

FORESTRY Life

Canada's Quarterly Forestry Magazine

Winter Issue



*Collaboration, Co-ompetition
and Clustering*

*Softwood lumber dispute
-a 200 year history*

*The Accession of China into
World Trade Organization*

*First Nation Communities and
Industry in Partnership*



Issues Facing First Nation Communities

Barriere Lake

From Blockade to Understanding

A stand-off between the Algonquins of Barriere Lake (ABL) and the Federal government has once again brought media attention to land issues in the Barriere Lake territory of Quebec. It's been over seven months since Ottawa pulled the funding plug on the Trilateral Agreement – a pioneering land management plan for the territory. The Feds say the process has cost too much money and has shown no results. Barriere Lake maintains the Feds action is undermining a process, which

they have a pretty good idea of how to carry out the cuts with minimal impact on traditional hunting and gathering activities. The plans anticipate the special riparian zones around lakes; corridors through cut zones are provided for trappers and wildlife; sacred areas, medicinal plant gathering regions or culturally significant zones are identifiable. Thanks to the large inventory and cultural mapping that has gone on in the territory.

Naturally, issues and disagreements still

place because they believed it would mean the government owned the trees and they didn't want the government to have any claim on their traditional lands."

Byford arrived at a time of major political turmoil. For three years, the community had been mounting roadblocks and barricades against logging on their territory. Their campaign had garnered international attention against Quebec's logging practices in the Barriere Lake territory. The stand-offs had even resulted in a damning move called: **Blockade - Algonquins Defend the Forest.**

Although only 280 kms north of Ottawa, the Barriere Lake reserve was still very much tied to the ancient hunting and gathering way of life. The community literally survived by hunting on what had always been family-maintained traditional hunting grounds. By the 1980s, this way of life had been pushed to the very margins by forestry and hydro operations.

"People would go out on their trap lines and find everything had been cut over or their cabins burned down. Nobody ever consulted with them," says Byford.

Part of the problem, Byford points out, is that the prior to the roadblocks, company planners had never really spoken with the Algonquins, or even really knew where the people were on the landbase. The reason for this is that under Quebec's planning process, the Algonquins are a "federal responsibility" and were treated as if they didn't even exist.

New Way

By 1991, the Algonquin blockades had slowly but steadily cut off wood supply to mills in Grand Remous, Val d'Or and Mont Laurier. Industry was calling on government to find some way of bringing stability back to the region. And

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Community meetings are held to explain logging and land planning issues facing the community on a regular basis.

could prove an alternative model for the Federal Comprehensive Claims process.

What the media haven't picked up on is that this is the first time Barriere Lake and the forestry industry are working together to bring parties back to the negotiating table. Because, despite the latest wrinkle, the Trilateral Agreement model is one very good news story in the sometimes-troubled relationship between industry and first nations.

When Domtar planners map out cut blocks in the Barriere Lake territory,

arise. But today, the hotspots are dealt with by having company reps sit down with their Algonquin counterparts.

It wasn't always like this. Forester Bruce Byford remembers when the only time industry and Algonquins spoke was at opposite sides of a roadblock.

"The attitude was pretty bad when I first arrived," recalls Byford, president of Ottawa-based Arbex Industries (a forestry and GIS mapping company). "There was a great deal of animosity in the community towards industry and government. The community didn't even want to allow replanting to take

Barriere Lake becomes a proving ground for FSC program

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among the Algonquin leadership there was the realization that the community would have to find a way to move beyond the blockades. The question was, how could traditional hunting and trapping coexist with logging?

Dave Nahwagahbow, the lawyer for the ABL, says the community looked to the United Nations Brundtland Report for inspiration. "The United Nations had just released the Brundtland Report on sustainable development. With the Barriere Lake issue front and centre in the news we wanted to get

the Federal government to commit to using Barriere Lake as a proving ground for what sustainable development could look like."

In 1991, the Federal and Provincial governments sat down with Barriere Lake leadership and signed the Trilateral Agreement — a commitment to develop an Integrated Resource Management Plan (IRMP) for the territory.

Nahwagahbow says the intent of the agreement was clear. "The importance of the IRMP is that traditional ecological knowledge is given equal weight to scientific knowledge. The Algonquin way of life would be factored in with other economic activities like forestry." It fell to Byford to translate the traditional knowledge into a format that industry and government planners would recognize as legitimate. Although he admits he was initially skeptical of "traditional ecological knowledge" (TEK) he soon realized the Barriere Lake people were very much aware of what was going on in the forest at a micro

level.

"I met with trappers who cried when they described what was taking place on the land. To see grown men cry over the land made me realize just how deep the issue ran" stated Byford.

Given the history of conflict, the merits of TEK was a hard sell.

"The companies were very suspicious," Byford explains. "They were wary of the process and trying to figure what Barriere Lake was up to — whether this was some kind of land claim."

At the Same Table

The Trilateral Agreement has under-

After ten years of work, Barriere Lake is very much in the forefront of cultural mapping and land use studies. And Dave Nahwagahbow says this has actually provided companies with a much-needed level of security.

"How can you accommodate or respect traditional knowledge unless you know where and what it is? Barriere Lake has been able to depict what their culture means on the ground" cites Nahwagahbow.

This on the ground certainty has helped both sides to be able to accept and respect each other's knowledge bases.



Barriere Lake woman prepares fishing nets. This community is still very much tied to traditional activities.

As well, Byford says the maps helped companies anticipate the economic costs of adopting TEK, "Companies were initially terrified that they would lose their wood supply, but over time they realized their wasn't a great deal of economic impact over what the Barriere Lake people were asking for."

International Recognition

The Trilateral Agreement has been lauded by United Nations reports as a "trailblazer" not just for First Nations but

gone numerous interruptions and upheavals over the last ten years.

