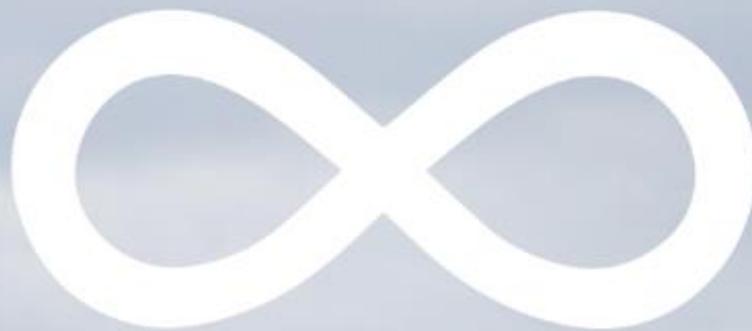


Island Forests 2021-2041 Forest Management Plan Volume III



COMMUNITY CONSULTATION REPORT

2022

FEBRUARY 18

Island Forests 2021-2041 Forest Management Plan Volume III
Public Consultation Report:

Prince Albert Métis Local 7
North Saskatchewan River Métis Local 269

Prepared for:

Forest Service, Ministry of Environment
Aboriginal Consultation Unit, Ministry of Government Relations

Supported by:

Fish Lake Métis Local 108
Crutwell Métis Local 66
Tisdale Métis Local 222

Prepared by:

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Version 2
March 30, 2022

Métis Local Executive Statements

Prince Albert Métis Local 7

Many Local #7 members rely on the Island Forests to provide for their families by hunting for food and gathering berries and medicinal plants. We are extremely concerned about the impact of clear-cut logging in the Island Forests on our grandchildren's ability to learn our traditional ways of living. We also believe that because the government's plan does not address the effects of climate change in the Island Forests, its harvesting plans might increase the risk of flooding, drought, and erosion, and leave our homes and what's left of the forest more susceptible to damage from plow winds and tornadoes.

The Prince Albert Métis Local 7 is in full support of this report and believes that our members should have been given significantly more time for consultation. The Island Forests are the homeland for many Métis communities. The government's plan to cut down our trees should not be accepted until it has a credible plan to regenerate the forests and a better understanding of how its plan will affect our constitutionally protected rights.

North Saskatchewan River Métis Local 269

The forests in the Prince Albert area are used by many members of North Saskatchewan River Métis Local 269. We are very upset that this was the first we'd heard about the Island Forest Plan.

A fundamental flaw with the government's consultation process on Volume III of the Island Forest Plan is that, because no one from Local 269 was consulted on the development of Volumes I and II, we did not have the background knowledge needed to participate in meaningful discussions. Additionally, the short space of time available to learn about the plan and consult with community members and the government was not reasonable. This plan was released in the middle of winter, during the holiday season, and at a time during the Covid-19 pandemic when many people were sick and being told to avoid gathering indoors.

Because we did not get a say in when or how the consultation process was to occur, many Métis communities were effectively forced to put themselves at greater risk of harm for the government's benefit. This is not an acceptable practice, especially given the fact that we are talking about participation in a process to discuss how to manage the harm the government is preparing to inflict on our communities.

Fish Lake Métis Local 108

Our community actively exercises our right to sustenance harvesting and gathering of traditional medicines within our Traditional Territory. We live a modern sustenance lifestyle and respect our lands as they provide spiritual, physical, and mental sustenance for our community members.

We are inseparable from our lands, as they make up our identity. We are people of the land. Fish Lake Métis Local is in full support of this report.

Tisdale Métis Local 222

The Government of Saskatchewan's consultation process is fundamentally flawed and undermines reconciliation with First Nations and Métis people in this province.

Our Local has been involved in discussions on logging in the Island Forests since 2017. The consultation reports we submitted on the 2017-2018 and 2018-2019 Island Forests Operating Plans raised concerns with the government's method of harvesting trees, failed reforestation efforts, and loss of access to plant and animal species which Métis people rely on to help meet their sustenance and economic needs. We asked that land studies be conducted to understand the impacts of clear-cut harvesting on the plants and animals in the Island Forests and to help preserve the historical and cultural ties that Métis people have to the land dating back to the 1700s. We did not receive a reply to our reports and the clear-cutting has continued. To make matters worse, Local 222 is not even listed as an affected community in Volume III, and we did not receive an offer to participate in consultations on the 20-year plan to clear-cut up to 64% of our forests.

The concerns raised in this report have been brought forth to the Aboriginal Consultation Unit and Ministry of Environment many times but to no avail. The Government of Saskatchewan's duty to consult process forces Métis people to jump through many hoops to participate, with very little time or support, then allows its representatives to effectively ignore our questions, concerns, and the solutions we propose. It is not clear why the Tisdale Local was excluded from the consultation process on the Island Forests Forest Management Plan but, even if we had participated, we believe our concerns would once again have fallen on deaf ears.

The adverse effects of clear-cut logging in the Island Forests on wildlife, delicate forest ecosystems, and Métis and Indigenous people, cannot be understated. A new process needs to be put in place to ensure our constitutional rights are protected and our voices are heard. We agree with the concerns raised in this report and support the recommended changes to forest management in the Island Forests, as well as the Government of Saskatchewan's problematic consultation process.

Crutwell Métis Local 66

Many of the same concerns raised in this report were echoed by members of the Crutwell Métis Local 66 in our community consultation report on the Island Forests 2021-2041 Forest Management Plan.

As many Métis and First Nation traditional land users are just now learning of this plan, there is frustration as consultation at this point appears futile. Clear-cut logging in the Island Forests is already well-underway. The decision to harvest was made without us and our silence was inappropriately deemed consent.

The report is concise and speaks volumes about the inadequacies of the consultation process and subsequent potential for irreversible damage to our traditional harvesting territory.

Acknowledgements

This document was prepared by the Aboriginal Law Group on behalf of Fish Lake Métis Local 108, Prince Albert Métis Local 7, and Saskatchewan Rivers Métis Local 269 for the purpose of reporting outcomes from consultation meetings on the Ministry of Environment's, *Island Forests 2021-2041 Forest Management Plan Volume III*, between January 22 and February 8, 2022 in Prince Albert, Saskatchewan.

The Métis Local presidents and executive members acknowledge that the Island Forests have been called home by many generations of Métis communities and Indigenous peoples since time immemorial, and wish to thank everyone who participated in discussions and provided feedback on the proposed harvesting plan. They look forward to continued engagement with the Government of Saskatchewan and others who are interested in utilizing these vital and increasingly threatened forest habitats to ensure their sustainable use and preservation for future generations.

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- Tables removed from this version to protect identities of participants.

Preface

The Island Forests consist of four provincial forests in Saskatchewan, Canada: Nesbit, Canwood, Torch River, and Fort à la Corne. They are located at the southern edge of the Boreal forest near the confluence of the North and South Saskatchewan Rivers, in the Boreal Transition Ecoregion of the Boreal Plain. The rivers and valleys that run through this region have served as highways for plants and animals since time immemorial, and the forest fringe has provided a point of access to forest resources and vital habitat for countless communities of species. The soils of these forests are largely comprised of sand, which makes them not suitable for agriculture and highly susceptible to erosion and drought.

