Workshop Proceedings

Aboriginal Issues in Boreal Forest Management

National Aboriginal Forestry Association
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PREFACE

On behalf of the National Aboriginal Forestry Association, I extend our appreciation and gratitude to all participants. Without your involvement, this national workshop would not have been the success it was. We are grateful for your participation and the sharing of your knowledge and experience. As well, the financial assistance of the Walter and Duncan Gordon Foundation and the Canadian Boreal Trust for this gathering is gratefully acknowledged.

This gathering of representatives from the widely dispersed boreal Aboriginal communities and organizations from Labrador to the Yukon Territory demonstrates that there are growing concerns for the future well-being of the boreal forest. Eighty-five percent of the Aboriginal Peoples of Canada reside in the boreal forest region; whatever affects the boreal forest will affect the Aboriginal Peoples who live there. The opportunity to share with one another showed us that we cherish similar values, and are experiencing similar issues. We can learn from one another, and encourage each other to continue to strive for greater Aboriginal involvement in the sustainable management of boreal forest resources.

Topics in our two days of meetings and discussion covered a broad range of topics, from the need for greater access to resources to enable viability and profitability of commercial operations, to the need to keep special areas pristine and protected from development. We heard about the social and cultural and spiritual aspects of the boreal forest, and also the need for employment and income to provide necessities of life.

As you read through the following proceedings, you will be reminded of the many issues and challenges facing all who depend on the boreal forest for a variety of needs. It is hoped that this workshop will be the first of other gatherings to follow, and that together, solutions will be found that will satisfy the many emerging issues.

The following proceedings have been prepared by InfoLink, and required only minor amendments. The amendments include the addition of *Appendix 1; List of Participants* and *Appendix 2; Workshop Follow-up Actions*, and this brief *Preface*. Should you require further information, please contact me at the address below.

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Opening and Welcome

Workshop convener Angus Dickie asked participants to introduce themselves, talk about their organizations and what they hoped to get from the workshops. Dickie then started the first plenary session, which included two presentations from First Nations on their approaches to forest management and land use planning.

Plenary 1: First Nations Initiatives in Boreal Forest Management

Richard Nuna, Innu Nation, Labrador

Nuna, who works for the Innu Nation Forest Office, focused on his organization's ecologically and culturally based approach to forest land use planning. His *PowerPoint* presentation started with a copy of the Innu Nation's vision:

The Innu have a vision of an ecosystem based forest economy which will protect the land for future generations and ensure that Innu can meet their subsistence needs while providing for a contemporary Innu economy. Innu will be involved in forestry, ecotourism and other activities that respect and protect the land. This vision is based on respect for the needs of the forest, the needs and rights of the Innu and with their willingness to share their land with the people of Labrador.

Nuna talked about the Innu perspective and the background to the current ecosystem based forest management plan. The Innu Nation had always opposed large-scale forestry developments on their land - in direct conflict with the Government of Newfoundland and Labrador. The government had originally proposed a high cut level of 400,000 cubic metres and a clear-cut only harvesting regime of 80-300 hectares. The Innu Nation and the Provincial government worked for over seven years to resolve this conflict.

In January 2001, the Innu Nation and the government of Newfoundland and Labrador signed a Forest Process Agreement. This agreement had three specific goals:

- Improvement of operational standards; to work toward the development and monitoring of interim plans and standards for current or proposed timber harvesting activities and management of the forest.
- An ecosystem-based forest management plan that utilizes a multi-spatial scale planning approach, with priority focused on protecting ecological and cultural values.
- A co-management agreement to facilitate implementation, monitoring and benefit-sharing under an ecosystem-based forest management plan.

When they worked on the first goal, improvement of operational standards, the Innu identified several concerns that needed to be addressed. The primary concern was the prevailing practice of concentrated and continuous clear-cuts. They also wanted to

curtail harvesting on ecologically sensitive sites (such as steep slopes and moist, shallow soils) and harvesting in wildlife habitat buffers. They also identified problems with soil erosion and the lack of stream buffers.

Nuna then spoke about the solutions developed to address these concerns. The Innu developed the Forest Guardian Program to protect the ecosystem. One of the hallmarks of this program is pre-operational planning; before any logging takes place; streams, sensitive sites, slopes and wildlife buffers must be identified and mapped. They are also working on alternatives to concentrated and continuous clear-cutting. The Innu Nation Forest Office believes that one of the solutions is enhanced communication between the Innu Nation, Department of Forest Resources and Agrifoods, and the operators.

Nuna then spoke about the second goal of the Forest Process agreement, an ecosystem-based forest management plan. He emphasized that the Innu Nation supports a multi-spatial scale planning approach. He explained that this refers to planning for protection at three different land base levels; landscape, watershed and stand.

- Large Landscape Scale They developed an ecological and cultural 'protected area network' that focuses on core reserves, unique habitats and ecosystems, linkages between reserves and unique habitats, culturally sensitive areas, and other non-timber harvesting areas. Nuna then showed a map of district 19. He pointed out the proposed Mealy Mountains National Park, the north boundary lakes, the cultural land use areas, and the watersheds. He noted that there was also consideration for the protection of species such as the caribou. The Red Wine Caribou Reserve is being established, to protect a herd whose numbers have dramatically diminished from 800 animals just ten years ago to a current level of 97.
- Watershed Scale The watershed level forms the 'ecological protected network', consisting of features gleaned from the planning land base; scrub and other non-commercial forest inventories, isolated commercial stands, ecologically sensitive areas, riparian buffers, and areas dominated by slopes. Nuna further noted that consideration was given to several species, such as porcupine, lynx and marten.
- Stand Level Stand level ecology. Approximately thirty percent of the timber management land base will be reserved within stand level EPAN's and will include the following features: large living and dead trees, permanent and intermittent streams, ecologically sensitive areas, and wildlife dwellings, habitats, and corridors. Nuna said that consideration was given to a variety of species, from song birds to small mammals to partridge.

The forest management plan has resulted in a comprehensive ecological and cultural protected areas network. Negotiations with the provincial government have generated a dramatically reduced annual rate of harvest; from an initial government request of 400,000 cu. metres, to a reduced request of 100,000 cubic metres to a final negotiated level of 57,000 cubic metres. He indicated that this reduces the annual harvest unit size to less than twenty-five hectares.

Nuna closed his presentation by sharing some lessons learned:

- A communication and consultations procedure is critical to maintain trust, respect and, ultimately, community support. The technicians and the district manager meet weekly, but without a sound communication procedure in place, much of the planning and standards effort is of little use.
- Focus on what is available, not what we wish for. This is the key to sustainable forestry. In Labrador, the current pressures are on the Churchill side of the river. In approximately five years, there will probably be a bridge to the south side.
- Respect different approaches. It is extremely difficult to forecast what is and what will be in these dynamic systems. The scientist, the Innu and the operator look at the forest differently. Respect of approach is required to maintain a genuine interest in how different people look at the land and learn from it.

In response to Dickie's invitation to ask questions, Joe Kuhn of the Grand Council for Treaty 3 asked Nuna whether they are practicing selective harvesting other than clear cutting. Nuna said that they are, and have proposed that the provincial government set aside dollars for training for strip cutting and alternate methods.

Another participant asked whether the Innu or the government has responsibility for fire protection. Nuna responded that this is now the government's responsibility. However, he emphasized that their primary focus has been co-management planning and process.

Michael McGuire from OMAA asked about their reforestation plans, and whether herbicides were used. Nuna answered that the Innu oppose the use of herbicides and pesticides. McGuire then asked if the Innu Nation is working with the Métis Nation. Nuna replied that he understands that the Métis have submitted their own proposals.

