

## **APPENDIX B**

# **Cultural and Heritage Protection Plan**

De Salaberry East Station

Environmental Assessment Report



## STANDARD CULTURAL AND HERITAGE RESOURCES PROTECTION PLAN

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List of Revisions

Number	Nature of Revision	Section(s)	Revised By	Date

## **Key messages for construction**

Workers in the field should remain vigilant to watch for and report any discoveries. Manitoba Hydro expects workers to report any findings to the Manitoba Hydro On-Site Supervisor or designate.

If human remains, a cultural and/or heritage site is found, activities stop at that location.

The Manitoba Hydro Licensing and Environmental Assessment Department is prepared to offer the required support to On-Site Supervisors including archaeological services, to preserve and protect cultural and heritage resources. LEA can be contacted at 1-877-343-1631 or [leaprojects@hydro.mb.ca](mailto:leaprojects@hydro.mb.ca).

### **Potential fines**

Under The Heritage Resources Act, 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.

# Preface

This standard Cultural and Heritage Resources Protection Plan outlines protection measures and protocols that Manitoba Hydro, its contractors and/or consultants will undertake in the event of the discovery of previously unrecorded cultural and **heritage resources** during construction, maintenance or operation of an electrical or gas transmission line or facility.

The intent for this document is to be a straightforward and practical reference document for use by the Manitoba Hydro On-Site Lead, Environmental Inspector and/or Indigenous Communities and Organizations. Manitoba Hydro - Licensing and Environmental Assessment Department encourages anyone to provide feedback on this document and will review this plan on an annual basis. Feedback can be provided to [LEAprojects@hydro.mb.ca](mailto:LEAprojects@hydro.mb.ca).

Some words in the text are in **bold face** the first time they occur in the document and definitions are included in the glossary in section 3.0.

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## 1.0 Introduction

Manitoba Hydro understands and appreciates the value that Manitobans place on cultural and heritage resources and the rich legacy found throughout our Province. Manitoba Hydro's commitment to safeguarding these resources has led to the development of this Cultural and Heritage Resources Protection Plan (CHRPP). The CHRPP will provide clear instructions if Manitoba Hydro, its contractors and/or consultants, discover or disturb a cultural or heritage resource and will determine the ongoing protection measures for the resources through processes outlined in this document.

### 1.1 Commitment to environmental protection

Protecting the environment is an integral part of everything Manitoba Hydro does. Manitoba Hydro accomplishes this by integrating environmentally responsible practices in all aspects of our business. Environmental protection can only be achieved with the full cooperation of Manitoba Hydro employees, consultants and contractors at all stages of the Project from planning and design through construction and operational phases.

The use of a Cultural and Heritage Resources Protection Plan (CHRPP) is a practical and direct implementation of Manitoba Hydro's environmental policy and its commitment to responsible environmental and social stewardship. It is a proactive approach to manage potential discoveries of **human remains**, cultural and heritage resources.

Manitoba Hydro is committed to implementing this CHRPP. Manitoba Hydro will also require companies that contract with us to follow the terms of this and other applicable plans.

### 1.2 Regulatory and policy setting

Legislation that commonly applies to cultural and heritage resources for construction, maintenance or operation of transmission lines or facilities includes: *The Heritage Resources Act (The Act)* and the *Province of Manitoba Policy Concerning the Reporting, Exhumation and Reburial of Found Human Remains (Burials Policy)*. This CHRPP is consistent with and does not replace the above. In effect, the CHRPP builds on the protective measures afforded by *The Act and policy*.

### 1.3 Implementation

The goal of the CHRPP is to act as a reference manual to describe key actions in the event of discovery of cultural or heritage resources or human remains. Manitoba Hydro will inform relevant employees and contractors working on the Project of the contents of applicable regulatory specifications, guidelines, licenses, authorizations and permits, and of this Plan, and copies will be available from the On-Site Lead office.

