

# LAKE MANITOBA LAKE ST. MARTIN

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## OUTLET CHANNELS PROJECT

MANITOBA TRANSPORTATION AND  
INFRASTRUCTURE

### Heritage Resources Protection Plan

June 30, 2022

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## DISCLAIMER

This document was developed to support the Environmental Management Program (EMP) for the Lake Manitoba and Lake St. Martin Outlet Channels Project (the Project). It has been prepared by Manitoba Transportation and Infrastructure as a way to share information and facilitate discussions with Indigenous rights-holders, stakeholders and the public. It has been prepared using existing environmental and engineering information and professional judgement, as well as information from previous and ongoing public and Indigenous engagement and consultation. The contents of this document are based on conditions and information existing at the time the document was prepared and do not take into account any subsequent changes. The information, data, recommendations, and conclusions in this report are subject to change as the information has been presented as draft. This draft plan should be read as a whole, in consideration of the entire EMP, and sections or parts should not be read out of context.

Revisions to draft plans have been informed by and will be based on information received from the engagement and consultation process, the Environmental Assessment process, Project planning activities, and on conditions of provincial and federal environmental regulatory approvals received for the Project. As these will be living documents, any changes to the plans that occur after Project approvals are received will be shared with regulators, Indigenous rights-holders and stakeholders prior to implementation of the change. Either a revision number or subsequent amendment would be added to the specific environmental management plan to communicate the revision or change.

## PREFACE

The Lake Manitoba and Lake St. Martin Permanent Outlet Channels Project (the Project) is proposed as a permanent flood control mitigation for Lake Manitoba and Lake St. Martin to alleviate flooding in the Lake St. Martin region of Manitoba. It will involve the construction and operation of two new diversion channels: the Lake Manitoba Outlet Channel (LMOC) will connect Lake Manitoba to Lake St. Martin and the Lake St. Martin Outlet Channel (LSMOC) will connect Lake St. Martin to Lake Winnipeg. Associated with these outlet channels are the development of bridges, control structures with power connections, a new realignment of Provincial Road (PR) 239, and other ancillary infrastructure.

Manitoba Transportation and Infrastructure is the proponent for the proposed Project. After receipt of the required regulatory approvals, Manitoba Transportation and Infrastructure will develop, manage and operate the Project. This Heritage Resources Protection Plan (HRPP) is one component of the overall Environmental Management Program (EMP) framework, which describes the environmental management processes that will be followed during the construction and operation phases of the Project. The intent of the EMP is to facilitate the timely and effective implementation of the environmental protection measures committed to in the Environmental Impact Statement (EIS), the requirements and conditions of the provincial licence issued under *The Environment Act*, the federal Decision Statement issued under *The Canadian Environmental Act 2012*, and other approvals received for the Project. This includes the verification that environmental commitments are implemented, monitored, evaluated for effectiveness, and adjustments made if/as required. It includes a commitment that information is reported back in a timely manner for adjustment, if required.

A key component for the success of the EMP is environmental monitoring, such that environmental management measures are inspected and modified for compliance with environmental and regulatory requirements, including those set out in provincial and federal approvals received for the Project. As indicated, monitoring results will be reviewed and used to verify predicted environmental assessment conclusions and effectiveness of mitigation measures. If unanticipated effects occur, or if mitigation measures are inadequate, adaptive management measures and subsequent monitoring will be applied as described further in individual environmental management and monitoring plans.

Monitoring results and application of adaptive management measures will inform follow-up reporting to regulators and any required revisions to environmental management plans. Manitoba Transportation and Infrastructure has initiated discussions with Indigenous rights-holders and the Rural Municipality (RM) of Grahamdale in the Project area on the establishment of an Environmental Advisory Committee (EAC). The EAC would be a platform for sharing monitoring results and discussing issues of concern. In addition, Manitoba Transportation and Infrastructure anticipates that the EAC will coordinate Indigenous Environmental Monitors and communications during the construction period and will be working with Indigenous rights-holders and stakeholders on its structure and purpose.

Manitoba Transportation and Infrastructure remains committed to consultation and ongoing engagement with Indigenous rights-holders and stakeholders that are potentially impacted by the Project. Detailed EMP review discussions were incorporated into Indigenous group-specific consultation work plans. Engagement opportunities included virtual open house events, sharing draft environmental management, and monitoring

plans, sharing plan-specific questionnaires, and meetings to discuss related questions and recommendations. The intent has been to offer multiple avenues to share information about the Project so that rights-holders and stakeholders would be informed and could provide meaningful input into Project planning. The original draft EMP plans and questionnaires that were posted on the Project website for public review and comment are being replaced by the second draft of each plan as it becomes available. Feedback and recommendations received were used to update the current version of the draft plans, which are posted to the Project website at: <https://www.gov.mb.ca/mit/wms/lmblsmoutlets/environmental/index.html>.

Figure A displays a summary of the EMP process. The EMP provides the overarching framework for the Project Construction Environmental Management Program (CEMP) and the Operation Environmental Management Program (OEMP). These will be updated prior to Project construction and operation, respectively, and will consider applicable conditions of *The Environmental Act* provincial licence, *Canadian Environmental Assessment Act 2012* federal Decision Statement conditions and other approvals, any other pertinent findings through the design and regulatory review processes, and key relevant outcomes of the ongoing Indigenous consultation and public engagement processes. Until such time, these plans will remain in draft form.

The purpose of the CEMP and OEMP is to guide how environmental issues will be addressed during construction and operation, respectively, and how adverse effects of activities will be mitigated. The CEMP is supported by several specific or targeted management plans that will guide Manitoba Transportation and Infrastructure's development of the Project's contract documents and subsequently, the Contractor(s) activities, in an environmentally responsible manner and to meet regulatory compliance in constructing the Project. The OEMP will include some of the same targeted plans developed to manage issues during construction, but prior to construction completion, they would be revised and adapted to suit the specific needs during the operation phase.

