super-ficiesVolumes.pdf</a></li> <li>- Légis Québec, Publications Québec, consulted on December 20, 2023, available at <a href="https://www.legisquebec.gouv.qc.ca/fr/">https://www.legisquebec.gouv.qc.ca/fr/</a></li> <li>- <a href="http://www.statcan.gc.ca/pub/16-402-x/2011001/part-partie1-fra.htm">http://www.statcan.gc.ca/pub/16-402-x/2011001/part-partie1-fra.htm</a></li> <li>- <a href="http://www.statcan.gc.ca/pub/16-402-x/2011001/t024-fra.htm">http://www.statcan.gc.ca/pub/16-402-x/2011001/t024-fra.htm</a></li> <li>- <a href="http://www.mddelcc.gouv.qc.ca/EAU/potable/distribution/index.asp">http://www.mddelcc.gouv.qc.ca/EAU/potable/distribution/index.asp</a></li> <li>- <a href="https://robvq.qc.ca/obv">https://robvq.qc.ca/obv</a></li> <li>- Otis, G., La revendication d'un titre ancestral sur le domaine privé au Québec, 2021. Érudit. Volume 62, number 1, March 2021, p. 277-323. Available at: <a href="https://www.erudit.org/fr/revues/cd1/2021-v62-n1-cd05902/1076011ar/">https://www.erudit.org/fr/revues/cd1/2021-v62-n1-cd05902/1076011ar/</a>, consulted February 6, 2024.</li> </ul>				
<i>Risk rating</i>	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Public forest</td> <td style="text-align: right;"><b>Low risk</b></td> </tr> <tr> <td>Private forest</td> <td style="text-align: right;"><b>Low risk</b></td> </tr> </table>	Public forest	<b>Low risk</b>	Private forest	<b>Low risk</b>
Public forest	<b>Low risk</b>				
Private forest	<b>Low risk</b>				

## Annex 1 Detailed findings for Supply Base Evaluation

<b>4.2.7</b>	<b>Designated cultural heritage sites shall be preserved.</b>
<i>Findings</i>	<p><b>Scale of assessment</b> Quebec Forest</p> <p><b>Analysis</b> First Nation peoples retain a deep cultural link with the lands and territories they have occupied and used for generations. This cultural link extends beyond specific sites, and many communities continue to maintain and use this cultural heritage. This indicator is associated with indicator 4.2.4, which assesses the customary and traditional rights of indigenous peoples and local communities in relation to the forest. First Nation peoples have identified sites and landscapes on the territory, some of which are included in the directory of Quebec cultural heritage sites. These sites and landscapes are of a heritage, cultural or archaeological nature. In the absence of established relationships of trust, First Nation peoples do not disclose all their knowledge to governments and industry, creating additional challenges for the protection of these sites.</p> <p>First Nation peoples may not feel comfortable sharing information with land managers and competent authorities due to a lack of trust, which can lead to additional challenges in ensuring the protection of these values. If sites are not integrated into forest planning, there is a risk that they will be damaged or destroyed.</p> <p><u>Regulatory framework</u> Parks Canada is the lead federal agency for the recognition of places representative of Canada's natural heritage and places of national historic significance. Legislation governing Parks Canada's activities includes the Canada National Parks Act (2000), the Historic Sites and Monuments Act (1985) and the Department of Transport Act (1985). At the provincial level, cultural heritage sites are considered in several pieces of legislation, including the Community Planning Act (1979), the Natural Heritage Conservation Act (2002), the Sustainable Development Act (2006) and the Cultural Heritage Act (2012). Section 5 of the Act respecting land use planning and development describes the identification of major land uses, and paragraph 6 more specifically describes the mandatory nature of the identification of designated cultural sites. More specifically in terms of forest management on public land, the Sustainable Forest Development Act (2010) provides a framework for management activities on designated cultural heritage sites, in accordance with articles 3, 4, 7, 12 and 14. For private properties, the Cultural Heritage Act (2012) defines the protections required for cultural sites, regardless of whether or not they are forested under article 26.</p> <p>Article 74 of the Loi sur le patrimoine culturel (Cultural Heritage Act) requires anyone who finds an archaeological property or site to notify the Ministère de la Communication et la Culture (MCC) without delay. This provision applies to everyone, whether on public or private land. Article 76 also stipulates that any archaeological discovery may lead to work being halted to allow excavations to be carried out, and may require modifications to the project if it turns out that the archaeological property or site is eligible for classification. In addition, if the project area touches on a classified or declared heritage property or site, authorization from the MCC must be obtained prior to the work.</p> <p><u>Sites of cultural importance to indigenous peoples</u> Mechanisms are in place to enable First Nation peoples to make sites of critical cultural importance known to governments or forest managers on public land. For example, the Sustainable Forest Development Act (2010) includes specific provisions for First Nation communities to ensure that their rights, interests, values and needs are taken into account in sustainable forest management (sections 6 to 12, 18 to 24, 37, 38, 40, 55, 58 and 224). These provisions are consistent with the duty to consult and, where appropriate, accommodate.</p>

**Enforcement and monitoring**

At provincial level, for private and public lands, all individuals and legal entities can propose legal status allocations or be heard on status allocation projects. Each municipality has a heritage council responsible for matters relating to the protection and enhancement of cultural heritage. Public land use planning is governed by public land use plans (PATP). These are the first concrete planning actions. PATPs are drawn up under the coordination of the Ministry of Natural Resources and Forestry. They are the result of a consensus established by the government departments and agencies concerned, with input from regional and local stakeholders and First Nation communities. These allocations are then taken into account in allowable cut calculations by the Office of the Chief Forester and forest planning by the Ministère des Ressources naturelles et des Forêts.

Sites of cultural importance to indigenous peoples

The Ministère des Ressources naturelles et des Forêts has a duty to consult and, where appropriate, accommodate First Nation communities when considering any action that may have a prejudicial effect on their established or potential First Nation or treaty rights (art.7, LADTF). This obligation aims to reconcile the interests of First Nation peoples with those of society in general, as well as to protect the heritage resources, cultural sites or archaeological sites of First Nation peoples. More specifically, the Ministry invites representatives of First Nation communities to all its public consultations on sustainable forest management. In addition, the Ministry consults the First Nation communities concerned separately, in order to adapt them to their specific context.

At the federal level, Parks Canada supports the preservation and interpretation of designated heritage properties managed by other jurisdictions. Parks Canada contributes to the global heritage process through its role as a federal entity. In particular, Parks Canada represents and supports the country's interests in various international conventions, agencies, agreements and programs. The government plays a role in protecting, promoting and transmitting Quebec's cultural heritage. For forest management on public land, for example, the Ministère des Ressources naturelles et des Forêts is responsible for monitoring and controlling forestry operations in accordance with the directives of the Sustainable Forest Development Act (2010). As part of this process, the Ministère des Ressources naturelles et des Forêts is obliged to consult and, where appropriate, accommodate First Nation communities when considering any action likely to have a detrimental effect on the heritage resources, cultural sites or archaeological sites of Quebec's First Nation peoples (art. 7, LADTF).

**Risk conclusion and justification**

Opportunities exist for First Nation communities to identify areas of cultural significance during the forest planning process in Quebec's public forest. While the consultation and accommodation processes do not necessarily meet all expectations, they do accommodate First Nation communities and mitigate the negative effects of forest management on sites of interest and cultural significance. Harvesting permits are only granted once approval has been obtained from First Nation communities on public land in Quebec. When difficulties are encountered in harmonizing a worksite, the dispute resolution mechanism for harmonizing uses must be applied. The Supreme Court of Canada has insisted that governments respect the principle of the honour of the Crown in its dealings with First Nation peoples, particularly in relation to the duty to consult and accommodate. As a result, the province has put in place a mechanism to ensure the protection of culturally significant sites on public and private lands. Since protective measures are in place to prevent these important sites from being damaged by forestry operations, this indicator is considered low risk for historical or cultural heritage sites in the province.

*Supply Base Verifiers*

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## Annex 1 Detailed findings for Supply Base Evaluation

<p><i>Evidence reviewed</i></p>	<ul style="list-style-type: none"> <li>- Connaître les pouvoirs et obligations en matière de protection et de mise en valeur du patrimoine culturel, Government of Quebec, consulted March 22, 2023, available at <a href="https://www.quebec.ca/culture/patrimoine-archeo-logie/soutien-municipalites-communautes-autochtones/connaître-les-pouvoirs-et-obligations/pouvoirs-obligations">https://www.quebec.ca/culture/patrimoine-archeo-logie/soutien-municipalites-communautes-autochtones/connaître-les-pouvoirs-et-obligations/pouvoirs-obligations</a></li> <li>- Rôles et responsabilités en matière de patrimoine culturel, Government of Quebec, consulted March 22, 2023, available at <a href="https://www.quebec.ca/culture/patrimoine-archeologie/proteger/roles-responsabilites">https://www.quebec.ca/culture/patrimoine-archeologie/proteger/roles-responsabilites</a></li> <li>- Répertoire du patrimoine culturel du Québec, Ministère de la Culture et Communications Québec, consulted on March 22, 2023, available at <a href="https://www.quebec.ca/culture/patrimoine-archeologie/proteger/roles-responsabilites">https://www.quebec.ca/culture/patrimoine-archeologie/proteger/roles-responsabilites</a></li> <li>- Légis Québec, Publications Québec, consulted on March 22, 2023, available at <a href="https://www.legisque-bec.gouv.qc.ca/fr/">https://www.legisque-bec.gouv.qc.ca/fr/</a></li> <li>- Parks Canada Guiding Principles and Operational Policies, Government of Canada, accessed March 22, 2023, available at <a href="https://parcs.canada.ca/agence-agency/bib-lib/politiques-policies/gestion-management/princip">https://parcs.canada.ca/agence-agency/bib-lib/politiques-policies/gestion-management/princip</a></li> <li>- Documents:</li> <li>- Politique de consultation en matière d'aménagement et de gestion du milieu forestier, Ministère des forêts, de la faune et des parcs, 2021, available at <a href="https://cdn-contenu.quebec.ca/cdn-contenu/adm/min/energie-ressources-naturelles/publications-adm/politique/PO_consultation.pdf">https://cdn-contenu.quebec.ca/cdn-contenu/adm/min/energie-ressources-naturelles/publications-adm/politique/PO_consultation.pdf</a></li> <li>- Le plan d'affectation du territoire public, une vision globale des terres et des ressources, Gouvernement du Québec, consulted March 22, 2023, available at <a href="https://cdn-contenu.quebec.ca/cdn-contenu/environnement/ter-ritoire/Documents/PR_guide-PATP_MERN.pdf">https://cdn-contenu.quebec.ca/cdn-contenu/environnement/ter-ritoire/Documents/PR_guide-PATP_MERN.pdf</a></li> <li>- National Risk Assessment for Controlled Wood, FSC International, accessed March 22, 2023, available at <a href="https://connect.fsc.org/document-centre/documents/ressource/344">https://connect.fsc.org/document-centre/documents/ressource/344</a></li> </ul>
<p><i>Risk rating</i></p>	<p>Quebec forest <b>Low risk</b></p>

## Annex 2 List of experts consulted and contacts of Working Body

Expert	Affiliation & role
François Plamondon	Nature Québec, NGO Environment
Cédric Grazing	ECCC, Government
Marianne Gagnon	ECCC, Government
Mylène Raimbault	PBN, Economic NGO
Sara Teitelbaum	University of Montreal, Academic
Solange Nadeau	NRCAN, Government
Mathieu Leblond	Environment and Climate Change Canada, Government
Pier-Olivier Boudreault	SNAP, NGO Environment
Olivier Kormel	Greenpeace, NGO Environment
Emmanuelle Rancourt	Nature Québec, NGO Environment
Ghyslaine Dessureault	Abitibi-Témiscamingue Out- fitters Association, Economic NGO
David Richard	Arbec Amos, Economical
Rafik I Bourennani	Town of Senneterre, Local government
Thomas Bourbonne	MRNF Témiscamingue, Government
Marcel Lavoie	Rouyn-Noranda Trappers' Association, Economical
Johanne Morasse	GREIBJ, Local government
Normand Harvey	MRNF Mégiscane, Government

Jacinthe Pothier	Vallée-de-l'Or RCM, Local government
Maxime Girard-Simmons	MRNF Abitibi-Témiscamingue Regional Office, Government
Mario Sylvain	Vallée-de-l'Or RCM, Local government
Jose Djongo Boukeng	Resolu Forest Products, Economical
Yvon Racine	Opitciwan Atikamekw Council, First Nations
Nathalie Dufresne	TGIRT Coordinator Rouyn-Noranda, Local government
Oswaldo Valeria	UQAT, Academic
Nathalie-Ann Pelchat	Town of Senneterre, Local government
Luc Bossé	Jamésie watershed organization, NGO Environment
Julie Fillion	Resolu Forest Products, Economical
Laurence Dupuis	City of Rouyn-Noranda, Local government
Valérie Moses	Abitibi RCM, Local government
Olivier Cadieux	TGIRT Abitibi Coordinator, Local government
Valery Sicard	Forestry Association AT, Economic NGO
Plamondon François	Nature Québec, NGO Environment
O'Bomsawin Suzie	Abenakis, First Nations
Dubé Kevin	Atikamekws of Manawan, First Nations
Gros-Louis Mario	Huron-Wendat, First Nations
Martineau Frederic	TGIRT Portneuf Coordinator, Government

Rhéaume Marc-André	FPBQ, Economic NGO
E-mail	Agence de mise en valeur de la forêt privée – MRNF, Government Private forest
Belleau Pierre	MRNF, Government
Besner Dominic	Service de la forêt privée -MFFP, Government
Girard Viateur	Bois-Francis D. V., Economical
Leduc Louis-Carl	Cambiumex, Economical
Lavoie Jean-Pierre	Canam Log & Lumber, Economical
Cadrin Maxime	C.A. Spencer, Economical
Warnett Daniel	Commonwealth Plywood Company, Economical
Fauteux Karen	JM Champeau, Economical
Blais Yves	M.E.Sé Forest Products, Economical
Sauvé Éric	Simon Lussier, Economical
Millette Yvon	Vexco, Economical
Lindsay Colin	Commonwealth Plywood Company, Economical
Gauthier Mathieu	MRNF, Government
Grandmont Jean-Frédéric	MRNF, Government
Larouche Alexandre	QFIC, Economic NGO
Hurtubise Olivier	Canadian Wood Products, Economical
Comeau Daniel	Boscus Canada, Economical

Rompré Stéphane	Boralife, Economical
Fortier François	Benoit and Dionne, Economical
Provost Christian	Easy Wood, Economical
Pouliot Marioo	Co-op Forestière St-Elzéar, Economical
Meehan Glen	GDS Group, Economical
Morin Richard	Groupe Crête inc., Economical
Roy Guy	Industry P.F., Economical
O'Dowd Paul	QFIC, Economic NGO
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## Annex 3 List of publications used