The plan also allows for adaptive management to include new and evolving strategies, protocols and information to support and protect culture and heritage resources. Appendix B includes a Protocol template that interested communities and organizations can complete to augment and enhance this CHRPP.

This Protocol could provide feedback on items such as:

- Whether the community/organization wants Manitoba Hydro to contact them upon discovery of unrecorded cultural or heritage resources
- Who and how to contact the Community Representative(s) upon discovery of unrecorded cultural or heritage resources
- When the Community Representative(s) would like to be contacted
- Description of the Area of Interest the Community feels may contain heritage and **cultural resources** important to them
- General types of cultural and heritage resources that may be in Area of Interest
- Ceremonial or spiritual activities the community would like conducted prior to construction
- Any other concerns the community may have with regard to cultural and heritage resources
- Whether the community has received a copy of this Standard CHRPP

Upon the discovery of unrecorded cultural or heritage resources, Manitoba Hydro will follow the steps outlined in section 1.8 in conjunction with the applicable attached Protocols.



#### 1.4 On-site project management structure

Manitoba Hydro staff and consultants will be required to undertake activities, steps, procedures and measures set out in the Figure 1-1 and Figure 1-2 should cultural or heritage resources or human remains be discovered during the construction, operation or maintenance of the project. There is a potential to discover cultural and heritage resources in many different locations and workers in the field should remain vigilant to watch for and report any discoveries. Manitoba Hydro expects workers to report any findings to the Manitoba Hydro On-Site Supervisor or designate.

The Manitoba Hydro Licensing and Environmental Assessment Department is prepared to offer the required support to On-Site Supervisors including archaeological services, to preserve and protect cultural and heritage resources. LEA can be contacted at 1-877-343-1631 or [leaprojects@hydro.mb.ca](mailto:leaprojects@hydro.mb.ca).

In order to conduct any type of archaeological or heritage resource investigation, a Heritage Permit is required from the Historic Resources Branch (HRB) (Manitoba Sport, Culture and Heritage Department). The HRB is responsible for the issuance and management of heritage permits. Permits can only be issued to Registered Archaeologists; LEA has access to archaeologists to support any investigation.

#### 1.5 Human remains


*The Heritage Resources Act (1986), Section 43 (1) states that “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.”*

Manitoba Hydro will not disturb or remove human remains from their original resting place unless removal is unavoidable and necessary. Out of respect for the remains, all work related to the remains will be conducted as much as possible out of the public eye.

**Funerary (grave) goods** found with human remains will accompany human remains at all times. No reports related to any such find and its analysis will be published unless the Community Representative(s) consents to such publication, other than such reports provided to Manitoba Hydro and the Historic Resources Branch or other agencies as may be required by law. The following describes the practices that Manitoba Hydro will follow if **skeletal remains** believed or known to be human remains and/or accompanying grave goods are discovered or disturbed:

Figure 1-1 Discovery of human remains

Discovery of Human Remains					
	On Site Lead	Licensing and Environmental Assessment	Archaeologist	Manitoba Historic Resources Branch (HRB)	RCMP
Step 1					
Step 2	Immediately mark discovery location with flagging tape and cordon off with temporary fencing (minimum buffer distance 35 m radius from centre of discovery)		Size of buffer may be adjusted once archaeologist, in consultation with HRB, examine site [i.e., on a case-by-case basis].		
Step 3	Contact Licensing and Environmental Assessment	Contact archaeologist and communities/ organizations with protocols	Contact HRB		
Step 4			Determine whether human remains are present	If remains human, contact RCMP	
Step 5				For human remains, if not already known, confirm whether RCMP and/or the Chief Medical Examiner have an ongoing interest in remains under <i>The Fatalities Inquiries Act</i> .	
Step 6				If remains are <b>non-forensic</b> and their removal is required to protect remains, lead exhumation of human remains.	If remains are <b>forensic</b> in nature or cannot be immediately determined whether remains are forensic, RCMP and Chief Medical Examiner have jurisdiction over area of find and human remains