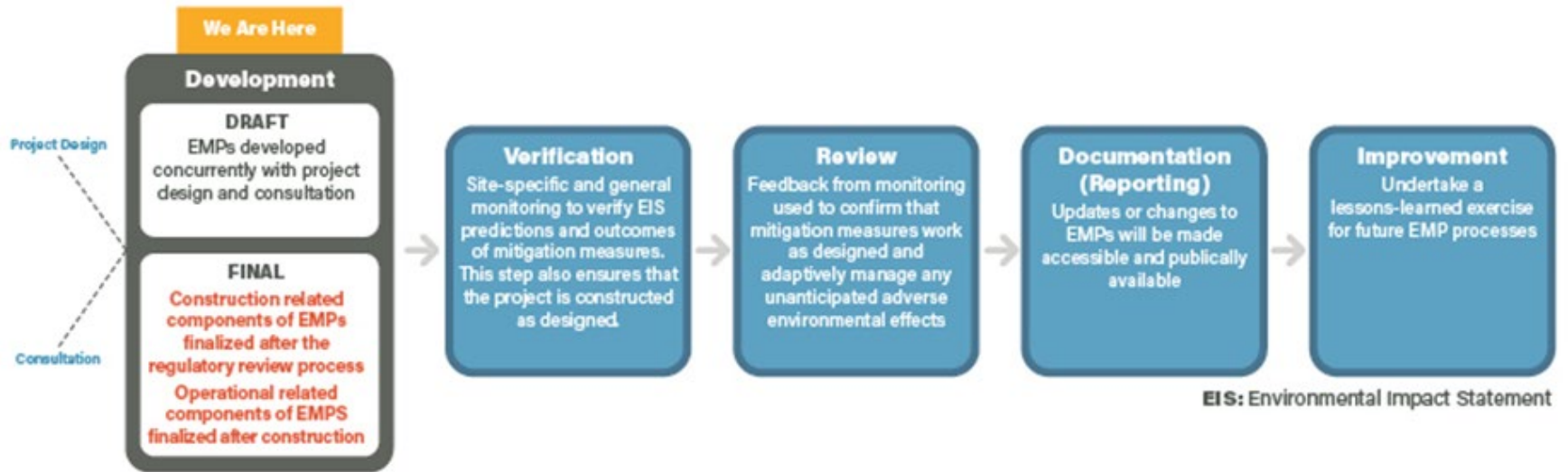


Figure A: EMP Process

## EXECUTIVE SUMMARY

The Lake Manitoba and Lake St. Martin Outlet Channels Project (the Project) is a proposed permanent flood control mitigation project to alleviate flooding in the Lake St. Martin area of Manitoba. The Project involves the construction of two new water diversion channels. The LMOC is approximately 24.1 kilometres (km) long with a channel inlet positioned at Watchorn Bay on Lake Manitoba and an outlet positioned at Birch Bay on Lake St. Martin. The LSMOC is approximately 23.8 km long with a channel inlet positioned at the east end of Lake St. Martin and an outlet positioned south of Willow Point in Sturgeon Bay on Lake Winnipeg. The Project development area (PDA) for both channels is approximately 400 metres (m) wide. Associated works and activities for the Project include temporary construction camps and staging areas, temporary access routes, realignment of existing drainage infrastructure, measures to divert surface water and groundwater, and erosion and sediment control.

An Environmental Management Program (EMP) Framework program has been developed to provide a structure that facilitates the management, monitoring, and mitigation of potential environmental effects during the construction and operating phases of the Project. Environmental Protection Plans (EPP) are a component of the EMP Framework that provides site-specific, detailed protection measures to be followed to minimize these potential effects during and after Project construction.

The protection of heritage resources constitutes one aspect of the EMP. Heritage resources are protected under Manitoba's *Heritage Resources Act* (1986) and are managed by the Historic Resources Branch (HRB) under the Ministry of Sport, Culture, and Heritage. A HRPP has been developed to provide for this protection. The objective of the HRPP is to provide for two facets of heritage protection:

1. the protection of previously known heritage resources; and
2. the protection of heritage resources and human remains should they be unearthed or discovered during the construction and operating phases of the Project.

This HRPP also describes the roles and responsibilities of Manitoba Transportation and Infrastructure and its Contractors towards heritage protection throughout the life of the Project.

This HRPP includes a system to manage known heritage resources within the Project. Known heritage resources fall under three classifications: 1) Heritage Sensitive Areas (HSA); 2) Known Heritage Resources; and 3) Culturally Important Areas.

1. HSAs are those portions of the PDA in which pre-construction desktop screening and subsequent field assessments suggest a high potential for archaeological materials. Trained Inspectors and/or Monitors will take extra measures to inspect soil layers within HSAs and enact the Chance Find Procedure if heritage resources are encountered.
2. **Known Heritage Resources** are heritage sites within the PDA that were identified during the pre-construction Heritage Resources Impact Assessment (HRIA). All heritage sites will be mitigated during pre-construction to a level that satisfies the requirements of HRB and the *Heritage Resources Act*. However, some sites may hold the potential to contain additional archaeological materials that were not recovered pre-construction. Most known heritage sites in the PDA will be treated as HSAs



(above), in which a trained Inspector and/or Monitor will take extra measures to inspect soil layers and enact the Chance Find Procedure if heritage resources are encountered. For a known heritage site in which HRB requires an Archaeologist to be present for heritage monitoring, the Archaeologist will take the extra measures to inspect soil layers and manage any heritage resources that may be exposed during construction.

3. **Culturally Important Areas (CIA)** are locations within the PDA that hold historic, social, economic, and/or spiritual value to the inhabitants of the Project local and regional assessment areas (LAA and RAA). Inspectors and/or Monitors will take extra measures to identify cultural resources in the CIA, document potential impacts to a CIA, and enact the Chance Find procedure if cultural resources are encountered or impacted.

This HRPP also includes **Procedures for Chance Find Heritage Resources**, a system to manage heritage resources that are unearthed or discovered during the construction and operating phases of the Project. The following describes the general 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 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. The Inspector (or their delegate) will enact the Chance Find Procedure.
4. A buffer zone will be erected around the find at a minimum of 50 m in radius. The zone must be established with a highly visible physical barrier. No construction activities will take place within the buffer zone.
5. The Inspector will contact an Archaeologist. The Inspector will supply information about the find to the Archaeologist, who will then determine the significance of the find and the appropriate next steps in procedure.
6. The Archaeologist will work with HRB to determine if additional measures are required for the find.
7. The Archaeologist will conduct or oversee others who will conduct activities relating to any additional measures as required. These activities may include salvage archaeology, mitigation strategies, and/or on-going monitoring and supervision of the removal of soils associated with the site until the Archaeologist is satisfied that the heritage resource is no longer endangered by the construction activity.
8. Once HRB (and/or other parties as outlined in agreements with Manitoba Transportation and Infrastructure) is satisfied with the outcome of the investigation, construction activities can commence in the find area unless alternate measures have been established.

This HRPP also outlines additional procedures that must be followed for specific heritage resources. These include:

- Human remains
- Hearths and stained soils
- Stone Configurations
- Petroglyphs and Pictographs; and
- Cultural Use Areas

Activities relating to heritage resources that occur during the Project must be documented by a qualified professional archaeologist holding a valid heritage permit. The heritage permit requires the archaeologist to submit a detailed report to the HRB on behalf of Manitoba Transportation and Infrastructure 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.