### Publications used

- Sustainable Forest Development Act, RLRQ c A-18.1 (<https://canlii.ca/t/dc35>)
- Framework for a dispute resolution mechanism for the harmonization of uses. ([https://cdn-contenu.quebec.ca/cdn-contenu/forets/documents/planification/PS\\_harmonisation\\_us\\_ages\\_MFFP.pdf](https://cdn-contenu.quebec.ca/cdn-contenu/forets/documents/planification/PS_harmonisation_us_ages_MFFP.pdf))
- Manual for public consultation on integrated forest management plans and special management plans. [https://cdn-contenu.quebec.ca/cdn-contenu/forets/documents/planification/GM\\_consultation\\_plans\\_MFFP.pdf](https://cdn-contenu.quebec.ca/cdn-contenu/forets/documents/planification/GM_consultation_plans_MFFP.pdf)
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- What does the evolution of the Canadian legal system governing forests in Canada tell us about the governance of natural resources and their development, Canada Research Chair in Environmental Law, 2016, p. 246
- Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act
- Act respecting the conservation and development of wildlife
- Fisheries Act
- By-laws for public forests
- Loi sur la mise en marché des produits agricoles, alimentaires et de la pêche m-35.1
- Regulation respecting the marketing of wood by wood producers in the Quebec City region r. 123
- Regulation respecting forest transport contracts
- List of offences in public forests
- <https://www.rncan.gc.ca/forets/canada/lois/13304>
- Regulation respecting the scaling of timber harvested from forests in the domain of the State (RLRQ, chapter A-18.1, r. 5)

- Regulation respecting the method of assessing the annual royalty and the method and frequency of assessing the market value of standing timber purchased by beneficiaries under their supply guarantee (RLRQ, chapter A-18.1, r. 6)
- Regulation respecting the scaling of timber harvested from forests in the domain of the State (RLRQ, chapter A-18.1, r. 5.1)
- Regulation respecting the terms and conditions of payment of the annual royalty and of timber purchased by beneficiaries under their supply guarantee (RLRQ, chapter A-18.1, r. 6.1)
- Regulation respecting forest royalties (RLRQ, chapter A-18.1, r. 11)
- Regulation respecting the rate per cubic metre of wood applicable to the calculation of the contribution payable by the holder of a timber harvesting permit to regional agencies for the development of private forests (RLRQ, chapter A-18.1, r. 13)
- Wood Scalers Act (RLRQ, chapter M-12.1)
- LADTF
- Excise Tax Act (GST)
- Act respecting the Québec sales tax (QST)
- Fuel tax law
- Income Tax Act (federal)
- Taxation Act (provincial), which includes a section on taxation of forestry operations
- LADTF (for authorizations and recognition of ecosystem-based management)
- Forest Act
- Regulations on the Sustainable Management of State-owned Forests (draft) (2014, G.O. 2, 4837)
- By-laws for public forests
- Wood scaling and transportation regulations allow tracking of wood harvested and delivered to mills
- Transport Act
- Natural Heritage Conservation Act (LCPN)

- Act respecting threatened or vulnerable species and related regulations
- Species at Risk Act (Canada)
- Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act (WAPPRIITA)
- Customs Act
- <http://cfs.nrcan.gc.ca/entrepotpubl/pdfs/35983.pdf>
- Canada's forest management regulatory framework Information for importers of Canadian forest products (March 2015)
- Directory of beneficiaries of supply guarantees
- Sustainable Forest Development Act
- Bilan quinquennal de l'aménagement durable des forêts 2013-2018 (MFFP, 2020)
- Authorization to transport public forest
- <https://mffp.gouv.qc.ca/les-forets/infractions-aux-lois/>
- <https://mffp.gouv.qc.ca/les-forets/infractions-aux-lois/liste-contrevenants-lois-foret/>
- State Lands Act
- Regulation respecting the cultivation and operation of sugar bushes in forests in the domain of the State (RLRQ, chapter A-18.1, r. 2)
- Sustainable Forest Development Act (LADTF)
- Act respecting the marketing of agricultural, food and fishery products
- Sustainable Forest Management Regulations (SFMR)
- Regulation on the scaling of timber harvested in State-owned forests
- Wood marketing regulations for wood producers
- Regulations respecting the change of destination of wood purchased by a beneficiary of a supply guarantee in application of its guarantee (RLRQ, chapter A-18.1, r. 0.1)

## Annex 4 List of Stakeholders

No	Organisation	Type of organisation
1.	Abénakis	Social Interest
2.	Airex énergie	Economic Interest
3.	Algonquin Nation Tribal Council	Social Interest
4.	Ambioterra	Environmental Interest
5.	Arbec Amos	Economic Interest
6.	Association des pourvoires de l'Abitibi-Témiscamingue	Economic Interest
7.	Association des trappeurs de Rouyn-Noranda	Economic Interest
8.	Association forestière AT	Economic Interest
9.	Atikamekws de Manawan	Social Interest
10.	Atikamekws d'Opiticiwan	Social Interest
11.	Barrette-Chapais	Economic Interest
12.	Barrette-Chapais ltée	Economic Interest
13.	Biomasse du lac Taureau (BDLT)	Economic Interest
14.	Bois Francs D. V.	Economic Interest
15.	C.A. Spencer	Economic Interest
16.	Cambiumex	Economic Interest
17.	Canada Parks and Wilderness Society (CPAWS)	Environmental Interest

## Annex 4 List of Stakeholders

18.	Canadian Centre for Policy Alternatives	Social Interest
19.	Canadian Council for Aboriginal Business	National and state forest agency
20.	Canadian Council on Ecological Areas	Environmental Interest
21.	Canadian Environmental Law Association (CELA)	Social Interest
22.	Canadian Forest Owners	Environmental Interest
23.	Canadian Forestry Service (CFS)	National and state forest agency
24.	Canadian Forests Website	National and state forest agency
25.	Canadian Institute of Forestry	National and state forest agency
26.	Canadian Métis Council	Social Interest
27.	Canadian Parks and Wilderness Society - National Office	Environmental Interest
28.	Canadian Wildlife Federation	Environmental Interest
29.	Canam Log & Lumber	Economic Interest
30.	Chantiers Chibougameau	Economic Interest
31.	CIFOR - Center for International Forestry Research	Research institution
32.	CITES Canada/ Environment Canada	National and state forest agency
33.	CNESST	Social Interest
34.	Commonwealth Plywood Company	Economic Interest
35.	Communauté Innus d'Essipit	Social Interest
36.	Communauté Mi'gmaq de Gespeg	Social Interest

## Annex 4 List of Stakeholders

37.	Conseil des Atikamekw d'Opitciwan	Social Interest
38.	Coordonnateur TGIRT Abitibi	National and state forest agency
39.	Coordonnateur TGIRT Portneuf	National and state forest agency
40.	Coordonnateur TGIRT Témiscamingue et MRCVO	National and state forest agency
41.	Coordonnatrice TGIRT Rouyn-Noranda	National and state forest agency
42.	David Suzuki Foundation	Environmental Interest
43.	David Suzuki Foundation - Canada	Environmental Interest
44.	Ducks Unlimited Canada	Environmental Interest
45.	Ecojustice	Social Interest
46.	Environment and Climate Change Canada	National and state forest agency
47.	Forest Products Association of Canada	Environmental Interest
48.	Forest Stewardship Council (FSC)	Certification scheme
49.	Fédération des producteurs de bois du Québec - FPBQ	Economic Interest
50.	Friends of the Earth Canada	Environmental Interest
51.	GFG - Camint (Consultant-Auditor)	Economic Interest
52.	Granulco	Economic Interest
53.	Granules combustibles Energex inc.	Economic Interest
54.	Granules LG	Economic Interest
55.	Greenpeace	Environmental Interest

## Annex 4 List of Stakeholders

56.	Greenpeace Canada	Environmental Interest
57.	Gouvernement régional d'eeyou Istchee Baie James - GREIBJ	National and state forest agency
58.	Groupe Conseil Nutshimit Nippour	Social Interest
59.	Groupe Desfor - Comité SFI Québec	Economic Interest
60.	Groupe GDS	Economic Interest
61.	Groupe Lebel	Economic Interest
62.	Hurons-Wendat	Social Interest
63.	Indigenous and Northern Affairs Canada	National and state forest agency
64.	International Union of Forest Research Organizations	Research institution
65.	JM Champeau	Economic Interest
66.	KAIROS: Canadian Ecumenical Justice Initiatives	Environmental Interest
67.	MRC Abitibi	National and state forest agency
68.	MRC de la Vallée-de-l'Or	National and state forest agency
69.	MRC de la Vallée-de-l'Or	National and state forest agency
70.	MRC Montmagny	National and state forest agency
71.	Ministère des Ressources naturelles et de la Forêt - MRNF	National and state forest agency
72.	MRNF Bureau régional Abitibi-Témiscamingue	National and state forest agency
73.	MRNF Mégiscane	National and state forest agency
74.	MRNF Témiscamingue	National and state forest agency

## Annex 4 List of Stakeholders

75.	National Aboriginal Forestry Association	Social Interest
76.	National Aboriginal Lands Managers Association	Social Interest
77.	National Centre for Truth and Reconciliation	Social Interest
78.	Native Women's Association of Canada	Social Interest
79.	Nature Canada	Environmental Interest
80.	Nature Conservancy of Canada	Environmental Interest
81.	Nature Québec	Environmental Interest
82.	NEPCon (Now called Preferred by Nature)	Certification Body
83.	Natural Resource Canada - NRCAN	National and state forest agency
84.	Organisme de bassin versant Jamésie	Environmental Interest
85.	Parks Canada	National and state forest agency
86.	PEFC	Certification scheme
87.	Poplar and Willow Council of Canada (PWCC)	Economic Interest
88.	Première Nation Wolastoqiyik Wampanoag	Social Interest
89.	Produits forestiers Résolu	Economic Interest
90.	Produits Matra inc.	Economic Interest
91.	Produits Valfei	Economic Interest
92.	Public and Private Workers of Canada	Social Interest
93.	Bureau de promotion des produits du bois du Québec - QWEB	Economic Interest

## Annex 4 List of Stakeholders

94.	Reconciliation Canada	Social Interest
95.	Save our Forests Association	Environmental Interest
96.	Service de la forêt privée - MFFP	National and state forest agency
97.	Simon Lussier	Economic Interest
98.	SNAP	Environmental Interest
99.	Stand Earth	Environmental Interest
100.	Sustainable Forestry Initiative (SFI)	Certification scheme
101.	The Centre for First Nations Governance	Economic Interest
102.	The Nature Conservancy (TNC) Canada	Social Interest
103.	Tree Canada	Environmental Interest
104.	Université de Montréal	Research institution
105.	Université Laval	Research institution
106.	UQAM	Research institution
107.	UQAT	Research institution
108.	Vexco	Economic Interest
109.	Ville de Rouyn-Noranda	National and state forest agency
110.	Ville de Senneterre	National and state forest agency
111.	Wood Pellet Association of Canada	Environmental Interest
112.	World Wildlife Fund Canada	Environmental Interest

## Annex 5 Stakeholder consultation report

Stakeholder	Comment	Response
Preferred by Nature	The QC RRA is different from all the others. For consistency and to facilitate general comprehension, all RRAs should be in the same format. It would also be good to have an overall summary for the whole country highlighting the key differences. For example, the conclusion of BC and Québec's assessment of 4.2.4 is that there is low risk, whereas there are specified risks for Alberta and other provinces. This seems to be due mainly to existence of ongoing court cases in those provinces, however there are also ongoing cases in BC and QC as well. It would help overall understanding if rationale was provided on main conclusions per province. (MR)	<p>The QC RRA was finalized before the other RRAs in Canada. This is why the QC RRA undergone two separate 30-day consultations. The first in July under the responsibility of the Working Group and the second final consultation in November 2024 under the supervision of the SBP Secretariat.</p> <p>The Quebec RRA was under the responsibility of a separate Working Group compared to the RRAs of the other provinces. This may be why the structure and assessment from Quebec differs from the others. It would be inappropriate for the Quebec RRA Working Group to explain the other RRAs rationale for a certain risk determination. Regarding indicator 4.2.4, although the findings highlight the existence of court cases, they also describe the legal and regulatory frameworks that allow for the identification, documentation and respect of First Nations and local communities legal, customary, and traditional tenure and use rights.</p>
	There is no Section 2 - Regional background and statement of scope, only "Scope and regional context"	Section 2 has been added to the final version of the RRA. The section was updated to include additional information on natural disturbances, the differences between public and private tenure in terms of area, timber production and contribution to the forest industry.
	Section Preamble and process summary – not clear if this draft is for the second public consultation by the SBP secretariat or not. It is stated "This update is carried out in accordance with the RRA procedure, version 1.2, which specifies the requirements and processes to be followed in developing and approving these analyses. This document responds to the first 30-day public consultation period required by the RRA procedure. A second public consultation will be conducted by the SBP secretariat at the end of the process." This is confusing. Foreword from other RRAs were more clear on process, methodology and outcomes.	The preamble and process summary have been updated accordingly. The QC RRA has undergone two different 30-day consultation periods.
	There is no Section 4 - Stakeholder consultation. Should there be?	Yes, it has been added.
	There is no Section 5 - Conclusions. Is that Results Summary?	Yes, it is the conclusion section.
	Clarify who are the experts consulted VS the members of the working committee. For example, the person contacted at PBN was not consulted per se nor is a member of the working committee.	Members of the Working Group are listed in the introduction. Experts and stakeholders are listed in Annex 2.