Elder Bruyere said she was impressed with the vision statement. She asked if there had been an inventory of the species, and if traditional knowledge had been used. Nuna responded that there had been an inventory, with community consultation.

Dickie thanked Nuna for his presentation and for sharing the experiences and knowledge of the Labrador Innu.

Further information is available at Innu Nation web site - http://www.innu.ca

Alex Chingee Jr., McLeod Lake First Nation, BC

Chingee said that in 2000, the McLeod Lake First Nation signed an adhesion to Treaty 8. He led the participants through the history of the long process, from the start of negotiations in 1975.

In 1983, the band hired a lawyer to help them with their negotiations. To draw attention to their claims and to inform the public, they set up roadblocks on logging roads. Chingee stressed that the objective was never to harm the loggers. In a1985 referendum,

the Band empowered its leadership to pursue the land claim and to form a logging co-op. He explained that the highest bidder for the stumpage gets the wood and the First Nations never got cutting licenses, as they had to out-bid everyone. During the period 1985-89, the McLeod Lake First Nation started bidding, obtained some small contracts, and used the proceeds to pay for the lawsuit.

During this legal process, a judge ruled that the First Nations were exercising their rights to the land, and 55,000 acres were set aside in case of a successful land claim. Chingee said that shortly after this, there was a beetle infestation, attacking the trees. The First Nation had to address the forest health. However, to do so, they had to go back to court and get a variance to allow them to address the 'beetle' problem. Chingee went on to say that they found the solutions by having government, the leaders and 'common people' "put their heads together".

Chingee said that when they reached an agreement with the Federal government in 1995, the Province walked away from the table. The First Nations threatened to take the Province to court, "to put their feet to the fire". Chingee indicated that this became an issue in the 1997 election. During this time, the First Nations team (their lawyer and a representative from each family) kept negotiations going. They were successful in negotiating for 49,536 acres of land—128 acres for each of 387 band members. In a 1997 referendum, 77% of the members of the McLeod Lake First Nation approved signing the adhesion to the treaty.

Chingee noted that this is some of the best logging country in Canada, with several stands of 250-300 year old wood. The first Nations know that they can't go back to treaty negotiations again, so they have to look after this resource. Consequently, they developed the McLeod Lake Forest Practice Code, based on parts of the BC Forest Practice Code. They focused on sustainability: Instead of clear-cutting the riparian zones, they leave them alone. They also decided to leave the old forest (250-300 year old trees). Instead, they are harvesting patches of 80-120 year old trees. In addition, they have limited the cut to 80,000 cu. metres/year.

Chingee wrapped up his presentation, making three final points:

- McLeod First Nation want to manage the land with respect.
- They replant tree for tree, as this is renewable resource (it takes 100 years to grow a tree).
- They are working to create industry and to create employment.

"To sustain ourselves is a tough struggle and we must work together with industry," he said. His closing comment was that to improve their situation, money must be invested in education —"we must be serious in life".

There were no questions from participants, so Dickie thanked Chingee and invited everyone to share lunch.

Further information is available at MacLeod Lake First Nation web site – http://www.tsekhene.com

Plenary 2: Developments of Instruments and Mechanisms

Sam Etapp, Grande Counseil des Cris (Eeyou Istchee), Nemaska, Quebec

Etapp predicted that the *James Bay Northern Quebec Agreement* between the Cree Nation and the Province of Quebec will resolve differences with respect to resource development issues. The Agreement will establish working relationships and facilitate the transfer of obligations from the Province, giving the Cree a broader role in planning, designing and implementing forestry processes on traditional lands. Etapp stated that the Agreement affects about 12,500 Crees in nine communities, 65% of them youth.

Geoff Quaile, Grande Counseil des Cris (Eeyou Istchee), Ottawa

Quaile explained that the goal of this adapted forestry regime is to ensure that forestry is sustainable and compatible with Cree trapping, hunting and fishing traditions within this 69,000 km² area. Pictures of clear cuts, deep ruts in the land and abandoned logs were shown, and Quaile said that traditional lands are also left with spilled oil, garbage and bear carcasses. Forestry planning needs to account for the presence of Cree hunters and families using the same territory.

The new measures in the *Forestry Act* will ensure that forestry is planned on a trapline basis, and over-harvesting limited by grouping traplines. A Cree-Quebec Forestry Board will be established to oversee the new regime. Rather than the current three to five companies working independently on a trapline, only one company per line will be allowed.

Tallymen will identify zones of special protection, up to 1% of the total trapline, including burial grounds, drinking water courses, and bear dens. Up to 25% of the total trapline can also be identified as areas of wildlife interest, such as moose yards, spawning sites, and beaver lodges. Road construction will be planned according to the trapline layout and consultation and access will be limited with closed loops, winter roads and defined access points to water courses. The protection of forests adjacent to water courses and lakes will include the retention of existing 20 m protective strips. Rivers exceeding five metres in width will have a 200 m buffer along one bank. Lakes exceeding five square kilometres will have a visibility buffer of 1.5 km with only mosaic cutting allowed.

The Agreement includes a definition of mosaic cutting as being "cutting with protection of regeneration and soils carried out in such a way to preserve an area of forest between two

cutting areas that is at least equivalent to the stand harvested." The key measures to

maintain forest cover on traplines are:

- A minimum of 30% of the forest cover must stand at least 7 m in height.
- Logging will not be permitted on traplines that have had more than 40% of their surface logged or burned in the last 20 years.
- Mosaic cutting in wildlife areas must ensure that at least 50% of the productive area with stands over seven metres in height is left standing; at least 10% must be over 90 years old. Residual blocks must be interconnected with breaks, if necessary, of more than 30 m maximum and residual forests must be left standing long enough to allow adjacent regeneration to reach a minimum average of 7 m in height.

It is expected that through this Agreement between the Crees and Province, the future of forestry on traditional lands will include 1% special interest areas, 25% special wildlife areas and 30% of stands at least 7 m in height with limited road access and water protection measures.

For further information on Grand Council of Crees, check their web site - http://www.gcc.ca

George Kemp, Berens River First Nation, Manitoba

Kemp spoke from his experience with the First Nation Limited Partnership (FNLP), which includes 11 First Nations surrounding Lake Winnipeg. In 1996, with the purchase of the Pine Falls Paper Mill by Tembec Industries, FNLP was established as a limited partnership, in order to maximize potential tax exemptions available to First Nations. When Tembec purchased the mill, it proposed consultations with First Nations in the area, but the First Nations were interested in more than consultation. As a result, a bi-lateral Memorandum of Understanding between the Province of Manitoba and Tembec Industries was negotiated. The intent of this partnership was for both the First Nations and Tembec to share in the sustainable economic development associated with forestry and stewardship of the forest. Kemp described the fundamentals as:

- \$ Equal ownership between FNLP and Tembec, with FNLP as 100% owner in the future.
- \$ 300,000 m³ of land allocated by FNLP; 450,000 m³ from Tembec.
- \$ Creation of Joint Venture sawmill, Gaa-bi-mooka'ang (GM) on Tembec site, which FNLP will work toward making reserve land:
- \$ Processing approximately 135 million board feet per year;
- \$ 125 employees working two daily shifts (with a future increase to 160 employees on three shifts)
- \$ Creation of Shared Forest Stewardship Company Kiiwetino Ma'iingan (KM) to:
 - \$ Hold the agreement granted through a forest management license with the Province of Manitoba that provides it with the responsibility, obligation and authority to steward the forest stewardship area.
 - \$ Have all forest stewardship and environmental obligations associated with holding a forest management licence agreement.
 - \$ Manage all woodlands, regenerations, road building and maintenance, harvesting and hauling contractors.

