

Appendix E

Heritage Resources Protection Plan

Heritage Resources Protection Plan (HRPP)

Purpose of HRPP – Preventative Action:

To assist the City of Winnipeg with informing managers, employees, contractors on what to do and whom to call should heritage resources accidentally be encountered when testing and development is underway on site. The HRPP consists of operational procedures to limit damage or destruction of heritage resources accidentally found during site work.

Key Steps:

1. 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.
2. If heritage objects or human remains are discovered on site, activities are to stop at that location immediately and the Historic Resources Branch be notified. (HRB.archaeology@gov.mb.ca, (204) 945-2118)
3. In the case of human remains, the nearest law enforcement agency (i.e., Winnipeg Police Service, (204)-986-6222) must be contacted to first rule out any forensic issues.

Why Report?

Many people find heritage objects accidentally. If these items are reported to the Historic Resources Branch, their significance can be assessed and the resulting information can generally shared with the public. Some heritage objects can be several thousand years old.

Legislation and Policy:

The Heritage Resources Act (The Act) and the *Province of Manitoba Policy Concerning the Reporting, Exhumation and Reburial of Found Human Remains (Burials Policy)* apply to protecting heritage resources.

What are Heritage Resources?

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

"heritage resource" includes

- (a) a heritage site,
- (b) a heritage object, and
- (c) 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

- (a) an archaeological object,
- (b) a palaeontological object,
- (c) a natural heritage object, and
- (d) an object designated as a heritage object by the Lieutenant Governor in Council under subsection (2);

"archaeological object" means an object

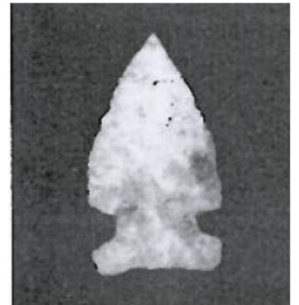
- (a) that is the product of human art, workmanship or use, including plant and animal remains that have been modified by or deposited due to human activities,
- (b) that is of value for its historic or archaeological significance, and
- (c) that is or has been discovered on or beneath land in Manitoba, 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;

Examples of heritage resource objects (below)



Examples of Archaeological Objects (above)



Example of a Palaeontological Object

PROJECT: North End Water Pollution Control Centre (NEWPCC) UV System Upgrade
Heritage Resources Protection Plan

Discovery and notification structure:

Better safe than sorry: do not hesitate to report potential or suspected finds. The Historic Resources Branch is here to provide advice and expertise at no cost to the developer.

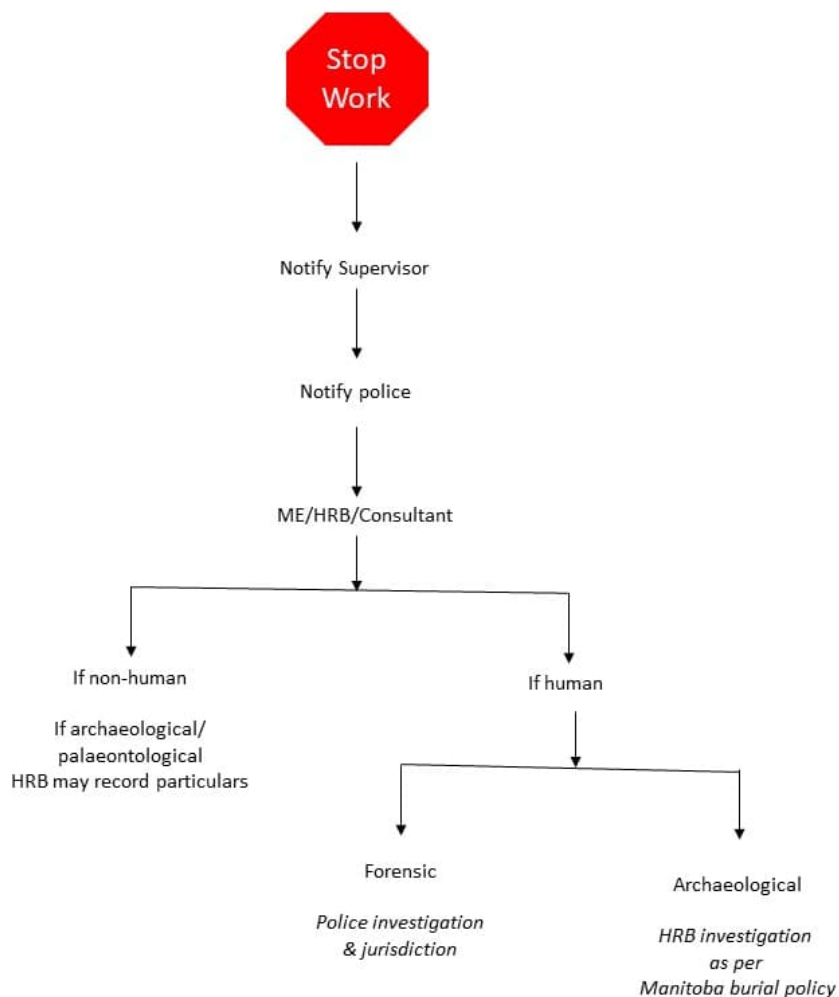
1. If heritage resources, including human remains are encountered, stop work immediately.
2. Notify the on-site manager about the discovery.
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Project Manager, City of Winnipeg Sewage Treatment Program
kschimke@winnipeg.ca
M. 204-612-2069
3. Mark-off area with “flagging tape” to identify and restrict the area.
4. The on-site manager will contact the Historic Resources Branch at (204) 945-2118
5. In the case of possible found human remains, the on-site manager will contact
 - a. Historic Resources Branch at (204) 945-2118
 - b. City of Winnipeg Police Service - (204) 986-6222.