The statements made in this Executive Summary are subject to WSP Canada Group Limited's Standard Limitations found in the HRPP report and should be read in its entirety with the remainder of the HRPP report.

# LIST OF ACRONYMS AND GLOSSARY OF TERMS

## Acronyms

CEMP	Construction Environmental Management Program
CHRP	Culture and Heritage Resources Protection Plan
CIA	Culturally Important Area
EAC	Environmental Advisory Committee
EIS	Environmental Impact Statement
EMP	Environmental Management Process
EPP	Environmental Protection Plan
ESS	Environmentally Sensitive Site
HRB	Historic Resources Branch
HRIA	Heritage Resources Impact Assessment
HRPP	Heritage Resources Protection Plan
HSA	Heritage Sensitive Area
km	kilometre
LMOC	Lake Manitoba Outlet Channel
LSMOC	Lake St. Martin Outlet Channel
m	metre
OEMP	Operation Environmental Management Program
PDA	Project development area
PR	Provincial Road
the Project	Lake Manitoba and Lake St. Martin Permanent Outlet Channels Project
RAA	Regional Assessment Area
RCMP	Royal Canadian Mounted Police
RM	Rural Municipality

## Glossary of Terms

**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.

**Contractor:** Refers to the individuals, entities or groups contracted by Manitoba Transportation and Infrastructure to undertake specific Project construction, operation, or maintenance activities, and includes all subcontractors and affiliates.

**Culturally Important Area:** Locations within the Project that hold historic, social, economic, and/or spiritual value to the inhabitants of the LAA and RAA.

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

**Environmental Monitor:** Refers to the individuals, groups or designated representatives engaged by Manitoba Transportation and Infrastructure to monitor, inspect, and document compliance with contractual and regulatory requirements associated with the construction activities and associated works for the Project. The monitor may also be an active member (or representative) of the Project's Environmental Advisory Committee.

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

**Heritage Sensitive Area:** Locations within the Project in which there is 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 17<sup>th</sup> Century) to the mid-20<sup>th</sup> 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 17<sup>th</sup> Century) to the mid-20<sup>th</sup> Century.

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

**Inspector:** Refers to the individuals or designated representatives delegated by Manitoba Transportation and Infrastructure to monitor, inspect, document, and enforce compliance with contractual and regulatory requirements associated with the construction and/or maintenance activities and associated works for the Project.

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

**Owner:** Refers to Manitoba Transportation and Infrastructure or a designated representative delegated by Manitoba Transportation and Infrastructure with overall responsibility for, and oversight of, Project design, construction, and operation.

**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 17<sup>th</sup> Century.

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

# 1.0 INTRODUCTION

Manitoba Transportation and Infrastructure is in the process of seeking environmental approvals for the Lake Manitoba and Lake St. Martin Permanent Outlet Channels Project (the Project). The Project involves the construction of two new water diversion channels as a permanent flood control mitigation system to alleviate flooding in the Lake St. Martin area of Manitoba (Figure 1). The LMOC will connect Lake Manitoba with Lake St. Martin. The LMOC is approximately 24.1 kilometres (km) long with a channel inlet positioned at Watchorn Bay on Lake Manitoba and an outlet positioned at Birch Bay on Lake St. Martin. The LMOC includes a water control structure and three road bridges. The LSMOC will connect Lake St. Martin to Lake Winnipeg. The LSMOC is approximately 23.8 km long with a channel inlet positioned at the east end of Lake St. Martin and an outlet positioned south of Willow Point in Sturgeon Bay on Lake Winnipeg. The LSMOC includes a combined bridge/water control structure and multiple drop structures. The PDA for both channels is approximately 400 metres (m) wide. Associated works and activities for the Project include temporary construction camps and staging areas, temporary access routes, realignment of existing drainage infrastructure, measures to divert surface water and groundwater, and erosion and sediment control.

An Environmental Management Program (EMP) has been developed to manage, monitor, and mitigate potential environmental effects during the construction and operating phases of the Project and is being shared with regulators, Indigenous rights-holders, and stakeholders for input prior to finalization. An Environmental Protection Plan, complete with mapbooks of the PDA is being developed and will provide site-specific detailed protection measures to be followed to minimize potential effects to environmentally sensitive sites (ESS). ESS are locations, features, areas, activities, or facilities that were identified to be ecologically, socially, economically, culturally, or spiritually important or sensitive to disturbance and require protection during construction of the Project. The determination of ESS will include the consideration of Indigenous traditional knowledge.

The protection of heritage resources constitutes one aspect of the EMP. A HRPP has been developed by WSP Canada Inc. for Manitoba Transportation and Infrastructure to provide for this protection. The details and procedures found within the following pages provide for two facets of heritage protection: 1) the protection of previously known heritage resources; and 2) the protection of heritage resources and human remains should they be unearthed or discovered during the construction and operating phases of the Project. The HRPP also provides for CIAs.