Métis people have a long history and relationship with the lands, rivers, and streams within the Island Forests. This relationship predates 1905, when Saskatchewan became a province, and many Métis people are still very much connected to the land today. Some still live on their family's historic river lots, while others have ancestors who settled in homesteads along the Saskatchewan River and its tributaries after the Rebellion of 1885. The Island Forests have helped many generations of Métis people meet their needs for food, medicine, and shelter, and many families still hunt, fish, trap, pick hazelnuts and medicines, and stock their freezers with blueberries, cranberries, and pin cherries. During interviews conducted for this consultation, one Elder stated, “The forest was our breadbasket, pharmacy, and playground. So much so, that our existence was spiritually bound with the trees, animals, and plants without which we could not survive.”

Métis people also have a long history of logging in the Island Forests, albeit using vastly different methods and scales of harvesting compared to those used by logging companies today. Métis people continue to use forest resources for building homes, sheds and cabins, and providing heating materials. They also work in the forest industry as harvesters, heavy equipment operators, millwrights, labourers, and product transporters. Sustainable and responsible management of forest resources is, therefore, incredibly important to Métis people in the Island Forests, who want their children and grandchildren to similarly be able to use the forests to meet their sustenance, cultural, and economic needs.

The Island Forests 2021-2041 Forest Management Plan Volume III (“IFFMP III”) is a plan to harvest up to 64% of the trees in the Island Forests. It is the third and final volume of a plan that has been in development since at least 2013.¹ This plan provides for the harvesting of mature trees using a modified clear-cut method of harvesting, in cut blocks that mimic the shape and size of forest fires. If approved in its current form, the IFFMP² has the potential to significantly

¹ Island Forests Forest Management Plan Volume I [IFFMP I] was released in November 2015, Island Forests 2018-2038 Forest Management Plan Volume II [IFFMP II] was released in March 2017, and Island Forests 2021-2041 Forest Management Plan Volume III [IFFMP III] was released in October 2021.

² These consultation meetings were held pursuant to the Ministry of Environment's duty to consult on IFFMP III; however, as many people had not heard of the previous two volumes, these discussions involved matters that were addressed in all three volumes. This document attempts to distinguish between references to the Island Forests Forest Management Plan as a whole [IFFMP] and comments specific to IFFMP III where possible.

and irreparably transform the Island Forests landscape and impact unknown numbers of people, plants, and animals who call these forests home.³ The plan jeopardizes the ability of Indigenous and Métis people to retain their history and engage in constitutionally protected cultural and sustenance activities, and risks increasing the severity of climate change-related harm and disruption to forests⁴ that are already facing significant regeneration challenges.⁵

It is important to note at the outset of this report that only two Métis Locals were aware of the Government of Saskatchewan's plans to harvest timber in the Island Forests⁶ and, of those two, only one had received an offer to participate in consultation on the IFFMP III.⁷ The meetings discussed in this report were, therefore, the first opportunity for the vast majority of community members to become aware of, and familiar with, the IFFMP. Upon learning about the plan, participants had a lot of questions and concerns, and raised strong objections to it being approved in its current form.

Given the limited amount of meaningful engagement with Métis Locals on the IFFMP, and the significant and potentially irreparable impacts on established and credibly claimed Treaty and Aboriginal rights to hunt, fish, and trap for food and carry out traditional uses on unoccupied Crown land,⁸ it is the position of Métis Locals 7, 66, 108, 222, and 269 that this plan *not be approved* until greater efforts are made to understand how this plan threatens these rights, and community members' concerns are addressed in a procedurally correct and substantively meaningful way.

This report serves as a summary of questions and concerns arising from information sessions hosted by Métis Locals 7 and 269, and meetings with executive members of Local 66, 108 and 222. Best efforts were made to inform community members about the IFFMP and communicate all questions and concerns raised by participants to the Forest Service branch before February 18, 2022. However, since many people had not heard of the IFFMP prior to November or December 2021 – including the presidents of many Métis Locals – it is important to note that this report is not intended to be seen as an exhaustive list of questions and concerns by Métis community members.

³ The IFFMP III lacked data regarding the impacts of clear-cutting on understory species and vital habitat areas for many species that are harvested for sustenance and medicinal purposes.

⁴ Such as disease, invasive species, flooding, erosion, windthrow events, and forest fires.

⁵ Updated figures and risk assessments were not provided by the Forest Service during consultations with community members. In 2017, 33% of the Island Forests were deemed Not Sufficiently Regenerated: IFFMP III, Appendix D, 14. See also: Figs. 13-14, which show forest cover loss in the Island Forests from 2000-2020.

⁶ Fish Lake Métis Local 108 and Tisdale Métis Local 222.

⁷ Fish Lake Métis Local 108.

⁸ Government of Saskatchewan, *First Nation and Métis Consultation Policy Framework* (2010).

I. Introduction

The Forest Service branch of the Ministry of Environment released Volume III of the Island Forests 2021-2041 Forest Management Plan (IFFMP) in October 2021, with the aim of starting forest operations in April 2022.

On October 6, 2021, Forest Service sent invitations to consult with 24 potentially affected First Nations and Métis communities, with a response requested by November 15, 2021. The president of Fish Lake Métis Local 108, Bryan Lee, was invited;⁹ however, the presidents of Prince Albert Métis Local 7, North Saskatchewan River Métis Local 269, and Tisdale Métis Local 222 were not.

When the presidents of Locals 7 and 269 learned about the IFFMP via word of mouth the following month, they began making arrangements with the Aboriginal Consultation Unit (ACU) to participate in the consultation process with Forest Services.

Locals 7 and 269 officially received duty to consult notices for the IFFMP Volume III on November 23, 2021, and secured participation funding from the ACU on January 21 and February 3, 2022, respectively. Each Local hosted two orientation meetings over the course of one weekend (January 22-23 and February 5-6, 2022, for Local 7 and 269, respectively), and a third meeting was held for community members before and after meeting with representatives from Forest Service (February 3 and 8, 2022, for Local 7 and 269, respectively). Notice of the meetings was given via social media and word of mouth approximately one week in advance of the meetings. Meetings were held both in-person and virtually via Zoom, and audio and video footage was recorded from all meetings (with notice) to assist in the preparation of this report.

This report sets out the main questions and concerns that have arisen through the course of consultation activities since October 2021. Many of the questions and concerns raised at the Local 7 meetings were echoed by people at the meetings hosted by Local 269. For this reason, questions and concerns raised by participants at both Local 7 and 269 meetings are discussed under the same topic headings.

⁹ Bryan Lee attended a public information session on the IFFMP I in January 2013, in which he voiced concern about the failure of the Forest Service to invite Métis Locals to participate. The Forest Service responded by committing to notify Bryan of subsequent discussions regarding the IFFMP: IFFMP I, Public Information Session (10 Jan 2013), 78.

II. Findings

1. Barriers to Participation

The length of time allotted, and engagement period chosen by the Forest Service branch for discussions on the IFFMP III created a number of barriers to participation, which failed to appreciate the procedural challenges involved in organizing and hosting meetings and the substantive significance of participation by Métis people in the IFFMP, and effectively undermined the potential for meaningful engagement.