Under no circumstances should site information be shared with the media or the public. Site locations are protected by the Freedom of Information and Protection of Privacy Act (FIPPA)

Communication should be limited to the local police authority or the Historic Resources Branch.

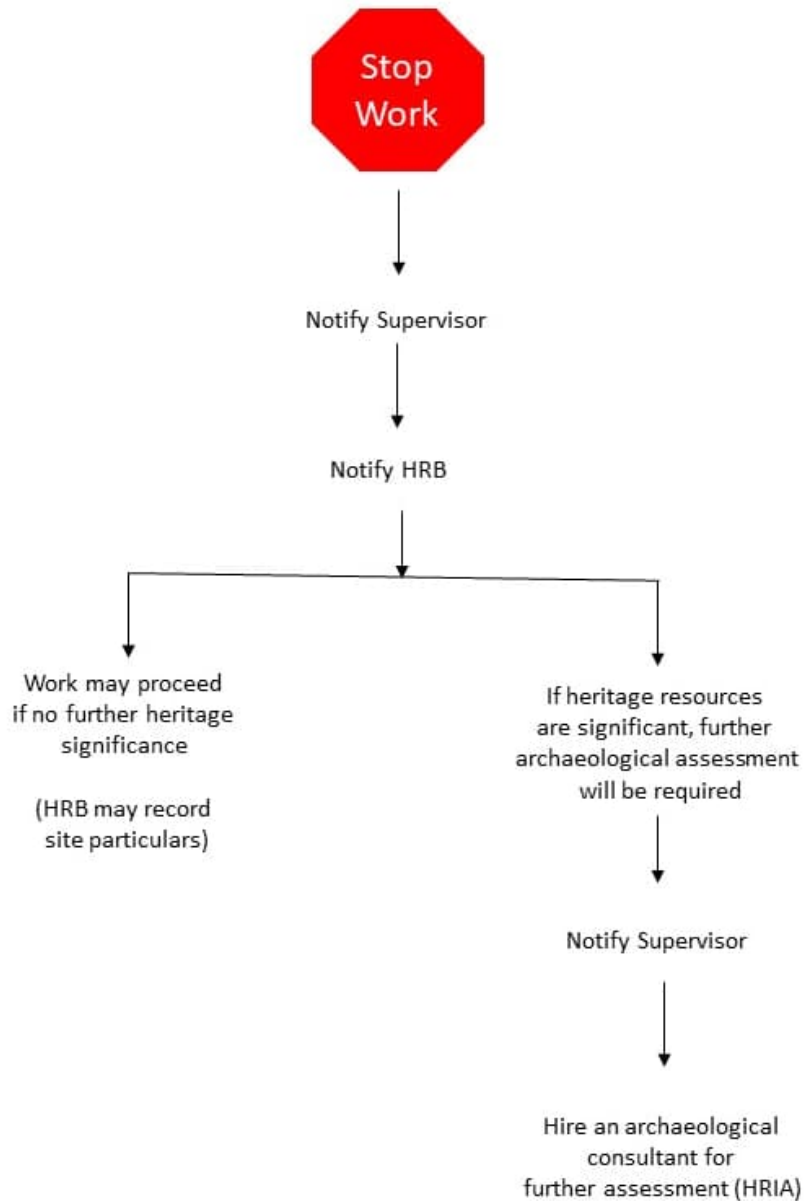
What to expect after notification for possible found human remains:

1. The local police authority will immediately attend the site and further secure the site.
2. The local police authority may notify the Medical Examiner's (M.E.) Office of a potential case of founding human remains as per *The Fatalities Inquiries Act*.
3. The local police authority and/or the ME's office may contact the Historic Resources Branch (HRB) or their own forensic anthropology consultant.
4. The police and their consultant will determine if the remains are:
 - a. Human or animal
 - b. Forensic or archaeological in nature.
5. If the remains are forensic in nature or cannot be immediately assessed, the police authority and ME will have jurisdiction over the area.
6. If remains are determined to be non-forensic (i.e., archaeological) in nature and their removal is required, HRB will be responsible for their exhumation and reburial as per Manitoba Burial Policy



What to expect after notification for heritage objects other than human remains:

1. The Historic Resources Branch (HRB) will visit the site
2. The HRB will determine if additional heritage mitigation work will be required.
3. If further mitigation work is required, the developer may need to contract a qualified archaeological consultant to conduct a Heritage Resources Impact assessment (HRIA) of the proposed development location, in order to identify and assess any heritage resources that may be negatively impacted by development. If desirable, the Branch will work with the developer/land owners and its consultant to draw up terms of reference for this project.



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.

Useful Resources:

Government of Manitoba

Heritage Objects: A Precious Resource for all Manitobans. Winnipeg, Manitoba: Manitoba Culture, Heritage and Citizenship, 1996.

Accessible online at:

www.gov.mb.ca/chc/hrb/pdf/heritage_objects.pdf

Managing Our Heritage Resources: Impact Assessment. Winnipeg, Manitoba: Manitoba Culture, Heritage and Citizenship, 1993.

Accessible online at:

www.gov.mb.ca/chc/hrb/pdf/impact_assessment_booklet.pdf