## Annex 5 Stakeholder consultation report

	There is no Annex 4 - List of stakeholders	This was added in the final report of the RRA. Thank you for your observation.
	There is no Annex 5 - Stakeholder consultation report	This was added in the final report of the RRA. Thank you for your observation.
	<p>Indicator 1.1.1</p> <p>Canada is not on the list of countries where harvesting is a domestic problem. What list? Give reference. This text is mentioned in many places in the RRA, please specify. Feels like a blank statement. (YB)</p>	This was addressed and updated in the final version of the RRA.
	<p>Indicator 2.1.1</p> <p>1) A demonstration by HCV category would make it clear how HCV are considered based on the existing laws and regulations, etc. The text is confusing, feels like a lot of text just to demonstrate something exists. Hard to assess if what exists meets the intent of the indicator, each HCV category.</p> <p>2) PFI are protected only on FSC FM certificates. There are many forest management units (FMU) in Québec that are not FSC certified, with no protection of IFLs. See map here: <a href="https://certificationcanada.org/fr/certification/carte-interactive-de-certification/">https://certificationcanada.org/fr/certification/carte-interactive-de-certification/</a>. Sourcing from these FMUs can end up in the SBP supply chain through other certifications.</p> <p>3) There is currently no official Woodland Caribou Recovery Plan from the provincial government, only interim measures that are under of lot criticism from NGOs, since they don't comply with Federal Recovery Strategy, for which each province must respect the main guidelines (max. 35% disturbance of the caribou habitat). The Federal government has put in place a decree which gives them the power to implement measures to protect 3 herds in the province Québec, overriding the provincial government's mandate, which failed to do so for all herds. The Federal government might proceed with other herds in the future.</p> <p>*<a href="https://www.canada.ca/en/environment-climate-change/news/2024/06/following-the-government-of-quebecs-failure-the-federal-government-begins-consultations-on-an-emergency-order-to-protect-caribou.html">https://www.canada.ca/en/environment-climate-change/news/2024/06/following-the-government-of-quebecs-failure-the-federal-government-begins-consultations-on-an-emergency-order-to-protect-caribou.html</a></p> <p>*<a href="https://nationalmagazine.ca/en-ca/articles/law/in-depth/2024/at-loggerheads-over-the-fate-of-caribou">https://nationalmagazine.ca/en-ca/articles/law/in-depth/2024/at-loggerheads-over-the-fate-of-caribou</a></p> <p>* <a href="https://www.nrdc.org/bio/julee-boan/emergency-order-caribou-quebec">https://www.nrdc.org/bio/julee-boan/emergency-order-caribou-quebec</a></p> <p>4) HCV 4 (ecosystem services) is considered in indicator 2.1.2, but not in 2.1.1, 2.1.2. Why?</p>	<p>1) Findings list articles of the Sustainable Forest Development Act, its regulations and describes processes how categories 1,2,3 and 4 HCV are identified.</p> <p>2) There is a specified risk for HCVs of the caribou and intact forest landscapes (IFL). Unfortunately, the RRA version in consultation erroneously stated a low risk conclusion on public forests as a whole omitting to underline the specified risks conclusion described in the findings for the caribou and IFLs on non-certified forest management units.</p> <p>3) see above.</p> <p>4) This has been addressed in the final version of the RRA. Thank you for your observation.</p>

## Annex 5 Stakeholder consultation report

	<p>Indicator 2.1.1 There should be a specified risk for any forests with woodland caribou and IFL, considering the provincial government is currently not ensuring protection of the woodland caribou per the Federal Recovery Strategy (see references in other comments) and IFLs (PFIs) are only protected in FSC FM certificates, which are limited in the province of Quebec. <a href="https://certificationcanada.org/en/certification/certification-maps/">https://certificationcanada.org/en/certification/certification-maps/</a> (PGS and YB)</p>	<p>Indicator 2.1.1 intent is to identify HCVs not to protect them. See 2.1.3 for HCV protection.</p>
	<p>Indicator 2.2.2 The issue of forest lost is not covered in the RRA, using Global Forest Watch it can be seen cover loss &gt;30% at a relevant area of Forest with high level of integrity. How can be this issue captured in the RRA? I can understand that maybe it is not under 2.2.1 because forest didn't change their statues from 2008, but it should be capture as an indicator of degradation and maybe specified risk under (2.2.2. Ecosystems function and services). This can be lead to a degradation issue according EUDR definition but it is not captured in the RRA.</p>	<p>Conversion and loss of forest cover are addressed in indicators 2.2.1 and 3.2.1.</p>
	<p>Indicator 3.2.3 Low risk is justified based on the increase of carbon stock in general but the indicator prevents the feedstock sourcing from High Carbon Stock, therefore the risk assessment doesn't address the indicator. Risk assessment should evaluate the feasibility to harvest in HCS (peatlands, wetlands and old growth forest), comparison with the total forest area may lead to erroneous conclusions.</p>	<p>Findings of indicator 3.2.3 describe how HCVs and sites with high carbon stocks are managed and maintained in the landscape. As for land conversion of sites such as peatlands and wetlands, see indicator 2.2.1.</p>
	<p>Indicator 4.2.4 There is no mention of existence of territorial issues related to gov and IPs not having the same definition of what is the community's territory of interest / "consultation area". (Ex. Huron on the south shore of Québec; extent of Malécites's territory; etc.)</p>	<p>Although findings do not refer to this issue, they mention the existence of territorial issues with First Nations. It was not the intention of the Working Body to list all existing issues but to assess where issues can arise, First Nations have access to mechanisms to address them.</p>
<p>Drax</p>	<p>Indicator 3.3.1 Stumpage rate data indicate high-value logs is worth significantly more than low-value logs. Additionally, lumber produced is sold for much more than pellets. This drives forest products cascading. Market drivers are in place to ensure the highest value use. It is not economically feasible to use high-value logs for low value wood products.</p>	<p>The findings were updated to emphasize the fact that market drivers are sufficiently robust to avoid high-value logs being bought and processed by biomass producers. There is a low risk biomass producers not be in compliance with principles of cascading use.</p>

## Annex 5 Stakeholder consultation report

PEFC Canada	<p>Section 1 – Introduction</p> <p>Note that the report does not follow the format of this consultation questionnaire. As a result, it is difficult to respond to the questionnaire. For consistency, all risk assessments should be done in with the same methodology and reported in the same format.</p> <p>Extremely concerning is that there is no evidence of involvement of Indigenous Peoples in the engagement process.</p> <p>PEFC Canada expresses significant concern that the regional risk assessment procedure lacks sufficient guidance to ensure the development of a consistent and credible risk assessments for the province. The duplication of evaluations disregards the long-established, internationally recognized, and widely adopted forest certifications commonly used in the forest industry nationwide. Furthermore, the rationale for conducting risk assessments at the provincial level is unclear, particularly given the substantial overlap and redundancy among assessments across provinces. This document does not demonstrate an open, transparent, or inclusive approach and appears to have been developed with limited input from key stakeholders and industry experts. Extremely concerning is that there is no evidence of involvement of Indigenous Peoples in the engagement process. Given the unique relationships to the land, First Nation title and rights, and treaty rights, Indigenous Peoples should be recognized in all aspects of SFM.</p> <p>This process duplicates existing risk assessments already conducted through other certification frameworks, such as Sustainable Forest Management (SFM) and Chain of Custody (CoC) certifications widely recognized in the forest industry in Quebec and across Canada.</p> <p>Furthermore, considering that fibre often crosses provincial boundaries a Canada-wide risk assessment would align better with fibre sourcing practices and meet RED II requirements more effectively than a province-specific approach.</p> <p>Notably, the FSC Canada National Risk Assessment (CNRA) provides a more comprehensive analysis of fibre sourcing risks.</p> <p>The SBP risk assessment could have been streamlined by recognizing fibre sourced through existing certifications as compliant with its requirements. This approach would reduce redundancy, particularly given that much of NB's forest land base is already certified under SFM standards (FSC and two PEFC-endorsed standards: CSA and SFI), and most forest companies possess CoC certification and/or fibre sourcing certification which addresses risk of sourcing fibre from unacceptable sources.</p>	<p>Thank you for your comments. The Quebec RRA was conducted in compliance with SBP standards and procedures. The existence of duplicative requirements between SBP and other certification programs does exist.</p> <p>The consultation questionnaire was designed to be user-friendly. It covered the topics introduced at the beginning, and participants were required to select indicators for feedback. Given the complexity of the feedback process, this was the most effective format we could provide.</p> <p>SBP requirements regarding Indigenous Peoples have been evaluated under indicators 4.2.4 and 4.2.6. Relevant experts on Indigenous Peoples' rights were consulted, as detailed in Annex 2. Additionally, the Draft RRA was shared during public consultations with Indigenous Peoples' representatives, as indicated in Annex 4.</p> <p>SBP is considering risk assessments from other certification systems as a source of credible information; however, due to differences in normative requirements and interpretations between different scheme owners, the risk outcomes may vary.</p> <p>SBP is committed to supporting the interoperability of certification systems to reduce the burden on operators in the biomass value chain. SBP has benchmarked the PEFC and FSC forest management standards, Benchmarking and recognition framework and evaluations—Sustainable Biomass Program. Both of these certification schemes are recognised by SBP, as described in section 3.2 of the SBP Standard 2 <a href="#">SBP Standard 2 v2.0 final.pdf</a>.</p> <p>As a result of this benchmarking, mitigation measures implemented by certificate holders in PEFC, SFI or FSC-certified forests are accepted by SBP as appropriate risk management measures for the indicators covered by those systems. Additionally, processing residues certified by PEFC, SFI, or FSC are recognised as SBP-compliant.</p>
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## Annex 5 Stakeholder consultation report

	<p>Section 2 - Regional background and statement of scope</p> <p>The section numbers described in this consultation form are not reflected in the RRA. The scope is narrower than the provincial boundary, but it is not clear if there is a risk of sourcing fibre from outside the scope, i.e. in the area above the northern limit of the attributable forests. The scope should reflect the scope of where the fibre is sourced. For example, since most fibre is coming from sawmills as residue, the risk assessment needs to consider the source of the logs. Given that there is significant Nova Scotia-New Brunswick-Quebec cross boundary transportation of logs and other fibre as well as some sourcing from the US, it would have been more appropriate to consider the scope at a national level which would be consistent with other risk assessments. This would also eliminate redundancy in the risk assessment, ensure a consistent approach across all of Canada, and be consistent with risk assessments in other jurisdictions. While at first glance, it may seem reasonable to select sub-scope based on land ownership, e.g. Crown land vs private land, this does not represent a homogeneous risk as there are different management strategies within those groups. A more appropriate stratification would be to consider SFM certification and stratify by certified and uncertified. Uncertified land represents a significantly higher risk of non-conformance with the indicators than certified land and should be assessed separately.</p> <p>The scope is narrower than the provincial boundary, but it is not clear if there is a risk of sourcing fibre from outside the scope, i.e. in the area above the northern limit of the attributable forests.</p>	<p>The section numbers and structure of the RRA has been updated to comply with version 2.0 of the SBP Regional Risk Assessment Procedure.</p> <p>Since forest management is the provinces' responsibility as defined by the Canadian constitution, SBP supported RRAs based on provincial boundaries.</p> <p>As commercial harvest above the northern limit is illegal, these forests are out of scope of the Quebec RRA.</p> <p>The private land sub-scopes used in the Quebec RRA mainly underlines the monitoring differences between woodlot owners that produce wood with or without professional supervision.</p>
	<p>Section 3 - Methodology</p> <p>The risk assessment methodology is not described in the report as a result, it is not possible to assess or comment on the risk assessment methodology. Further, without having a clearly defined methodology, it is not possible to produce a consistent and credible outcome. The methodology should be clearly described for public input. To accurately assess the risk, in some cases, the analysis needs to consider the indicator, what elements (e.g. IFLs) of the indicator may be at risk, the probability of the indicator or its elements that may be impacted (e.g. location in relation to fibre sourcing activities for specific IFLs) and whether or not some protection exists (e.g. deferrals).</p>	<p>The methodology of the Quebec RRA is compliance with requirements defined in the SBP Regional Risk Assessment Procedure v2.0. The risk designation process is well represented in this document in section 4.3.5.</p>
	<p>Section 4 - Stakeholder consultation</p> <p>There is no description of the stakeholder consultation process. As this is an update to the risk assessment, and there was lack of stakeholder comments on the previous RRA, it appears that a more robust process should have been</p>	<p>Both the previous and this version of the Quebec RRA have undergone consultation. The consultation report can be found here on the SBP website: <a href="https://sbpcert.wpenginepowered.com/wp-">https://sbpcert.wpenginepowered.com/wp-</a></p>

## Annex 5 Stakeholder consultation report

	<p>implemented to ensure the effectiveness of the engagement process. This underscores the need for substantial improvements in stakeholder consultation and outreach efforts to ensure meaningful participation and feedback. Key stakeholder e.g., SFI were not included in the current consultation process (note that the SFI series of standards, are endorsed by PEFC ). Additionally, the format provided for consultation submissions was insufficient for stakeholders to provide a detailed and comprehensive response. A 30-day timeline is inadequate for reviewing and responding to such an extensive document. For comparison, the FSC NRA process allows a 60-day period, providing a more reasonable timeframe for meaningful input.</p>	<p>content/uploads/2021/04/Quebec-RRA_Response-to-Consultation_Apr21_FINAL.pdf.</p> <p>The final version of the Quebec RRA version 2.0 will also include the list of stakeholders and experts which participated to the RRA update.</p>
	<p>Section 5 - Conclusions</p> <p>Section 5 – Conclusions does not exist in the report. Further, the sections as outlined in this consultation template do not reflect the structure of the Regional Risk Assessment Report. This has made it difficult to provide meaningful input into the consultation process.</p>	<p>This was added in the final report of the RRA as required by the SBP Regional Risk Assessment Procedure v2.0. Thank you for your observation</p>
	<p>Annex 4 - List of stakeholders</p> <p>There is no Annex 4 in the report, therefore, no stakeholders are specifically listed and as a result, it is not possible to determine if the appropriate stakeholders have been consulted.</p>	<p>This was added in the final report of the RRA as required by the SBP Regional Risk Assessment Procedure v2.0. Thank you for your observation</p>
	<p>Annex 5 - Stakeholder consultation report</p> <p>There is no Annex 5 in the report, as a result, it is not possible to ascertain if the stakeholder consultation process was adequate. Given that the previously completed RRAs for BC and Quebec received little to no stakeholder comments, more effort should be placed on stakeholder identification and engagement. A particular concern is for consultation and engagement with Indigenous representatives.</p>	<p>This was added in the final report of the RRA as required by the SBP Regional Risk Assessment Procedure v2.0. Thank you for your observation</p>
	<p>REDII Level A risk assesment is in Annex 1</p> <p>No comments on this Annex or the results of the RRA as inadequate time was provided by the consultation process.</p>	<p>N/A</p>
Ministry Qweb	<p>Indicator 2.1.3</p> <p>Depuis 2013, des plans d'aménagement de l'habitat du caribou ont été mis en œuvre dans diverses régions du Québec. Leur impact sur les possibilités forestières en vigueur (2023-2028) est de - 820 000 m3 bruts/an. Les mesures sont variables d'une région à l'autre. Parfois, des modalités particulières d'aménagement forestier s'appliquent, parfois les plans visent à conserver des massifs forestiers, par exemple;</p>	<p>Le Groupe de travail a conclu que malgré les efforts déployés par le gouvernement pour protéger l'habitat du caribou forestier, les mesures intérimaires en vigueur ne sont pas suffisamment alignées avec le plan de rétablissement du caribou forestier au Canada. Pour le moment, l'aménagement forestier ne considère pas les objectifs des impacts cumulatifs des perturbations. Pour le moment, la gestion actuelle des forêts ne tient pas compte des objectifs de perturbation cumulative conformes au programme</p>