- \$ GM will have exclusive right to purchase logs, at cost, required for its operation from KM.
- \$ GM will sell woodchips to Tembec for the paper mill.

Ownership, Control and Management:

- \$ Gaa-bi-mooka'ang Sawmill:
 - \$ Limited partnership units owned 50/50 between FNLP and Tembec with FNLP buy-out option after five years.
 - \$ Governance by nine Directors (three from each of Tembec, FNLP and independents).
 - \$ Proportion of Tembec Directors falls as FNLP purchases Tembec shares.
 - \$ Critical decision, such as sale of business or fundamental changes in the strategic plan, dealt with at partner level (between Tembec and FNLP).
 - \$ Tember receives a five-year Management Agreement containing training and development plans of First Nations people.
- \$ Kiiwetino Ma'iingan Forest Stewardship Company:
 - \$ Owned 50/50 through a corporation (corporation not for purpose of profit).
 - \$ Governance by nine Directors (three from each of Tembec, FNLP, and Independents).
 - \$ Critical decisions, such as sale of business or fundamental changes in the strategic plan, dealt with at partner level (between Tembec and FNLP).
 - \$ Tembec Woodlands Operation staff will be transferred to KM with a First Nations human capacity building plan.

Economic Opportunities:

- \$ KM must ensure that meaningful First Nations business, employment, and training opportunities are maximized in the stewardship and operation of the forest stewardship area.
- \$ Preferred contractor status for First Nations firms on all new contracts.
- \$ Management, technical, and trades training programs for both GM and KM.
- \$ Economic Opportunities Agreement will be developed outlining economic and employment opportunities in KM and GM.

All of this has brought the parties to the last stage of negotiating the equity in the project. However, negotiations between FNLP and Tembec have been delayed until settlement of the Canada-U.S. softwood lumber dispute.

Russell Diabo, Algonquins of Barriere Lake, Quebec

Diabo was joined by Michel Thusky. Barriere Lake is 3.5 hours north of Ottawa, 10,000 km² in area. The 450 members of the community rely extensively on the land, their language, and traditional beliefs.

In August 1991, the Algonquins of Barriere Lake and the Government of Quebec was signed a pilot agreement to promote sustainable development and reconciliation of resource uses. The Agreement allowed the Algonquins to express their interests and their desire for more of a decision-making role in the process. This three-phase agreement would include cultural and scientific studies of renewable natural resources, preparation of a draft integrated resource management plan (IRMP), and implementation of recommendations to carry out the draft IRMP.

Phase One of the Agreement has been completed and considerable research conducted. This included an Indigenous knowledge program, cultural study, social study (family), wildlife study, and socio-economic study. The inclusion of Indigenous knowledge has been critical. A sensitive areas study was also done, including traditional place names, and needs for buffer zones was identified, particularly around waterways. This information has been provided to companies and the government. Measures to harmonize process were established to identify, conserve and protect Algonquin cultural resources. Data also include a moose population study, socio-economic development information, forestry in the area, and economic value of activities in the area.

In the 10 years since the Agreement was signed, about \$5 million has been spent, resulting in the development of a database from the studies conducted. In May 1998, the parties signed another agreement to continue the significant progress that had been made under the initial agreement. The guiding principles continue to be traditional continuance, conservation and versatile uses, and adaptive eco-system based management.

For further information on Algonquins of Barriere Lake, check their web site – http://www.barrierelake.ca

Discussion

- \$ A participant asked George Kemp if actual cut levels were established through traditional ways and knowledge consultation. Kemp responded that the two-shift work schedule was based on provincial inventories, with no increase in the forestry land.
- \$ A participant stated the Yukon has met challenges in their consultation process and asked to hear about other's successful measures. Sam Etapp responded that their process was easier once people had the knowledge about traditional lands and what can be found on the land. Now two representatives from each of the Cree and Province work with families regarding their traplines. Russell Diabo stated that their map biographies have been useful, but it took a while for the people to participate. They did so once they understood why this was being done, but the Elders still needed to be convinced to put their knowledge down on maps. The studies, harvest (meat, berries, and wood) and traditional economics were also successful.
- \$ Russell Diabo was asked if the database is being used for other functions beyond forest management. He said that they have new information in the system, including curriculum development for a school program in Barriere Lake, and the information is influencing the Government's way of thinking. Although Indigenous Knowledge is not science, it is relevant and has convinced them to change their thinking.

\$ George Kemp was asked how much of the Sagkeeng First Nation is included in the Partnership. He responded that provincial map lines are being used, rather than traditional, so only a portion is included. Traditional maps need to be prepared. When further questioned about the treaty rights of members, he responded that the FNLP Board had decided that treaty rights would not be part of their negotiations.

Plenary 3: Forest Certification in Canada

Peggy Smith, R.P.F., Lakehead University, Thunder Bay, Ontario

Smith clarified that the term "Indigenous People" used throughout her presentation is an international term. Its use has raised concern in Ontario. Since the Forest Stewardship Council (FSC) uses "Indigenous People" and the Constitution of Canada uses the term "Aboriginal", which is inclusive, she explained that she would use both terms during her presentation.

Certification can take a number of forms: strictly private sector, voluntary, market-based, standards-based, and based on third-party audits

FSC's ten Principles for "environmentally appropriate, socially beneficial and economically viable" forest practices include recognition of "The legal and customary rights of Indigenous peoples to own, use and manage their lands, territories and resources shall be recognized and respected". This creates a jurisdictional conflict: federal for Aboriginal people, and provincial for natural resources.

Certification Systems include:

- ISO 14001, which emphasizes process rather than performance.
- The U.S. industry's Sustainable Forestry Initiative, which does not address Aboriginal rights.
- The Canadian Standards Assoc (CSA) model: influence of provinces.
- The Forest Stewardship Council (FSC) model, which explicitly addressed the rights of Indigenous peoples.

The FSC model's strengths include its international status, combined with performance-based regional standards. It is governed by representative economic, environmental, and regional "chambers". Government is present only as an observer and technical advisor. The five regional standards for Canada are Maritimes, National Boreal, Great Lakes-St. Lawrence, Ontario Boreal, and British Columbia, which is still only at the draft stage.

Smith asked if a National Boreal Standard was visionary or foolish. Considerations include:

- Recognizing a common ecosystem across Canada.
- The need to work across provincial boundaries.
- The importance of boreal forests to timber production.

- Logging methods and volumes
- Rights and interest of Aboriginal Peoples
- Parks, forest-dependent communities, "frontier forests", global environmental issues
- Efficient use of resources
- Harmonization of standards for companies working in the same markets

Important issues to be addressed include whether FSC is worthwhile for Aboriginal communities, how to include existing and developing Aboriginal laws and governance into FSC standards, and how to develop capacity.

The issues for industry include:

- Responsibility for forest management through licenses; security of wood supply; profits.
- International trade and competitiveness
- Corporate responsibility.

At all levels, the influence of environmental groups and issues is growing. The groups receive major funding from Canadian and U.S. foundations, and tend to be effective organizers. They advocate more protected areas, especially for old growth forests, and focus many of their campaigns on retail chains.

Governments must maintain the Crown's fiduciary obligation, legislate in areas such as forest management and environmental assessment, provide jobs, collect revenues (stumpage), and serve a range of clients. The federal government must also negotiate and implement international agreements such as the United Nations Forum on Forests, the Convention on Biological Diversity, the Kyoto Protocol, and agreements on endangered species and protected areas, and trade agreements (certification, softwood lumber, common standards).