The short period of time for consultation provided by the Forest Service branch meant that Local presidents were essentially expected to drop everything they were doing, and start making plans to prepare for a meeting with the government to discuss a project with significant impacts for many traditional land users.¹⁰ It also meant that not everyone who wanted to attend was available. The meetings were also held during an incredibly challenging time: in winter, over the Christmas holidays, and during the fifth wave of the Covid-19 pandemic. Many people fell ill with Covid-19 during the consultation period,¹¹ while others expressed concern with attending indoor meetings.¹² However, despite the barriers to participation, the meetings were still well-attended.¹³

We are aware that participation was also limited for certain Locals due to unresolved funding conflicts from past consultations. In both cases, consultation advisors at the Aboriginal Consultation Unit (ACU) in Regina took issue with the sufficiency and integrity of the Locals' financial reporting over things like \$42 and receipts for food items that did not match the menu of the restaurant where a consultation meeting had occurred. When the ACU was asked about the refusal of funding, they responded by saying the community is still invited to participate, they just won't receive any financial support. For the Métis, this kind of response is akin to saying you need to take resources away from your family in order to participate. When asked why they were so recalcitrant in regard to their demands for proper receipts, the ACU responded by stating they have to follow the Saskatchewan finance manual because they get audited. We inquired if the finance manual was provided to the Métis Locals before or at the time funding was delivered, and the ACU confirmed that it was not. It is a unrealistic demand to expect Local presidents to understand what the Saskatchewan auditor expects let alone to assume local president will read and understand the financial manual. We also asked if training was provided to the Locals, to which they confirmed there was not.

When the ACU refused funding for one Local due to unofficial allegations of financial mismanagement, the president of the other Local feared that they, too, might be accused of

¹⁰ Local presidents, coordinators, and participants are expected to do this work for free until funding applications are accepted, approved, signed, and returned to the Aboriginal Consultation Unit.

¹¹ Including one of the consultation coordinators and one Local president.

¹² To help facilitate participation, the consultation coordinators delivered the information and consultation sessions in-person and via Zoom.

¹³ Table 1 lists attendance at each of the meetings. Note: The meetings hosted by Local 7 were attended by approximately 8-15 people. This needs to be confirmed and is reflected in the table.

fraudulent behavior for failing to satisfy the ACU, and subsequently decided to not seek funding to support their Local's participation in this consultation process.

When the issue of funding was brought up with the Forest Service, they said it was not their responsibility. We disagree. The Forest Service has a duty to consult in the implementation of the 20-year plan for the Island Forest, and ignorance by the Crown of the procedural and substantive barriers to participation of the very people they are required to engage with severely limits the quality of the consultation and in some cases prevents it from happening.

The Government of Saskatchewan's approach to consultation throughout the IFFMP III consultation process is cause for much concern. The Aboriginal Consultation Unit's practices effectively force Métis people to subsidize the government and help it satisfy its duty to consult, and Forest Services' practices effectively render those consultations meaningless. Forcing communities to consult in this manner while also withholding financial assistance to support participation in a significant project like the IFFMP is completely unacceptable.

It is also important to note that many of the people involved in the consultation process, such as members of the Local executive, help facilitate consultation with community members as volunteers, sometimes with little to no access to office space and equipment. People work from home in their living rooms or at their kitchen tables, and often use their personal computers or tablets, printers, cell phones and email addresses in communicating with government officials. Living and working outside of major centres with strong internet connections also has technological disadvantages, and the increasing use of memory-intensive digital resources has added layers of complexity to the consultation process which government officials ought to be aware.¹⁴

2. Climate Change

Participants at the consultation meetings on the IFFMP expressed significant concern with the plan's approach to forestry in light of what we know about climate change from readily available meteorological data and current climatic projections, as well as on-the-ground observations. Certain plants, like blueberries, are getting harder to find, and trees that were harvested and replanted in some areas have either failed to come back or appear stunted.

Climate change-related habitat and species loss is already occurring in the Island Forests,¹⁵ through more frequent, intense, and larger wildfire disturbances, increased temperatures and

¹⁴ For example, some of the information that was shared with us from the Forest Service was in the form of a password-protected link to a video to be downloaded off the internet.

¹⁵ KBM Resources Group, *Technical Review of the Island Forests 20-Year Forest Management Plan* (October 2017) (Technical Review of IFFMP, *KBM Resources Group*); S. Gauthier, M. Lorente, L. Kremsater, L. De Grandpré, P.J. Burton, I. Aubin, E.H. Hogg, S. Nadeau, E.A. Nelson, A.R. Taylor, C. Ste-Marie, "Tracking climate change effects: potential indicators for Canada's forests and forest sector" (2014), *Natural Resources Canada*, Canadian Forest Service, online: <<https://cfs.nrcan.gc.ca/publications?id=35231>>.

prolonged drought,¹⁶ insects, disease,¹⁷ flooding,¹⁸ and extreme wind events.¹⁹ Given the drastic changes in temperature and precipitation projected for the Island Forests, it seems reasonable to conclude that the risk and rate of species extinction, especially those with constrained migration capacity such as trees and understory species, would only accelerate from cutting them down and digging them up at their roots.²⁰

Given the current and projected impacts of climate change on the Island Forests, it is the position of the Métis Locals that the Ministry of Environment has a duty to inform itself of the additional risk to forest habitat and forest species from its proposed forest harvesting operations, especially since 33% of the Island Forests are currently deemed *Not Sufficiently Regenerated* and the fees collected from harvesters and deposited into the Island Forests Trust Fund are not sufficient to cover the costs of regeneration.²¹ Failure to consider the wisdom of authorizing natural forest patterns of clear-cut harvesting and multi-year,²² stand-replacing disturbance events, risks decimating the already fragmented and threatened Island Forests land base upon which many Metis and Indigenous people depend

3. Indicator Species

The Island Forest FMP Vol. III designates moose, fisher, and the Canada warbler as “indicator species” that are to be used in assessing the health of the forest (i.e., if the populations are healthy, the forest is presumed to be healthy). In other words, if you understand the current status of short- and long-term trends in the diversity, abundance, and reproductive success of indicator species, then you can better understand the effects of logging practices on the forest health.

This portion of the plan was encouraging and it was generally agreed that it is a worthy and necessary undertaking. It was important to the communities that the current and past populations be ascertained as they were not provided with the plan. In preparation for our response to the plan those numbers were requested. The response from Forest Management was as follows:

There are no updated number statistics for the indicator species mentioned in Volume III and there are no plans to update this prior to the plan approval [my emphasis added]. I had indicated that Fish Wildlife and Lands Branch would likely be conducting aerial moose survey this winter in the Fort a la Corne area. This survey has been delayed until mid-March and it was never an expectation that this information would be available to inform this iteration of the FMP. In the FMP the forest Service commits to conducting density surveys of Canada Warbler every 5 years. The change in habitat

¹⁶ See e.g., Figs. 18-12.

¹⁷ IFFMP Vol 1 at p 58: Dwarf mistletoe has moderately to severely infected 26,453 ha of jack pine stands in the Island Forests. However, “due to their low economic value, [these stands] have not received any treatment.”

¹⁸ The eastern larch beetle is having an increasingly fatal impact on tamarack trees due to the trees being weakened by flooding in wetland areas since 2004: IFFMP Vol I, p 56.

¹⁹ Tornadoes and plow winds in excess of 90 km /hr have hit sections of the Nisbet Forest: IFFMP Vol 1, p 54.

