

APPENDIX E
HERITAGE RESOURCE PROTECTION PLAN

CITY OF WINNIPEG

Heritage Resource Protection Plan

CentrePort South Regional Water And Wastewater Servicing - Phase 1A

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EXECUTIVE SUMMARY

This document has been prepared for the City of Winnipeg and their contractors for the CentrePort South Regional Water And Wastewater Servicing - Phase 1A Project. The purpose of this document is to assist in the protection of heritage resources before, during, and after project implementation. The HRPP consists of operational procedures to manage or protect known heritage resources (Section 4.0), and limit damage or destruction of heritage resources accidentally found during site work (Section 5.0).

Heritage Protection Measures at this site are as follows:

Indigenous Protocols: must be carried out before and during construction activities

Chance Find Procedures, if heritage resources are encountered by chance during construction activities for the Project:

1. All construction activities at the location of the find will cease immediately.
2. All heritage resource items will be left in the same position in which they were noted or discovered.
3. All workers will notify their immediate supervisor, who will then contact the **Construction Supervisor**. The Construction Supervisor will then notify the **Project Engineer**.
4. The Project Engineer will enact the Chance Find Procedure and contact the **Project Archaeologist**.
5. A buffer zone will be erected around the find at a minimum of 30 m in radius. The zone must be established with a highly visible physical barrier. No construction activities will take place within the buffer zone.
6. The Project Archaeologist will determine the significance of the find and the appropriate next steps in procedure.
7. Construction activities within the buffer zone cannot restart without approval by the Project Archaeologist.

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STATEMENT OF LIMITATIONS AND CONDITIONS

Limitations

This report has been prepared for the City of Winnipeg in accordance with the agreement between KGS Group and the City of Winnipeg (the “Agreement”). This report represents KGS Group’s professional judgment and exercising due care consistent with the preparation of similar reports. The information, data, recommendations and conclusions in this report are subject to the constraints and limitations in the Agreement and the qualifications in this report. This report must be read as a whole, and sections or parts should not be read out of context.

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1.0 INTRODUCTION

This document has been prepared for the City of Winnipeg and their contractors for the CentrePort South Regional Water And Wastewater Servicing - Phase 1A Project. The purpose of this document is to assist in the protection of heritage resources before, during, and after project implementation.

2.0 PURPOSE OF THE HRPP

The following guidelines are based on the *Heritage Resource Protection Plan (HRPP) Guidelines* as set out by the Manitoba Historic Resources Branch (MHRB) in the Ministry of Sport, Culture and Heritage. If any heritage resources are encountered during the construction or maintenance of a project, this document will provide guidelines on how to proceed. This document does not replace the legislation; rather, it is set up to work alongside the it to provide information and guidance for working around known and newly discovered heritage resources. This includes known heritage resources, chance finds, human remains, and paleontological specimens.

Heritage Resources are protected under Manitoba's *Heritage Resources Act* (1986). In addition, human remains, including partial remains and teeth, are protected under Manitoba's *Heritage Resources Act* (1986) and *The Policy Concerning the Reporting, Exhumation and Reburial of Found Human Remains* (1987). The Crown is the sole owner of any heritage resources found within Canada. Unauthorized removal or the deliberate destruction of heritage resources is considered an offence under the *Act* and will result in penalties towards the offending party.

The procedures found in this HRPP are meant to assist the City of Winnipeg with informing managers, employees, and contractors on what to do and whom to call should heritage resources accidentally be encountered when construction and maintenance activities are underway on site. The HRPP consists of operational procedures for two situations:

- **To manage or protect known heritage resources (Section 4.0)**
- **To limit damage or destruction of heritage resources accidentally found during site work (Section 5.0)**

All on-site workers must be informed of the HRPP in advance of work proceeding and who to contact should there be a concern about known heritage resources, or a chance encounter with heritage resources during on-site activity. The relevant sections of this document must be reviewed with the on-site workers as part of the daily safety meeting before work commences.