## Annex 5 Stakeholder consultation report

	<p>Depuis 2019, des mesures administratives intérimaires pour l'aménagement de l'habitat du caribou ont été mises en place par le gouvernement du Québec et s'ajoutent aux plans d'aménagement de l'habitat du caribou. Ces mesures précisent les superficies qui font l'objet de mesures d'évitement dans la planification forestière, à l'exception des travaux de restauration de la l'habitat du caribou (démantèlement de chemin et remise en production des sites déjà scarifiés) et de la récolte de bois issus de perturbations naturelles ;</p> <p>De plus, un moratoire sur la coupe forestière en Abitibi-Témiscamingue s'applique actuellement sur un territoire couvrant 2160 km<sup>2</sup>.</p> <p>(Translation: Since 2013, caribou habitat management plans have been implemented in various regions of Quebec. Their impact on the forestry possibilities in force (2023-2028) is - 820,000 m<sup>3</sup> gross/year. The measures vary from one region to another. Sometimes, specific forest management arrangements apply, sometimes the plans aim to conserve forest massifs, for example;</p> <p>Since 2019, interim administrative measures for caribou habitat management have been put in place by the Government of Quebec and are added to the caribou habitat management plans. These measures specify the areas that are subject to avoidance measures in forest planning, with the exception of caribou habitat restoration work (dismantling roads and returning already scarified sites to production) and the harvesting of wood from natural disturbances;</p> <p>In addition, a moratorium on logging in Abitibi-Témiscamingue currently applies to an area covering 2,160 km<sup>2</sup>.)</p>	<p>fédéral de rétablissement, en fonction des aires de répartition locales des populations de caribous forestiers.</p> <p>(Translation: The Working Group concluded that despite the government's efforts to protect woodland caribou habitat, current interim measures are not sufficiently aligned with the recovery plan for woodland caribou in Canada. Currently, forest management does not consider cumulative disturbance impact objectives. Currently, current forest management does not consider cumulative disturbance objectives consistent with the federal recovery strategy, based on local ranges of woodland caribou populations.)</p>
	<p>Indicateur 3.3.1</p> <p>L'écosystème économique du secteur forestier au Québec par une politique de tarification appropriée des bois permet de respecter l'application du principe en cascade de la biomasse forestière tel que décrit dans les directives sur l'énergie renouvelable de l'Union européenne. Ainsi, l'indicateur 3.3.1 devrait être diminué au niveau de risque « faible » ;</p> <p>L'utilisation judicieuse de la matière ligneuse vers le meilleur usage environnemental a été assurée dans l'écosystème économique du secteur forestier au Québec. Les bois de qualité ont pratiquement toujours été dirigés vers des utilisations durables, telles que les colombages, bois d'ingénierie, panneaux, meubles, planchers, etc. ;</p>	<p>Les conclusions ont été mises à jour pour souligner que les forces du marché sont suffisamment solides pour éviter que les grumes de grande valeur ne soient achetées et traitées par les producteurs de biomasse. Il y a un faible risque que les producteurs de biomasse ne respectent pas les principes de l'utilisation en cascade.</p> <p>(Translation: The findings have been updated to highlight that market forces are strong enough to prevent high-value logs from being purchased and processed by biomass producers. There is a low risk that biomass producers will not adhere to the principles of cascading use.)</p>

## Annex 5 Stakeholder consultation report

Les résidus issus de la transformation des produits du bois (produits conjoints) et le bois de faible qualité ont historiquement été dirigés, vers des utilisations moins durables. Ces utilisations demeurent tout de même nécessaires pour assurer une économie circulaire efficace et aussi pour s'assurer que ces résidus soient valorisés et ne soient pas envoyés aux sites d'enfouissement. L'économie de la vente de ces produits conjoints et le bois de faible qualité à d'autres transformateurs est une opération essentielle dans l'écosystème économique du secteur ;

Le Québec rencontre donc l'exigence des directives sur les énergies renouvelables de l'Union européenne en matière de principe en cascade de la biomasse forestière qui vise à assurer l'efficacité de l'utilisation de la biomasse en donnant la priorité, dans la mesure du possible (tel qu'explicitement mentionné par les directives européennes sur les énergies renouvelables), à l'utilisation matérielle de la biomasse (comme les produits de construction en bois) plutôt qu'à son utilisation énergétique.

(Translation: The economic ecosystem of the forest sector in Quebec, through an appropriate wood pricing policy, allows for compliance with the application of the cascading principle of forest biomass as described in the European Union's renewable energy directives. Thus, indicator 3.3.1 should be reduced to the "low" risk level;

The judicious use of wood material towards the best environmental use has been ensured in the economic ecosystem of the forest sector in Quebec. Quality wood has almost always been directed towards sustainable uses, such as half-timbering, engineered wood, panels, furniture, floors, etc.;

Residue from the processing of wood products (joint products) and low-quality wood have historically been directed towards less sustainable uses. These uses are still necessary to ensure an effective circular economy and also to ensure that these residues are recovered and not sent to landfills. The economics of selling these joint products and low-quality wood to other processors is a key operation in the sector's economic ecosystem;

Quebec therefore meets the requirement of the European Union's renewable energy directives regarding the cascading principle of forest biomass, which aims to ensure the efficiency of biomass use by prioritizing, to the extent possible (as explicitly mentioned by the European renewable energy directives), the material use of biomass (such as wood construction products) rather than its energy use.)

## Sustainable harvesting criteria 29(6)

The country in which forest biomass was harvested has national or sub-national laws applicable in the area of harvest as well as monitoring and enforcement systems in place ensuring:

## (i) The legality of harvesting operations

## Step 1: Identification of applicable laws

<i>Have the applicable law(s) been identified?</i>	✓ <b>Yes</b> • No, Level B route is required
<i>List of applicable law(s)</i>	<p>Here are some examples of federal laws that may apply:</p> <ul style="list-style-type: none"> <li>- Forest Act and Timber Regulations 1993</li> <li>- Wild Animal and Plant Protection and Regulation of International and Inter- provincial Trade Act</li> <li>- Species at Risk Act</li> <li>- Indian Act</li> <li>- First Nations Land Management Act</li> <li>- Migratory Birds Convention Act</li> </ul> <p>Here are some examples of provincial laws that may apply: Loi sur l'aménagement durable du territoire forestier) and the 21 regulations made under the Act. For example:</p> <ul style="list-style-type: none"> <li>- Règlement sur l'aménagement durable des forêts - RADF.</li> <li>- Regulation respecting operating permits for wood processing plants</li> <li>- Regulation on the scaling of timber harvested in State-owned forests</li> <li>- Regulations governing payment of the annual fee and timber purchased by beneficiaries under their supply guarantee</li> <li>- Act respecting the marketing of agricultural, food and fishery products</li> <li>- Act respecting threatened or vulnerable species</li> <li>- Quebec Civil Code</li> <li>- Municipal by-laws</li> </ul>
<i>Sources</i>	<p>Federal laws:</p> <ul style="list-style-type: none"> <li>- Forest Act and Timber Regulations 1993, available at <a href="https://laws-lois.justice.gc.ca/eng/acts/F-30/">https://laws-lois.justice.gc.ca/eng/acts/F-30/</a> and <a href="https://laws-lois.justice.gc.ca/eng/regulations/SOR-94-118/FullText.html">https://laws-lois.justice.gc.ca/eng/regulations/SOR-94-118/FullText.html</a></li> <li>- Wild Animal and Plant Protection and Regulation of International and Inter- provincial Trade Act (1992), available at: <a href="https://laws-lois.justice.gc.ca/eng/acts/w-8.5/">https://laws-lois.justice.gc.ca/eng/acts/w-8.5/</a></li> <li>- Species at Risk Act (2002), available at: <a href="https://laws-lois.justice.gc.ca/eng/acts/S-15.3/page-1.html">https://laws-lois.justice.gc.ca/eng/acts/S-15.3/page-1.html</a></li> <li>- Indian Act (1985), available at: <a href="https://laws-lois.justice.gc.ca/eng/acts/i-5/">https://laws-lois.justice.gc.ca/eng/acts/i-5/</a></li> <li>- First Nations Land Management Act (1999), available at: <a href="https://laws-lois.justice.gc.ca/eng/acts/F-11.8/">https://laws-lois.justice.gc.ca/eng/acts/F-11.8/</a></li> <li>- Migratory Birds Convention Act (1994), available at: <a href="https://laws-lois.justice.gc.ca/eng/acts/M-7.01/page-1.html">https://laws-lois.justice.gc.ca/eng/acts/M-7.01/page-1.html</a></li> </ul> <p>Provincial laws:</p> <ul style="list-style-type: none"> <li>- Sustainable Forest Development Act (2010), available at: <a href="https://www.legisquebec.gouv.qc.ca/fr/document/lc/A-18.1%20/">https://www.legisquebec.gouv.qc.ca/fr/document/lc/A-18.1%20/</a></li> <li>- Loi sur la mise en marché des produits agricoles, alimentaires et de la pêche (1999), available at: <a href="https://www.legisquebec.gouv.qc.ca/fr/document/lc/m-35.1">https://www.legisquebec.gouv.qc.ca/fr/document/lc/m-35.1</a></li> </ul>

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	<ul style="list-style-type: none"><li>- Act respecting threatened or vulnerable species (2002), available at: <a href="https://www.legisquebec.gouv.qc.ca/fr/document/lc/e-12.01">https://www.legisquebec.gouv.qc.ca/fr/document/lc/e-12.01</a></li><li>- Civil Code of Quebec (1991), available at: <a href="https://www.legisquebec.gouv.qc.ca/fr/document/lc/ccq-1991">https://www.legisquebec.gouv.qc.ca/fr/document/lc/ccq-1991</a></li><li>- By-laws, available at: <a href="https://www.legisquebec.gouv.qc.ca/fr/">https://www.legisquebec.gouv.qc.ca/fr/</a></li></ul>
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### Step 2: Description of enforcement and monitoring

<i>Description of the practical implementation of the law(s)</i>	<p>Provinces and territories manage their own natural resources, including forests, except on federal lands, such as First Nations lands and national parks. While provinces and territories have authority over the management of most forest lands within their boundaries, forestry operations are also bound by national legislation. The comprehensive laws and regulations applied by the provinces and territories are therefore designed to meet the requirements of federal forestry legislation, such as the Species at Risk Act, the Fisheries Act, the Migratory Birds Convention Act and the Plant Protection Act. Forestry activities must also comply with international agreements signed by Canada, such as the Convention on Biological Diversity and the Convention on International Trade in Endangered Species of Wild Fauna and Flora.</p> <p>The Sustainable Forest Development Act and its regulations govern forest management practices in Quebec. The Sustainable Forest Management Regulation (SFMR) applies to the public forest and provides a framework for forest management practices and operations. The Règlement sur le mesurage des bois récoltés dans les forêts du domaine de l'État (Regulation respecting the scaling of wood harvested from forests in the public domain) applies to all persons or organizations harvesting or purchasing wood from forests in the public domain. In Quebec, wood from private forests is considered an agricultural product, and is governed in part by the Act respecting the marketing of agricultural, food and fish products and the regulations governing the marketing of wood. In addition to the provisions of this Act and those of the Sustainable Forest Development Act, the Civil Code of Québec provides remedies for cutting on private property without the owner's consent, or in contravention of the owner's requirements. Municipalities also have the power to regulate tree felling, to ensure that these regulations are enforced and, if necessary, to resort to the courts to punish offenders. A wood processing plant operating permit is mandatory, and requires the keeping of an annually updated register of inventories, timber receipts and consumption, as well as the nature and quantity of manufactured products. Allocated and harvested volumes in public and private forests can then be compared with mill deliveries.</p> <p>For example, the province of Quebec has laws in place to guarantee the legality of harvesting operations, as provided for in point h) of Article 2 of Regulation (EU) no. 995/2010. For example:</p> <ul style="list-style-type: none"><li>- the right to harvest timber within legally published limits,</li><li>- payments for harvesting rights and timber, including timber harvesting rights,</li><li>- timber harvesting, including environmental and forestry legislation, including forest management and biodiversity conservation, when directly related to timber harvesting,</li><li>- the legal rights of third parties concerning use and tenure that are affected by timber harvesting, and</li><li>- trade and customs, as far as the forestry sector is concerned.</li></ul>
<i>Sources</i>	<ul style="list-style-type: none"><li>- Government of Canada: <a href="https://natural-resources.canada.ca/our-natural-resources/forests/sustainable-forest-management/canadas-forest-laws/17497">https://natural-resources.canada.ca/our-natural-resources/forests/sustainable-forest-management/canadas-forest-laws/17497</a></li><li>- Bilan quinquennal de la gestion durable des forêts 2013-2018 (MFFP, 2020), available at: <a href="https://mffp.gouv.qc.ca/documents/forets/amenagement/reddition-comptes/BilanQuinquennalADF.pdf">https://mffp.gouv.qc.ca/documents/forets/amenagement/reddition-comptes/BilanQuinquennalADF.pdf</a></li><li>- Directory of supply guarantee beneficiaries, available at: <a href="https://www.quebec.ca/agriculture-environnement-et-ressources-naturelles/forets/gestion-forets-publiques/territoires-droits-forestiers/publications">https://www.quebec.ca/agriculture-environnement-et-ressources-naturelles/forets/gestion-forets-publiques/territoires-droits-forestiers/publications</a></li></ul>

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<i>Is the enforcement and monitoring ensured for the identified law(s)?</i>	✓ <b>Yes</b> · No, Level B route is required
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### Step 3: Evaluation of the effectiveness of the legal framework on the legality of timber harvesting

<i>Evaluation of the practical implementation of the law(s) and explanation for the evaluation</i>	<p>Canada is not on the list of countries where harvesting is a domestic problem. It only appears on the list for wood imports. Canada has a rigorous and extensive system of forest governance to prevent abuse of tenure and ownership. The provinces have laws and regulations, and the staff to enforce them. Transparency International's 2022 Corruption Perception Report gives Canada a score of 74 out of 100, placing it fourteenth among countries with the lowest perception of corruption. Moreover, there are no current infringement proceedings by the European Commission against Canada in relation to the criteria (e.g. illegal logging, insufficient conservation of protected areas). A review of the UNEP-WCMC "Briefing Notes on the Implementation of the EU Timber Regulation" over the past two years revealed no mention of any serious infringements relating to the country.</p> <p>Particularly in Quebec, the regulatory compliance rate following the completion of forest management activities remained at an average of 90% over the 2013-2018 period, according to the five-year report produced by the Ministère des Forêts, de la Faune et des Parcs (MFFP 2020).</p> <p>To ensure the sustainability of the resource and the protection of the forest environment, the MRNF is responsible for forest planning and oversees the implementation of forest management. It reprimands the actions of individuals or companies that undermine the integrity of the forest environment. A notice of non-compliance followed by a notice of infraction is issued when non-compliance has been confirmed. Offenders may be fined. The list of offenders under the Forest Act and the Sustainable Forest Development Act is proof of the application of this mechanism. Forest management companies in public forests must be ISO 14001 or CEF certified. Staff and contractors receive training several times a year on the procedures to follow when they witness illegal activity. The incident must be reported to their supervisor, whomust in turn notify the MRNF by completing a report form. Reports are then analyzed and processed by various MRNF officials and, if necessary, forwarded to the appropriate authorities, such as the Sûreté du Québec or wildlife officers. In private forests, tree felling is regulated by municipalities and regional county municipalities (MRCs). Felling permits must be obtained within the parameters defined by local authorities. Inspectors are responsible for assessing compliance with these regulations, and following up on complaints and denunciations. Forest producers benefiting from the private forest development program must call on the services of a forest engineer to determine the appropriate prescriptions and to confirm that their activities have complied with these prescriptions. Since 1995, regional forest development agencies have been monitoring activities that have benefited from the program. Wood harvested from private forests and marketed in Quebec is subject to the <i>Loi sur la mise en marché des produits agricoles, alimentaires et de la pêche</i> (Act respecting the marketing of agricultural, food and fishery products) and to regulations governing the marketing of wood by wood producers in each of Quebec's administrative regions. Depending on the region, the unions and boards monitor all or a specific category of wood harvested from private forests. However, for activities in private forests without the use of management assistance programs, there is no effective monitoring system to demonstrate compliance with regulatory requirements. Consequently, Level B analysis is required.</p>
<i>Sources</i>	<ul style="list-style-type: none"> <li>- Cashore, B. and C. L. McDermott. 2004. Global Environmental Forest Policies: Canada as a constant case comparison of select forest practice regulations. Victoria, BC: How Canada Compares; and Indufor Oy. 2009. Comparison of selected forest certification standards. Final report. Helsinki, Finland. 39 p. + appendices</li> <li>- Corruption perceptions index, transparency international, available at: <a href="https://www.transparency.org/en/cpi/2022">https://www.transparency.org/en/cpi/2022</a></li> <li>- European Commission (page 13, table 3.1); and Mi, R., McInnis, T. and Heyhoe, E. 2010, The economic consequences of restricting the import of illegally logged timber.</li> </ul>