Major challenges and next steps:

- Developing a national Boreal standard by 2003.
- Recognizing and respecting Aboriginal and Treaty rights and interests.
- Conflict resolution: respecting regional differences while tackling common issues
- Human and fiscal capacity
- Wider discussion with Indigenous organizations, communities, and families.
- Establishment of the Aboriginal Boreal Council and Indigenous Experts Panel.

Marc Thibault, Coordinator, Development of National Boreal Standard, Forest Stewardship Council Canada

FSC, Thibault explained, is an international not-for-profit, non-governmental organization with members distributed in three chambers and two subchambers: Economic, Environmental, Social, Indigenous People (in Canada); North, South. FSC promotes environmentally appropriate, socially beneficial and economically viable management of the world's forests.

National consultations to explore the feasibility of potential models for developing a national Boreal standard began late in 2000. An August 2001 conference on Indigenous Peoples and FSC certification was followed by a September workshop to provide a process framework for the development of a national Boreal standard for Canada.

An FSC National Boreal Standard is needed in order to:

- Exchange knowledge and expertise, promote collaborative learning, encourage a national dialogue and advance Boreal Forest management practices.
- Allow more efficient use of time and resources.
- Ensure national and international consistency in FSC Boreal standards.
- Build capacity among key players in Boreal Forest management.
- The FSC Canada Working Group retains a leadership role, setting expectations; reconciling opposing views and resolving disputes. The Working Group remains accountable for the process and the standards resulting from it, and for defining the process and the expected outcomes.

The Boreal Coordinating Committee, with a mandate from FSC Canada, is responsible for managing the standards development process, developing consultation drafts, reviewing input, reconciling opposing views, and commissioning expert advice. It manages relationships with Provincial/Territorial initiatives, forms task groups and sub-committee as required, ensures effective communications, meets timelines and targets for deliverables, and reports to the FSC Canadian Working Group.

Provincial/Territorial initiatives will provide information for the discussion draft, participate in developing and defining regional variations, participate in soliciting and coordinating input on drafts standards, conduct outreach and awareness, and assess and evaluate the effectiveness of the standard for future revision.

The Aboriginal Boreal Forestry Council will provide guidance on Indigenous Peoples involvement, address Indigenous Peoples participation and issues, seek advice on issues of interest to Indigenous People, and provide input to the FSC Boreal Coordinating Committee.

Proposed activities with respect to the FSC National Boreal Standard include:

- Use of data base from FSC Canada and regional groups.
- Regional meetings to give information on FSC and the Boreal process.
- Formation of chamber-based regional committees.

In drafting the Synthesis Report, it will be necessary to:

- Compile endorsed and draft standards from Canada and other Boreal regions.
- Catalogue and analyze standards, providing a framework to compare and rationalize differences in regional standards.
- Improve issue identification on a regional and/or national level.

National consultations on the discussion draft will take place between June and August, 2002. The draft will be sent to all interested forest players from data base and to professional associations and journals. A media release company will advertise the process and the draft, and input will be solicited through the Web site. The draft will also be sent to FSC regional groups, where discussions will focus on identification of issues.

Inputs to the discussion draft will be reconciled according to the following process:

- First input reconciliation through regional groups.
- Second input reconciliation through BCC.
- Receipt of acknowledgement for each input (coordinator).
- Compilation and categorisation of inputs (coordinator).
- Summary of inputs (coordinator).

OPTION 1: Inputs from regional multi-stakeholders discussion groups based on a broad consensus.

The BCC will review the inputs mainly on the basis of scientific relevance and the degree of agreement of the multi-stakeholder group. If the BCC cannot adequately assess the scientific relevance of certain inputs, expert advice will be sought. For inputs not fully considered in the draft standard, the BCC will justify its decisions in writing. Controversial issues will be taken to the "National Consultative Forum".

OPTION 2: Inputs from individuals and regional sectoral groups where a regional multi-stakeholder group is in place.

Individual inputs received directly by the coordinator will be forwarded to the corresponding regional initiative for debate. After regional discussions with multistakeholder groups, it could then be treated as an OPTION 1.

OPTION 3: Inputs from individuals and regional sectoral groups where no regional multi-stakeholder group is effective.

These inputs will be categorized by the coordinator and submitted to the BCC in a summary report. New and most frequently identified issues will be given particular consideration. Inputs will be reviewed by the BCC based on scientific relevance and will be accommodated in the draft standard accordingly.

Further information on forest certification is available at web site - http://www.fsc.org

Discussion

A participant asked why industry was represented on the Board. It was explained that FSC was established internationally in 1993 and in Canada in 1996, and is set up on a chamber model. Individuals or companies can apply for membership. There is a weighted voting system with the three Chamber set-up (four Chambers in Canada), which will prevent any industry from dominating.

\$ Another asked why the Board was not involved in the lobster dispute? FSC is in forestry only. There are other talks of certification in other industries.

\$

Valerie Courtois, Assembly of First Nations of Quebec and Labrador

Courtois works with the Sustainable Development Institute, Secretariat of the Assembly of the First Nations of Quebec and Labrador.

The Institute was created to comply with a federal requirement for a sustainable development strategy before December 1997. DIAND set in motion a process for a national consultation on sustainable development with the First Nations and Inuit in Canada. The Assembly of First Nations of Quebec and Labrador (AFNQL) decided in January 1997 to take over the DIAND process in order to define its own vision.

By late 1997, the strategy had been developed and adopted by AFNQL's Assembly of Chiefs and the Assembly mandated the AFNQL Secretariat to continue work on the strategy through the AFNQL's Sustainable Development Institute.

Courtois identified conflicting visions of development:

- The First Nations Model is based on the belief that Mother Earth is nurturing and sustaining to her children and that it is her children who must adapt to, and respect, Mother Earth.
- The Colonial Model is one where the exploitation of natural resources is aimed at responding to the individual and collective needs, and not according to the sustainability, durability and the integrity of Mother Earth.

Current development principles do not respond to the needs and visions of First Nations. It is important to be able to increase the level of individual and collective well-being of First Nations to a level comparable to other surrounding societies, to improve and ensure the socio-economic and cultural well-being of each First Nation community, and to consider the needs of future generations.

Having access to the land and its resources for the protection of our traditional ways of life and the cultural and social survival of the First Nations is as important as having access to the territory and its resources for economic development purposes.

Principles to Defend:

- The method currently used to allocate resources to their maximum level does not leave any margin of manoeuvrability for responding to the needs of the First Nations.
- First Nations must secure the socio-cultural and subsistence needs that are associated with natural resources.
- Royalties obtained from the exploitation of resources on First Nations' territories and/or other compensations must be paid to the First Nations to provide them with the

means to attain an equitable level of development.

• If there is a reduction in the level of resource exploitation (due to a re-evaluation of resource availability, conservation, protected areas, etc.), the First nations must be the last interest group to be affected by the decrease until their level of well-being becomes comparable to other societies.

Specific issues for the AFNQL Sustainable Development Strategy (SDS) include:

- Protection of the quality of the land and the sustainability of resources.
- Protection and reinforcing of Aboriginal cultures and languages.
- Social and economic development.
- Participation in the decision-making process.
- The necessity of partnerships.

Guiding Principles:

- Sustainable development and conservation.
- Integrated planning of land and resources (equitable decision-making); integrated resources management (onsite application of decisions, adaptive strategies); integrated development.
- Audit of the above.