²⁰ Sylvia Gauthier, et al., “Tracking Climate Change Effects: Potential Indicators for Canada’s Forests and Forest Sectors” (2014), Natural Resources Canada,

²¹ IFFMP Vol III, Appendix J, 2021 Amended Values, Objectives, Indicators and Targets, J-15.

²² Indicator #3 Size class distribution of harvest events allows for 10% of harvesting events to be larger than 500 ha: IFFMP Vol III, Appendix J, 2021 Amended Values, Objectives, Indicators and Targets, J-5.

for the other two indicator species (Fisher and Moose) will be monitored and reported annual through a GIS based exercise.

This response raises several concerns:

1. If you have no baseline information, how do you know what the impact on forest health is?
2. It presupposes that the current populations of indicator species are at healthy levels and the plans for clear cutting will have no impact on the forest health.
3. The 20-year forest plan will only monitor what is left of the indicator species after the forest is harvested. One Métis Elder upon learning about this stated, “Isn’t it like the horse has left the barn” and another Elder stated, “The ship has already left the port” meaning we have already missed our opportunity to remedy the situation.

4. Wildlife and Habitat Monitoring and Management

Saskatchewan Environment strategy to protect wildlife is laid out on page 72 of the Island Forest plan. It does not consider strategies to protect plant species other than trees for harvesting.²³ The long-term viability of our forests depends on inclusive, well-informed, and objective participation in planning, implementation, and oversight processes. Currently, there are very few, if any, adequately funded and independent agencies or groups tasked with keeping a critical eye on forest management practices and the sustainability of management plans.

The Prince Albert Model Forest provides a good example of an independent organization with the potential to contribute significantly to our understanding of the forest and improve forest management by, *inter alia*, collecting and interpreting data, critiquing assumptions, and assessing risk of error in for example, forest inventory models.

This organization was once very active in helping expand our knowledge of the forest, but federal funding cuts in 2012 reduced the size number to one. Other government programs have been discontinued, such as the Forest Management Effects Monitoring program,²⁴ and it is unclear to what extent the government is monitoring eco-system health and well-being of non-merchantable species in the Island Forests.

5. Not Sufficiently Regenerated and Annual Allowable Harvest

During the review of Volume III it was noted that 33% of the Island Forest clearcuts were not regenerating. These areas are referred to as Not Sufficiently Regenerated (NSR). Key concerns were then raised about the IFFMP I-III, with respect to the breadth and accuracy of the data being used in the forest modeling process, the inputs into the harvest volume scenarios produced, and the sufficiency of the Island Forests Trust Fund to fully cover the cost of regenerating the forest (the NSR areas).

²³ IFFMP Vol III, Appendix J, 2021 Amended Values, Objectives, Indicators and Targets, J 2-3.

²⁴ IFFMP Vol I, p 72.

An accurate inventory of tree species and size is necessary to ensure informed decision making. However, the aerial photography relied on to assess forest inventory in the Island Forests is from 2004.²⁵ The Forest Service has committed to completing an updated forest inventory for the Island Forests for use in the development of the 2031-2051 FMP, but concerns were raised that relying on such old data to base forest estate modeling and harvest volume decisions risks overestimating the sustainable harvest rate and increasing NSR areas.²⁶ The climate and forest have changed a great deal since 2004,²⁷ and with 33% of the Island Forests currently deemed NSR and a reported insufficient trust fund to replant areas that are turning to grassland, prudence would suggest that, at a minimum, current data be used to model future harvesting scenarios.

All participants who attended the community consultations expressed significant concern with how the Not Sufficiently Regenerated problem is covered in the IFFMP III. There is very little information provided throughout the three volumes that speaks to the reasons for the high NSR rate, and no information was provided about the state of regeneration in different cut blocks (e.g., when forest stands are expected to reach maturity; whether understory species like blueberries and mushrooms were returning).

When asked about the reason for the high NSR rate, a Forest Service representative explained that harvested areas are sometimes not remediated soon enough to prevent grasses from taking over. Although climate change is identified in the IFFMP as a reason for increased disturbances in the Island Forests, there was no recognition that climate change increases the risk of regeneration failure. “The forest *will* grow back,” the Forest Service representative assured participants of the consultation. They could not say how or when that would happen.

Indeed, the assumption that “forests will regenerate” – which provides the basis for forest management practices in Saskatchewan – seems questionable at best and may even no longer be applicable to the Island Forests.²⁸ This seriously undermines the Government of Saskatchewan’s position that its forestry practices do not amount to deforestation.²⁹

²⁵ IFFMP Vol III, p 88.

²⁶ For an in-depth discussion by Canadian forest service and resource management professionals on the need for current satellite imagery to assess forest disturbance and recovery, see: Joanne C. White, Michael A. Wulder, Txomin Hermosilla, Nicholas C. Coops, Geordie W. Hobart, “A nationwide annual characterization of 25 years of forest disturbance and recovery for Canada using Landsat time series” (2017), *Remote Sensing of Environment*, Vol 194, 303-321, online: <<https://www.sciencedirect.com/science/article/pii/S0034425717301360>>. See also: Txomin Hermosilla, Michael A. Wulder, Joanne C. White, Nicholas C. Coops, Geordie W. Hobart & Lorraine B. Campbell, “Mass data processing of time series Landsat imagery: pixels to data products for forest monitoring” (2016), *International Journal of Digital Earth*, Vol 9, Iss 11, 1035-1054, online: <<https://www.tandfonline.com/doi/full/10.1080/17538947.2016.1187673>>.

²⁷ See Figs. 13-14.

²⁸ Climate and soil moisture indices, in addition to temperature and precipitation projections and satellite imagery, are essential tools for assessing regeneration success. See Figs. 1-14 for some relatively recent climate models and images showing forest cover loss of 30% or greater in the Island Forests from 2000-2020. For a more general discussion of challenges to regeneration, see: **citation** – Natural Resources Canada; “*Reforestation policy has constrained options for managing risks on public forests*” (2020); and, Government of Canada, “Drought”, online: <<https://www.nrcan.gc.ca/climate-change/impacts-adaptations/climate-change-impacts-forests/forest-change-indicators/drought/17772>>. For a community assessment of vulnerability to climate change in the Island Forests, see: “Fort a la Corne / Choiceland: Community Assessment & Adaptation Options” Prairie Adaptation Research Collaborative, online: <<https://www.parc.ca/saskadapt/community-assessments/fortalacorne.html>>.

²⁹ For example, on its webpage about deforestation, the Government of Saskatchewan states, “Natural disturbances such as wildfire, and human-caused disturbances such as harvesting, do not result in deforestation because a new

The Forest Service’s representations about the sufficiency of the Island Forest Trust Fund to protect Métis interests were also viewed as misleading. When asked about the government’s plan to deal with the NSR areas and how much money was in the trust fund, Forest Services representatives did not disclose an amount; instead, they stated that there were enough funds to do “some” retreatment, and provided an assurance that they had enough trust monies to cover their liabilities on the forest. However, they failed to explain how the financial shortfall occurred in the first place, nor did they explain how they planned to amend their approach to reforestation fee rates to address the 33% ecological shortfall.