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	<ul style="list-style-type: none"> <li>- Infractions of the Forest Act and the Sustainable Forest Development Act, available at: <a href="https://www.quebec.ca/agriculture-environnement-et-ressources-naturelles/forets/gestion-forets-publiques/loi-reglementations-forestieres">https://www.quebec.ca/agriculture-environnement-et-ressources-naturelles/forets/gestion-forets-publiques/loi-reglementations-forestieres</a></li> </ul>
<i>Is the legal framework effective?</i>	<ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Yes, for public forests and activities in private forests with recourse to management assistance programs.</li> <li><input checked="" type="checkbox"/> No, Analysis B is required for supply that comes from private forest harvesting without the use of management assistance programs.</li> </ul>

### (ii) Forest regeneration of harvested areas

#### Step 1: Identification of applicable laws

<i>Have the applicable law(s) been identified?</i>	✓ <b>Yes</b> · No, Level B route is required
<i>List of applicable law(s)</i>	<p>The Sustainable Forest Development Act (LADTF) institutes a forestry regime aimed at implementing sustainable forest management and ensuring the monitoring and control of interventions carried out in forests in the domain of the State, including site preparation and reforestation work (art. 1). The Règlement sur l'aménagement durable des forêts du domaine de l'État (RADF) specifies certain provisions relating to recultivation. It stipulates that the site must be left in conditions conducive to the rapid establishment of natural regeneration (art. 120, 127, 129 and 154), e.g. the surface of the site must be free of logging waste. Forest regeneration must be monitored in accordance with silvicultural regulations (art. 155). As ruts are likely to impair regeneration establishment and soil quality on felling and skidding trails, they must not cover more than 25% of trail length per total cutting area (art. 45). For private forests, the regional agencies for the development of private forests, created by the LADTF (articles 132 to 168), have the objective of guiding and developing the development of private forests within their territory, with a view to sustainable forest management. They also provide financial and technical support for the protection and development of these forests. The Act respecting land use planning and development stipulates that any municipality or MRC may regulate, by zone, soil excavation, humus removal, planting, tree felling and any excavation or filling work (art. 79.3).</p>
<i>Sources</i>	<ul style="list-style-type: none"> <li>- Sustainable Forest Development Act, LQ 2010, c 3. Page consulted May 19, 2023. <a href="https://canlii.ca/t/dlrs">https://canlii.ca/t/dlrs</a></li> <li>- Règlement sur l'aménagement durable des forêts du domaine de l'État, RLRQc A-18.1, r 0.01. Page consulted May 19, 2023. <a href="https://canlii.ca/t/dvji">https://canlii.ca/t/dvji</a></li> <li>- Planning and Development Act, LN-B 2017, available at: <a href="https://www.legisquebec.gouv.qc.ca/fr/document/lc/a-19.1">https://www.legisquebec.gouv.qc.ca/fr/document/lc/a-19.1</a></li> <li>- Guide terrain. Saines pratiques d'intervention en forêt privée. 5<sup>e</sup> édition. Fédération des producteurs forestiers du Québec. 2022. Page consulted May 19, 2023. <a href="https://www.foretrivee.ca/je-protege-ma-foret/saines-pratiques-dintervention-forestiere/?contenu=les-interventions-en-foret">https://www.foretrivee.ca/je-protege-ma-foret/saines-pratiques-dintervention-forestiere/?contenu=les-interventions-en-foret</a></li> </ul>

**Step 2: Description of enforcement and monitoring**

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### *Description of the practical implementation of the law(s)*

In Quebec, natural regeneration is widely favored. For sites that do not regenerate naturally to the desired species within a reasonable timeframe, reforestation with native species is recommended. At the level of public forest management units, the MRNF establishes compositional objectives in its tactical integrated forest management plans (PAFIT). For example, the number of seedlings of endangered species (white pine, red pine, yellow birch, red oak) is identified as an indicator that is monitored annually. These objectives are based on the vegetation potential of the environment, and regeneration areas are required to respect a spatial distribution and targets close to natural historical proportions across the territory, with the aim of mimicking natural disturbances. In public forests, MRNF silviculturists (forest engineers) determine minimum density and composition requirements. They include this information in silvicultural prescriptions, based on site ecology and silvicultural guides. In operational terms, the beneficiaries of the guaranteed supply agreement (BGA) are responsible for harvesting the wood. At the end of the year, BGAs are required to produce an annual report signed by the forest engineer in charge, which includes accountability for a number of elements, such as respect for skidding trails to minimize damage to pre-established regeneration. The MRNF ensures compliance with the FDR by visiting each work site on public land at least once during its execution. Notices of non-conformity with a timetable for corrective action are issued when elements do not comply with one of the regulations. Non-compliance can lead to infractions and prosecution by the government if corrective action is not taken within the required timeframe. Following harvesting, the MRNF assesses the presence of natural regeneration. If regeneration is insufficient, work will be planned to bring these areas back into production by applying silvicultural techniques (scarification, planting, replanting). The work is contracted out to forest management companies by Rexforêt, a subsidiary of Investissement Québec that was created in 2013 following the introduction of the new forest regime to ensure the implementation of government forest management programs.

Forest management companies must hold ISO 14001 (or CEAF) certification, and have procedures in place that comply with FDR regulations. Annual audits are carried out by a third party to verify compliance with these standards. Notices of non-conformity with a timetable for corrective action are issued when elements fail to meet any of the requirements of these standards. Forest management companies are also required to produce a worksite report signed by a forest engineer guaranteeing the quality of reforestation, education or scarification work carried out and compliance with silvicultural prescriptions. Once the work has been completed, Rexforêt validates the quality of the forest management work by validating the quality of the inventories carried out by the forest management companies. To provide a framework for silvicultural efforts, the MRNF has produced silvicultural guides that bring together the scientific knowledge needed by silviculturists in the forest planning process to ensure that silviculture in Quebec is adapted to the ecology of the sites and the multiple management objectives established. These guides also contain choices of silvicultural scenarios or possible treatment sequences to ensure that the management strategy enables wood production, while respecting the production capacity of sites and their constraints in relation to management (risk of windthrow, susceptibility to insects and disease, trafficability, etc.).

For private forests, the agencies draw up a Protection and Enhancement Plan (PPMV) for their territory, which describes the characteristics of the territory and the management objectives that promote sustainable forest management. PPMVs must comply with the land use and development plans set out in the Act respecting land use planning and development, which determine the major orientations and uses of the territory. The PPMV describes surface deposits, while the mapping of soil sensitivity to rutting is posted on the "Forêt Ouverte" website. In the case of owners who have access to development assistance, silvicultural prescriptions are prepared for each harvesting site. In this case, the forestry engineer will develop a silvicultural prescription that incorporates measures to ensure the maintenance of

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	<p>sufficient regeneration based on the ecology of the site. In this case, and even if the work is not funded by the PAMVFP, the properties are visited by accredited advisors who ensure that the work complies with the silvicultural prescription.</p> <p>Guides are available to help forest producers manage private forests. For example, the Fédération des producteurs forestiers du Québec (FPFQ) has published the Guide des saines pratiques en forêt privée (Guide to sound forestry practices in private forests), which helps to apply environmental impact mitigation measures during forestry operations. As in public forests, it notes the importance of protecting regeneration and soils. The guide suggests obtaining a silvicultural prescription signed by a forestry engineer, which includes provisions for site access and regeneration protection. For example, winter interventions can protect regeneration on certain sites. A rutting proportion of 25% of trail length is recommended. The application of silvicultural treatments, including scarification, planting and education, is suggested to ensure the return of forest cover when natural regeneration is insufficient. It also suggests reforestation quickly after scarification to avoid soil compaction from rain and erosion. A diversification of tree species is suggested, and the guide gives a number of tips for successful planting. The guide is available online free of charge. Municipalities and MRCs generally require a permit for tree felling. Municipal inspectors are responsible for enforcing municipal bylaws on their territory.</p>
<p><i>Sources</i></p>	<ul style="list-style-type: none"> <li>- Tactical integrated forest management plan (PAFIT). Available at: <a href="https://www.quebec.ca/agriculture-environnement-et-ressources-naturelles/forets/planification-forestiere/plans-regionaux-consultations">https://www.quebec.ca/agriculture-environnement-et-ressources-naturelles/forets/planification-forestiere/plans-regionaux-consultations</a></li> <li>- Plan de protection et de mise en valeur des forêts privées de la région du Bas-St-Laurent (PPMV). Available at: <a href="https://www.agence-bsl.qc.ca">https://www.agence-bsl.qc.ca</a></li> <li>- Guide terrain. Saines pratiques d'intervention en forêt privée. 5<sup>e</sup> édition. Fédération des producteurs forestiers du Québec. 2022. Page consulted May 19, 2023. <a href="https://www.foretrivee.ca/je-protege-ma-foret/saines-pratiques-dinter-vention-forestiere/?contenu=les-interventions-en-foret">https://www.foretrivee.ca/je-protege-ma-foret/saines-pratiques-dinter-vention-forestiere/?contenu=les-interventions-en-foret</a></li> </ul>
<p><i>Is the enforcement and monitoring ensured for the identified law(s)?</i></p>	<p>✓ <b>Yes</b> • No, Level B route is required</p>

### Step 3: Evaluation of the effectiveness of the legal framework on the legality of timber harvesting

<p><i>Evaluation of the practical implementation of the law(s) and explanation for the evaluation</i></p>	<p>In Quebec, the government's Stratégie d'aménagement durable des forêts (sustainable forest management strategy) stipulates that natural regeneration should be encouraged when an adequate quantity of quality seedlings can be obtained within an acceptable timeframe. Every year, some 130 million seedlings are planted in Quebec. Since the current forestry regime came into force, the MRNF has been responsible for forest management in Quebec. To carry out silvicultural work, the MRNF has chosen to delegate this responsibility to Rexforêt. Every year, the MRNF invests over \$200 million in silviculture. The marketing of timber and the transportation of forest products are regulated. Logs can only be transported on provincial roads if accompanied by a transport ticket and registered at the loading site in the case of public forests. Primary wood processing plants are required to verify this documentation and confirm the forest origins of their supply. Renewal of their mill permit is possible if they submit an annual report to the MRNF, including details of their forest supply regions.</p> <p>The MRNF is responsible for forest planning, the preparation of silvicultural prescriptions and regular monitoring of forest operations. Rexforêt is responsible for monitoring contracts and post-treatment inventories (commercial and non-commercial). BGA has ISO 14001 (or equivalent) certification, which is audited annually by a third party. The risk is therefore low. In forests with development aid, prescriptions are developed and monitored under the supervision of a forest engineer, which considerably reduces the risk of non-</p>
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	compliant practices. The risk is therefore considered low, despite the lack of existing data. On the other hand, there is no effective monitoring system to demonstrate soil protection in private forests outside the program. Consequently, level B road is required.
<i>Sources</i>	<ul style="list-style-type: none"> <li>- Reddition de compte MRNF 2020-2021. Available at: <a href="https://mffp.gouv.qc.ca/les-forets/amenagement-durable-forets/suivis-forets-tiers-traitements-sylvicoles-rentabilite-investissements/">https://mffp.gouv.qc.ca/les-forets/amenagement-durable-forets/suivis-forets-tiers-traitements-sylvicoles-rentabilite-investissements/</a></li> <li>- Bilan quinquennal de l'aménagement durable des forêts 2013-2018, Government of Quebec. Page consulted on March 24, 2023, available at: <a href="https://mffp.gouv.qc.ca/documents/forets/amenagement/reddition-comptes/FT16_SuperficiesVolumes.pdf">https://mffp.gouv.qc.ca/documents/forets/amenagement/reddition-comptes/FT16_SuperficiesVolumes.pdf</a></li> </ul>
<i>Is the legal framework effective?</i>	<ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Yes, for public forests and private forest activities with courses in management assistance programs.</li> <li><input checked="" type="checkbox"/> No, Analysis B is required for supply that comes from private forest harvesting without the use of management assistance programs.</li> </ul>

**(iii) That areas designated by international or national law or by the relevant competent authority for nature protection purposes, including in wetlands and peatlands, are protected unless evidence is provided that the harvesting of that raw material does not interfere with those nature protection purposes**

### Step 1: Identification of applicable laws

<i>Have the applicable law(s) been identified?</i>	✓ <b>Yes</b> - No, Level B route is required
<i>List of applicable law(s)</i>	<p>Here are some examples of federal laws that may apply:</p> <ul style="list-style-type: none"> <li>- Forest Act and Timber Regulations 1993;</li> <li>- Wild Animal and Plant Protection and Regulation of International and Inter-provincial Trade Act</li> <li>- Species at Risk Act</li> <li>- Indian Act</li> <li>- First Nations Land Management Act</li> <li>- Dormouse on the Migratory Birds Convention</li> <li>- Canada National Parks Act</li> </ul> <p>Here are some examples of provincial laws that may apply:</p> <ul style="list-style-type: none"> <li>- Sustainable Forest Development Act and the 21 regulations made under the Act. For example:</li> <li>- Règlement sur l'aménagement durable des forêts - RADF.</li> <li>- Act respecting the marketing of agricultural, food and fishery products</li> <li>- Act respecting threatened or vulnerable species</li> <li>- Natural Heritage Conservation Act (LCPN)</li> <li>- Parks Act (Quebec)</li> <li>- Act respecting land use planning and development</li> <li>- Act respecting the protection of agricultural land and agricultural activities</li> <li>- Environmental Quality Act</li> <li>- Municipal by-laws</li> </ul>
<i>Sources</i>	<p>Federal laws:</p> <ul style="list-style-type: none"> <li>- Forest Act and Timber Regulations 1993, available at <a href="https://laws-lois.justice.gc.ca/eng/acts/F-30/">https://laws-lois.justice.gc.ca/eng/acts/F-30/</a> and <a href="https://laws-lois.justice.gc.ca/eng/regulations/SOR-94-118/FullText.html">https://laws-lois.justice.gc.ca/eng/regulations/SOR-94-118/FullText.html</a></li> <li>- Wild Animal and Plant Protection and Regulation of International and Inter-provincial Trade Act (1992), available at: <a href="https://laws-lois.justice.gc.ca/eng/acts/w-8.5/">https://laws-lois.justice.gc.ca/eng/acts/w-8.5/</a></li> <li>- Species at Risk Act (2002), available at: <a href="https://laws-lois.justice.gc.ca/eng/acts/S-">https://laws-lois.justice.gc.ca/eng/acts/S-</a></li> </ul>