Discovery of Human Remains					
	On Site Lead	Licensing and Environmental Assessment	Archaeologist	Manitoba Historic Resources Branch (HRB)	RCMP
Step 7		If human remains are left in place where discovered, Community Representative(s) may arrange for and facilitate an appropriate ceremony		HRB and/or archaeologist directs cautious investigation of surrounding surface prior to exhumation of remains to determine if other human remains or artifacts are in area	
Step 8			Locate and document human remains with GPS, record relevant data and submit with reports to HRB, construction supervisor and Community Representative(s)	Oversee basic non-invasive physical anthropological techniques, including drawings, sketches and initial measurements to assist in determining basic information about individual	
Step 9	Construction activities in vicinity of site that will not impact artifacts or related archeological activities may proceed	LEA would work with communities to decide whether and what type of analysis would be done on remains.	No construction activities within buffer until archaeologist has completed archaeological investigation		

## 1.6 Heritage resources

Heritage resources are the physical remains of past cultures. They are the product of human art, workmanship or use, including plant and animal remains that have been modified by or left behind due to human activities.

The *Manitoba Heritage Resources Act* (1986) defines “Heritage Resource” as:

(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 (Section 1).

There are two types of heritage resources, **artifacts** and features. Heritage objects (artifacts) can be as small as a single stone flake (a product from stone tool production) or as large as a shipwreck. Other types of artifacts can include butchered animal bones, pottery, and historic materials such as nails, bottle glass, beads that are at least 75 years or older. Features are *in situ* (or *in place*) objects or changes to the landscape that are non-portable, meaning that they cannot be easily removed from their original location. Examples of features include petroforms (stones that have been placed in a shape or design and may be an effigy of an animal or thunderbird nest). Stones were also used as waymarkers or could indicate a food cache or burial location.

All heritage resources, whether a single isolated find (such as single artifacts) or a site with numerous artifacts and/or features, are protected under the Act. These physical remains can provide some evidence of specific activities such as campsites, work stations, quarries, kill sites, and post-contact settlement, industry and events. Deliberate destruction or disturbance of heritage resources is considered an offence. Certain heritage resources have special consideration such as pictographs, petroforms or ceremonial sites and represent a connection to First Nation and Metis to the landscape. Cultural resources

### 1.7 Cultural resources

For the purposes of this plan, Manitoba Hydro defines Cultural resources as an object, site or location of a traditional or cultural practice that is the focus of traditional or contemporary use and is of continuing importance to people. Some examples include important resource gathering areas, sites of spiritual significance or ceremonial sites.


Although there are some commonalities, each community has a unique interpretation of what the cultural resource value represents.

### 1.8 Practices that Manitoba Hydro will follow if cultural and heritage resources are found

Manitoba Hydro and its contractors will leave all artifacts **in situ**, that is, in the same position and will not remove objects from the site until advised by the archaeologist. There will be no activities within the buffer until the archaeologist has completed their archaeological investigation. No reports related to any such find and its analysis will be published, other than such reports provided to Manitoba Hydro and the Historic Resources Branch or other agencies, as may be required by law.

The following describes the practices that Manitoba Hydro will follow if cultural and heritage resources are found:

Figure 1-2 Discovery of cultural and heritage resources

Discovery of Cultural and Heritage Resources				
	On Site Lead	Licensing and Environmental Assessment	Archaeologist	Manitoba Historic Resources Branch (HRB)
Step 1				
Step 2	Contact Licensing and Environmental Assessment	Contact archaeologist and communities/ organizations with protocols	Contact HRB	
Step 3	Establish buffer around find (minimum 35 m radius from centre of discovery)			
Step 4	Talk to archaeologist and immediately email them photos of find		Talk to On Site Lead, review photos and determine significance of find	
Step 5			Obtain Heritage Permit from HRB	
Step 6			Direct cautious exploratory investigation to determine if other artifacts in area	
Step 7		If discovery includes sacred or ceremonial objects, Community Representative(s) may arrange and facilitate appropriate ceremony		