But over time, the process began to prove itself. Byford believes that by providing a forum for discussion, both sides slowly came to understand each other better.

In order to provide a planning basis for TEK, foresters like Byford carried out extensive mapping studies in the territory. Wildlife inventories were conducted; sacred zones mapped out; Algonquin knowledge about moose and beaver habitat were included to greatly augment the previous planning knowledge.

also for sustainable development around the world. Companies, however, may be looking to receive a more practical form of international recognition for their involvement — FSC certification. Barriere Lake is actively involved in becoming a proving ground for the Forest Stewardship Council program. Russell Diabo, a community advisor is on the National Board of FSC and Dave Nahwagahbow is a representative on the International FSC. World Wildlife Fund has been actively involved in the territory on behalf of FSC.

Dave Nahwagahbow hopes that

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Issues Facing First Nation Communities

Since its foundation, the National Aboriginal Forestry Association has been promoting cooperation in forest management and effective working relationships between First Nations people and forestry companies across Canada.

In 1998, the Institute on Governance, {IOG} published the results of a survey of thirty of the largest forest companies in the country. They found a wide variety of partnership between forestry companies and First Nations people, including some that featured protection of environmentally and culturally sensitive areas.

The study discovered a transformation occurring in the way that forestry companies viewed their Aboriginal neighbors. There was also a change occurring in the way that many First Nations peoples viewed forestry as an occupation. From tree harvesting, to silviculture, First Nations people were seeking training in forestry so they could take advantage of the economic possibilities available.

First Nations people also began to form forestry companies of their own and therefore access the capital available to them.

The question of just how wide spread the acceptance of tree harvesting is amongst the First Nations people is of course an open one.

There remain problems about interaction with trappers and hunters who view any intrusion on their traditional territory as unacceptable.

Professor Peggy Smith of Lakehead University states that the partnerships between forestry companies and Aboriginals is by no means universally agreed to by all First Nations people. Smith, a Professor of Forestry and Forest Environment, and on the Advisory Board for NAFA is also a member of the First Nations community.

In a statement to Forestry Life, Smith

outlined her concerns:

"I don't think that the existing provincial tenure and licensing systems are flexible enough to accommodate a different form of forest management which would incorporate Aboriginal land use and values, unless those values are identical with the private sector industrialized model currently in place.

The industrial model emphasizes wood supply through high levels of annual allowable cuts and commodity production (pulp and paper and dimensional lumber). Provincial governments have taken limited and short-term risks in developing community forest tenures. We need more risk taking and flexibility along with a willingness on the part of provincial ministers and bureaucracies to share forest management decision-making with Aboriginal communities."

Harry Bombay, National Director for NAFA, also expressed concerns about the process of integrating Aboriginal communities into the forest industry.

While it is not likely that NAFA would want to discourage Aboriginal logging, they do not want to damage the First Nations traditions and ability to trap and hunt in the way that their culture has in the past.

In NAFA's manual on Aboriginal partnership, the final statement reads:

"To encourage successful partnerships, which create increased employment, new business development, and other Aboriginal community benefits, there are many obstacles to be overcome. The process must be innovative, with implementation applicable to the needs and structure of individual communities. For the benefit of industry, such partnerships are capable of stabilizing operations, improving timber supply and market access, and enhancing corporate image. Government policy and legislation conducive to Aboriginal part-

nerships must still be developed and put into action and this must be done cooperatively, involving industry and Aboriginal communities and their organizations."

From the forest industry's perspective

A statement from a large British Columbia-based forest company made the following assessment about the overall environment in which it was operating. Its conclusions were:

- 1) Aboriginal communities will expand their influence on the use of public land and resources through consultation processes in each province.
- 2) Aboriginal communities will gain more direct control over natural resources on reserve land.
- 3) There will be some cases particularly in British Columbia that will expand the territory over which Aboriginals have direct control.
- 4) Some of the bands and tribal councils will have direct capital to invest as a result of treaty settlements.
- 5) The Aboriginal population will be an increasing source of employees as their numbers, skills and education advance.
- 6) The forestry industry will come under increasing pressure from governments or communities to achieve diversity through employment targets or quotas, especially with expansion projects.
- 7) As long as land tenure questions remain unsettled, forestry companies will risk potential barricades and the need for recourse through slow cumbersome legal channels.

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Final Thoughts

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These conclusions appear to be consistent with the evidence with one caveat:

The growing importance of international pressure to achieve sustainable forest management practices and the resulting growth in certification and labeling regimes increases the importance of positive working relationships with Aboriginal communities.

This complex set of circumstances has resulted in an increased interest in partnership between Aboriginal companies and the forest industry.

Dispute May End by Spring

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Barriere Lake could be a proving ground for FSC. "The forestry industry has been wary of what FSC will mean for their operations. But I think they are realizing the need to establish in the public's mind that they are complying with sustainable forestry practices."

Will one of the big players in Barriere Lake be able to get this stamp? Nahwagahbow hopes so. "There is a great deal of interest in Barriere Lake about making this process work." In the meantime, however, the FSC and other land planning processes have ground to a halt while Barriere Lake tries to persuade through protests the Federal government back to the table. With only \$700,000 in funding needed to complete the process, Barriere Lake leadership believes there will be a

return to the process.

Barriere Lake leadership continue to meet with the Quebec government, logging company officials and some Federal MPs in the hope of ending the dispute by spring.

Bruce Byford remains convinced that despite this latest interruption, the Trilateral process will win out in the end.

"The legacy of the Trilateral Agreement is that the companies can now sit down with the community and talk things out. Look at the support Domtar has given the community in this latest crisis. It shows that even when things get rough both sides know they need to work together."

By Charlie Angus, editor of HighGrader Magazine in Cobalt, ON.

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