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	<p>15.3/page-1.html</p> <ul style="list-style-type: none"> <li>- Indian Act (1985), available at: <a href="https://laws-lois.justice.gc.ca/eng/acts/i-5/">https://laws-lois.justice.gc.ca/eng/acts/i-5/</a></li> <li>- First Nations Land Management Act (1999), available at: <a href="https://laws-lois.justice.gc.ca/eng/acts/F-11.8/">https://laws-lois.justice.gc.ca/eng/acts/F-11.8/</a></li> <li>- Migratory Birds Convention Act (1994), available at: <a href="https://laws-lois.justice.gc.ca/eng/acts/M-7.01/page-1.html">https://laws-lois.justice.gc.ca/eng/acts/M-7.01/page-1.html</a></li> <li>- Canada National Parks Act (2000), available at: <a href="https://laws-lois.justice.gc.ca/fra/lois/n-14.01/">https://laws-lois.justice.gc.ca/fra/lois/n-14.01/</a></li> </ul> <p>Provincial laws:</p> <ul style="list-style-type: none"> <li>- Sustainable Forest Development Act (2010), available at: <a href="https://www.legisquebec.gouv.qc.ca/fr/document/lc/A-18.1%20/">https://www.legisquebec.gouv.qc.ca/fr/document/lc/A-18.1%20/</a></li> <li>- Loi sur la mise en marché des produits agricoles, alimentaires et de la pêche (1999), available at: <a href="https://www.legisquebec.gouv.qc.ca/fr/document/lc/m-35.1">https://www.legisquebec.gouv.qc.ca/fr/document/lc/m-35.1</a></li> <li>- Act respecting threatened or vulnerable species (2002), available at: <a href="https://www.legisquebec.gouv.qc.ca/fr/document/lc/e-12.01">https://www.legisquebec.gouv.qc.ca/fr/document/lc/e-12.01</a></li> <li>- Natural Heritage Conservation Act (2002), available at: <a href="https://www.legisquebec.gouv.qc.ca/fr/document/lc/c-61.01">https://www.legisquebec.gouv.qc.ca/fr/document/lc/c-61.01</a></li> <li>- Quebec Parks Act (2003), available at: <a href="https://www.legisquebec.gouv.qc.ca/fr/document/lc/p-9">https://www.legisquebec.gouv.qc.ca/fr/document/lc/p-9</a></li> <li>- Town and Country Planning Act (1979), available at: <a href="https://www.legisquebec.gouv.qc.ca/fr/document/lc/a-19.1">https://www.legisquebec.gouv.qc.ca/fr/document/lc/a-19.1</a></li> <li>- Loi sur la protection du territoire et des activités agricoles (1996), available at: <a href="https://www.legisquebec.gouv.qc.ca/fr/document/lc/p-41.1">https://www.legisquebec.gouv.qc.ca/fr/document/lc/p-41.1</a></li> <li>- Environment Quality Act (1972), available at: <a href="https://www.legisquebec.gouv.qc.ca/fr/document/lc/q-2">https://www.legisquebec.gouv.qc.ca/fr/document/lc/q-2</a></li> <li>- By-laws, available at: <a href="https://www.legisquebec.gouv.qc.ca/fr/">https://www.legisquebec.gouv.qc.ca/fr/</a></li> </ul>
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### Step 2: Description of enforcement and monitoring

<p><i>Description of the practical implementation of the law(s)</i></p>	<p>Since 2001, the Quebec government has had a legal framework for the protection of exceptional forest ecosystems (EFEs), which are rare forests, old-growth forests or refuge forests for threatened or vulnerable species. For public forests, the Forest Planning Manual, standards and exchange procedures between the Ministry and stakeholders guide the Ministry's professionals in drawing up management plans. All cutting blocks on public land are documented, mapped and accessible to the public (see <a href="https://www.fore-touverte.gouv.qc.ca">https://www.fore-touverte.gouv.qc.ca</a>). The annual report submitted by beneficiaries of supply contracts maps all harvesting sites (see "UA Performance annual reports" file). This enables effective validation of the boundaries of protected areas and cutting blocks. Infringements on the public domain are listed on the Ministry's website.</p> <p>In private forests, the development plans of RCMs under the Act respecting land use planning and development define land-use guidelines to ensure the harmonious and sustainable cohabitation of all activities carried out on their territory. The main laws governing work carried out in private forests that are relevant to the maintenance of designated sites are the Act respecting the conservation and development of wildlife, the Act respecting the protection of agricultural land and agricultural activities, the Environment Quality Act, the Act respecting threatened or vulnerable species and the Species at Risk Act. The regional plans for the protection and enhancement of private forests (PPMV), in line with the MRCs' development plans, ensure respect for the designated sites identified, and adopt an ecosystem-based approach with monitoring indicators to aim for the range of natural variation. Public consultations are scheduled during the development of management plans and PPMVs. Either the forestry advisor or the landowner is responsible for identifying VSS habitat and other rare or sensitive ecosystems.</p>
<p><i>Sources</i></p>	<ul style="list-style-type: none"> <li>- Tactical integrated forest management plan (PAFIT). Available at:</li> </ul>

	<p><a href="https://www.quebec.ca/agriculture-environnement-et-ressources-naturelles/forets/planification-forestiere/plans-regionaux-consultations">https://www.quebec.ca/agriculture-environnement-et-ressources-naturelles/forets/planification-forestiere/plans-regionaux-consultations</a></p> <ul style="list-style-type: none"> <li>- Plan de protection et de mise en valeur des forêts privées de la région du Bas-St-Laurent (PPMV). Available at: <a href="https://www.agence-bsl.qc.ca">https://www.agence-bsl.qc.ca</a></li> <li>- Guide terrain. Saines pratiques d'intervention en forêt privée. 5<sup>e</sup> édition. Fédération des producteurs forestiers du Québec. 2022. Page consulted May 19, 2023. <a href="https://www.foretrivee.ca/je-protege-ma-foret/saines-pratiques-dinter-vention-forestiere/?contenu=les-interventions-en-foret">https://www.foretrivee.ca/je-protege-ma-foret/saines-pratiques-dinter-vention-forestiere/?contenu=les-interventions-en-foret</a></li> <li>- FSC National Risk Assessment for Canada. 2019. FSC Canada. <a href="https://connect.fsc.org/document-center/documents/707ac9d8-d2d8-4f08-8768-6949bb3f3361">https://connect.fsc.org/document-center/documents/707ac9d8-d2d8-4f08-8768-6949bb3f3361</a></li> <li>- Special protection measures for flora and fauna in public forests. Government of Quebec. Available at: <a href="https://mffp.gouv.qc.ca/les-forets/protection-milieu-forestier/mesures-protection-particulieres-flore-faune/">https://mffp.gouv.qc.ca/les-forets/protection-milieu-forestier/mesures-protection-particulieres-flore-faune/</a></li> <li>- Integrating ecological issues into 2018-2023 integrated forest management plans. Government of Quebec. Available at: <a href="https://mffp.gouv.qc.ca/nos-publications/enjeux-ecologiques-dans-les-pafi/">https://mffp.gouv.qc.ca/nos-publications/enjeux-ecologiques-dans-les-pafi/</a></li> <li>- MRNF EMS-FDA reporting procedure.</li> <li>- Bouchard, A. R., 2005. Lignes directrices pour la gestion des territoires classés écosystèmes forestiers exceptionnels (Article 24.4 de la Loi sur les forêts), Québec, Gouvernement du Québec, Ministère des Ressources naturelles, de la Faune et des Parcs, Direction de l'environnement forestier, 23 p.</li> </ul>
<p><i>Is the enforcement and monitoring ensured for the identified law(s)?</i></p>	<p>✓ <b>Yes</b> • No, Level B route is required</p>

**Step 3: Evaluation of the effectiveness of the legal framework on the legality of timber harvesting**

<p><i>Evaluation of the practical implementation of the law(s) and explanation for the evaluation</i></p>	<p>Infractions on public land are listed on the ministry's website. The Ministère des Ressources naturelles et des Forêts (MRNF) monitors forest operations and activity reports from the organization responsible for forest operations. Organizational performance assessments identify challenges and issues in forest operations. The MRNF adjusts its monitoring accordingly and confirms the steps taken with the organizations. None of the non-compliances in terms of severity were related to protected areas or boundaries. The MRNF's Inventories Branch has a forest inventory program for acquiring and disseminating detailed knowledge of forest ecosystems, and for mapping them. A database of known habitats of rare species, VMEs and wildlife and plant sites protected by forest management (e.g., biological refuge, oquassa arctic char lake, spawning grounds, heronries, eagle nests) is maintained by the MRNF. In addition, there are currently 256 territories classified as EFEs, and a procedure exists for classifying new EFEs should new eligible areas be identified. The mechanism for reporting VME occurrences and potential EFEs exists and is open to the general public. MRNF staff and forest workers are trained annually to identify the main VSSEs they may encounter in the forest. Finally, the risk of failing to identify and harm a sensitive ecosystem and HCV in wetlands is greatly reduced by RADF, which requires the identification and creation of buffer zones around and near wetlands. Furthermore, there are no current infringement proceedings by the European Commission against Canada in relation to the criteria (e.g. insufficient conservation of protected areas). A review of UNEP-WCMC's "Information notes on the implementation of the EU Timber Regulation" over the past two years revealed no mention of serious infringements relating to the country.</p> <p>For private forests, thanks to the collaboration of technicians and forestry professionals with private woodland owners, the agencies have implemented the system in force, which provides a forest management plan that includes a mapping of the property, and generally includes the identification of sites that need to be protected in accordance with current</p>
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	<p>regulations. However, it can happen that forestry activities are carried out without recourse to aid programs (in the case of activities in private forests without development aid). These activities are therefore not necessarily controlled by forestry professionals. Although, in theory, these activities must comply with management plans, municipal by-laws and other laws and regulations associated with forestry operations in private forests, the absence of public information demonstrating compliance with these requirements makes it impossible to confirm whether designated sites are inventoried and mapped on these properties. As a result, there is no effective monitoring system to ensure compliance with regulatory requirements. Consequently, level B route is required.</p>
<i>Sources</i>	<ul style="list-style-type: none"> <li>- Cashore, B. and C. L. McDermott. 2004. Global Environmental Forest Policies: Canada as a constant case comparison of select forest practice regulations. Victoria, BC: How Canada Compares; and Indufor Oy. 2009. Comparison of selected forest certification standards. Final report. Helsinki, Finland. 39 p. + appendices</li> <li>- European Commission (page 13, table 3.1); and Mi, R., McInnis, T. and Heyhoe, E. 2010, The economic consequences of restricting the import of illegally logged timber.</li> <li>- Infractions of the Forest Act and the Sustainable Forest Development Act, available at: <a href="https://mffp.gouv.qc.ca/les-forets/%20infractions-aux-lois/">https://mffp.gouv.qc.ca/les-forets/%20infractions-aux-lois/</a></li> </ul>
<i>Is the legal framework effective?</i>	<p><input checked="" type="checkbox"/> Yes, for public forests and activities in private forests with recourse to management assistance programs.</p> <p><input checked="" type="checkbox"/> No, analysis B is required for supply that comes from harvesting in Private Forest without using management assistance programs.</p>

### (iv) That harvesting is carried out considering the maintenance of soil quality and biodiversity with the aim of minimising negative impacts

#### Step 1: Identification of applicable laws

<i>Have the applicable law(s) been identified?</i>	<p>✓ <b>Yes</b> - No, Level B route is required</p>
<i>List of applicable law(s)</i>	<p>Here are some examples of federal laws that may apply:</p> <ul style="list-style-type: none"> <li>- Forest Act and Timber Regulations 1993;</li> <li>- Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act</li> <li>- Species at Risk Act</li> <li>- Dormouse on the Migratory Birds Convention</li> </ul> <p>Here are some examples of provincial laws that may apply:</p> <ul style="list-style-type: none"> <li>- Sustainable Forest Development Act and the 21 regulations made under the Act. For example:</li> <li>- Règlement sur l'aménagement durable des forêts - RADF.</li> <li>- Act respecting the marketing of agricultural, food and fishery products</li> <li>- Act respecting threatened or vulnerable species</li> <li>- Act respecting land use planning and development</li> <li>- Act respecting the protection of agricultural land and agricultural activities</li> <li>- Environmental Quality Act</li> <li>- Loi sur la conservation et la mise en valeur de la faune governs the conservation of wildlife and its habitat as well as hunting, fishing and trapping activities.</li> <li>- Municipal by-laws</li> </ul>
<i>Sources</i>	<p>Federal laws:</p> <ul style="list-style-type: none"> <li>- Forest Act and Timber Regulations 1993, available at <a href="https://laws-lois.justice.gc.ca/eng/acts/F-30/">https://laws-lois.justice.gc.ca/eng/acts/F-30/</a> and <a href="https://laws-lois.justice.gc.ca/eng/regulations/SOR-94-118/FullText.html">https://laws-lois.justice.gc.ca/eng/regulations/SOR-94-118/FullText.html</a></li> </ul>

	<ul style="list-style-type: none"> <li>- Wild Animal and Plant Protection and Regulation of International and Inter-provincial Trade Act (1992), available at: <a href="https://laws-lois.justice.gc.ca/eng/acts/w-8.5/">https://laws-lois.justice.gc.ca/eng/acts/w-8.5/</a></li> <li>- Species at Risk Act (2002), available at: <a href="https://laws-lois.justice.gc.ca/eng/acts/S-15.3/page-1.html">https://laws-lois.justice.gc.ca/eng/acts/S-15.3/page-1.html</a></li> <li>- Migratory Birds Convention Act (1994), available at: <a href="https://laws-lois.justice.gc.ca/eng/acts/M-7.01/page-1.html">https://laws-lois.justice.gc.ca/eng/acts/M-7.01/page-1.html</a></li> </ul> <p>Provincial laws:</p> <ul style="list-style-type: none"> <li>- Sustainable Forest Development Act (2010), available at: <a href="https://www.legisquebec.gouv.qc.ca/fr/document/lc/A-18.1%20/">https://www.legisquebec.gouv.qc.ca/fr/document/lc/A-18.1%20/</a></li> <li>- Loi sur la mise en marché des produits agricoles, alimentaires et de la pêche(1999), available at: <a href="https://www.legisquebec.gouv.qc.ca/fr/document/lc/m-35.1">https://www.legisquebec.gouv.qc.ca/fr/document/lc/m-35.1</a></li> <li>- Act respecting threatened or vulnerable species (2002), available at: <a href="https://www.legisquebec.gouv.qc.ca/fr/document/lc/e-12.01">https://www.legisquebec.gouv.qc.ca/fr/document/lc/e-12.01</a></li> <li>- Natural Heritage Conservation Act (2002), available at: <a href="https://www.legisquebec.gouv.qc.ca/fr/document/lc/c-61.01">https://www.legisquebec.gouv.qc.ca/fr/document/lc/c-61.01</a></li> <li>- Town and Country Planning Act (1979), available at: <a href="https://www.legisquebec.gouv.qc.ca/fr/document/lc/a-19.1">https://www.legisquebec.gouv.qc.ca/fr/document/lc/a-19.1</a></li> <li>- Loi sur la protection du territoire et des activités agricoles (1996), available at: <a href="https://www.legisquebec.gouv.qc.ca/fr/document/lc/p-41.1">https://www.legisquebec.gouv.qc.ca/fr/document/lc/p-41.1</a></li> <li>- Environment Quality Act (1972), available at: <a href="https://www.legisquebec.gouv.qc.ca/fr/document/lc/q-2">https://www.legisquebec.gouv.qc.ca/fr/document/lc/q-2</a></li> <li>- Loi sur la conservation et la mise en valeur de la faune (2002), available at: <a href="https://www.legisquebec.gouv.qc.ca/fr/document/lc/c-61.1">https://www.legisquebec.gouv.qc.ca/fr/document/lc/c-61.1</a></li> <li>- By-laws, available at: <a href="https://www.legisquebec.gouv.qc.ca/fr/">https://www.legisquebec.gouv.qc.ca/fr/</a></li> </ul>
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**Step 2: Description of enforcement and monitoring**