As the NSR problem appears to have been going on for more than 20 years, it was suggested at one of the consultations that there be a moratorium on clear-cutting in the Island Forest until such time as the NSR areas are restored. 64% of the Island Forest is currently slated for harvest despite the absence of a credible plan to restore thousands of hectares of vital habitat for many species who live along the Saskatchewan River and at the edge of the Boreal Forest. If the Forest Service cannot successfully regenerate these NSR areas, large portions of the Island Forest will be lost to Saskatchewan residents for generations to come, and possibly forever. This problem underscores the importance that the Forest Service utilize current data in its modelling processes and be forthcoming with the results so that people in the forest industry are made aware of the challenges and limitations of harvesting in the Island Forests and the need to take extra measures to ensure these forests are not wiped out as a result of antiquated and obsolete understandings of forests and logging practices.

Additional concerns were raised with the government’s choice of species to inventory. The IFFMP only considers what they call *merchantable* trees and does not provide an inventory for other species of plants and animals. Many of the Métis participants commented that it was becoming increasingly hard to find mushrooms, blueberry patches, and hazelnut, cranberry, and pin cherry bushes, and were upset to learn that their food and medicine sources, as well as animal food sources, had not been inventoried at all. Several participants expressed concern that the government was unfairly prioritizing economic values with little to no regard for the value of understory species, and many heads could be seen nodding in agreement after one participant declared, “It’s as if we don’t matter.” The Métis participants wish to see a more holistic approach to forest inventory and modeling, one that incorporates plants and animals that are vital to their way of life, health, and well-being.

Volumes I-III do not provide clear details on the locations, characteristics, or extent of NSR areas in the Island Forests, nor the reasons why regeneration is failing.³⁰ It also appears there are insufficient funds in the trust to replant areas that have failed to regenerate and are converting to

forest will grow back in its place”: Government of Saskatchewan, “Deforestation in Saskatchewan” online: <<https://www.saskatchewan.ca/residents/environment-public-health-and-safety/state-of-the-environment/state-of-the-environment-2019-a-focus-on-forests/productivity-and-resilience/deforestation-in-saskatchewan>>.

³⁰ For example, when it was suggested that site preparation methods might be responsible for failed regeneration, the Forest Service responded that, “Other reasons a plantation could fail include insect or disease infestations, animal browse, drought, and/or planting bare root trees.” Lack of funds to pay for regeneration activities was also recognized as a possible explanation: Forest Service response to concern raised by Island Forest Public Advisory Group, IFFMP Vol III, Appendix D, 12. Forest fires in immature stands of trees expected to regenerate naturally has also been identified as a reason for failed regeneration: **

grassland, and it is unclear whether new fees will be established or increased to help close the funding gap.³¹

Many of our concerns are reflected in the Technical Review Report by KBM Resources Group, an alternate forest estate modeling report, which took issue with many aspects of the Vols. I and II.³²

In this review, KBM Resources found that the IFFMP did not sufficiently consider the challenges to successful renewal posed by climate change, and did not adequately explain how funding gaps would be filled and prevented in the future:

A key issue in the Island Forests is the high levels of NSR areas (33%). This is in part related to renewal funding challenges. To address this issue, operator management fees have been increased. However, the plan does not clearly explain how this funding challenge is dealt with to avoid adding to the NSR areas and to achieve appropriate renewal, particularly in the face of expected climate change impacts, which will continue to be a significant challenge. There is a high proportion of Not Sufficiently Regenerated areas and ongoing renewal funding challenges, which will be exacerbated in the future by climate change effects.³³

6. Employment

Several news articles have recently touted the re-awakening of the Saskatchewan Forest industry, with investments by forestry companies amounting to hundreds of millions of dollars. One of these investments is in the re-opening of the Prince Albert pulp mill which is promised to produce 700 jobs. There was skepticism about whether creating those jobs will lead to a sustainable use of forest resources, and people questioned whether the risk and potential disruption from another boom-and-bust industry was worth it.

Several participants recalled feeling abandoned by the forestry sector when the Prince Albert pulp mill closed down in April 2006, and disappointed that the permanent jobs they were promised when the mill opened in 1986 were short lived. One participant said it's the same old thing, "Extract, deplete, and run."

The participants we spoke with want long-term and sustainable forestry jobs that are supported by a well-informed and inclusive forestry management plan. Employment data specifically for the Island Forests is limited since Statistics Canada community profiles aggregates forest sector employment with those of both agriculture and resource sector employment (Figure 3-9). The closure of the Prince Albert pulp mill in 2006 caused a decrease in forest operations. More accurate and current statistics are needed to determine the economic importance of the forest

³¹ IFFMP Vol III, Appendix D, 13.

³² Technical Review of IFFMP, *KBM Resources Group*. See also: Victor J. Lieffers, Bradley D. Pinno, et al., "Reforestation policy has constrained options for managing risks on public forests" (30 Apr 2020), *Canadian Journal of Forest Research*, online: <<https://doi.org/10.1139/cjfr-2019-0422>>.

³³ Technical Review of IFFMP, *KBM Resources Group*, 14.

sector in the Island Forests. Based on Statistics Canada data, 12.7% of the inhabitants of the Island Forests communities make their living in this sector.³⁴

7. Forest Modelling by Industry Investors

A concern about conflict of interest was raised by a participant at one of the community information sessions that the owner of the consultant company used by Forest Services to do the forest inventory for the Island Forest, namely Forsite Consulting Ltd., also has private business interests in the forest industry. The consultant who owns Forsite Consulting, John Drew, also undertakes forest product extraction and planning for Tolko Industries and Carrier Lumber, as well as owns a lumber mill in British Columbia. The Prince Albert Forsite office is housed in the same small office building as Tolko Industries (see Figure 18). Tolko, a company also based in British Columbia (Vernon, BC), is one of the biggest users of the Saskatchewan forests, as is Carrier Lumber (Prince George, BC).



Figure 18 Forsite and Tolko offices in Prince Albert

At the consultation meeting with Saskatchewan Rivers Métis Local 269, this apparent conflict of interest was raised with representatives from the Forest Service Branch. The Forest Service representatives explained that the use of Forsite Consulting was not a conflict of interest because Forest Service had provided the parameters for Forsite’s work, which was later “shadow modeled” to ensure accuracy.

This response is problematic for several reasons. Firstly, the concept of “shadow modelling” was not explained to participants, nor do they have the expertise to assess the reliability of Forsite’s work or the “shadow modeling” conducted by the Forest Service.

The communities worry, however, that the prevailing industry view of forests may have influenced the outcomes presented to the Forestry Branch by Forsite, especially when it was discovered that an alternative modeling report prepared by KBM Resources, which raised

³⁴ IFFMP Vol I, 40.

concerns about the sustainability of the IFFMP and “high levels of NSR areas”,³⁵ was largely rejected.³⁶

The apparent conflict of interest and rejection of the KBM report raised a serious question – was the Island Forest’s forest inventory and harvest volume schedule assessed with the interests of a sustainable forestry industry and local communities in mind? One Métis participant stated, “Isn’t this like letting the fox into the hen house?” Even if the modeling developed by Forsite is accurate, failure to disclose the private interests of Forsite’s owner and recognition of the potential for industry bias in the Forest Island 20-year plan planted seeds of mistrust in community members. This issue must be addressed to ensure the IFFMP is not only objective but also seen to be as such.