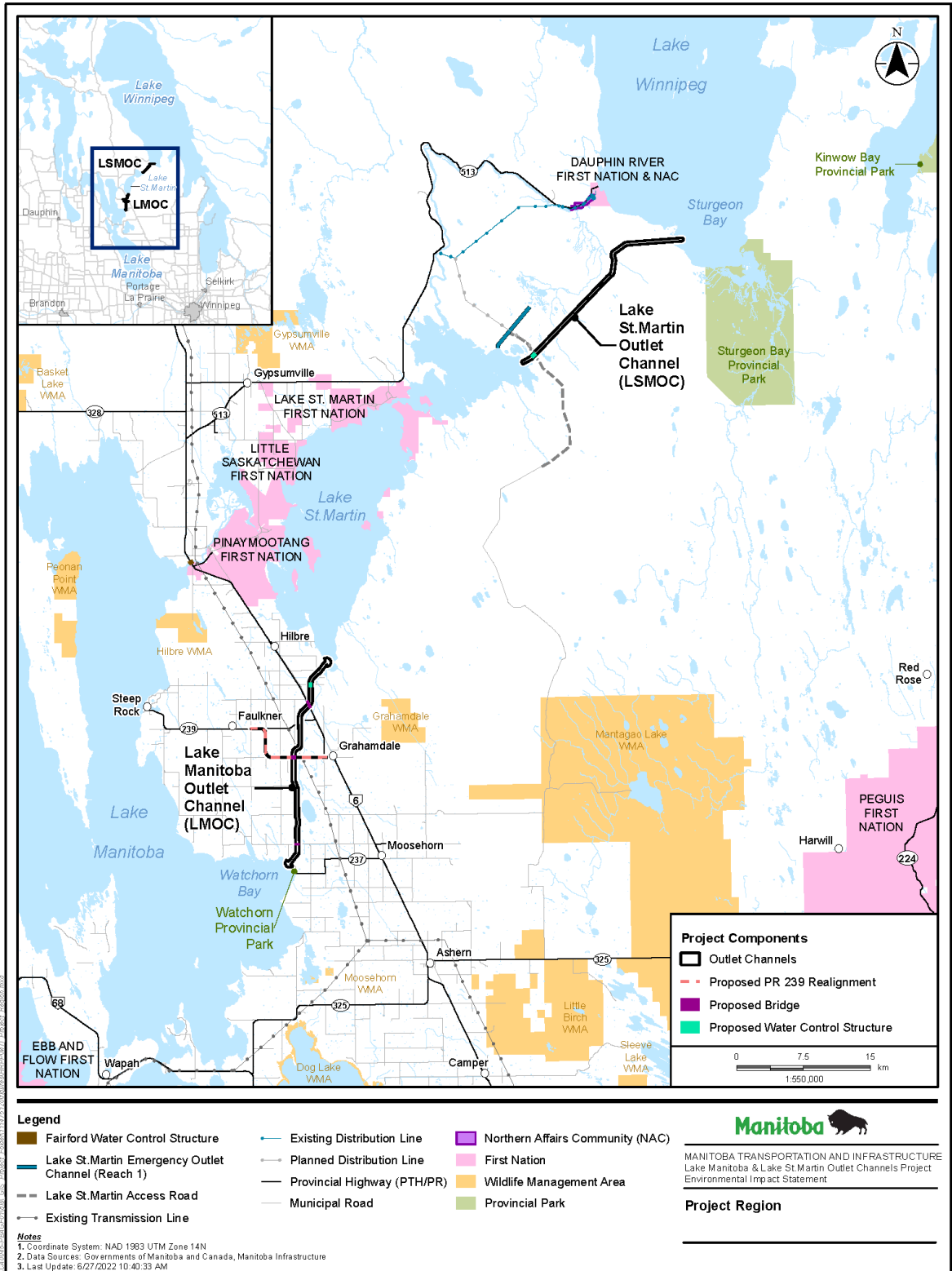


Figure 1: Project Area

## 2.0 PURPOSE AND OBJECTIVES

Heritage Resources are protected under Manitoba's *Heritage Resources Act* (1986). Found 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). Heritage Resources in Manitoba are managed by the HRB under the Manitoba Ministry of Sport, Culture, and Heritage. This HRPP does not replace provincial legislation. Rather, the HRPP is a guideline written in accordance with provincial legislation and underlines the need to understand the protective measures that are based on provincial legislation. This document, therefore, should be considered as a heritage resource protection plan that advises practical responses to legislation, regulations, licenses, permits, standards, conditions, contracts, agreements, designs, and specifications for specific situations at specific work locations.

Ownership of all heritage objects found within Manitoba rests with the Province of Manitoba. All heritage resources are protected under the *Heritage Act*. Deliberate destruction or disturbance of heritage resources is an offence under the Act.

The HRPP is designed to demonstrate and document due diligence. In this context, due diligence involves taking all reasonable, practical steps to protect heritage resources which may be unearthed or discovered during the construction phase of the Project regardless of cultural affiliation. The objectives and direction of this document stem from the Project EIS, which included a recommendation for a Culture and Heritage Resources Protection Plan (CHRPP) to be instated during the construction phase of the Project. The Project EIS provided an outline for a CHRPP and included the following measures (MI 2020):

- The HRB will be informed immediately if any heritage resources, or objects thought to be heritage resources, are discovered during site preparation and construction.
- Protective barriers will be placed around heritage resource sites that are inadvertently found during construction if required so that the area can be protected while work proceeds.
- All heritage resources discovered during site preparation and construction will be left in their original position until HRB is contacted and provides instruction.
- Orientation for Project staff working in construction areas will include heritage resource awareness and training including the nature of heritage resources and the management of any resources encountered.
- Orientation information will include typical heritage resource materials and reporting procedures.
- The Contractor will report heritage resource materials immediately to the Construction Supervisor and will cease construction activities in the immediate vicinity until the Project Archaeologist is contacted and prescribes instruction.
- The CHRPP will be adhered to during construction and operations phases of the Project.

This HRPP has been prepared to meet the measures listed above and is concerned with heritage resources and/or found human remains that are found on lands associated with the Project. Information regarding heritage resources and/or found human remains will be submitted to the HRB as per the terms of the *Heritage Resources Act* (1986) and to Manitoba Transportation and Infrastructure as per the terms of the HRPP. In addition, any heritage resources and/or human remains that are accidentally discovered by Project workers outside the PDA but are carrying out Project-related activities will also be subject to the same conditions of documentation as described herein.



### 3.0 HERITAGE RESOURCES DEFINITIONS

The following information on heritage resources is included in this HRPP to aid the understanding of identification of such resources by non-heritage specialists during the construction and operating phases of the Project.

Heritage resources are the physical remains of past culture groups. They are non-renewable forms of human art, workmanship or use that have been modified by or left behind due to human activities. This includes plant and animal remnants. The Manitoba *Heritage Resources Act* (1986) defines “Heritage Resources” as:

1. a heritage site.
2. a heritage object; and
3. 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.

There are two types of heritage resources: (1) artifacts and (2) features.

1. Heritage artifacts are any object manufactures, used, moved, or modified by human beings. An artifact may be as small as a single stone flake (the by-product of stone tool production) or as large as a canoe. Other types of artifacts can include lithic tools, butchered animal bones, and Pre-Contact ceramics (pottery), as well as materials from the historic period including gun flints and parts, nails, ceramics, bottle glass and beads.
2. Features are *in situ* (in place) objects or alterations to the landscape that are non-portable: meaning they cannot be easily removed from their original location. Examples of features include petroforms (stones that have been placed in a shape or design, such as effigy of an animal, medicine wheel or thunderbird nest); pictographs (paintings on rock faces); or cairns (clusters of stones often used as way markers or could represent a burial site or food cache).

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

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

## 4.0 PROJECT ROLES AND RESPONSIBILITIES

The Project is a sizeable endeavor and will involve Contractors, Inspectors, Contract Administrators, Monitors, and technical support teams, overseen by various levels of management. Figure 2 outlines the organizational structure of the Project. In this structure, the Owner (Manitoba Transportation and Infrastructure) is responsible for overseeing the Project site. Under the Owner, the workforce is divided into Contract Administrators, Construction Inspectors, Environmental Inspector’s, and Environmental Monitors. Each plays a vital role in the protection and management of heritage resources.

