

Memorandum of Understanding

Special Committee for the Honoré-Mercier Bridge Reconstruction Project

Whereas the Government of Quebec announced, on April 30, 2017, that Transports Québec intends to proceed with the reconstruction of the Honoré-Mercier Bridge (upstream structure) over the next few years ("Project");

Whereas Quebec and Kahnawà:ke ("the Parties") have repeatedly expressed their common desire to collaborate in the development and maintenance of a lasting and constructive relationship;

Whereas the Parties recognize that the Project is a major and important project for Quebec, Kahnawà:ke and for road users in general;

Whereas the Parties recognize that the realization of the Project may have an impact and require access to Kahnawà:ke's territory and locations where aboriginal rights, including aboriginal fishing rights, are exercised;

Whereas Quebec and Kahnawà:ke wish that the Project be an occasion to collaborate in a meaningful way on all aspects of the Project.

Creation of a Special Committee

1. Soon after the signing of this MOU, the Parties shall convene a meeting of the Special Committee for the Project. Both Parties shall name an equal number of representatives to the Committee.
2. The objective of the Special Committee is to ensure that a collaborative approach be adopted on a Nation to Nation basis throughout the realization of all Project activities.
3. The Parties agree that the Special Committee will be responsible to ensure that a meaningful consultation and accommodation process be completed as one of the means to fulfill the Committee's objective.
4. The Special Committee may set up sub-committees to address certain specific areas (for example, related to Environmental Assessment or Labour).
5. Committee members shall act with transparency and in good faith and shall endeavor to meaningfully address any concerns or issues raised in a timely manner.

Creation of a Consultation Work Plan

6. The Special Committee shall develop a consultation work plan for the Project.
7. The work plan shall be developed for the entire duration of the Project- from its current status until completion of the Project (up to and including any monitoring or project related activities that may be ongoing after completion of construction).
8. The work plan shall include, but is not necessarily limited to, the following elements:
 - a) Outline of all Project related activities, milestones and timelines;
 - b) A section on project design and any preliminary strategic decisions that must be taken;
 - c) A section on the Environmental Assessment process;
 - d) A section on the regulatory phases and all regulatory requirements (i.e. permits and approvals) which are required for the Project;
 - e) A section on the procurement and construction phase.

9. For Section 8 c), the Parties shall adopt a joint collaborative approach on how to conduct Environmental Assessment and monitoring activities, notably with the inclusion of representatives appointed by the Kahnawà:ke Environment Protection Office.
10. For Section 8 e), the Parties shall collaborate to utilize qualified Kahnawà:ke workers in the Project and confirm the implementation of the jurisdictional elements within the Kahnawake/Quebec Labor agreement.
11. The Parties shall identify their respective issues, concerns, priorities and consultation/accommodation expectations for each item identified in the work plan.
12. The work plan shall be considered a "living document" that will be adjusted and updated as the Project evolves.
13. Both Parties shall ensure that the necessary subject matter experts from or representing their respective institutions are present to discuss the issues that will be addressed by the work plan in a timely manner.
14. Quebec shall provide ongoing consultation and engagement funding to ensure that Kahnawà:ke has the capacity to meaningfully engage and complete all of the action items that will be identified in the work plan.
15. The Parties shall endeavor to resolve any discrepancies between their respective expectations on a work plan item in a respectful and collaborative manner.

For the Mohawk Council of Kahnawà:ke,

For Le Gouvernement du Québec,

Joseph Tokwiro Norton
Grand Chief

Geoffrey Kallay
Minister responsible for Native Affairs

At _____

At _____

This _____ day of _____
of the year 2018

This _____ day of _____
of the year 2018

Rhojua Niiuy
Transport portfolio Chief

Jean-Marc Fournier
Minister responsible for Canadian Relations
and the Canadian Francophonie

At _____

At _____

This _____ day of _____
of the year 2018

This _____ day of _____
of the year 2018