During the course of this consultation, it was difficult to find a forester who did not work for either the government or for industry. Eventually, we did connect with one who was willing to help us understand the plan and offer perspectives on it. Although the funding provided by the Government of Saskatchewan and time constraints did not allow for a comprehensive critical analysis of the Island Forest FMP, this forester expressed concern with the way the Island Forests are proposed to be managed and opined that government foresters are still stuck in the mindset of the 1950s and 1960s, and that a new approach to forest management was needed to ensure a sustainable forest industry.

The Métis communities involved in this Duty to Consult process all agree it cannot be business as usual in the Saskatchewan forests, as there is too much at stake. They suggest an influx of funding to independent organizations that operate at arms-length from industry and government.

8. Consultation

In reading the IFFMP Vol. III, one would be led to believe that local consultations were a success. For example,

“Extensive public consultation has taken place during the development of this FMP including two rounds of public meetings with local communities along with a final public review period. The Forest Service circulated the FMP staged deliverables and visited local communities to obtain input from residents interested in the planning process. The Forest Service consulted with First Nation and Métis communities, in the vicinity of the Island Forests, to identify potential adverse impacts on the exercise of rights to hunt, fish and trap for food and the carrying out of traditional uses. Local stakeholder groups were engaged to determine important values to consider in the FMP process. The Forest Service established an Island Forests Public Advisory Group (PAG) and is grateful to the members for their continued guidance and oversight into the development and implementation of this plan.”³⁷

³⁵ KBM Resources Group, 3.

³⁶ IFFMP Vol III, vii-viii.

³⁷ IFFMP Vol III, vi-vii.

The Government of Saskatchewan has a duty to consult and accommodate First Nation and Métis communities when contemplating decisions or actions that may impact constitutionally protected Aboriginal and Treaty rights.³⁸ When a decision is made to move forward with a plan or action that has the potential to infringe Aboriginal or Treaty rights, the Crown (in this case, the Forest Service branch of the Ministry of Environment at the Government of Saskatchewan) has a duty to notify affected communities and participate in activities aimed at engagement and reconciliation of competing and/or conflicting claims to use the land and its resources.

According to the Forest Service, Indigenous communities were given notice of three offers to meet on the IFFMP Vols. I and II.³⁹ However, Métis Locals were not contacted to consult on Volume I of the IFFMP,⁴⁰ and it is unclear how many communities actually received offers to consult when notices were sent out on May 23, 2017.⁴¹ In the Public Engagement Report (Appendix D) of the IFFMP Vol. III, the author states, “Of the 24 communities contacted, only two attended: One Arrow First Nations and Kinistino Métis Local 43.”⁴² The report does not list how many people from each community attended, nor whether those who attended were representatives with the capacity and authority to make submissions on behalf of their respective communities. The report also does not list any concerns having been identified through the consultation process with One Arrow First Nation or Kinistino Métis Local 43⁴³ nor any follow-up efforts made on behalf of the Forest Service to ensure notice of the Island Forest FMP was indeed shared with community members.⁴⁴

The conclusion that consultation efforts with respect to these 24 communities were satisfactory is extremely problematic. The presidents of the Prince Albert Métis Local 7 and Saskatchewan Rivers Métis Local 269 have no recollection of receiving such notices and were not made aware of the Island Forests Forest Management Plan and its potential impacts on their respective community members. As was explained in section 1 of this report, notice of the consultation on the IFFMP Vol. III did not reach 3 out of the 4 Métis Locals we contacted. In one case, the notification from Forest Services was sent to the wrong address. In another, notice was sent to a deceased Local president. The other notice was addressed to a president from an entirely different Local. Given that at least 3 out of 15 Métis Locals were not aware of the Island Forests

³⁸ The Government of Saskatchewan’s commitment to consultation is explained in the First Nation and Métis Consultation Policy Framework (2010) and the many facets of its duty to consult have and continue to be explained in Canadian jurisprudence. See also: IFFMP Vol III, Appendix D, 16-17.

³⁹ The invitation to consult on Volumes I and II was sent out on May 23, 2017, and the meeting was held on June 19, 2017: IFFMP Vol III, Appendix D, 17.

⁴⁰ Concerns with the lack of “meaningful consultation and participation (of Indigenous peoples) in forest planning” were raised by participants at one of the public information sessions after Vol. I was released, to which the Forest Service responded by saying “A consultation process will occur with Métis locals and First Nations as the 20-year Forest Management Plan (FMP) is being developed.” IFFMP Vol I, Appendix B, 86.

⁴¹ Volume II was approved on May 3, 2017, and invitations to consult on the approved planning document were sent out twenty days later. There was thus little to no input sought from Indigenous people in the Island Forests until after the development and approval of critical elements of the IFFMP, e.g., VOITS (values, indicators, objectives, and targets).

⁴² IFFMP Vol III, Appendix D, 17.

⁴³ IFFMP Vol III, Appendix D, 8: “No concerns with the tactical plan proposal or potential impacts to treaty rights were identified through the June 2017 consultation session of the May 23, 2017, correspondence.”

⁴⁴ It is unclear if the information was communicated to other members of the Kinistino Métis Local, as a member expressed concern and a desire for more information upon hearing of the plan from the Saskatchewan Rivers Métis Local 269.

Forest Management Plan, and only 1 out of a possible 15 Métis Locals participated in one consultation session in 2017, it seems like consultation with Métis people was more of an afterthought than a “critical component” of the planning process.⁴⁵

Equally concerning is the Forest Service’s conclusion that “No concerns with the tactical plan proposal or potential impacts to treaty rights were identified through the June 2017 consultation session of the May 23, 2017 correspondence.”⁴⁶ The Kinistino Métis are located very close to “vital elk habitat”⁴⁷ in the Fort à la Corne forest, and the One Arrow First Nation is near important hunting grounds for a variety of species near Macdowall.⁴⁸ When one considers the long lists of concerns previously raised at public information sessions and through the Public Advisory Group, it is hard to imagine that not a single concern was raised by those who attended the consultation session in June 2017. On the contrary, within days of Saskatchewan Rivers Local 269 advertising community consultations on the IFFMP via Facebook, the president received multiple inquiries from concerned Kinistino Métis Local members and Indigenous people from surrounding areas. If consultation with Indigenous peoples is truly a “critical component” of forest management planning, as the Forest Service states,⁴⁹ then one would expect to see actions to support such statements. Unfortunately, the consultation process to date has left many Métis people feeling like they have not only been excluded from this process, but also that their concerns will not be addressed.⁵⁰ Indeed, there are several indications that these concerns are well-founded.

First, the Forest Management Plan is composed of three volumes which are lengthy and often very technical. Since Métis Locals were not invited to participate in the earlier PAG or open houses, participants did not have a good understanding of the forest planning process, and it was unclear how and to what extent input by Métis people was going to be used in the IFFMP. Participants understood that they were invited to express concerns and provide feedback on how the IFFMP III would impact their credibly claimed and established Treaty and Aboriginal rights, but in order to engage effectively and constructively, they needed to understand the significance of the previous two volumes and what steps had already been taken.

