

MEMORANDUM OF UNDERSTANDING

BETWEEN

**HER MAJESTY THE QUEEN IN RIGHT OF CANADA
AS REPRESENTED BY THE MINISTER OF THE ENVIRONMENT
FOR THE PURPOSES OF THE PARKS CANADA AGENCY
("CANADA")**

AND

**HER MAJESTY IN RIGHT OF NEWFOUNDLAND AND LABRADOR
AS REPRESENTED BY THE MINISTER OF ENVIRONMENT AND CONSERVATION
AND THE MINISTER FOR INTERGOVERNMENTAL AFFAIRS
("NEWFOUNDLAND AND LABRADOR")**

RESPECTING

**THE ESTABLISHMENT OF A NATIONAL PARK RESERVE IN
THE MEALY MOUNTAINS
IN THE PROVINCE OF NEWFOUNDLAND AND LABRADOR**

WHEREAS Canada and Newfoundland and Labrador wish to establish a national park reserve to protect a representative example of the East Coast Boreal Natural Region in the national park system, and to protect examples of five provincial ecoregions, including the High Subarctic Tundra; Coastal Barrens; High Boreal Forest; Mid Boreal Forest; and String Bog;

WHEREAS in 2001, Canada and Newfoundland and Labrador launched a feasibility study for a national park reserve in the Mealy Mountains directed by a Steering Committee comprised of representatives of the federal and provincial governments, Aboriginal groups and regional economic development organizations;

WHEREAS in May 2008, the Steering Committee concluded that the establishment of a national park reserve in the Mealy Mountains is feasible, and made a consensus recommendation to Ministers for a park reserve boundary and a framework for the continuation of traditional land use activities by Labradorians within the national park reserve; and

WHEREAS Canada and Newfoundland and Labrador have considered and concur with the Steering Committee's recommendations;

THEREFORE Canada and Newfoundland and Labrador understand the following:

1. NATIONAL PARK RESERVE BOUNDARIES:

Canada and Newfoundland and Labrador will work towards establishing a national park reserve with a boundary that will be substantially along the lines of the map in Appendix 1, subject to any modifications as deemed necessary.

2. LAND TRANSFER AGREEMENT:

Canada and Newfoundland and Labrador will proceed to negotiate a land transfer agreement providing for the transfer of administration and control of lands to Canada for the purpose of establishing a national park reserve in the Mealy Mountains in accordance with the *Canada National Parks Act* and the provincial *National Parks Lands Act*.

The land transfer agreement will address:

- (a) finalization of the boundary for the proposed national park reserve;
- (b) timing and process for the transfer of lands to Canada for the purpose of establishing and operating a national park reserve under the *Canada National Parks Act*;
- (c) management of said lands between the date of the agreement and the date they are listed under Schedule 2 of the *Canada National Parks Act*;
- (d) terms and conditions for dealing with third-party interests, as required;
- (e) federal investment in the establishment, development and operation of a national park reserve in the Mealy Mountains;
- (f) framework and principles guiding the continuation of traditional activities by Labradorians within the national park reserve; and
- (g) any other items to which the two parties may agree.

3. ABORIGINAL PEOPLE

The establishment, management and operations of the proposed national park reserve in the Mealy Mountains will respect any applicable Aboriginal and treaty rights in keeping with section 35 of the *Constitution Act*, 1982, including applicable land claim agreements.

Canada will continue to consult with Aboriginal groups which Canada feels might be impacted by the park reserve establishment process during the negotiation of the federal-provincial land transfer agreement.

4. EFFECT OF MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding is an expression of the mutual intentions of the parties and is not legally binding on them or enforceable against them.

This Memorandum of Understanding signed at Happy Valley-Goose Bay in the Province of Newfoundland and Labrador, this 5th day of February, 2010 by:

FOR CANADA:

**FOR NEWFOUNDLAND
AND LABRADOR:**

The Honourable Jim Prentice
Minister of the Environment and
Minister Responsible for Parks Canada

The Honourable Charlene Johnson
Minister of Environment and Conservation

In the presence of

In the presence of

WITNESS

WITNESS

AND

The Honourable Dave Denine
Minister for Intergovernmental Affairs

In the presence of

WITNESS

APPENDIX 1

BOUNDARY FOR PROPOSED NATIONAL PARK RESERVE IN THE MEALY MOUNTAINS