Role of the Institute Regarding Certification:

- Respect of the SDS of AFNQL within the certification process.
- Support First Nations in regard of their management responsibility toward their land.
- Ensure the respect of the autonomy of each First Nation regarding land management.
- Support an environmental evaluation process on First Nations traditional lands.

Integrated Development Strategy (IDS):

- Multi-resource development plan on a territory offering a cultural base.
- Participation in regional forums in co-management.
- Develop projects within the openings currently available and consider those while follow the analysis of the minimum economic space.

Courtois said it was most important to identify and develop in an integrated fashion all available resources in the environment.

Discussion

- A participant asked about Canadian forest companies trying to obtain certification. Peggy responded that Tembec, Domtar and other companies are trying to obtain FSC certification and the World Wildlife Fund is working with Tembec. Decisions to be made about certification include whether we should work with companies or against them. Certification is a choice to cooperate and work out issues, but it is not yet clear how the standards in place will work on the ground.
- \$ A participant asked about the Boreal Coordinating Committee: how it was formed and who is involved. Marc and Peggy identified the Committee members, their organizations, and the recommendation from the 2001 meeting that there be an Indigenous People Chamber in Canada.

- \$ A participant was concerned that Ontario and Quebec will drive the issues and whether regional issues will be addressed. The Committee needs to reflect the diversity of regional issues involved.
- A participant was concerned that the Aboriginal Chamber sets up racism and separation of Aboriginal people. Aboriginal people need to be face-to-face with their partners in order to solve problems, and this should be done regionally. Smith responded that they are trying to create a framework to work together and to set standards each community can work with to improve the quality of social and economic standards.
- \$ One participant said there needs to be ownership of the process, and a process that feels comfortable.
- \$ Clarification was asked for the definition of the term "frontier forest". Smith responded that frontier forests are "intact" forests, and need to be protected.
- A participant asked if a company in their area was requesting certification, whether local groups would be contacted first. Smith responded that companies must meet any regional standards, must have a relationship with the First Nations community in the area, and must negotiate their strategic involvement. She provided an example of a company seeking certification.
- \$ Michel Thusky (Barriere Lake, QC) spoke to the participants about the situation in his community. They were able to protect their language and cultural values until 1996 when the federal government removed their customary leadership, along with programs and services. For five months they had to rely on the land to support their families and it was a very difficult time. They wanted to contribute to the development of the land and preserve their cultural and language. They needed to assert their connection to the land, and they teach their children to preserve the land. In 1997, the government recognized the customary leadership supported by the membership and reinstated services and programs. The community tried to work with the small group who had left and blockaded the territory. By approaching the group, the community showed the government their way of conflict resolution. There was a feast to discuss traditional matters, ways to improve the wildlife population and support of the lumber company. They made accommodations for the blockading family, provided support and learned the history of the family. Michel thinks that FSC is a good opportunity for Aboriginal people to be able to find ways to live in harmony.
- \$ Smith was asked if there have been discussions of an Aboriginal certification system. She responded that the topic has been brought up, but has not been expanded upon. It would promote Aboriginal forest products.
- \$ Carolyn Bruyere read a portion of a survey report on the Sagkeeng First Nation.
- \$ A participant asked for clarification of the Aboriginal Boreal Council and whether all the consultations taking place include Metis rights or just for First Nations? It was suggested that the Metis people join these groups and committees to ensure inclusion in the discussions.
- \$ A participant asked FSC if this workshop was considered a national consultation. The answer was no.
- \$ A participant from the Pukatawagan First Nation told the group that the unemployment rate in their community is high, even though people are trying to secure employment with the pulp mill. The federal and provincial boundaries are

- an obstacle as they only have a small parcel of land to work with. The community has tried to work with a third party company taking advantage of funding opportunities to receive some of the financial benefits, but have been given the run-around. First Nations need the same type of recognition as other companies if they are to advance.
- Another participant commented that they used to have the past, present and future. Now there are just the people, Turtle Island and the future. The resources have been exploited by others. Aboriginal people ask the land what to take. He used to log, but when the machines came, jobs for Aboriginal people disappeared, and the bigger the machine, the bigger the use of land.
- A participant from Pine Creek First Nation, Manitoba commented on the problems of making their company profitable. They are looking for an equal opportunity to work like the other companies have. They don't have the same logging quotas as other companies working in the Duck Mountain area. There are 2,300 stakeholders in the lumber company, but they don't have the benefit of lumber quotas even to build adequate housing in the community. Where will these meeting take us and how will the economics of First Nations people be enhanced? They don't want to be a financial burden.
- \$ How strong is FSC to lobby for people? The response was they are strong with public support to improve forest practices. It is an international organization making allies, but it is short on people and funds, as they are non-government. However, they are good at putting pressure on governments by lobbying.
- \$ A participant asked if Ontario is trying to get FSC certification. Smith responded that since they do not recognize Aboriginal rights and make heavy use of pesticides, so far their efforts have been unsuccessful.
- \$ Chief Stanley Sanquez of the Deh Cho First Nation of Ft. Simpson, NT commented that National must work with local Aboriginal people and a recommendation is needed on how to proceed with the consultation process. Everyone needs to listen to each other closely. What happens at National will affect the individual communities, especially those in the north.

Plenary 4: Conservation and Sustainable Development

Stewart Elgie, Executive Director, Canadian Boreal Trust, Ottawa

Elgie explained that the Canadian Boreal Trust is a Canadian non-profit conservation organization supported by a number of North American foundations. The group is not well-known, but interest is increasing.

The Boreal Forest is eroding, but about two-thirds remain untapped. The Boreal Forest is globally important: 60% of the planet is forest covered, 20% of original forest area is still intact and 25% of that is found in Canada. The Boreal Forest is rich in woodland caribou, wildlife, and birds. 50% of bird species breed in the Boreal Forest, and 40% of migratory birds nest there in the summer. The Boreal Forest also consists of lakes, rivers, and wetlands, and 25% of the carbon stored on land.

The Boreal Trust supports work internationally to conserve and sustain the Boreal Forest through information science and traditional knowledge. The trust coordinates and convenes forums for discussions and to raise awareness of the Boreal Forest and what it has to offer. The Trust's vision—to help build eco-systems and healthy communities—can be achieved through conservation efforts, sustainable resource management, respecting Aboriginal people and treaty rights, and working with healthy communities.

In conservation areas, consideration must be given to preserving wildlife and traditional lands, preventing industrial development, ensuring availability of land for traditional use and community-owned tourism and outfitting efforts. The outfitting industry is typically dominated by outsiders who do not employ people from the First Nation communities. Sustainable economic development is also important and must include:

- harvesting of traditional resources such as wild rice
- tourism, outfitters and lodges, which will also grow in value over time
- Community-owned forestry projects.

The time is approaching for innovative options in conservation efforts, such as carbon storage payments. The future could see the trading of our stored carbon source, which communities will want to benefit from.

In order to preserve the Boreal Forest, there needs to be more planning before further development takes place. We need to consider what we want our land to look like in 100 years, as right now about 33% is allocated for industrial, but only 8% is protected for traditional use. More community-lead projects with First Nations people are needed, and the rights of Aboriginal people must be respected.

Paul Cormier, Manager, Aboriginal Affairs, Parks Canada Manitoba Field Unit.

Paul Cormier explained that the mandate of the Parks Canada Agency is "to protect and present nationally significant examples of Canada's natural and cultural heritage and foster public understanding, appreciation and enjoyment in ways that ensure their ecological and commemorative integrity for present and future generations." Parks Canada manages national parks, national historic sites and national marine conservation areas.