3.0 HERITAGE RESOURCES – DEFINITIONS

Heritage resources and heritage objects are defined under the *Heritage Resources Act* (1986):

- **heritage resource** includes:

- a heritage site,
- a heritage object, and
- any work or assembly of works of nature or of human endeavour that is of value for its archaeological, palaeontological, pre-historic, historic, cultural, natural, scientific or aesthetic features, and may be in the form of sites or objects or a combination thereof;
- **heritage object** includes:
 - an archaeological object,
 - a palaeontological object,
 - a natural heritage object, and
 - an object designated as a heritage object by the Lieutenant Governor in Council under subsection (2);
- **archaeological object** means an object:
 - that is the product of human art, workmanship or use, including plant and animal remains that have been modified by or deposited due to human activities,
 - that is of value for its historic or archaeological significance, and
 - that is or has been discovered on or beneath land in Manitoba, or submerged or partially submerged beneath the surface of any watercourse or permanent body of water in Manitoba;
- **palaeontological object** means the remains or fossil or other object indicating the existence of extinct or prehistoric animals, but does not include human remains;
- **natural heritage object** means a work of nature consisting of or containing evidence of flora or fauna or geological processes;
- **human remains** means remains of human bodies that in the opinion of the minister have heritage significance and that are situated or discovered outside a recognized cemetery or burial ground in respect of which there is some manner of identifying the persons buried therein.

Definitions and relevant examples of other heritage-related terms that may be pertinent to the project can be found in Appendix A.

4.0 HERITAGE RESOURCE PROTECTION MEASURES

The Project was subject to a Heritage Resource Impact Assessment (HRIA). Historic resources were documented at the project site. The following protection measures are required to be conducted at the site.

4.1 Indigenous Protocols

Out of consideration for Indigenous Rightsholders, the City of Winnipeg has made several commitments to respecting and protecting the Indigenous worldview. This project is subject to several Indigenous Protocols. All on-site workers must be informed of the Indigenous Protocols in advance of work proceeding.

INDIGENOUS CEREMONY

Construction activities related to the project must be preceded by a kickoff ceremony involving First Nations Rightsholders. No activity that has the potential to disturb the ground can be conducted before this ceremony takes place. The Project Engineer will notify all contractors when the ceremony is expected to occur and when it has been completed.

LAND ACKNOWLEDGEMENT

A land acknowledgment has been prepared specifically for this project. This land acknowledgment should be included as part of the daily safety meeting before work commences.

Land acknowledgment: **LAND ACKNOWLEDGEMENT HAS NOT BEEN FINALIZED**

NOTE: PROTOCOLS HAVE NOT BEEN FINALIZED.

4.2 Heritage Monitoring Areas

Heritage Monitoring Areas (HMAs) are areas of the project for which the potential to encounter archaeological materials may be high. A qualified archaeologist must be on site during any construction activities that may disturb the ground and thus have the potential to impact known or unknown heritage resources. For this project, one specific HSA has been identified as requiring heritage monitoring:

- **Area 1: Contract 4A Feeder Main.** Area inside development footprint east of Sturgeon Road, between Sturgeon Crusher property to the north and Saskatchewan Avenue to the south.

HAAs must be established before construction activities commence and remain in place for the project's duration (see Appendix B for the buffer shape and location). No work that may impact the ground can occur without the archaeologist on site. Activities that must be monitored include topsoil stripping and trench excavation. Other activities may be included at the discretion of HRB. The archaeologist has authority to halt construction activities to allow for archaeological investigations.

NOTE: HMAS HAVE NOT BEEN FINALIZED.

4.3 Equipment-free zones

Equipment-free zones are HMAs in which heavy equipment is prohibited from accessing, regardless of their intended activity. For this project, two specific HSAs have been identified as requiring equipment free zones:

- **Area 1: Contract 4A Feeder Main.** Area outside of development footprint east of Sturgeon Road, between Sturgeon Crusher property to the north and Saskatchewan Avenue to the south.
- **Area 2: Contract 4A Feeder Main.** Area outside of development footprint east of Sturgeon Road, between Saskatchewan Avenue to the north and Murray Park Road to the south.

These equipment-free zones include machine-storage areas. Zones must be established before construction activities commence and remain in place for the project's duration (see Appendix B for the buffer shape and location).

NOTE: EQUIPMENT-FREE ZONES HAVE NOT BEEN FINALIZED.

5.0 CHANCE FIND PROCEDURES

Heritage resources may be encountered incidentally or by accident outside of the any protection zones established before construction commences. This section outlines the procedures for such a situation. All workers on-site should be informed of the HRPP in advance of work proceeding and who to contact should there be a chance encounter during on-site activity.

5.1 Procedures for Chance Finds

All workers on the Project should be aware of the protocols regarding the protection, removal, and handling of artifacts. However, only a qualified Archaeologist has the authority to handle and remove artifacts. The following describes the procedures that will be followed if heritage resources are encountered during construction activities for the Project.