Discovery of Heritage Resources				
	On Site Lead	Licensing and Environmental Assessment	Archaeologist	Manitoba Historic Resources Branch (HRB)
Step 7			Undertake: extended surface reconnaissance; - shovel tests at regular intervals perpendicular and parallel to artifact deposit; - controlled collection of data about artifacts, including mapping using global positioning system or chain and compass; and - test excavations, if necessary	
Step 8			Locate and document finds with GPS, record relevant data	
Step 9			Collect and place artifacts in protective container include date, project, contents, coordinates and other information, including site classification	
Step 10				Evaluate heritage resource site and findings presented by archaeologist to determine if further mitigative action is necessary before construction in site vicinity may continue
Step 11	Construction activities in vicinity of site that will not impact artifacts or related archeological activities may proceed		If MH cannot avoid site based on progress of construction, direct site's removal by standard and most appropriate excavation methods.	No construction activities will take place at site until HRB is satisfied that site removal is complete and meets provincial standards
Step 12			Submit copies of technical data and reports to HRB and MH	

## 2.0 Reporting and follow-up

The archaeologist will establish and maintain a record for each discovered or disturbed heritage object and of any human remains found during construction. Information will include the **provenience**, artifact chain of custody, as well as a conservation and /or identification plan for the heritage resource or resources associated with each record. This is a requirement of *The Heritage Resources Act*. The Province of Manitoba manages a descriptive inventory regarding the physical location and composition of archaeological sites. All artifacts and field-collected data such as notes, photographs and geo-referenced information is provided to the HRB who has ownership of heritage resources found in the Province.

The archaeologist will prepare an annual report, as well as updated summaries and technical reports as are necessary, to the HRB as partial fulfillment of the Heritage Permit and to Manitoba Hydro who in turn will share with the applicable Community Representative(s). The report will provide the following information:

- A record of the human remains found. This will include the reporting, exhumation and reburial of the found human remains per the Provincial policy, the date of the report and the process by which Manitoba Hydro managed, honored and reinterred the remains.
- A record of archaeological investigations and finds documented throughout each year.
- A summary of any directions provided by the Community Representative(s) regarding permission granted to conduct specialized analysis (where such permission is required).
- A record of the heritage objects that Manitoba Hydro found and the process by which they managed the heritage objects.
- Any additional information concerning matters of significance related to heritage resources.

Manitoba Hydro will treat information shared by Indigenous communities regarding burial sites, sacred sites and other sites traditionally and presently used for cultural and ceremonial purposes as confidential and may only be shared with the Province or other authorities if agreed upon by the community to which the resource is associated.

Specific information regarding details or locational information of these cultural or ceremonial sites will not be included in the recording or reporting processes nor included in the HRB's site database.

Manitoba Hydro appreciates that this is sensitive information; the reports will be treated as confidential, unless otherwise authorized or specified by the Community Representative(s), if applicable, in discussion with the HRB.

The archaeologist will prepare an overview of the annual report and provide it LEA to review with the On-Site Supervisor. The overview report will not contain confidential information but will include information required by the On-Site Supervisor in order to fulfill regulatory and managerial responsibilities.

If requested, the archaeologist will meet with the applicable Community Representative(s), HRB and the Manitoba Hydro Licensing and Environmental Assessment Department to review the reports.