In order to enhance the participation of Aboriginal people, Parks Canada sees the need to improve community relations, increase the employment of Aboriginals and pursue compatible economic opportunities. There is also the need for Aboriginal theme presentations and commemoration of those themes. Parks Canada initiatives include:

- creation of an Aboriginal Affairs Secretariat
- implementing recommendations from the chapter on "Working with Aboriginal Peoples" of the report of the Panel on the Ecological Integrity of Canada's National Parks
- Introduction of the new Canada National Parks Act.

Cooperative management is essential. One-third of Canada's national parks now have Cooperative Management Boards and Parks Canada continues to run the Aboriginal Leadership Development Program.

The issues facing the Manitoba Field Unit (one of two in the Province) are:

- respecting Aboriginal views and concerns
- trying to understand the Aboriginal culture while helping Aboriginal people understand the Agency
- building capacity and long-term commitment
- liaising between Aboriginal groups and the federal government

The roles of families or individuals is important, along with the ownership of information, a common interest, shared decision-making capabilities; and not separating relationships from information.

In order to address the challenges facing Manitoba, Parks Canada has created the position of Manager, Aboriginal Affairs, and filled it with an Aboriginal person, Cormier. There is a focus on mutually beneficial projects. The Aboriginal relations strategy will balance views and concerns, including training and development program and employment opportunities, and strives to increase awareness of Parks Canada's role. The focus is not on the lack of funds for projects, but on assisting in building capacity for Aboriginal tourism and other economic development initiatives. The agency is also working with Aboriginal people on heritage presentations and cultural interpretation.

Through all of this, Parks Canada hopes to establish strong relationships with Aboriginal communities, relationships based on trust, respect and common goals. Most importantly, they want to provide a voice for Aboriginal people and groups. There needs to be increased employment of Aboriginal people and greater capacity building. There must be movement beyond mere consultation, and the parties must work together. Traditional ecological knowledge must be acknowledged and recognized for its value and Aboriginal perspectives and history must be raised.

The management of our Boreal Forest will benefit from these Parks Canada initiatives. Our national parks will now be managed on a regional ecosystem basis, rather than as islands. Traditional ecological knowledge and science will now complement and validate each other and there will be a balance of human use, traditional use, and tourism. This will ensure the protection of our Boreal Forest for future generations.

Further information is available at web site - http://parkscanada.pch.gc.ca/aborig/main_e.htm

Jim Webb, Little River Cree Nation, Alberta

In the early 1990s, Webb said, LRRCN initiated conversations with the Superintendent of the Wood Buffalo National Park (WBNP) on joint planning and shared management within three group trapping areas in the southwest quadrant of the Park.

Webb provided a brief history of the creation of WBNP in the 1920s, when a number of diseased plains bison were relocated there over the protests of biologists and conservationists concerned about the effect on the indigenous wood bison of introducing a different sub-species. The Park boundary even had to be extended south to continue protecting the plains bison, which migrated out of the Park after the relocation. Naturally, the two herds of bison interbred: the entire stock of bison in WBNP became diseased and had no food value to the Aboriginal people in the area.

The LRRCN is situated within the Park boundaries. Approximately 310 members have held permits to hunt, trap, or fish in the three group trapping areas within the Park for decades. However, the rights of the LRRCN members to continue to hunt, trap and fish came into question in the early 1990s, when. Parks Canada began to assert that these rights had been extinguished when Park was created.

For more than 40 years, commercial logging of old growth spruce took place within the southwest quadrant of the Park. There were few or no guidelines regarding clean-up or reforestation. When this type of logging was declared illegal and ceased in 1991, a 25-mile long clear-cut was left within the group trapping areas.

Even though consultations between LRRCN and Parks Canada began in the early 1990s, a formal framework for consultation regarding treaty rights, traditional use of the land, and rights of first refusal on Park-related economic activity has yet to be developed. MOUs have been drafted but defeated by the Department of Justice. Even the cooperative management consultation process has not been developed due to differing perspectives. In 1999, LRRCN filed legal action, citing the Crown's breach of fiduciary duty, among other things. The case is on hold while the Court of Appeal deals with another First Nations claim.

Progress has been made in the Province of Alberta, with the 1995 signing of multi-party Cooperative Management Agreement (CMA. This initiative covers 30,000 km² of land, much of it within the Park, where it has been agreed that members can continue their traditional way of life. A Forest Management Board was mandated to develop a forest management plan and, in 1999, a second CMA expanded the mandate of the Management Board and the geographical area.

A new partner is the Sustainable Forest Management Network Caribou-Lower Peace Research Initiative. This university research initiative's goal is to facilitate the involvement of First Nations in the development of sustainable strategies through both traditional and scientific knowledge. Water quality, vegetation mapping, eco-tourism and environmental health are now being addressed, with local Aboriginal culture and heritage

as important elements. The issue of diseased bison ranges is being rectified, based on an understanding of the routes by which bison migrate out of the Park area. There are now about 4,500 undiseased bison living outside the Park area. There is also about 6,000 km² of protected land outside the Park.

Through this CMA initiative, many partnerships have been formed with government, industry, and the First Nations and their members. These partnerships continue to develop and strengthen and have resulted in the different priorities and values of the partners being addressed. Although formal agreements at the federal level have been difficult to negotiate, LRRCN, governments, and industry have still been able to make progress.

Chief Vera Miller, Poplar River First Nation, Manitoba

Chief Miller represents an isolated, fly-in community, 400 km. north of Winnipeg on the eastern shores of Lake Winnipeg. It covers 1,537 hectares and has a membership of about 1,150 on and off-reserve members who speak Ojibway and English. She explained that this traditional community lives off the land and is teaching their younger generation the traditional way of life. They learn about the traplines, how to hunt and gather, how land and water are the providers of life, and how their families sustain themselves on these traditional lands.

The community has been faced with proving that they are the keepers of the land. They have spent five years documenting their history. Maps of traditional territories have been drawn, but surveys need to be done. The people of Popular River do not want others to tell them what is best for them, as First Nations people are responsible for their own lives. However, First Nations people are also some of the poorest people living on a rich land. They often ask why the Government of Canada provides support to Third World countries when many of its own people live in Third World conditions.

Miller said that the people of Popular River will continue to fight to be recognized as keepers of the land. They want to preserve their undeveloped land and urge others to look at what development has done to their land. Forests and wildlife have been destroyed. Their community continues to have safe water to drink, animals to hunt, and fish to catch. The keepers will continue to teach the children their traditional ways of life and look after the land for future generations. They will continue to be stewards whose purpose is to sustain life and minimize the affects on the land.

Discussion

\$ Jim Webb was asked how the Metis have participated in the Integrated Resource Management Planning (IRMP). He responded that the Metis Nation of Alberta is an organized chapter and have requested representation on the Board. The Alberta Government and the First Nations have agreed with the request to participate. As the Board was created for five First Nations communities, there are five seats. The Metis Nation has requested an equal number of seats, but the First Nations believe the Metis

- Nation should be treated as a single community and take a single seat. Negotiations are ongoing.
- \$ A participant asked why the process is a Treaty Claim as opposed to an Aboriginal Title. The response was that Treaties were signed and oral promises were made, but the Crown seeks not to honour them. There is a belief, though, that the Crown's actions are to protect (hunting, trapping and fishing) and are to be taken seriously. There is 1.4 million acres of land for Metis people. An Aboriginal Title includes resources.