1. All construction activities at the location of the find will cease immediately. An immediate work-stop buffer zone of 30 m will be enacted around the find.
2. All heritage resource items will be left in the same position in which they were noted or discovered.
3. All workers will notify their immediate supervisor, who will then contact the **Construction Supervisor**. The Construction Supervisor will then notify the **Project Engineer**.
4. The Project Engineer on Site will enact the Chance Find Procedure and contact the **Project Archaeologist**.
5. A buffer zone will be erected around the find at a minimum of 30 m in radius. The zone must be established with a highly visible physical barrier. No construction activities will take place within the buffer zone. This buffer zone may be expanded or contracted at any time during the procedures below.
6. The Project Archaeologist, with assistance as required, will gather as much information about the find as possible to determine the context and significance of the find. This data should include the find's location, GPS coordinates, description, condition, photos, and type of activity that led to it being found.
7. The Project Archaeologist will determine the significance of the find and the appropriate next steps in procedure.
8. Construction activities within the buffer zone cannot restart without approval by the Project Archaeologist.

Chance finds in which the above procedures may include the following examples:

Pre-Contact Indigenous	Historic (late 17th C to mid-20th C)
Stone tools (projectile points, arrowheads, hammerstones, scrapers),	Fur trade era historic artifacts (circa 1650-1850) include gun flints and musket balls, blown glass bottles, earthenware ceramics, glass beads, bone buttons, and handmade nails.

Stone features (cairns, rings, large erratics, stones placed in geometrical designs)	Later historic artifacts (circa 1850-1940) include cartridge shell casings, molded or machine-made bottles, transfer-print ceramics, hole-in-top tin cans, metal buttons, and cut nails.
Rock art (painted or pecked images)	Garbage middens
Clay pottery (full vessels or in pieces)	Privy or outhouse pits
Animal bone (burnt or in a pile)	Farming equipment
Hearth (pit of burnt ash and bone)	Stone or wooden buildings (ruined or standing)

If evidence is found during the investigation that any of these heritage objects may be a funerary object, or associated with a burial or human remains, then the Special Procedures for Human Remains (Section 5.2) will be immediately enacted for the find.

5.2 Special Procedures for Human Remains

Human Remains, as defined by *The Heritage Resources Act*, Section 43(1), are “remains of human bodies that in the opinion of the minister have heritage significance and that are situated or discovered outside a recognized cemetery or burial ground in respect of which there is some manner of identifying the persons buried therein.” For practical purposes, human remains refer to the remains of human bodies, often recovered in skeletal form. This may range from a single bone or tooth to entire complete skeletons. It may be difficult for construction personnel to identify bone as human rather than animal. It is always best to err on the side of caution, assume the bone is human remains, and treat the find accordingly. The policies in which the Government of Manitoba protect and preserve found human remains are stated and described in the *Province of Manitoba Policy Concerning the Reporting, Exhumation, and Reburial of Found Human Remains* (1987). The procedures described below are governed by this document.

Any human bone uncovered during construction must be treated with the utmost respect. No human remains will be disturbed or removed from their original resting place unless the action is necessary, unavoidable, and done at the direction of qualified personnel. No photographs or video recordings will be taken of the human remains unless directed by the Project Archaeologist, MHRB, or the Royal Canadian Mounted Police (RCMP).

Funerary objects may also be found alongside human remains. Funerary objects are artifacts (such as clothing, cloth, pouches, stone tools, jewelry, special rocks, etc.) that have been buried with the individual. Funerary objects are considered sacred and must be treated with the same respect as human remains and must not be separated from the human remains except by qualified personnel.

The following procedures will be enacted for suspected human remains:

1. Steps 1 through 8 of the Procedures for Chance Find Heritage Resources (Section 5.1 above) will be followed. These tasks include immediate work stoppage in a 30 m radius from the find, the

establishment of a physical buffer zone, and the enactment of the Chance Find Procedure by the Project Engineer.

2. The Project Archaeologist will determine if the remains are human or non-human.
3. If the remains are human, the Project Archaeologist will contact the MHRB and RCMP.
4. The RCMP will determine if the remains are forensic (ie. relating to a crime).
5. If the remains are determined to be forensic, or cannot be immediately classified as non-forensic, then the RCMP will have jurisdiction over the area and the custody and recovery of the remains.
6. If the RCMP determines the remains are non-forensic, then MHRB will have jurisdiction over the area and the custody and recovery of the remains, as per *Manitoba Burial Policy*.
7. Construction activities within the buffer zone cannot restart without approval by MHRB and RCMP.

5.3 Notification Structure

The following personnel are part of the notification structure for this site.