<p><i>Description of the practical implementation of the law(s)</i></p>	<p>Ecosystem-based management is supported by the Sustainable Forest Development Act (LADTF) put forward in 2013 and the Regulation respecting the sustainable management of forests in the domain of the State (RADF) to promote sustainable management of Quebec forests. It includes measures to conserve biological diversity (e.g., biological refuges, LADTF sections 27 to 30; exceptional forest ecosystems, sections 31-35), protect soil and water (e.g., soil protection, RADF section 153; wetlands, LADTF section 35.1 and RADF sections 27 and 28) and maintain the contribution of forest ecosystems to major ecological cycles. The law also allows for the creation of provincial bodies responsible for protecting forests against fire (LADTF articles 181 to 195), insect pests and cryptogamic diseases (LADTF articles 196 to 210). The LADTF requires that forest management contribute to maintaining and improving the productivity of forest ecosystems, and to soil and water conservation in both private and public forests (article 2). On State-owned land, the FDR prohibits logging without soil protection (art. 153). Ruts formed in felling and skidding trails during forestry operations must not cover more than 25% of the trail length per total cutting area (art. 45). Furthermore, in certain sensitive forest stands, branches must be left on the felling site to prevent long-term loss of soil fertility (art. 46).</p> <p>The MRNF is responsible for establishing objectives and means to ensure that the integrity of forest ecosystems is maintained. For example, in the PAFIT de l'Outaouais, the effect of forest management on soils was considered a regional issue. Forest planning is the responsibility of the MRNF, which uses mapping of sensitivity to rutting and nutrient loss (ecoforest layers) to decide on the harvesting season and other constraints needed to protect soils. These constraints are incorporated into the silvicultural prescriptions signed by MRNF forest engineers. In operational terms, the beneficiaries of the guaranteed supply agreement (BGA) are responsible for harvesting the woody material. These operations must comply with</p>
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	<p>both the silvicultural prescriptions drawn up by the MRNF and the RADF. Regular monitoring is carried out by foremen to keep soil damage to a minimum.</p> <p>In private forests, the MRNF delegates responsibility for planning, protection and development to regional agencies, as stipulated in section 132 of the LADTF. The objectives of the regional agencies for the development of private forests, created by the LADTF (sections 132 to 168), are to guide and develop the development of private forests within their territory, with a view to sustainable forest management. Most Quebec municipalities and MRCs have by-laws governing tree felling. Generally speaking, tree-cutting is prohibited in a 15-metre strip bordering permanent lakes and watercourses. In other areas vulnerable to erosion or bordering intermittent streams, commercial tree-cutting is limited to 30% of the forest canopy. These regulations normally require a silvicultural prescription signed by a forestry engineer for regeneration cuts of more than four hectares. Municipal bylaws on tree planting and felling may consider soil protection issues. The MRNF monitors forest operations and the activity reports of the organization responsible for forest operations. Organizational performance assessments help identify challenges and issues in forest operations. The MRNF adjusts its monitoring accordingly and confirms the steps taken with the organizations. On private land, regional agencies monitor activities according to their annually established sampling plan, and publish annual reports describing the activities monitored and their level of compliance.</p>
<p><i>Sources</i></p>	<ul style="list-style-type: none"> <li>- Tactical integrated forest management plan (PAFIT). Government of Quebec. Available at: <a href="https://www.quebec.ca/agriculture-environnement-et-ressources-naturelles/forets/planification-forestiere/plans-regionaux-consultations">https://www.quebec.ca/agriculture-environnement-et-ressources-naturelles/forets/planification-forestiere/plans-regionaux-consultations</a></li> <li>- Plans de protection et de mise en valeur des forêts privées de la région du Bas-St-Laurent (PPMV). Page consulted May 19, 2023. <a href="https://www.agence-bsl.qc.ca">https://www.agence-bsl.qc.ca</a>.</li> <li>- Agence forestière des Bois-Francs (2021). Guide des saines pratiques d'interventions forestières en milieu humide boisé des forêts privées du Québec, collective work coordinated by C. Annecou, Victoriaville, 47 pages. Page consulted May 19, 2023. <a href="https://www.afbf.qc.ca/wp-content/uploads/2022/03/Guide-milieu-humide_Final.pdf">https://www.afbf.qc.ca/wp-content/uploads/2022/03/Guide-milieu-humide_Final.pdf</a></li> <li>- Fédération des producteurs forestiers du Québec. 2022. Guide terrain. Saines pratiques d'intervention en forêt privée. 5<sup>e</sup> édition. Page consulted May 19, 2023. <a href="https://www.foretprivee.ca/je-protège-ma-foret/saines-pratiques-d-intervention-forestiere/?contenu=les-interventions-en-foret">https://www.foretprivee.ca/je-protège-ma-foret/saines-pratiques-d-intervention-forestiere/?contenu=les-interventions-en-foret</a></li> <li>- Municipality of Eastman. 2015. Zoning by-law. Chapter 13 - Provision relating to the felling and planting of trees. Accessed May 19, 2023. <a href="https://eastman.quebec/wp-content/uploads/2015/01/reglement-abattage-arbres.pdf">https://eastman.quebec/wp-content/uploads/2015/01/reglement-abattage-arbres.pdf</a></li> <li>- MRC des chenaux. 2003. By-law concerning tree cutting and the protection of forest cover. Page consulted May 19, 2023. <a href="https://www.mrcdeschenaux.ca/app/uploads/2015/09/R%C3%A8glement-sur-labattage-darbres-et-la-protection-du-couvert-forestiersans-carto_Re-fondu.pdf">https://www.mrcdeschenaux.ca/app/uploads/2015/09/R%C3%A8glement-sur-labattage-darbres-et-la-protection-du-couvert-forestiersans-carto_Re-fondu.pdf</a></li> <li>- Québec (2023). Bilan quinquennal de l'aménagement durable des forêts 2013-2018, Government of Quebec. Page consulted on March 24, 2023, available at: <a href="https://mffp.gouv.qc.ca/documents/forets/amenagement/reddition-comptes/FT16_SuperficiesVolumes.pdf">https://mffp.gouv.qc.ca/documents/forets/amenagement/reddition-comptes/FT16_SuperficiesVolumes.pdf</a></li> <li>- Forest planning manual (see article 54 of the LADTF)</li> <li>- MFFP (2017). Intégration des enjeux écologiques dans les plans d'aménagement forestier intégrés 2018-2023, Cahier 5.1</li> </ul>
<p><i>Is the enforcement and monitoring ensured for the identified law(s)?</i></p>	<p>✓ <b>Yes</b> · No, Level B route is required</p>

**Step 3: Evaluation of the effectiveness of the legal framework on the legality of timber harvesting**

*Evaluation of the practical implementation of the law(s) and explanation for the evaluation*

On an operational level, the MRNF assesses compliance with the requirements of the RADF, particularly in terms of soil quality and biodiversity. To this end, each work site on public land is visited at least once by MRNF representatives while it is underway. Notices of non-compliance are issued with a timetable for corrective action when elements fail to comply with one of the regulations. Non-compliance can lead to infractions and prosecution by the government if corrective action is not taken within the required timeframe. At the end of the year, BGAs are required to produce an annual report signed by the forest engineer in charge, which includes accountability for a number of items such as rutting levels, respect for riparian buffer strips, etc. Soils sensitive to rutting and nutrient loss have also been mapped and integrated into the MRNF's planning control plan. Forest management companies must hold ISO 14001 (or CEAF) certification, and follow procedures that comply with FDR regulations. Annual audits are carried out by a third party to verify compliance with these standards. Notices of non-conformity with a time- table for corrective action are issued when elements fail to meet any of the requirements of these standards. According to the latest five-year report produced by the State, the rate of compliance with local standards aimed at reducing ground disturbance is deemed acceptable and stable. Intervention control activities have been carried out, and where necessary, problem situations have been handled by Québec (2023).

For private forests, the agencies draw up a Protection and Enhancement Plan (PPMV) for their territory, which describes the characteristics of the territory and the management objectives promoting sustainable forest management. PPMVs must comply with the land use and development plans set out in the Act respecting land use planning and development, which determine the major orientations and uses of the territory. The PPMV de- scribes surface deposits, while the mapping of soil sensitivity to rutting is posted on Forêt Ouverte. For owners who have access to development assistance, silvicultural prescriptions are prepared for each harvesting site. In this case, the forestry engineer will develop a silvicultural prescription that incorporates measures to ensure that soil integrity is maintained. In this case, and even if the work is not funded by the PAMVFP, the properties are visited by accredited advisors who ensure that the work complies with the silvicultural prescription.

Guides are available to help forest producers manage private forests. For example, the Fédération des producteurs forestiers du Québec (FPFQ) has published the Guide des saines pratiques en forêt privée (Guide to sound forestry practices in private forests), which helps to apply environmental impact mitigation measures during forest interventions. Similarly, the Guide des saines pratiques d'interventions forestières en milieu humide et boisé was developed by the Agence forestière des Bois-Francs. Both guides are available online free of charge. Municipalities and MRCs generally require a permit for tree felling. Municipal inspectors are responsible for enforcing municipal regulations on their territory.

In short, the public forest regime is based on "ecosystem-based" management, the objective of which is to maintain the attributes and principal functions of natural forests. The government is responsible for forest planning and regularly monitors forest operations. BGAs have ISO 14001 (or equivalent) certification, which is audited annually by a third party. Mapping of sensitive sites is available for both private and public forests. What's more, a guide to sound practices that includes soil protection measures is widely distributed. In forests with development aid, prescriptions are developed and followed under the supervision of a forest engineer, which considerably reduces the risk of non-compliant practices. On the other hand, in private forests without development aid, there is no effective monitoring system to ensure soil protection. Consequently, a level B road is required.

*Sources*

- Tactical integrated forest management plan (PAFIT). Government of Quebec. Available at: <https://www.quebec.ca/agriculture-environnement-et-ressources-naturelles/forets/planification-forestiere/plans-regionaux-consultations>

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	<ul style="list-style-type: none"> <li>- Fédération des producteurs forestiers du Québec. 2022. Guide terrain. Saines pratiques d'intervention en forêt privée. 5<sup>e</sup> édition. Page consulted May 19, 2023. <a href="https://www.foretprivee.ca/je-protège-ma-foret/saines-pratiques-d-intervention-forestiere/?contenu=les-interventions-en-foret">https://www.foretprivee.ca/je-protège-ma-foret/saines-pratiques-d-intervention-forestiere/?contenu=les-interventions-en-foret</a></li> <li>- Québec (2023). Bilan quinquennal de l'aménagement durable des forêts 2013- 2018, Government of Quebec. Page consulted on March 24, 2023, available at: <a href="https://mffp.gouv.qc.ca/documents/forets/amenagement/reddition-comptes/FT16_SuperficiesVolumes.pdf">https://mffp.gouv.qc.ca/documents/forets/amenagement/reddition-comptes/FT16_SuperficiesVolumes.pdf</a></li> <li>- Forest planning manual (see article 54 of the LADTF)</li> <li>- MFFP (2017). Intégration des enjeux écologiques dans les plans d'aménagement forestier intégrés 2018-2023, Cahier 5.1.</li> </ul>
<i>Is the legal framework effective?</i>	<ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Yes, for public forests and activities in private forests with recourse to management assistance programs.</li> <li><input checked="" type="checkbox"/> No, analysis B is required for supply that comes from harvesting in Private Forest without using management assistance programs.</li> </ul>

### (v) That harvesting maintains or improves the long-term production capacity of the forest

#### Step 1: Identification of applicable laws

<i>Have the applicable law(s) been identified?</i>	✓ <b>Yes</b> • No, Level B route is required
<i>List of applicable law(s)</i>	<p>Here are some examples of federal laws that may apply:</p> <ul style="list-style-type: none"> <li>- Sustainable Forest Management Act and Timber Regulations, 1993; Here are some examples of provincial laws that may apply:</li> <li>- Sustainable Forest Development Act and the 21 regulations made under the Act. For example:</li> <li>- Règlement sur l'aménagement durable des forêts - RADF.</li> <li>- Act respecting the marketing of agricultural, food and fishery products</li> <li>- Act respecting land use planning and development</li> <li>- Act respecting the protection of agricultural land and agricultural activities</li> <li>- Environmental Quality Act</li> <li>- Municipal by-laws</li> </ul>
<i>Sources</i>	<p>Federal laws :</p> <ul style="list-style-type: none"> <li>- Forest Act and Timber Regulations 1993, available at <a href="https://laws-lois.justice.gc.ca/eng/acts/F-30/">https://laws-lois.justice.gc.ca/eng/acts/F-30/</a> and <a href="https://laws-lois.justice.gc.ca/eng/regulations/SOR-94-118/FullText.html">https://laws-lois.justice.gc.ca/eng/regulations/SOR-94-118/FullText.html</a></li> </ul> <p>Provincial laws :</p> <ul style="list-style-type: none"> <li>- Sustainable Forest Development Act (2010), available at: <a href="https://www.legisquebec.gouv.qc.ca/fr/document/lc/A-18.1%20/">https://www.legisquebec.gouv.qc.ca/fr/document/lc/A-18.1%20/</a></li> <li>- Loi sur la mise en marché des produits agricoles, alimentaires et de la pêche(1999), available at: <a href="https://www.legisquebec.gouv.qc.ca/fr/document/lc/m-35.1">https://www.legisquebec.gouv.qc.ca/fr/document/lc/m-35.1</a></li> <li>- Town and Country Planning Act (1979), available at: <a href="https://www.legisquebec.gouv.qc.ca/fr/document/lc/a-19.1">https://www.legisquebec.gouv.qc.ca/fr/document/lc/a-19.1</a></li> <li>- Loi sur la protection du territoire et des activités agricoles (1996), available at: <a href="https://www.legisquebec.gouv.qc.ca/fr/document/lc/p-41.1">https://www.legisquebec.gouv.qc.ca/fr/document/lc/p-41.1</a></li> <li>- Environment Quality Act (1972), available at: <a href="https://www.legisquebec.gouv.qc.ca/fr/document/lc/q-2">https://www.legisquebec.gouv.qc.ca/fr/document/lc/q-2</a></li> <li>- By-laws, available at: <a href="https://www.legisquebec.gouv.qc.ca/fr/">https://www.legisquebec.gouv.qc.ca/fr/</a></li> </ul>

## Step 2: Description of enforcement and monitoring

*Description of the practical implementation of the law(s)*

Ecosystem-based management is supported by the Sustainable Forest Land Management Act (LADTF) put forward in 2013 and the Regulation respecting the sustainable management of forests in the domain of the State (RADF) to promote sustainable management of Quebec's forests. The LADTF requires the Bureau du forestier en chef (BFEC) to calculate the allowable cut of the sustained yield territory from a sustainable development perspective (LADTF article 48). The aim of the BFEC is to help maintain forest productivity while preserving ecological integrity and meeting the needs of present and future generations. This calculation must be carried out at management unit level, and revised every five years to bring it up to date (LADTF article 46).