Closing Session

Dickie asked the participants to start the closing session early, so that they could close the workshop on time. He invited Harry Bombay from NAFA to talk about "what is occurring and some of the things upcoming".

Bombay put up an overhead that started with Canada's National Forest Strategy. He indicated that in the current year, there will be a "whole process of renewing the National Forest Strategy", involving "a whole lot of activities". In the last fifteen years or so, there have been a series of National Forest Strategies. The last one ran from 1998-2003, and contained a strategic portion that dealt with Aboriginal peoples issues.

Bombay pointed out that before a new strategy can be established (May 1, 2003), there must be an evaluation of the current strategy. To accomplish this several committees have been established and put in place (additions, communications, etc.). In addition, an expert panel has been established, with and Mr. Ed John, a Grand Chief from BC, as First Nations representative.

The consultation process will consist of five workshops and will take place across the country in the fall. Representatives from all core sectors will be invited to participate in "these multi-stakeholders' meetings". They will discuss what issues must be captured in a new strategy. This will culminate in a National forum on the National Forest Strategy in Winnipeg, probably in November.

Bombay added that throughout the fall, a team will be writing this National Forest Strategy. He believes that NAFA will be asked to participate and contribute to the writing of this strategy. Finally, on May1-2, 2003 the National Forest Congress will meet in Ottawa and the New National Forest Strategy will be unveiled to approximately five hundred attendees. He described this as "a new and bolder National Forest Strategy". He added that all stakeholders will be asked to sign a document called the 'Canada Forest Accord', and to adopt these principles for sustainable forest management.

He talked about the work that NAFA is doing right now. NAFA is focused on putting together a work plan to ensure that Aboriginal peoples are included and involved in this National forest Strategy.

Bombay highlighted the World Forestry Congress that is coming up in September, 2003 in Québec City. Canada will host this ten day event that will include over 150 countries and five thousand people. There is a secretariat presently working in Québec City, organizing this congress. This involves Canadian stakeholders, international organizations and is being held under the auspices of the Food and Agriculture Organization of the United Nations. This is Canada's opportunity to demonstrate leading forest practices and position our country as an international leader in sustainable forest management.

Aboriginal people have been asked to be "intensively involved in the whole process", and to be on all the committees. The organizers want an Aboriginal presence at the conference. Bombay is on the organizing committee and he has written a letter, suggesting that there be a separate and parallel indigenous peoples forest issues forum. He believes that there should be a theme around Aboriginal peoples issues, that there should be a series of workshops and that they should be part of the exhibits. His suggestion is that this can be accommodated in a pavilion style display.

Bombay has also suggested that there should be a "special call for papers", to bring forward people's issues and to publish these papers. He estimates that this could cost in the area of \$1million and that INAC might support some Native involvement in world forestry issues. Bombay will have to right a detailed proposal to try to find the money to do this.

Bombay joked that "either we can be outside the fence protesting or we can be part of it, and the Government wants us there". He added that this is a good opportunity for First Nations to show their issues to the world scene and to advance their issues.

Bombay then held up a document that was written in 1995, called 'Defining Stable Forest Management'. He described this as a key document because it defined sustainable forest management in Canada. NAFA believes that this document does not adequately address Aboriginal forestry issues. He stressed that in defining sustainable forest management, "we have to ensure that our issues are front and center". In the old document, Aboriginal issues are covered in criterion number six. In 1995, NAFA argued for separate criterion for Aboriginal issues, but "lost out".

NAFA has written a letter signed by the National Chief, requesting again that the government of Canada consider separate criteria for sustainable forest management for Aboriginal issues. NAFA is lobbying provincial governments and some of them are supportive. He will continue lobbying and by the end of June, when the Canadian Council of Forest Ministers Deputies meets, we will know if we will get a separate criterion. Bombay emphasized that this is a crucial issue and encouraged participants to "write your own letter to your own Provincial Ministers".

Bombay closed with a short discussion on 'Forestry 2020', another major national forestry initiative. He indicated that this issue is moving forward and he believes that it is on the agenda of both the June deputies meeting and the September ministers meeting.

The forest sector is looking at addressing the needs of the protected areas, while at the same time obtaining a wood supply for the market. Because this is a highly competitive international market, they are considering plantations, with fast growing, high-yield tree species, and intensive forest management are things that are being pushed.

NAFA conducted workshops on Forestry 2020, one in Edmonton and one in Ottawa, with Aboriginal groups. The groups' response was to look at this as a way to create employment and economic opportunities for First Nations communities. Bombay added that there are a lot of issues around Forestry 2020, the major one being: who is going to pay for it? He ended by saying that there are ongoing meetings on how to encourage investments for treaty plantations.

Dickie moved the agenda forward by commenting that Native people are adaptive and flexible. He suggested that in keeping with that flexibility, we should make some adjustments to the agenda. He suggested that with consensus, he would "open the floor to people".

Chris Paci, from the Denedeh National Office, asked to share what he had learned at a May 16 conference in Finland, on Arctic sustainable development. Dickie replied that this information would be useful and invited him to make a presentation.

Paci indicated that this was a meeting of the Arctic council, the senior Arctic officials. These circumpolar Nations are having difficulties affirming and recognizing Aboriginal rights. Paci revealed that the council did agree on a clause that they will be putting forward to the Johannesburg meeting in August/September. He then read this Arctic clause for the proposed Johannesburg Action Program:

"As a result of climate change and long-range transport of certain chemicals, the circumpolar Arctic has emerged since the 1992 Earth Summit as an 'indicator' region of global environmental health. As such, we acknowledge the environmental protection and sustainable development work of the eight Nation Arctic Council, aided by Arctic indigenous people, and encourage further comprehensive environmental monitoring in this region."

Paci said that this meeting raised two points. Firstly, the Arctic Council wants the Arctic to be recognized as the 'thermostat' or indicator of what is going on globally. An example of this is the impacts of global warming such as movement of the tree line or the disappearance of certain species. The second important point is the question of what is sustainable development. "Does sustainable development mean just sustaining economics?" He believes that the Aboriginal community has to have discussion and put forth their ideas on what sustainable development means to them.

One of the participants wanted to react to this. She said that our own ways and practices can determine what is sustainable for our own areas and territories. She added that she sees the need for all of us to be aware of what is happening around us, as it can impact us. She summed this up with the idea that she sees the need for collective support (globally) to impact the global perspective.

Jim Webb stated that he believes that First Nations must be part of the process of certification. First Nations have to take a stand and make sure that the certification standards reflect our concerns. He believes that this is crucial if the industry groups cannot accept the "spirit and intent approach to treaty and Aboriginal rights".

There is national and international evidence that industry and environmental NGOs can work together to address issues of certification. Webb perceives that the environmental NGOs are "perfectly willing to work with First Nations also". He believes that if the environmental groups understood First Nations traditional use, they would understand that we are natural allies in protecting conservation and biodiversity. He reiterated that First Nations have to take a position in this dialogue, the standards have to address our concerns and our concerns are related to the spirit and intent of the treaties.

Harold Brass from the Swampy Cree First Nation in Birch River affirmed that "we have gun laws on Turtle Island.... We can't go hunting in the bush and we have fishing quotas". He also raised concerns about water purity, logging quotas and the damage that Manitoba Hydro has done to Mother Earth. He stated that these issues have to be dealt with.

Russell Diabo, an employee of the Algonquins of Barrier Lake, believes that one of the biggest obstacles is the federal government and the separate federal Sustainable Development Strategies for north of and south of '60'. In addition, the strategies for south of '60' are only about "reserve lands" and when First Nations try to assert jurisdiction over lands not on reserves, the Feds ignore the issue and do nothing. He feels that when you deal with sustainable development off reserve, "Federal policy and practices get in the way". He added that FSC has a role as a facilitator, to get people to the table.