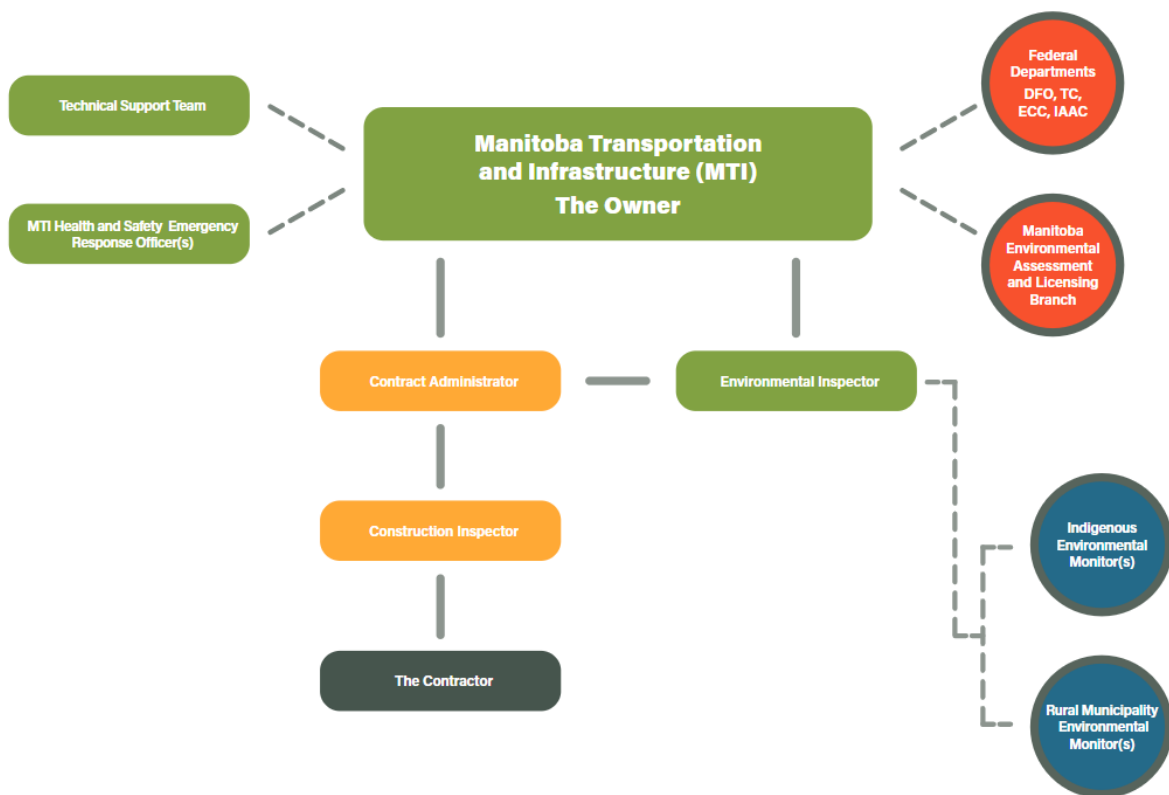


Figure 2: Construction Organization Chart for the Project

## PROJECT ROLES AND RESPONSIBILITIES

Only an archaeologist (hereafter the Project Archaeologist) as assigned by Manitoba Transportation and Infrastructure will have the authority to handle and remove artifacts found within the Project footprint under a valid heritage permit. The Project Archaeologist will be on-site in those areas and situations as dictated in Section 5. It is the responsibility of the workers as well as trained Inspectors and Monitors on site to identify and protect heritage resources. The front lines of heritage management are the trained Inspectors, Environmental Monitors and Contractors. It is important that all workers that fall under these categories be able to identify important heritage resources and be aware of the protocols regarding the protection of; or removal of and handling of artifacts (see Section 5.2 below). Heritage resources may be found in many different locations of the Project and may be difficult to identify during active construction. Heritage resources training will be provided prior to construction to aid in the ability to recognize heritage resources that are uncovered during construction (see Section 7.0 of the CEMP, which outlines training and orientation information). It is important to note that this training will only be on a basic level; they are not expected to act as Project Archaeologists when a potential heritage resource is encountered. Workers will be required to point out potential heritage resources during construction, but the Project Archaeologist will determine if the find is indeed a heritage resource.

Manitoba Transportation and Infrastructure, as the Owner, is responsible for ensuring that environmental issues, including heritage resources, are observed, and reported and will be on site during active construction. If an Inspector, Monitor or Contractor identifies a potential heritage resource, they will contact the Owner or designated alternate. The information will be shared with the environment and construction teams according to the organizational structure in Figure 2. Manitoba Transportation and Infrastructure, or designated alternate will then enact the Chance Find Procedure.

If a Contractor identifies a potential heritage resource, they will notify the Contract Administrator and/or Manitoba Transportation and Infrastructure. Manitoba Transportation and Infrastructure will communicate findings to relevant personnel and will enact the Chance Find Procedure.

## 5.0 HERITAGE RESOURCES PROTECTION MEASURES

The following sections outline the protection measures that have been put in place for all heritage resources associated with the Project. Section 5.1 describes how known heritage resources will be managed during the construction and operation phases of the Project. Sections 5.2 and 5.3 outline the procedures that will be followed in the event of a Chance Find.

### 5.1 Managing Known Heritage Resources of the Project

As stated in the Section 1, this document provides for two facets of heritage protection: 1) the protection of previously known heritage resources; and 2) the protection of heritage resources and human remains should they be unearthed or discovered during the construction and operating phases of the Project. This section deals with the former, providing information and guidelines on heritage resources related to the Project as established by pre-construction heritage investigations and Indigenous rights-holder consultations.

Known information about heritage resources within the PDA fall under three classifications:

1. HSAs;
2. Known Heritage Resources; and
3. CIAs

The information found in each of these classifications was gathered during the pre-construction phase of the Project, and in turn influenced the specific strategies and measures to be followed during the construction and operating phases of the Project. The specific data that falls under each classification will be found in the EPP.

#### 5.1.1 Heritage Sensitive Areas

HSAs are those portions of the PDA in which pre-construction desktop screening and subsequent field assessments suggest a high potential for archaeological materials. This high likelihood is based on an interpretation of topographic data with an archaeological focus, including the type of landform, the landform's relationship to the surrounding area, its proximity to major water sources, and its cultural and/or historical context. This data informed the predictive modeling on which the desktop screening was based. The results of the HRIA fieldwork then further refined this classification.