Role	Name/Position	Company	Phone Number
Project Manager			
Project Engineer		KGS Group	
Contract Administrator		KGS Group	
Construction Supervisor	TBD		
Heritage Lead	Kristian Sullivan	KGS Group	639-471-2921
Project Archaeologist	TBD		
Heritage Regulator	Impact Assessment Archaeologist	Historic Resources Branch	Office: 204-945-2118 Emergency: 204-792-5730
Local Law Enforcement	TBD	RCMP Winnipeg Police Service	
Client	Tim Turzak	City of Winnipeg	
Indigenous Liaison	TBD		

6.0 REPORTING AND CLOSURE

Activities relating to heritage resources that occur during the Project must be documented by a qualified Professional Archaeologist. To document the work, the archaeologist must hold a valid MHRB heritage permit. As a condition for holding a heritage permit, the archaeologist must submit a detailed report to the MHRB on behalf of the City of Winnipeg, outlining construction activities and their impacts on heritage resources, the procedures that were followed as laid out by this HRPP, and recommendations for site treatment and protection in relation to future development.

6.1 Potential Penalties

Under the *Manitoba Heritage Resources Act* 69(1), “any person who contravenes or fails to observe a provision of this Act or a regulation, order, by-law, direction or requirement made or imposed thereunder is guilty of an offence and liable, on summary conviction, where the person is an individual, to a fine of not more than \$5,000 for each day that the offence continues and, where the person is a corporation, to a fine of not more than \$50,000 for each day that the offence continues”.

7.0 REFERENCES

7.1 Legislation

Government of Manitoba

1986 *Heritage Resources Act*. Winnipeg.

1987 *The Province of Manitoba Policy Concerning the Reporting, Exhumation, and Reburial of Found Human Remains*. Winnipeg.

7.2 Useful Resources

Manitoba Historic Resources Branch

n.d. *Heritage Resources Protection Plan (HRPP) Guidelines*. Manitoba Sport, Culture and Heritage: Winnipeg.

Manitoba Culture, Heritage and Citizenship

1993 *Managing Our Heritage Resources: Impact Assessment*. Winnipeg. Accessible online at: https://www.gov.mb.ca/chc/hrb/pdf/impact_assessment_booklet.pdf

1996 *Heritage Objects: A Precious Resource for all Manitobans*. Winnipeg. Accessible online at: https://www.gov.mb.ca/chc/hrb/pdf/heritage_objects.pdf

APPENDIX A

Terms and Definitions

Animal Remains: The remains of animal bodies, often recovered in skeletal form.

Artifact: Any object manufactured, used, moved, or modified by human beings (ex. arrowheads, lithic debitage, pottery)

Cairn: A cluster or pile of stones, often built to mark trails, burial sites, or food or tool caches.

Chance Find: A heritage resource (including human remains) that is unearthed or discovered during the construction and operating phases of a project.

Cultural Use Area: An area that exhibits evidence of past or current cultural activities, such as culturally modified trees or ceremonial sites.

Erratic: A rock or boulder that is different from the surrounding rock, often deposited through glacial or hydrological action.

Feature: a non-portable object or alteration to the landscape that has cultural significance (ex. mounds, stone circles, medicine wheels, petroglyphs, hearths, building foundations).

Forensic: Relating to a crime.

Funerary Object: Artifacts that have been buried with an individual.

Hearth: The physical remains of a firepit.

Heritage Resource: The physical remains of past cultural groups.

Heritage Resource Impact Assessment: An investigative study, conducted by a qualified archaeologist, to determine the presence and/or significance of heritage resources within a project area.

Heritage Resources Protection Plan: The managing document plan detailing the methods and procedures of heritage resource protection for the project.

Heritage Sensitive Areas: Locations within the project that hold a high potential for archaeological materials.

Heritage Site: The specific location in which a cluster of heritage resources in a direct temporal and spatial relationship are documented.

Historic artifact/feature: Artifacts and features identified as belonging to the time period after European contact, ranging from the early Fur Trade Period (late 17th Century) to the mid-20th Century.

Human remains: The remains of human bodies, often recovered in skeletal form.

Lithic debitage: Stone debris created and left over from the manufacture of stone tools.

Petroform: A figure or scene created through the purposeful arrangement of cobbles and boulders

Petroglyph: A figure or scene inscribed onto a rock surface by grinding, pecking, or incising

Pictograph: A figure or scene painted on a rock surface.

Pottery: Storage vessels fashioned from fired clay.

Pre-Contact Period: The period of time in Canadian human history before the arrival of Europeans. In Manitoba this is generally considered to range from 13,000 years before present to the late 17th Century.

APPENDIX B

Heritage Protection Measure Figures

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Experience in Action