

CITY OF WINNIPEG

# Heritage Resource Protection Plan (HRPP) for Armstrong Combined Sewer District Project

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KGS Group Project:

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## EXECUTIVE SUMMARY

This document has been prepared for the City of Winnipeg for the Armstrong Combined Sewer District Project. This document is constructed to assist in the protection of heritage resources before, during, and after project implementation. The HRPP consists of operational procedures to limit damage or destruction of heritage resources accidentally found during site work; and to manage or protect known heritage resources.

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 **Resident Inspector on site**. The Resident Inspector will then notify the **Contract Administrator and Project Manager**.
4. The **Resident Inspector** 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.
6. The Project Archaeologist will determine the nature 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**.

Heritage Protection Measures at this site are as follows:

- There are no heritage protection measures implemented for any known heritage resources; however, **this HRPP must be followed in the event of newly discovered heritage resources.**

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## STATEMENT OF LIMITATIONS AND CONDITIONS

### Limitations

This report has been prepared for City of Winnipeg in accordance with the agreement between KGS Group and 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.

This report is based on information made available to KGS Group by the City of Winnipeg. Unless stated otherwise, KGS Group has not verified the accuracy, completeness or validity of such information, makes no representation regarding its accuracy and hereby disclaims any liability in connection therewith. KGS Group shall not be responsible for conditions/issues it was not authorized or able to investigate or which were beyond the scope of its work. The information and conclusions provided in this report apply only as they existed at the time of KGS Group’s work.

### Third Party Use of Report

Any use a third party makes of this report or any reliance on or decisions made based on it, are the responsibility of such third parties. KGS Group accepts no responsibility for damages, if any, suffered by any third party as a result of decisions made or actions undertaken based on this report.

## 1.0 INTRODUCTION

This document has been prepared for the City of Winnipeg for the Armstrong Combined Sewer District Project. This document is constructed 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 in the Ministry of Sport, Culture, Heritage and Tourism for any heritage resource encountered during the Project. 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 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 *The Heritage Resources Act* (1986) of Province of Manitoba. In addition, human remains, including partial remains and teeth, are protected under *The Heritage Resources Act* (1986) and the *Province of Manitoba 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 Client with informing managers, employees, and 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 for two situations:

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

All on-site workers should 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.

### 3.0 HERITAGE RESOURCES – DEFINITIONS

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

- **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 of other heritage-related terms that may be pertinent to the project can be found in **Appendix A**.

## 4.0 CHANCE FIND PROCEDURES

Heritage resources may be encountered incidentally or by accident outside of 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 the proceeding work and who to contact should there be a chance finds during on-site activities.

### 4.1 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 **Resident Inspector and Contract Administrator**. The Contract Administrator will then notify the **Project Manager**.
4. The **Resident Inspector** on site will enact the Chance Find Procedure.
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 **Resident Inspector** on site will gather as much information about the find as possible to provide the **Project Archaeologist** with a complete picture of the situation that will aid in determining the nature 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 **Resident Inspector** will contact the **Project Archaeologist** and supply information about the find. The **Project Archaeologist** will then determine the nature 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 for which the above procedures may be enacted include the following examples:

Pre-contact indigenous	Historic (late 17th century to mid-20th century)
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)	Old mining 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 4.2) will be immediately enacted for the find.

## 4.2 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, HRB, or the Police.



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 4.1 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 Civil Engineer** on site.
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 **HRB** and the **Local Police**.
4. The **Local Police** will determine if the remains are forensic (i.e. relating to a crime).
5. If the remains are determined to be forensic, or cannot be immediately classified as non-forensic, then the **Local Police** will have jurisdiction over the area and the custody and recovery of the remains.
6. If the **Local Police Service** determines the remains are non-forensic, then **HRB** will have jurisdiction over the area and the custody and recovery of the remains, as per the *Province of Manitoba Policy Concerning the Reporting, Exhumation, and Reburial of Found Human Remains*.
7. Construction activities within the buffer zone cannot restart without approval by the **HRB** and the **Local Police**.

### 4.3 Notification Structure

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

Role	Name	Company	Phone Number
<b>Project Manager</b>	Tristan Eldridge	KGS Group	204-995-1636
<b>Contract Administrator</b>	John Minkevich	KGS Group	204-430-6343
<b>Resident Inspector</b>	Wayne Decaire	KGS Group	204-880-2093
<b>Project Archaeologist</b>	Laura McRae	KGS Group	431.554.0136
<b>Heritage Regulator</b>	Impact Assessment Archaeologist	Historic Resources Branch	Office: 204.945.2118 Emergency: 204.792.5730
<b>Local Law Enforcement</b>	Winnipeg Police Service	Winnipeg Police Service	204.986.6222
<b>Client</b>	Duane Baker	City of Winnipeg	204-770-6745

## 5.0 HERITAGE RESOURCE PROTECTION MEASURES

The Project was submitted to the HRB where they determined the project to have a low potential for heritage resources.

### 5.1 Protection Measures for the Armstrong Combined Sewer District

- There are no heritage protection measures implemented for any known heritage resources; however, **this HRPP must be followed in the event of newly discovered heritage resources.**

## 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 HRB heritage permit. As a condition for holding a heritage permit, the archaeologist must submit a detailed report to the HRB on behalf of 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 and Policy

Government of Manitoba

1986 The *Heritage Resources Act*. Winnipeg.

1987 *The Province of Manitoba Policy Concerning the Reporting, Exhumation, and Reburial of Found Human Remains*. Winnipeg. Accessible online at: [https://www.gov.mb.ca/chc/hrb/pdf/burial\\_policy.pdf](https://www.gov.mb.ca/chc/hrb/pdf/burial_policy.pdf)

### 7.2 Useful Resources

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](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](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 manufactures, used, moved, or modified by human beings.

**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.

**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 nature 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:** An artifact 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.

**Historic Feature:** A building or structure 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.

**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.

**Stone Configuration:** Features constructed of cobbles and boulders in a meaningful way.



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