Portions of the PDA classified as HSAs during the desktop screening process were investigated during the pre-construction HRIA. Some HSAs were found to contain heritage resources. Certain HSAs in which heritage resources were not found during the HRIA may still be considered to contain a high potential for archaeological material, as the lack of known heritage resources does not necessarily eliminate the likelihood that heritage resources may exist in these areas. While archaeological materials are not expected to be encountered in such areas, Manitoba Transportation and Infrastructure is advised that even the most

thorough archaeological study may not identify all archaeological materials that may be present. Thus, HSAs may still require additional inspection measures during the construction phase of the Project.

An HSA will be identified in the EPP as being an ESS. In the case of the HSA, the sensitivity is towards potential heritage resources. The EPP will highlight the location of the ESS within the PDA, identify the potential effects construction may have, and outline specific Contractor protocols to follow when working within the ESS. Project Archaeologists are not required to be on site for heritage monitoring when construction activities occur within the HSA ESS. However, trained Inspectors and/or Monitors will take extra measures to inspect soil layers within the ESS and enact the Chance Find procedure if heritage resources are encountered (see Section 5.2).

### 5.1.2 Known Heritage Sites within the PDA

Known heritage sites within the PDA were identified during the pre-construction HRIA. All heritage sites must be mitigated to a level that satisfies the requirements of HRB and the *Heritage Resources Act* before construction in the area can proceed. However, some sites may hold the potential to contain additional archaeological materials that were not recovered in the pre-construction surveys. The location of a known heritage site will be classified in the EPP as an ESS in the same manner as an HSA, in order to acknowledge that potential for more archaeological material.

The EPP will highlight the location of the heritage site within the PDA, identify potential effects construction may have, and outline specific Contractor protocols to follow when working within the ESS. For an ESS in which a Project Archaeologist is required to be present for heritage monitoring as directed by HRB, the Project Archaeologist will take the extra measures to inspect and provide direction for the excavation by mechanical means. For the remaining known heritage sites, the trained Inspectors and/or Monitors will take extra measures to inspect soil layers within the ESS and enact the Chance Find procedure if heritage resources are encountered (see Section 5.2).

### 5.1.3 Culturally Important Areas

CIAs are locations within the PDA that hold historic, social, economic, and/or spiritual value to the inhabitants of the Project LAA and RAA. Examples of CIAs may include burial sites, sacred sites, ceremonial sites, specific berry or plant foraging areas, or specific hunting locations. The CIAs were identified during the pre-construction HRIA and is ongoing through rights-holder and stakeholder engagement. The location of a CIA will be classified in the EPP as an ESS without detailing sensitive information to maintain confidentiality. In the case of a CIA, the sensitivity is towards cultural resources.

The EPP will highlight the location of the ESS within the PDA, identify potential impacts construction may have, and outline specific Contractor protocols to follow when working within the CIA ESS. Trained Inspectors and/or Monitors will take extra measures to identify cultural resources in the CIA ESS, document any potential impacts to a CIA, and enact the Chance Find procedure if cultural resources are encountered or impacted (see Section 5.2).

## 5.2 Procedures for Chance Find Heritage Resources

As noted in Section 3, a Chance Find is a heritage resource (including human remains) that are unearthed or discovered during the construction and operating phases of the Project. It is possible for Chance Finds to occur during any phase of the Project and in any location within the PDA, even in areas that were considered a low probability for heritage resources during the pre-construction HRIA.

All workers on the Project should be aware of the protocols regarding the protection of; or removal of; and handling of artifacts. However, only the Project Archaeologist has the authority to handle and remove artifacts. When there is no Project Archaeologist on site, the Inspector will inform the team of the situation and Manitoba Transportation and Infrastructure will enact the Chance Find procedures, which may involve bringing the Project Archaeologist on site.

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 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. If a Contractor is the first to identify the find, they will notify the Inspector or Contract Administrator, who will then contact the Manitoba Transportation and Infrastructure.
4. If a trained Inspector or Monitor is the first to identify the find, they will notify Manitoba Transportation and Infrastructure directly.
5. Manitoba Transportation and Infrastructure will enact the Chance Find Procedure.
6. A buffer zone will be erected around the find at a minimum of 50 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.
7. The initial physical barrier may be composed of wooden stakes with either the top 30 centimetres of each stake spray painted green or wrapped with green flagging, placed at a minimum of 10 m apart. All construction workers must adhere to the established boundaries and stay outside of the buffer zone.
8. The trained Inspector or Monitor 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 significance of the find. These data should include the find's location, description, condition, and type of activity that led to it being found. The Inspector or Monitor should also take detailed notes, Global Positioning System (GPS) coordinates, and photos of the find.
9. Manitoba Transportation and Infrastructure will contact the Project Archaeologist. In certain situations, an off-site delegate or Contract Administrator may have to be the one to contact the Project Archaeologist.

10. Manitoba Transportation and Infrastructure, or a delegate, will supply information about the find to the Project Archaeologist, who will then determine the significance of the find and the appropriate next steps in procedure. (See special procedures for specific types of heritage resource below).
  - a. In certain circumstances the Project Archaeologist may determine it necessary to establish a more permanent, stable, or noticeable barrier around the heritage resource. In this event, the wooden staking will be replaced with snow fencing held with metal posts as directed by the Manitoba Transportation and Infrastructure Construction Supervisor.
11. If the Project Archaeologist deemed it necessary, the Project Archaeologist will come to site and conduct an investigation of the find based on professional guidelines. In this event, the Project Archaeologist will notify HRB of the find and obtain the required heritage permits for the investigation.
12. The Project Archaeologist will document the find with notes, photographs and recording of the GPS coordinates. Artifacts will be collected according to professional guidelines.
13. The Project Archaeologist will work with HRB to determine if additional measures are required for the find.
14. The Project Archaeologist will conduct or oversee others who will conduct activities relating to any additional measures as required. These activities may include salvage archaeology, mitigation strategies, and/or on-going monitoring and supervision of the removal of soils associated with the site until the Project Archaeologist is satisfied that the heritage resource is no longer endangered by the construction activity.
15. Once HRB (and/or other parties as outlined below) is satisfied with the outcome of the investigation, construction activities can commence in the find area unless alternate measures have been established.

### 5.3 Additional Procedures for Specific Chance Find Heritage Resources

The following sections detail the types of heritage resources that may be encountered during construction activities of the Project. The general procedures above must be followed; however, for each type listed below, the additional procedures must be enacted.