Given the short consultation period for the IFFMP III and need to understand all three volumes before meeting with community members, an independent forester was hired and significant efforts were made to connect the consultation coordinators with other forest professionals, such as harvesters, forest fire prevention and response planners, a GIS research analyst, and a member of the Island Forest Public Advisory Group.⁵¹ Best efforts were made to explain the IFFMP as

⁴⁵ IFFMP Vol I, 95: “Stakeholder and Aboriginal Consultation are critical components of all levels of planning.”

⁴⁶ IFFMP Vol III, Appendix D, 18.

⁴⁷ According to a Métis hunter who attended the Saskatchewan Rivers Local 269 consultations, the southern portion of the Fort à la Corne Forest near Gronlid is “vital elk habitat [which] supports the main herds in the area. Many Métis feed themselves with elk in this area.” Appendix 1b, Submission 10.

⁴⁸ For other key harvesting areas identified by participants, see Appendix 1a and 1b.

⁴⁹ IFFMP Vol I, p 95.

⁵⁰ It should be noted that Premier Scott Moe’s recent comments on the reallocation of land for timber harvesting, \$550 million investment to reopen the Prince Albert mill, and plans to double the amount of timber products by 2030 in Saskatchewan’s Plan for Growth, were seen as examples of the government’s commitment to rush ahead with its forestry plans regardless of the impact on and opinions of Métis people.

⁵¹ The Island Forests Public Advisory Group (PAG) was established by the Government of Saskatchewan in 2017 to satisfy public engagement requirements required by the *Forest Resources Management Act*, SS 1996, c F-19.1. The

clearly and accurately as possible so participants would have a general understanding of the plan before meeting with Forest Service representatives; however, at the end of these meetings, participants remained unclear about the risk of impacts to Métis harvesting rights and potential severity of those impacts, and there was little to no discussion about options to mitigate harm.

Indeed, several participants described feeling misled by Forest Services representatives and frustrated that their questions and concerns were downplayed and dismissed or ignored⁵² during the meeting.⁵³ It is important to recall that each Métis Local had only one opportunity to meet with Forest Services to discuss the IFFMP before the Ministry of Environment hoped to make a decision. Participants described feeling rushed into a discussion about a lengthy plan of which they knew little, other than it appeared to have significant implications for their communities. They raised many concerns about the Island Forest FMP and asked a lot of questions, but the responses they received from the Forest Service representatives left many feeling like the government was not approaching the consultation with an open mind nor prepared to engage in meaningful dialogue about potentially significant and devastating impacts to Aboriginal and Treaty rights.

For example, when one of the participants asked about the extent of the logging which is expected to occur, one Forest Service representative essentially responded by saying they had nothing to worry about because less than 1% of Saskatchewan forests are being harvested each year. Not only did this response fail to answer the question, but the forestry representative also relied on unsourced information, and the accuracy of the statistic could therefore not be confirmed. The response was also perceived as misleading. The representative provided a statistic from a factsheet produced in 2017 and failed to mention several significant developments since then, such as the Government of Saskatchewan's Plan for Growth, which aims to double the amount of forestry products from Saskatchewan by 2030,⁵⁴ and its recent announcement of plans to reopen the Prince Albert mill, a \$1 billion investment by BC forestry companies that are currently struggling to find merchantable timber to harvest in BC.⁵⁵

purpose of the PAG was “to ensure that all stakeholder issues can be heard in a public forum, and accommodated to the best extent possible,” and participants were tasked with incorporating public input into the IFFMP by developing the VOITS (values, objectives, indicators, and targets) intended to guide the IFFMP planning process: IFFMP III, Appendix C, 3-4. See also: Public Advisory Group Terms of Reference (8 Feb 2017), IFFMP Vol III, Appendix C, 8-13.

⁵² A list of questions was provided to Forest Services via email prior to meeting with community members. However, these questions were not answered via email, nor were they specifically addressed in either meeting. See Table 2 for a list of questions sent from consultation coordinators to Forest Services.

⁵³ A list of questions raised during the consultation process are found in Table 2. However, it should be noted that this is not a complete list of questions arising from these meetings, nor is it exhaustive of the types of concerns that were raised. To provide such a list, it would be necessary to listen to and transcribe approximately 20 hours of audio footage. Unfortunately, there is simply not enough time to do that before this report is expected to be submitted.

⁵⁴ Government of Saskatchewan, “Saskatchewan’s Growth Plan: The Next Decade of Growth 2020-2030” (14 Nov 2019), online: <<https://www.saskatchewan.ca/government/budget-planning-and-reporting/plan-for-growth/30-goals-for-2030>>.

⁵⁵ Tony Kryzanowski, “Waking up Saskatchewan’s Forest Industry” *Logging & Sawmilling Journal* (November/December 2021), online: <<https://forestnet.com/LSJissues/2021-november-december/waking.php>>. It is also worth noting that in October 2021, the Government of British Columbia announced changes to its forestry management regulations and standards to make logging more sustainable and, perhaps, less lucrative for logging companies: BC Gov News, “Revamped forest policy puts environment, people first” (20 Oct 2021), online: <<https://news.gov.bc.ca/releases/2021FLNRO0087-002004>>.

Perhaps most concerning is the fact that the representative failed to inform participants that 64% of the Island Forests is slated for harvest (just over 3% of Saskatchewan forests over a 20-year period) and that, depending on the harvest volume schedule the government chooses to follow,⁵⁶ communities could expect annual harvesting to impact anywhere from 697 ha to 1,116 ha of the forest land base.⁵⁷ Furthermore, there was no discussion about the type of forest cover expected to be harvested (preferred species, preferred harvesting age) and how industry preferences are being considered and balanced against the needs and interests of Métis people.

Another concern that was raised at the outset of this consultation process was the Forest Service's position that forest fires are akin to clear cuts. If this was true, it might lead one to believe "well maybe clearcutting is not that bad." If you do not have the technical understanding of forest fires, it is very difficult to counter a statement like this. This type of reasoning leads to other misleading statements which the industry uses, like "If we don't take the wood, the forest fires will."

When told that "clear cuts emulate forest fires," consultation coordinators immediately began seeking clarification of this statement. A series of e-mail exchanges with Forest Services eventually revealed that what the Forest Service meant was that they plan to clear-cut using a "natural forest pattern," which will emulate the size and approximate shape of a forest fire. However, after a review of the research by Dr. Andison provided by Forest Service to support this position, we learned that fine-scale research and a holistic approach to ecosystem-based management is necessary to realize any potential benefits from adopting natural disturbance patterns as a management guide for disturbance activities.⁵⁸

In "Wildfire Patterns in Western Boreal Canada," Dr. Andison concludes that wildfires are very complex and that clear-cutting does not in fact emulate forest fires:

This research highlights the peril of dismissing the value of historical disturbance patterns. Most of the existing policies and practices in the boreal forest of the Canada today assume that natural disturbances were "stand replacing", and boreal landscapes are relatively simple as regards spatial patterns... In contrast, this study suggests that historical boreal wildfires were in fact highly complex entities, creating significant levels of structural diversity at multiple scales.⁵⁹

Dr. Andison's research also casts serious doubt on the proposition "if we don't take the logs, forest fires will." His research demonstrates that forest fires do not make trees disappear, but rather create more complex, healthy, and dynamic ecosystems that support habitat creation and preservation, and more rapid regeneration.