A participant stated that industry is taking a narrow interpretation of Principle 3 and then asked what happens to the pilot project. Peggy Smith answered that the Ontario Boreal was the only pilot project. The issue is recognition of the 'spirit' of the treaties, which is to share resources, not give them up. The Aboriginal Chamber has maintained that they can not give them up. She added that the Boreal is mostly affected by historic (traditional) treaties. The courts are recognizing that Aboriginal understanding of treaties has to be taken into account, but Smith asserted that the problem is "how to move the Provinces".

A participant from Sagkeeng First Nation said that "the spirit of the treaties was to share.... Our people are suppressed similar to the people in South Africa". She added that the courts are working faster than the government. She asked, how can we solve land issues, when we can't sort out self-government? Dickie thanked her and responded with the thought that with the rapid growth in the Aboriginal demographic, the solution is "proactive work, with sharing and integration among each other".

Webb talked about the discussion draft of Principle 3 and gave a list of thirteen things that the economic chamber and industry "should demonstrate awareness of" and have to

deal with: the demographics of indigenous people in their land base, the political organization and governance structure, the political mandate for compensation and negotiation, the traditional use area, whether there is agreement between the First Nations and the crown, status of negotiations and the current status of any legal action.

Webb added that we will be proposing a new indicator (3.1.3), where the applicant has to understand the principles of what is under review and is before the courts. Secondly, that the applicant understands, acknowledges and respects the rights of Aboriginal people. He added that this means that the companies will have to do a lot of work and not just rely on what the federal or provincial governments tell them.

Dickie replied that there is a wide view of what the Aboriginal Boreal Council (ABC) should be. There is a "mixed bag out there" and the concern is whether there should be an international or a regional focus. He stated that the challenge will be to trust people to be the messengers for the Aboriginal people and represent our interests on both a national and international level. "We have to trust them and give them a vote of confidence".

A participant interjected that there is a need for community consultation. "There has to be grassroots input, so that the grassroots feel connected to what is being put forward... and resources need to be there for the grassroots." Dickie agreed, adding that there has to be a sounding board and a base for the community, so that "the messengers can bring our words forward". Valerie Courtois supported the formation of a council, but it must be "a grassroots based organization and the members must report to the community, in order for it to be effective". Harold Brass added that different grassroots organizations such as elder councils, youth, education, and human resource development should also be included.

Russell Diabo reminded everyone that the FSC is made up of thirty-one councils around the world, structured into three Chambers; social, environmental and economic. There is a global network on these issues and thirty-one countries are having discussions about social and forest issues. FSC's International Board has struck a sub-committee called the Social Strategy Advisory Committee, which is putting out a discussion paper on social issues. Diabo repeated that Aboriginal (Indigenous) issues are being addressed internationally. Smith responded that Canada was told by FSC that "you have the lead and the responsibility".

A participant from Sagkeeng said that there should be a National communications strategy, with dates and benchmarks. She asked if there was money put aside for communications. Dickie replied that they had asked for \$300,000 from a charitable foundation.

Bombay asked, if this is a partnership between FSC, NAFA and the regional organizations, who runs ABC? Dickie interjected with "how many meetings, who attends, budget"? Geoff Quaile asked "what is the role of the council, what is it going to do, and is it going to review regional work?" Dickie responded that "the terms of reference are wide open". Smith sees the draft terms as being too broad. She reminded

the group that "the focus here is to develop a national boreal standard and how to address the issues of national Aboriginal involvement and Aboriginal issues in that standards development". She sees ABC's role is in the formation of those standards and to bring a strong national voice that is connected to the regional voices.

Webb interposed that since NAFA's came into existence in the 1980s, it is always the same small group doing all the work. He suggested that we should be talking about an Aboriginal coordinating committee, not ABC. He emphasized that communication is the critical path. Webb's final comment of the day was a question: who controls ABC or ACC? Is it "FSC Canada, NAFA, or a combination of the two"? Brass interjected that he did not like the word 'control', and the group suggested 'take responsibility for'. Bombay advised the group that NAFA's bylaws encourage the formation of 'bodies' to address certain issues.

Elder Bruyere observed that in Manitoba there are many NGOs, special interests, and industry groups having a say on our boreal forests. She asked how they would fit in with the FSC standards development. Dickie answered that contact will be made with these regional groups and "there is a big gap between what is happening in BC, the Prairies and Ontario.... It is still evolving."

Elder Bruyere asked a supplementary question about the possibility of neglecting the people, as there are treaty boundaries, traditional boundaries, and provincial and national boundaries. How do you reconcile all this and set up a committee? Joe Kuhn responded that those in Treaty 3 forestry focus on implementing treaty rights and governance. He believes that the solution is simple: Instead of calling this ABC, add the word standards and call it the Aboriginal Boreal Standards Council. Dickie added that part of the solution is to include everyone: "We need traditional people, politicians, scientists, environmental people, and business people."

Michael Pierre from CIER asked what is NAFA or FSC doing to deal with the environmental crisis. Most of the boreal forest is disappearing; plants and animals are disappearing. With harvesting and global warming, there are going to be major changes in the next twenty years.

Gerald from Little Black River First Nation commented on a land use study that they did together with Brokenhead and Hollow Water First Nations. A significant part of that study included interviews with the Elders. They will insist that that study be recognized by industry and supersede industry operational plans. A participant added that in Manitoba, twenty-five percent of the land is controlled by the Cree, and they do not want the ABC process to affect the agreements that are in place.

Chingee responded that we must work together in harmony to address each other's concerns. He emphasized that standards will gain the respect of industry. Tracy Paul from Temagami remarked that ABC and their work will make our job easier: "When you work on the broad things, it makes our work in our communities, easier". She added that she appreciated NAFA's work.

Dickie thanked her, as sometimes they feel like they are working in isolation. He told the group that the intent of this workshop is to share information because "all we have is one another". He closed with thanking the participants for sharing their wisdom. Meegwetch.

Smith added that at a community level, you are up against all sorts of issues. She thanked the participants for their input and thanked them for listening to a new kind of initiative. She remarked that even though there is no clear direction coming from the workshop, they heard issues, concerns, comments and suggestions. She said that the next task is to get the 'options paper' written, with a focus on development of a national boreal standard, but taking into account Aboriginal issues. She said that everyone would get a copy of the proceedings and asked that feedback be provided to Angus.

Bombay thanked the Gordon Foundation for their funding of work on boreal forest issues. Their support has enabled NAFA to hire a coordinator (Angus), develop materials on boreal forest issues, hold this workshop, talk to First Nations people and, ultimately, write the options paper. He asked the participants to help Angus deal with boreal issues. NAFA will keep them informed and will hold 4-6 more workshops throughout Canada. He closed the workshop with thanking everyone for coming and for participating in "leading edge First Nations thinking".

APPENDIX 1: LIST OF PARTICIPANTS

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APPENDIX 2: WORKSHOP FOLLOW-UP ACTION ITEMS

- 1. Draft options papers on mechanisms for Indigenous involvement in National Boreal standard.
- 2. Develop Terms of Reference for mechanisms for Indigenous involvement (eg. Indigenous Experts Panel. Aboriginal Boreal Forest Council)
- 3. Develop Communication Strategy for informing Indigenous communities about boreal developments.
- 4. Distribute workshop proceedings to all participants to distribute to their own communities and contacts.