#### 5.3.1 Human Remains

##### Description

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 complete skeletons. It may be difficult 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 protects, and preserves 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 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 the human remains and must not be separated from the human remains except by qualified personnel.

### Additional Procedures

1. Steps 1 through 10 of the Procedures for Chance Find Heritage Resources (Section 5.2 above) will be followed. These tasks include immediate work stoppage in a 50 m radius from the find, the establishment of a physical buffer zone, and the enactment of the Chance Find Procedure by Manitoba Transportation and Infrastructure.
2. All human remains and associated funerary goods will be left in the same position in which they were noted or discovered. The sole exception is if the human remains are found inside an excavator bucket that has not been dumped. In this case, the construction crew may empty the bucket by laying a tarp down on the ground immediately adjacent to the excavator (and within the 50 m buffer zone) and carefully empty the contents of the bucket onto the tarp.
3. A tarp will be placed overtop the remains to protect it from sight and the elements. The tarp must be secured only on the edges.
4. All heavy equipment will vacate the area within the 50 m, with spotters taking care to avoid any other potential bone or artifacts in the vicinity.
5. In the case of human remains, a more permanent buffer than wooden staking is required. Once the heavy equipment has vacated the 50 m area, snow fencing (or a similar barrier) must be erected.
6. After the erection of the barrier / snow fencing, all construction workers, Contractors, and members of the public must remain outside of the buffer unless directed by Manitoba Transportation and Infrastructure at the direction of Project Archaeologist, HRB, or the RCMP. All activity concerning the human remains must be conducted as much as possible out of sight of casual viewers.
7. Manitoba Transportation and Infrastructure will contact the Project Archaeologist, who will contact HRB. The Project Archaeologist and/or HRB will determine if the remains are human or non-human. The determination may be made from off-site based on supplied evidence or may require an on-site visit for verification.
8. If the Project Archaeologist is off-site, a trained Inspector or Monitor may be asked to perform certain tasks to assist the Project Archaeologist in determining the significance of the find. These tasks may include photographing the remains, the site area, the funerary objects, or soils and soil discolorations. These tasks must only be done if directed by the Project Archaeologist and/or HRB.



9. If the skeletal remains are identified as human, then the HRB will immediately contact the RCMP. Proper jurisdiction will be determined by the RCMP and HRB. If the remains are identified as animal, the appropriate procedures will be followed (see Section 5.3.2, Animal Remains).
10. The RCMP will determine if the remains are forensic (i.e., relating to a crime).
11. 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.
12. If the RCMP determines the remains are non-forensic, then HRB will have jurisdiction over the area and the custody and recovery of the remains.
13. HRB will work with Manitoba Transportation and Infrastructure to contact relevant parties of the find and take any appropriate action that was previously agreed upon with said parties.
14. HRB will determine if the removal of the human remains is necessary. HRB will lead the exhumation of the remains or may delegate the Project Archaeologist to conduct the exhumation.
15. If the Project Archaeologist leads the exhumation, all proper permits will be acquired, and proper exhumation procedures will be followed. Standard guidelines for reporting will also be followed.
16. Technical reports submitted and approved by Manitoba Transportation and Infrastructure and HRB will be shared with relevant parties, as part of legislative requirements and contractual agreements.
17. Once HRB and other relevant parties are satisfied with the outcome of the investigation, construction activities can commence in the find area unless alternate measures have been established.
18. All visitors to the site must adhere to Project Risk and Safety Plan.
19. The situation may also arise in which the Project Archaeologist, during the investigation of a general Chance Find Heritage Resource, unearths human remains. In this situation, the Procedure for Human Remains will be immediately enacted for the entire heritage site.

### 5.3.2 Animal Remains

#### Description

Animal remains refer to the remains of animal bodies, often recovered in skeletal form. This may range from a single bone or tooth to complete skeletons. Animal remains may exist within the PDA for natural or cultural reasons. Natural reasons include situations in which an animal died naturally or was killed by other animals. In such cases the animal remains are not usually considered a heritage resource. Cultural reasons involve human activity. Such activity includes hunting, butchering, transporting, or otherwise modifying animal remains. Animal remains that are associated with human activity may be considered heritage resource.

It may be difficult to distinguish between animal bone and human bone. If a bone cannot be clearly identified as animal rather than human, it is always best to err on the side of caution. The find should be treated as human remains, and the procedures in Section 5.3.1 should be followed until the find is proven otherwise.

### Additional Procedures

1. Steps 1 through 10 of the Procedures for Chance Find Heritage Resources (Section 5.2) will be followed. These tasks include immediate work stoppage in a 50 m radius from the find, the establishment of a physical buffer zone, and the enactment of the Chance Find Procedure by the Inspector.
2. If the find is possibly human, then Steps 1 through 7 of the Procedures for Human Remains (Section 5.3.1) will be followed. These tasks include the establishment of a snow fence buffer. The Project Archaeologist and/or HRB will determine if the remains are human or non-human.
3. If the find is determined to be human, then the Procedures for Human Remains (Section 5.3.1) will continued to be followed.
4. If the find is determined to be non-human, the procedures below will be followed.
5. If the find is definitely non-human, the Project Archaeologist will then determine if the find is considered a heritage resource. If deemed necessary, the Project Archaeologist will come to site and conduct an investigation of the find based on professional guidelines. In this event, the Project Archaeologist will notify HRB of the find (if they were not already part of the investigation) and obtain the required heritage permits for the investigation.
6. The Project Archaeologist will document the find with notes, photographs and recording of GPS coordinates. Artifacts will be collected according to professional guidelines.
7. The Project Archaeologist will work with HRB to determine if additional measures are required for the find.
8. The Project Archaeologist will conduct or oversee others who will conduct activities relating to any additional measures as required. These activities may include salvage archaeology, mitigation strategies, and/or on-going monitoring and supervision of the removal of soils associated with the site until the Project Archaeologist is satisfied that the heritage resource is no longer endangered by the construction activity.
9. Once HRB (and/or other parties as outlined below) is satisfied with the outcome of the investigation, construction activities can commence in the find area unless alternate measures have been established.

### 5.3.3 Artifacts: Stone Tools, Lithics, and Pottery

#### Description

Common Pre-Contact artifacts recovered from heritage sites include stone tools, lithic debitage, and ceramic pottery. Tools fashioned from stone could take the form of spear and dart points, arrowheads, knives, scrapers, hammers, and adzes. The tools may as large as a person's forearm or as small as a thumbnail. They may be found complete or as only as fragments. Lithic debitage is the stone debris created and left over from the manufacture of stone tools. This material can also vary greatly in size; some stone flakes can be smaller than a pea. Pre-Contact pottery is the remains of storage vessels fashioned from fired clay. Vessels may be found complete or in small fragments.