⁵⁶ IFFMP Vol III, Appendix K, 14-18: The alternate scenario of 1,116 ha/yr "may be implemented if product demand or provincial mill configurations necessitate a change" by expanding the "operability window" for logging companies, which allows them to harvest younger trees, and more of them.

⁵⁷ IFFMP Vol III, Appendix K, 15.

⁵⁸ David W. Andison, "Wildfire Patterns in Western Boreal Canada" (2013), Foothills Research Institute (Hinton: Alberta), 5.

⁵⁹ David W. Andison, "Wildfire Patterns in Western Boreal Canada" (2013), Foothills Research Institute (Hinton: Alberta), 57.

It is the position of the Métis Local members engaged in this consultation that the Forest Service's statements about the similarities between forest fires and clear-cuts are misleading and have no place in the consultation process. This proposition is not supported by the research provided by the Forest Service, and the wisdom in applying a natural forest pattern of clear-cut harvesting to declining and vital habitat areas of the sandy-soil Island Forests is questionable at best.

III. Conclusion

The consultation process for the IFFMP Volume III was problematic and exceedingly onerous on the Métis communities who participated, and exclusionary to those who were not invited or were unable to attend. Métis Locals were given very little time to engage and few resources to do so effectively. Severe winter weather, seasonal holidays, a pandemic, and administrative delays in securing funding from the ACU significantly hampered the ability of Métis Local executives to prepare for meetings with community members and the Forest Service.

Additionally, the short turnaround time expected for the preparation of this report has limited the ability to report on discussions of other important issues that were raised in the course of consultations, such as:

- Forest fire risks and fire prevention and control strategies;
- Distribution of merchantable tree stands and maturity requirements for natural regeneration;
- Rates of extinction for various plants and animals;
- Cumulative impacts of past, current, and future land and resource development projects in the island forests, the sale of crown lands, and expanding nsr areas on the ability of métis and indigenous peoples to exercise their credibly claimed aboriginal and treaty rights;
- Economic liabilities and inefficient use of increasingly scarce resources resulting from objectively incorrect assumptions that clear-cut methods of timber harvesting in a natural forest pattern is sustainable in the context of the island forests;
- Changes to forest management practices in British Columbia because “[p]ast policies ‘left too much control of the forest operations in the hands of the private sector’ and limited the province's ability to fight climate change, protect old-growth forests and share benefits with Indigenous and local communities.”⁶⁰
- Canada’s commitment at the 26th United Nations among parties to the framework convention on climate change to halt deforestation by 2030; and,
- Soil carbon and forestry operation emissions and accounting

It is worth repeating that the long list of issues identified in this report is not to be taken as exhaustive of the issues and concerns of all Métis and Indigenous people who stand to be affected by the IFFMP. Further consultation is needed to ensure those who want to participate are provided reasonable notice, time, and supports to allow them to do so in a meaningful way.

However, even if sufficient opportunities and supports are provided, the approach taken by the Ministry of Environment to date suggests that the input received from communities may very well end up going directly into a filing cabinet instead of being used to inform the planning and decision-making process, perhaps even followed by future decisions to limit participation funding or outright exclude them by failing to send them invitations. Indifference to the concerns

⁶⁰ CBC News, “Minister introduces bill to 'reshape' forest management in B.C.” (20 Oct 2021), *The Canadian Press*, online: <<https://www.cbc.ca/news/canada/british-columbia/bc-minister-introduces-bill-to-overhaul-forest-practices-1.6219006>>.

of Métis and Indigenous people not only risks serious infringements of constitutionally protected rights and injustice,⁶¹ but also contributes to resentment and greater risk of conflict between users of a dwindling forest land base. Conversely, putting local and traditional knowledge and concerns at the center of forest planning and management processes provides an opportunity to reconcile competing interests and ideas about how forests are to be used while supporting mutual goals of sustainable use and enjoyment of Saskatchewan forests by all, including future generations.

Given the concerns raised throughout this report, it is the position of the Prince Albert Métis Local 7, North Saskatchewan River Métis Local 269, Fish Lake Métis Local 108, Tisdale Métis Local 222, and Crutwell Métis Local 66 – as well as members from other Métis Locals and surrounding Indigenous communities – that the Government of Saskatchewan has not satisfied its duty to consult and accommodate those with credibly claimed Aboriginal and treaty rights who stand to be significantly and irreparably affected by the forest management practices contemplated in the IFFMP. Furthermore, the Government of Saskatchewan’s extraction-based approach to forest management is based on objectively unreasonable assumptions of regeneration and industry-oriented perspectives of value in Saskatchewan forests.

Government plans and policies about how forests are to be used and enjoyed by the public must be developed in a way that recognizes the interests, concerns, and perspectives of Métis and Indigenous peoples and seeks to balance the constitutional rights of traditional land users with other rights holders. Earlier engagement with Métis Locals and Indigenous communities in the planning process for the IFFMP would have revealed concerns with the government’s approach and provided more opportunities for meaningful consultation, accommodation, and reconciliation.

⁶¹ Justice Rosalie Abella, “Human Rights and History’s Judgment” (2009), *Congress*, Carleton University: Ottawa: “Indifference is the incubator of injustice.”

IV. Recommendations

1. Moratorium on clear-cut harvesting in non-Fire Smart areas of the Island Forests until NSR areas (approximately 33%) are regenerated and a credible plan for the management and use of forest resources is developed using current data
2. Early involvement of Métis communities and adequate resources to ensure meaningful consultation;
3. Information about all aspects of forestry plans including models provided by the Forest Service;
4. Training and funding for a full-time position for a Métis person to liaise between Forest Services, industry, and Island Forest Métis communities, with Métis people involved in the hiring processes
5. Permanent funding to hire people to monitor habitat and species health and incorporate findings into annual operating plans and at 5-year and 10-year plan evaluations;
6. Provide funding to the Prince Albert Model Forest to help improve forest management plan and practices;
7. In conjunction with the TRC Calls to Action, Indigenous/local knowledge needs to be taken into account in decision-making;
8. Consultation should include field visits;
9. Setting aside land for cultural and sustenance uses is pointless if 64% or more of the Island Forests are clear-cut and fail to regenerate;
10. Increase fee on harvested wood to replenish the trust fund and earmark a portion of fund to assist with community-based adaptation efforts;
11. Funding for research on climate-resilient harvesting methods and development of programs and training to assist harvesters in adapting their practices⁶²
12. Provide accounting of trust fund or recognition of forest mismanagement and commitment that fund will not be depleted again;
13. Provide accounting of trust fund monies collected and spent and share results with communities on an annual basis;
14. Reinstate provision from IFFMP Vol. II regarding Métis and Indigenous participation on the PAG executive, and amend provision to give provide at least three seats. Greater representation on the PAG will allow for greater understanding of the forest management planning process and provide more opportunities for sharing knowledge, perspectives, and interests and connecting with other land users;
15. Work with communities to develop and implement adaptive management strategies for species of significance to those communities;

⁶² E.g., cost benefit analysis of selective harvesting methods instead of modified clear cut; assess appropriateness of timing for different harvesting and silviculture treatments for different areas

16. Support and training opportunities for Métis Locals on financial administration and billing processes;
17. Strengthen community outreach; and
18. Increase oversight of harvesting practices, including invitations to Métis to participate in data-gathering and modeling processes.