### 3.0 Glossary of terms

Artifacts	Any object made or modified by a human being.
Caches	Rock features in which supplies were stored.
Cultural Resource	An object, site or location of a traditional or cultural practice that is the focus of traditional or contemporary use and is of continuing importance to people.
Diagnostic	Any artifact that provides information as to cultural affiliation or age.
Exhumation	The act of removing a buried, or once buried, human body from the grave or found location.
Funerary goods	Items placed with a person at the time when they were buried. Often referred to as Grave Goods, these items are treated no differently than the person's actual skeletal remains.
Forensic	Of interest to law enforcement or Office of Chief Medical Examiner.
Heritage Resource	The Manitoba Heritage Resources Act (1986) defines "Heritage Resource" as:  (as) 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 (Section 1).
Human Remains	The remains of human bodies, normally referring to those recovered in the skeletal form. This may range from a single bone or tooth to complete skeletons.
Identification	Refers to the process of examining human skeletal remains in order to determine jurisdiction and disposition of the remains. This may be done by archaeologists trained in human osteology, or physical anthropologists. Age at death, sex, height, general health, relative age: recent, early contact or ancient age may be possible along with ethnic identification.
In situ	An artifact is found in the exact spot that it was probably deposited at some time in the past.
Manitoba's Burials Policy (1987)	Short name of: ' <i>Province of Manitoba Policy Concerning the Reporting, Exhumation, and Reburial of Found Human Remains.</i> ' This is the 1987 Provincial Cabinet approved policy based on <i>The Heritage Resources Act</i> (1986) governing and directing the actions, responsibilities, duties and task to be undertaken upon the discovery of found human remains in Manitoba.
Matrix	The consistency and quality of the soil.

Morphology	The form, structure and method by which an object is created.
Non-Forensic	Not of interest to law enforcement or Office of Chief Medical Examiner.
Ochre	An earthy clay colored by iron oxide – usually red, but can be yellow.
Provenience	The original place of an artifact. Can be measured by two or three-points.
Stratum	A layer of soil that is distinct and separate from that above and below it.
Skeletal Remains	Skeletal remains are all that is left of a corpse after nature has taken its course and has disposed of skin, tissue, and any other organ that may cover the skeletal frame.
<i>The Heritage Resources Act (1986)</i>	The Provincial legislation (law) governing the physical heritage of all Manitobans, located in Manitoba on either provincial crown lands or private lands within the province of Manitoba.
Way-markers	A sign or feature that marks a portage or trail or announces a change in direction.

## **Appendix A: Resources Identification Guide**

## Examples of cultural and heritage resources of potential interest

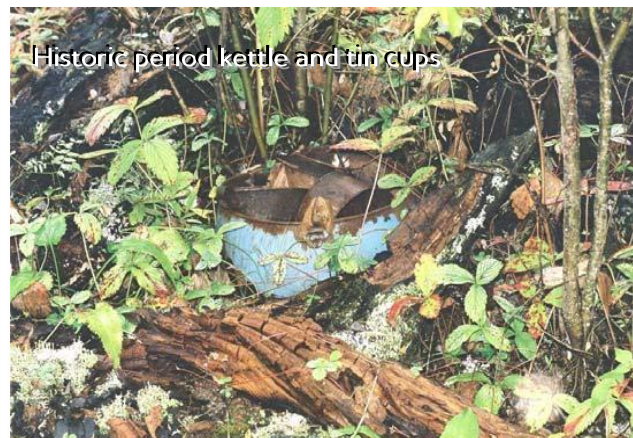
The following are some examples of surface or sub-surface heritage objects or features that may be encountered in the field that have the potential to be of archaeological interest or cultural significance. These descriptions are provided for information only.

When the features described in these examples are encountered in the field, or when it is otherwise believed that a site potentially may be of archaeological interest, a Manitoba Hydro On-Site Supervisor/delegate or Environmental Inspector/Officer must be notified.

### In situ artifacts

**Projectile points, pottery, historic trade goods and thousands of other types of artifacts have been recovered from across the Province. Before collection, the artifact will be photographed and the surrounding vegetation and soils described in detail. If a diagnostic artifact is found during a controlled surface collection, the recovery of the artifact will not take place until mapping is complete.**

Often metal objects are found abandoned along old portage routes, former trails and at long-forgotten cabin sites. This old, blue enameled kettle was found in the hollow of a tree with tin cups nestled inside. The way that metal tins were constructed can be dated. Glass fragments can also be identified as belonging to a certain time period. The morphology and markings on bottles help archaeologists to date sites.