### Additional Procedures

The general Procedures for Chance Find Heritage Resources outlined in Section 5.2 will adequately address the concerns associated with these heritage objects. 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 Procedure for Human Remains (Section 5.3.1) will be immediately enacted for the entire heritage site.

### 5.3.4 Artifacts: Historic Objects

#### Description

Artifacts deemed historic may date from as far back as the early Fur Trade Period (late 17th Century) and as recent as the mid-20th Century. Historic artifacts are often found along old trails or near fur trade posts or old cabin sites. Common 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. Common 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 machine-cut nails. The items may be found complete or only as fragments.

#### Additional Procedures

The general Procedures for Chance Find Heritage Resources outlined in Section 5.2 will adequately address the concerns associated with these heritage objects. 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 Procedure for Human Remains (Section 5.3.1) will be immediately enacted for the entire heritage site.

### 5.3.5 Features: Hearths and Stained Soils

#### Description

Unusual soil staining could represent several cultural features. The most common is a hearth. A hearth is the physical remains of a firepit. Common characteristics of a hearth include white and grey ash, blackened earth, presence of charcoal, and the presence of burnt or calcined (white) bone fragments. The hearth may, but not always, be well-defined with a ring of stones. The hearth may also contain a large amount of stones within the pit.

Red or yellow soil staining may represent ochre, a mineral with special significance to Indigenous peoples. Dark black greasy soil may represent the remains of organic material. If this soil is found to be associated with cultural activity, it may represent a kill site or butchering site. Unusual staining could also indicate the presence of a burial.

#### Additional Procedures

1. The general Procedures for Chance Find Heritage Resources outlined in Section 5.2 will adequately address the concerns associated with these heritage objects.

2. In addition to those procedures, the feature must be covered with a tarp to protect it from the elements. The tarp must be secured only on the edges.
3. If evidence is found during the investigation that the stained soil may be associated with a burial or human remains, then the Procedure for Human Remains (Section 5.3.1) will be immediately enacted for the entire heritage site.

### 5.3.6 Features: Stone Configurations

#### Description

Stone configurations are features that are constructed of cobbles and boulders in a meaningful way. Stone configurations may have been built as trail markers, caches, ceremonial sites, dwelling foundations or rings, and burials or memorials. A common stone configuration is a cairn: a cluster or pile of stones that may be covering a burial site or a cache of food or tools. Indigenous peoples also made use of naturally occurring stone features. In these instances, the feature is not modified in any way by humans but was used as a marker or a ceremonial centre and may be considered sacred. One such feature is an erratic, a rock or boulder, usually very large, that is different from the surrounding rock, often deposited through glacial or hydrological action.

#### Additional Procedures

The general Procedures for Chance Find Heritage Resources outlined in Section 5.2 will adequately address the concerns associated with these heritage objects. If evidence is found during the investigation that the stone feature may be associated with a burial or human remains, then the Procedure for Human Remains (Section 5.3.1) will be immediately enacted for the entire heritage site.

### 5.3.7 Features: Petroglyphs and Pictographs

#### Description

A petroglyph is a figure or scene inscribed onto a rock surface by grinding, pecking, or incising. A pictograph is a figure or scene painted on the rock the surface. Both features may be considered sacred.

#### Additional Procedures

1. The general Procedures for Chance Find Heritage Resources outlined in Section 5.2 will adequately address the concerns associated with these heritage objects.
2. In addition to those procedures, the feature must be covered with a tarp to protect it from sight and the elements. The tarp must be secured only on the edges. If the location or position of the feature makes this task difficult, then the Project Archaeologist and/or HRB will decide on the best available technique.
3. If evidence is found during the investigation that the feature may be associated with a burial or human remains, then the Procedure for Human Remains (Section 5.3.1) will be immediately enacted for the entire heritage site.

4. As these features may hold sacred cultural significance, HRB will work with Manitoba Transportation and Infrastructure to contact relevant parties of the find and take any appropriate action that was previously agreed upon with said parties.
5. Technical reports submitted and approved by Manitoba Transportation and Infrastructure and HRB will be shared with relevant parties, as part of legislative requirements and contractual agreements.
6. Once HRB and other relevant parties are satisfied with the outcome of the investigation, construction activities can commence in the find area unless alternate measures have been established.
7. All visitors to the site must adhere to Project safety rules and regulations.

### 5.3.8 Features: Historic Buildings or Structures

#### Description

Buildings or structures deemed historic may date from as far back as the early Fur Trade Period (late 17th Century) and as recent as the mid-20th Century. Historic features can be made of wood or stone and could be found in various stages of declining condition. Historic features could include fur trade buildings or old cabin sites.

#### Additional Procedures

The general Procedures for Chance Find Heritage Resources outlined in Section 5.2 will adequately address the concerns associated with these heritage objects. If evidence is found during the investigation that the feature may be associated with a burial or human remains, then the Procedure for Human Remains (Section 5.3.1) will be immediately enacted for the entire heritage site.

### 5.3.9 Cultural Use Areas

#### Description

Cultural Use Areas are those areas that exhibit evidence of past cultural activities. They may not be considered archaeological but are often still considered a heritage resource. Common evidence for Cultural Use Areas includes culturally modified trees and brightly coloured cloth hung in trees.

#### Additional Procedures

1. The general Procedures for Chance Find Heritage Resources outlined in Section 5.2 will adequately address the concerns associated with these heritage objects.
2. If evidence is found during the investigation that the feature may be associated with a burial or human remains, then the Procedure for Human Remains (Section 5.3.1) will be immediately enacted for the entire heritage site.
3. As these features may hold sacred cultural significance, HRB will work with Manitoba Transportation and Infrastructure to contact relevant parties of the find and take any appropriate action that was previously agreed upon with said parties.
4. Technical reports submitted and approved by Manitoba Transportation and Infrastructure and HRB will be shared with relevant parties, as part of legislative requirements and contractual agreements.

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5. Once HRB and other relevant parties are satisfied with the outcome of the investigation, construction activities can commence in the find area unless alternate measures have been established.
6. All visitors to the site must adhere to Project safety rules and regulations.

## 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 Manitoba Transportation and Infrastructure, 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.

## 7.0 REFERENCES

Government of Manitoba. 1986. Heritage Resources Act. Winnipeg.

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

MI (Manitoba Infrastructure) 2020. Lake Manitoba and Lake St. Martin Outlet Channels Project EIS. March 9, 2020.