Since 1970, the ministry responsible for forests has carried out periodic inventories in Quebec's attributable forests, in order to update knowledge of ecosystems and monitor changes in forest cover by species and age group. The results of these inventories are then made public and provided to BFEC. The BFEC produces calculations of sustainable yield for each of Quebec's management units. It is responsible for publishing and updating the "Manuel de détermination des possibilités forestières". Current calculation methods include risks associated with natural disturbances (forest fire modeling, climate change, insect epidemics). From now on, the calculation will be carried out on an ongoing basis, depending on the availability of new inventory data, major changes to the territory (creation of protected areas, major natural disturbances) or major modifications to management strategies.

The Ministère des Ressources naturelles et des Forêts (MRNF) determines allocations (the level of harvesting permitted) for each management unit, based on calculations produced by the BFEC. The results of the allowable cut calculations are also presented in the tactical forest management plans (PAFIT), which are revised every 5 years. The MRNF is responsible for delimiting and presenting harvesting sites each year that meet management strategies and the objectives set out in the TSFMA, while respecting allowable cut. Volumes are allocated annually to guaranteed supply agreement (GSA) holders or sold by the Bureau de mise en marché des bois (BMMB). The results of the allowable cut calculation for each management unit are posted on the BFEC website.

The objectives of the regional agencies for the development of private forests, created by the LADTF (articles 132 to 168), are to guide and develop the development of private forests within their territory, with a view to sustainable forest management. They also provide financial and technical support for the protection and enhancement of these forests. The protection and enhancement plans (PPMV) drawn up by the agencies must comply with the land use and development plans set out in the Act respecting land use planning and development, which determine the major orientations and uses of the territory. Most municipalities and MRCs in Quebec have tree-cutting bylaws. These normally require a silvicultural prescription signed by a forestry engineer for regeneration cuts of more than four hectares.

In the case of private forests with development assistance, the silvicultural work is the subject of a prescription and an execution report signed by a forest engineer, which is submitted to the regional private forest agency for approval. The execution report includes a verification of the work's compliance with the requirements of the MRNF's technical reference manual for private forests. This report, signed by a forestry engineer, includes compliance with the silvicultural prescription in terms of volume and area. In addition, the agency funding the work will carry out random compliance checks on up to 10% of the area treated. Wood marketing is carried out by the wood producer boards in each region. The boards are responsible for compiling marketing data for the territory covered by their joint plan. However, part of the harvested volume is used by the owner (firewood, sawmilling with mobile sawmills) and is therefore not compiled in the marketed volume.

*Sources*

- Permanent and temporary inventory (see <https://www.quebec.ca/agriculture->

	<p>environnement-et-ressources-naturelles/forets/recherche-connaissances/in-ventaire-forestier)</p> <ul style="list-style-type: none"> <li>- AAFC calculation by the Chief Forester and the Fédération des boisés privés du Québec (see <a href="https://forestierenchef.gouv.qc.ca/possibilites-forestieres/periode-2023-2028/">https://forestierenchef.gouv.qc.ca/possibilites-forestieres/periode-2023-2028/</a>)</li> <li>- Chief forester calculates allowable cut (see <a href="https://forestierenchef.gouv.qc.ca/possibilites-forestieres/periode-2023-2028/">https://forestierenchef.gouv.qc.ca/possibilites-forestieres/periode-2023-2028/</a>)</li> <li>- Annual report on rights granted (e.g. <a href="https://www.quebec.ca/agriculture-environnement-et-ressources-naturelles/forets/gestion-forets-publiques/territoires-droits-forestiers/droits-consentis-delegation-gestion">https://www.quebec.ca/agriculture-environnement-et-ressources-naturelles/forets/gestion-forets-publiques/territoires-droits-forestiers/droits-consentis-delegation-gestion</a>)</li> <li>- FMU five-year report (ie. MRNF five-year report. <a href="https://mffp.gouv.qc.ca/nos-publications/bilan-amenagement-durable-forets-2013-2018/">https://mffp.gouv.qc.ca/nos-publications/bilan-amenagement-durable-forets-2013-2018/</a>)</li> <li>- Annual reports of marketing boards and regional agencies (when available; <a href="https://cdn-contenu.quebec.ca/cdn-contenu/forets/documents/LI_agences_regionales_forets_privées_MFFP.pdf">https://cdn-contenu.quebec.ca/cdn-contenu/forets/documents/LI_agences_regionales_forets_privées_MFFP.pdf</a>)</li> <li>- Ten-year report from regional agencies (e.g. PPMV knowledge document)</li> </ul>
<p><i>Is the enforcement and monitoring ensured for the identified law(s)?</i></p>	<p>✓ <b>Yes</b> · No, Level B route is required</p>

**Step 3: Evaluation of the effectiveness of the legal framework on the legality of timber harvesting**

<p><i>Evaluation of the practical implementation of the law(s) and explanation for the evaluation</i></p>	<p>According to the 2013-2018 five-year review produced by the French government, productive forest area in public forests is relatively similar between the first and fourth inventories (down 1%), i.e. between 1970 and 2019. A decrease in young stands (-3%) and mature and old stands (-4%) was observed between the first and fourth inventories. Re-generated stands, on the other hand, increased from 10% in the second inventory to 20% in the fourth. The proportion of softwood stands in public forests has gradually declined since the first inventory in 1970, mainly in the bioclimatic area of moss spruce. However, the decline was less marked between the third and fourth inventories, when the proportion of coniferous stands fell from 59% to 58%. Between the first and fourth inventories, standing volumes in public forests fell by 181 Mm<sup>3</sup> (-8%). This discrepancy is largely explained by the decrease in the area of stands 7 m or more in height (-12%) and the decrease in the area of mature and old-growth stands (-4%). Declines were mainly observed in the Saguenay-Lac-Saint-Jean and Nord-du-Québec regions, accompanied by a decrease of around 29% in standing volume between the first and fourth inventories. Significant increases in standing volume were observed between the first and fourth inventories in the Outaouais (+16%), Mauricie (+18%), Laurentides (+19%) and Lanaudière (+22%) regions. According to the 2013-2018 five-year balance sheet produced by the State for private forests, productive forest area increased by 7% between the first and fourth inventories (1970 to 2019). An increase of 231 Mm<sup>3</sup> (+45%) was observed between the first (1970- 1983) and fourth (2001-2018) inventories. The increase in standing volume is attributable to a 19% increase in the area of stands 7 m and over, and a doubling in the area of mature and old-growth stands. The private forest saw a significant increase in the area of mature and old-growth stands, whose proportion rose from 17% to 34% between 1970 and 2019. This is due to the small portion of the annual allowable cut that is harvested. For the period 2013-2018, a volume corresponding to 84% of the allowable cut for conifers was harvested, while for hardwoods, the harvest was around 50%. During this period, a total of 28,248,450 m<sup>3</sup> of wood was not harvested, including 694,350 m<sup>3</sup> in UAS. A significant proportion of the unharvested volume comes from forest types that involve the harvesting of both softwood and hardwood species. The desire of owners not to cut trees, the profitability of harvesting these stands and the lack of takers for certain species may justify leaving these stands untouched. Forest producers market an average of 5.39 Mm<sup>3</sup> of wood annually. In 2022, the volume delivered amounted to 6.0 Mm<sup>3</sup> of wood. The</p>
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## Annex 6 REDII Level A risk assessment

	<p>total area of productive private forest is 6.7 M hectares, for a total allowable cut of 16.95 Mm<sup>3</sup>. For Quebec as a whole, the volume marketed therefore represents around 35% of the allowable cut. In summary, for public forests, the Office of the Chief Forester (OCF) produces the allowable cut calculations for each of Quebec's management units. These calculations are revised every 10 years and are subject to an independent review. The MRNF rigorously monitors harvest volumes on public land. A robust system is in place to ensure that all harvested volumes are compiled. For private forests, regional development agencies establish the sustainable yield allowable cut. Control over harvested volume is less than in public forests, and part of the harvested volume is used by the owner (firewood, sawmilling with mobile sawmills) and therefore not compiled in the marketed volume. However, given that only 35% of the annual allowable cut is marketed, the risk of overharvesting is low.</p>
<p><i>Sources</i></p>	<ul style="list-style-type: none"> <li>- Fédération des producteurs forestiers du Québec. La forêt privée chiffrée, 2023, revised June 2023, 36 p. <a href="https://www.foretprivee.ca/wp-content/uploads/2023/07/La-foret-privee-chiffree-2023-MaJ-Juin.pdf">https://www.foretprivee.ca/wp-content/uploads/2023/07/La-foret-privee-chiffree-2023-MaJ-Juin.pdf</a></li> <li>- Bilan quinquennal de l'aménagement durable des forêts 2013-2018, Government of Quebec, accessed March 24, 2023, available at: <a href="https://mffp.gouv.qc.ca/documents/forets/amenagement/reddition-comptes/FT16_SuperficiesVolumes.pdf">https://mffp.gouv.qc.ca/documents/forets/amenagement/reddition-comptes/FT16_SuperficiesVolumes.pdf</a></li> <li>- Responsibilities of the Chief Forester, Office of the Chief Forester, consulted March 24, 2023, available at: <a href="https://forestierenchef.gouv.qc.ca/wp-content/uploads/Responsabilites-du-Forestier-en-chef.pdf">https://forestierenchef.gouv.qc.ca/wp-content/uploads/Responsabilites-du-Forestier-en-chef.pdf</a></li> <li>- Forest Potential Determination Manual, Office of the Chief Forester, accessed March 24, 2023, available at: <a href="https://forestierenchef.gouv.qc.ca/possibilites-forestieres/periode-2023-2028/manuel-determination-2023-2028/">https://forestierenchef.gouv.qc.ca/possibilites-forestieres/periode-2023-2028/manuel-determination-2023-2028/</a></li> <li>- Fiche synthèse sur les possibilités forestières au Québec, Ministère des Ressources naturelles et des Forêts, consulted May 29, 2023, available at: <a href="https://cdn-contenu.quebec.ca/cdn-contenu/adm/min/forets-faune-parcs/nouvelles/2021/NA_PossibilitesForestieres.pdf">https://cdn-contenu.quebec.ca/cdn-contenu/adm/min/forets-faune-parcs/nouvelles/2021/NA_PossibilitesForestieres.pdf</a></li> <li>- Détermination du volume non récolté de la période 2013-2018 potentiellement disponible à la récolte pour la période 2018-2023, Office of the Chief Forester, accessed May 29, 2023, available at: <a href="https://forestierenchef.gouv.qc.ca/wp-content/uploads/fiche_vnr_-_octobre-2019_finale.pdf">https://forestierenchef.gouv.qc.ca/wp-content/uploads/fiche_vnr_-_octobre-2019_finale.pdf</a></li> </ul>
<p><i>Is the legal framework effective?</i></p>	<p>✓ <b>Yes</b>    • No, Level B route is required</p>

## Annex 6 REDII Level A risk assessment

LULUCF criteria 29(7)	
<i>Paris Agreement ratified?</i>	✓ Yes · No
<i>Submission of a relevant NDC</i>	✓ Yes · No
<i>Sources</i>	Canada's Enhanced NDC Submission1_FINAL EN available at: <a href="https://unfccc.int/sites/default/files/NDC/2022-06/Canada%27s%20Enhanced%20NDC%20Submission1_FINAL%20EN.pdf">https://unfccc.int/sites/default/files/NDC/2022-06/Canada%27s%20Enhanced%20NDC%20Submission1_FINAL%20EN.pdf</a>
<i>Brief description of how agriculture, forestry and land use are accounted for in NDC</i>	<p>The LULUCF sector reports on anthropogenic GHG fluxes between the atmosphere and Canada's managed lands, including those associated with land-use change and emissions from harvested wood products (HWP), which are closely linked to forest lands. In this sector, the net flux is calculated as the sum of CO<sub>2</sub> and non-CO<sub>2</sub> emissions into the atmosphere and CO<sub>2</sub> removals from the atmosphere. In 2021, this net flux was equivalent to net removals of 17 Mt which, when included with emissions from other sectors, reduce Canada's total GHG emissions by 2.6%. Net flows from the LULUCF sector in recent years have fluctuated between absorptions of 49 Mt and 39 Mt in 2009 and 2014, respectively, to a small net source of emissions of 24 kt in 2015. The fluctuations are driven by variability in crop yields and variations in emissions from LULUCF and removals from forest land, which are closely linked to harvest rates. Estimates for the forestry sector are split between anthropogenic emissions and removals associated with forest management and HWPs, and emissions and removals resulting from natural cycles of disturbance in managed forests (forest fires and insects). The combined net flux of forest land and HWP (from forest harvesting) fluctuated from a net source of 8.2 Mt in 2005 to a net sink of 21 Mt in 2009 (the lowest harvest year), and remained a net sink of 9.1 Mt in 2021. Around 34% of RDP emissions in 2021 resulted from long-lived wood products reaching the end of their economic life decades after timber harvesting. Emission and absorption patterns in HWP and forest land have therefore been influenced by recent trends in forest management and by the long-term effects of forest management practices in recent decades. Cropland contributed to net removals in the land sector over the reference period, with the exception of the drought years in the Prairies in the early 2000s, which resulted in net emissions in 2003 (7.8 Mt). Net removals increased, on average, thanks to improved soil management practices, notably conservation tillage, and a gradual overall increase in crop productivity resulting from improved and more intensive practices, notably the reduced use of summer fallow. Interannual variability occurs throughout the time series, reflecting weather-related impacts on crop production. Since 2005, the decrease in net removals caused by a reduction in perennial land cover has largely offset the removals resulting from increased yields, so there is no clear trend. Interpretation of recent trends is influenced by occasional yield peaks, followed by extraction peaks in 2009 (-36 Mt) and 2014 (-43 Mt). The conversion of forests to other land uses is a widespread practice in Canada, and is mainly due to resource extraction and cropland expansion. Emissions from forest conversion in the years 2005 to 2021 fluctuated around 16 Mt.</p>

**OR (this option below must be used if the previous point about NDC is not satisfied)**

### UTCATF criterion 29(7)

The country has legislation in place at national or sub-national level, in accordance with Article 5 of the Paris Agreement, applicable to the area of operation, with a view to conserving and enhancing carbon stocks and sinks, and certifying that reported LULUCF emissions do not exceed removals.

#### Step 1: Identification of applicable laws

<i>Have the applicable law(s) been identified?</i>	· Yes · No, Level B route is required
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## Annex 6 REDII Level A risk assessment

<i>List of applicable law(s)</i>	
<i>Sources</i>	

### Step 2: Description of enforcement and monitoring

<i>Description of the practical implementation of the law(s)</i>	
<i>Sources</i>	
<i>Is the enforcement and monitoring ensured for the identified law(s)?</i>	▪ Yes ▪ No, Level B route is required

### Step 3: Evaluation of the effectiveness of the legal framework on the legality of timber harvesting

<i>Evaluation of the practical implementation of the law(s) and explanation for the evaluation</i>	
<i>Sources</i>	
<i>Is the legal framework effective?</i>	▪ Yes ▪ No, Level B route is required