## Soil Staining

Discolourations in the soil may indicate an archaeological site. The following examples are common colours associated with artifacts, features that have been found within the Province.



Red or yellow Ochre or rust stains can be found in the soil. They can be the result of oxidized metal fragments or nails, red or yellow ochre nodules may indicate a burial or ceremonial activity.

Soil staining can also be found in the form of charcoal flecks and white ash from a hearth or fire pit. Black soil stains may indicate human activity and organic materials or a living floor. Cultural strata can vary in depths depending on the length of occupation at the site. The presence of burned bone, fire-cracked rock, stone chips, pottery and other objects may be found in association with soil discolouration and would confirm the soil staining is a cultural layer.



## Animal Bone

Animal Bone (mammal, bird, fish) at a site can indicate the kinds of resources that were being used as food as well as indicate seasonality of occupation.



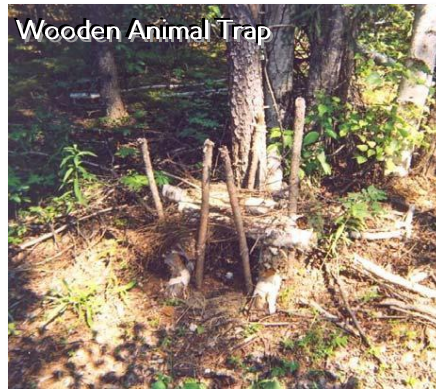
Bone was also an important material for tool manufacturing. Common bone tools include fleshers and beamers fashioned from large mammal long bones, barbed spear points and harpoons, awls and needles. Bones at a site can indicate the kinds of animals that were being used as food. The ulna of swans, eagles and other large birds were used for bird whistles.



Key features to look for on bones to determine if they have been deposited by humans include signs of cut-marks or burning or staining which may indicate human modification by various butchering or processing techniques.

## Culturally modified trees

Occasionally evidence of cultural practices is found in the form of modified trees such as the birch trees noted in this photograph. Birch bark was used for many purposes such as storage baskets, canoes and more recently, birch-bark biting crafts. Cut wood has been used to construct animal traps, as a material for building or for firewood and indicates that humans have been in the area.



## Stone features

There are many different kinds of stone alignments that have been constructed by humans: **Way-markers**, caches, ceremonial sites, building foundations, tepee rings and burials are the major rock features that are found during archaeological investigations. These can be on or above the ground surface or buried features.



### Ground or Structural Features

It is especially important to note unusual ground features. Depressions or mounds that are out-of-place from the surrounding landscape may indicate an underlying structure or possible burial. The manner in which structural features are constructed can be dated.





## **Appendix B: Cultural and heritage resource protection protocol**

# CULTURAL AND HERITAGE RESOURCE PROTECTION PROTOCOL

Community/Organization: \_\_\_\_\_

1. Do you want Manitoba Hydro to notify your community/organization about cultural and heritage discoveries?

Yes  No

2. If yes, we would like to be notified about the following type of discoveries:

Human remains	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Heritage/cultural resources (pictographs, petroforms, bone tools)	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

3. Leadership have chosen \_\_\_\_\_ as the community representative that Manitoba Hydro should contact for heritage or cultural resources discoveries

Phone number: \_\_\_\_\_

Cell phone: \_\_\_\_\_

Email address: \_\_\_\_\_

Preference for contact \_\_\_\_\_

(i.e.: cell phone, email)

4. Should a previously unrecorded heritage or cultural resource be encountered, would your community like to conduct a ceremonial or spiritual activity?

Yes  No

5. Could you please draw the area of interest to your community for cultural and heritage resources on the attached map? This information can be kept confidential.

6. Are you aware of recent discoveries of the following in the area near the project:

Human remains	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Heritage/cultural resources	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

7. Have you received a copy of the Cultural and Heritage Resources Protection Plan?

Yes  No

Date: \_\_\_\_\_

Filled out by (Please print): \_\_\_\_\_

Signature \_\_\_\_\_