

Appendix **M**

Heritage Resources Branch Letter

DATE: 2021-03-02

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SUBJECT: **Heritage Screening – Regional Solid Waste & Recycling Facility, The Pas
AAS File No. AAS-20-16742**

No concerns at this time.

Further to your heritage screening request for the above noted project proposal, the Historic Resources Branch has examined the locations in conjunction with Branch records for areas of potential concern. The potential to impact heritage resources is believed to be low in the provided plan, therefore, the Historic Resources Branch has no immediate concerns with the proposed development.

If at any time, however, heritage resources are encountered in association with these lands during testing and development, the Historic Resources Branch may require that an acceptable heritage resource management strategy be implemented by the developer to mitigate the effects of development on the heritage resources. A heritage resource protection plan (HRPP) is recommended for the duration of the project, in the event that heritage resources are accidentally encountered during testing, development, and operation.

If you have any questions or comments, please feel free to contact the Branch as above.

Historic Resources Branch
Archaeological Assessment Services Unit

Enclosure: Basic HRPP Guidelines Key Questions and Protocols to Consider_V2

Heritage Resources Protection Plan (HRPP) Guidelines

Purpose of HRPP – Preventative Action:

To assist [insert company name] 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., RCMP or local police department) 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.

Preparing the HRPP

These are basic guidelines to help developers draft an HRPP.

This is a non-exhaustive guideline involving a single stakeholder. Projects involving multiple stakeholders/ community partners will require more detail.

Provide purpose/intent of HRPP to general user.

Explicitly state key message/ takeaway for user

All on-site workers should be aware of or briefed about the protocol.

Introduce the need to report findings.

Identify the relevant legislation pertaining to heritage resource protection.

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.

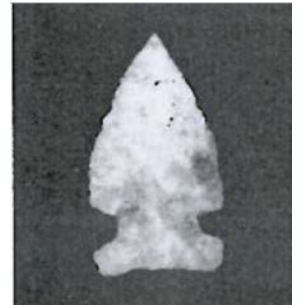
"natural heritage object" means a work of nature consisting of or containing evidence of flora or fauna or geological processes;

"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;

Notes/Comments

Provide verbatim definitions of heritage language as presented within The Heritage Resources Act.

Examples of heritage resource objects (below)



Examples of Archaeological Objects (above)



Example of a Palaeontological Object

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.
[Insert contact information here, including names, position, and phone numbers]

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. [Insert local police authority name and contact information here.]

Notes/Comments

Provide step-by-step instruction on what to do and who to contact should heritage resources be accidentally encountered.

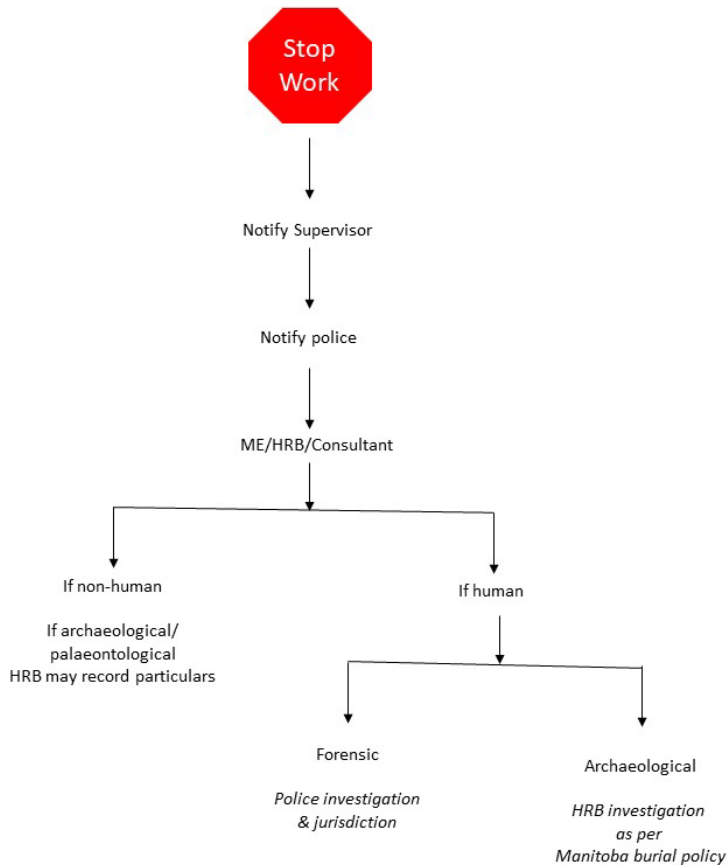
- *Who is the site supervisor?*
- *Who do you contact if supervisor is unavailable?*
- *What are the phone numbers for these individuals?*

- *What is the name of the local police authority?*
- *What is the phone number during the day and after hours?*



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



Notes/Comments

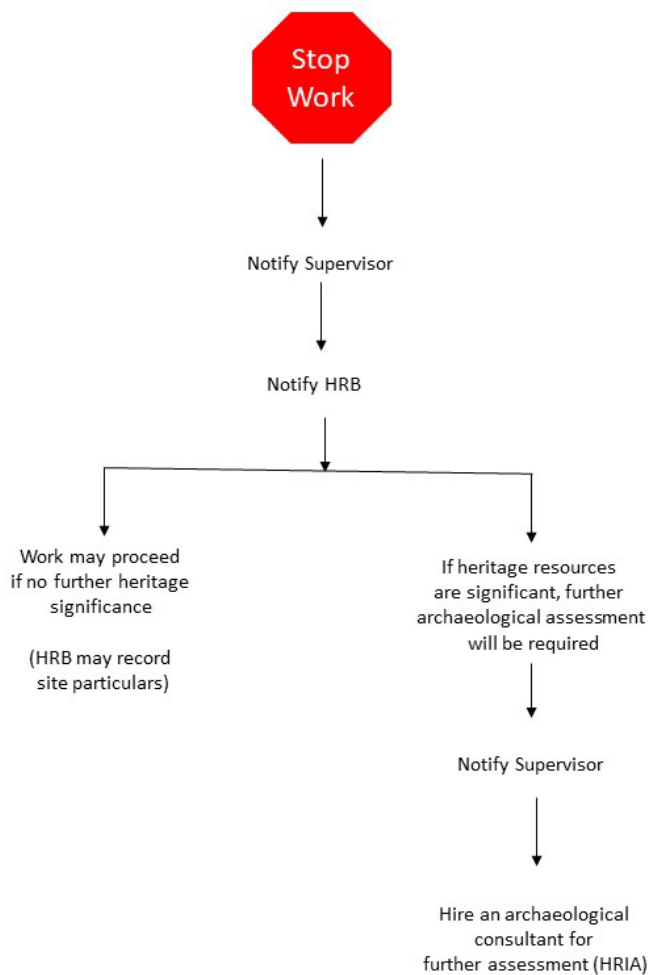
Under no circumstances should site information be shared with the media or the public. Site locations are protected by the Freedom of Information and Protection of Privacy Act (FIPPA).

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

What to expect after notification for 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.

The HRB will determine if a heritage resource management strategy needs to be implemented by the developer to mitigate the effects of the development on the heritage resources.



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

Notes/Comments

Identifying potential penalties serves to emphasize the importance of this legislation

Additional information about heritage objects or the heritage resource impact assessment process can be found online