



THE QUIET URBANIZATION OF THE BACKCOUNTRY: PART 4

By Shirley Bray and Vivian Pharis

The current parade of commercial recreational lease applications in the Eastern Slopes, coming on the heels of increasing oil and gas development and recreation pressures, is causing concern over the fate of our diminishing backcountry wilderness. While some people want to stop this march of urbanization into our publicly owned backcountry, others wonder how they too can scoop up a piece of paradise cheap when the recreational property market is so hot.

“Carving out a mountain lodge in the backcountry wilderness is the dream of many a desk-bound businessman,” begins a 1988 Calgary Herald article on Mt. Engadine Lodge in Kananaskis. But Brad Stelfox of Forem Technologies is shocking audiences with forecasts of the cumulative effects of development in the Eastern Slopes. His ALCES models show development moving westwards and mushrooming in the foothills where scenic unspoiled vistas still exist.

Commercial recreation ventures, just one more pressure on the landscape, are being approved with outdated planning tools and an antiquated value system that emphasizes development over protection. People are concerned that owners and potential developers will demand growth of these little bubbles of permanent recreational development in our wild lands for “economic viability,” and that they will swallow up ever more public land, like an urbanization cancer within the backcountry.

Our wilderness areas are no longer vast frontiers, but fragile landscapes endangered by the relentless expansion and intensification of human activities. These days we glibly repeat that our economy depends on the environment – what does this mean for specific on-the-ground decisions? The culture of secrecy that pervades government

prevents the public from knowing much about public land activities.

This is particularly true of commercial recreation proposals, even though many are designed for a public clientele. AWA was forced to obtain records through the freedom of information and privacy (FOIP) process. Because of differing interpretations of our request, many records we asked for were not provided. A staff person from SRD’s FOIP office spent a number of long phone calls trying to discourage us from obtaining any files at all.

Everyone acknowledges the Integrated Resource Plans (IRPs) that followed on the heels of the 1977 (and revised 1984) Eastern Slopes Policy are out of date. The multiple-use strategy is now considered passé. Several broader planning processes in the Eastern Slopes are underway, but in the meantime many developments, from oil and gas projects to forest management plans to commercial recreation ventures, are in the process of being

approved and will have consequences for decades.

Over the past four decades we’ve seen land use plans come and go. They have consumed countless hours and energy of citizens, yet we are still crying for a plan. It begs the question: how many horses will still be left in the barn if and when the promised overarching land use plan is developed, and will such a plan really make any difference to the horses left? Will we ever be prepared to shut the barn door to protect our wilderness and watersheds?

In our fourth article in this series, we examine the ups and downs of the Alberta Tourism and Recreation Leasing (ATRL) process through the lens of some current proposals that have caught the public’s eye. The process deals with commercial recreation proposals on public land considered large enough to require a comprehensive review. Battling them one by one is a slow and uncertain way to change the system, but public



Looking north along Willow Creek which runs under Highway 532. The eastern bank of the creek at this site is popular for random camping.

S. Bray

involvement has shone a less-than-savoury light on the process that may prompt change.

First Come, First Serve

When Henk and Riny de Jonge took over the operation of Indian Graves Campground at the south end of Kananaskis Country four years ago, they recognized the value of the area for the recreating public. Nestled between Willow Creek and Johnson Creek on the north side of Highway 532, the public campground provides a base for numerous recreational

children. They also saw that a great deal could be done to improve the area to make it amenable for all users.

It wasn't long before the enterprising de Jonges thought of expanding their operation and making use of the old Willow Creek Ranger Station across the highway on the west side of Willow Creek. They thought the site would be suitable for storage, a concession, shower facilities and the location of additional campsites, especially for OHV users, that would be more attractive than random camping. Underlying all their plans was

with the Calgary Sustainable Resource Development (SRD) office, said that, unlike the others, BBWC pursued leasing the site and "were eventually told they could submit an application."

Needless to say, this did not sit well with either the de Jonges or WCSA. Of particular concern was their feeling that preference was given to BBWC because one of its founding members, Glenn Brown of Blue Bronna Guiding and Outfitting, was on very friendly terms with then SRD Minister Mike Cardinal, as intimated in newsletters of the Alberta Outfitters Association. Cove admitted that MLAs can influence the ATRL process, but that it can also work against a proponent.

The WCSA argued that the first-come, first-served system does not ensure the best use of the land and resources by Albertans. A legal review of the process proved unfruitful. Cove suggested SRD might want to revisit how ATRLs are processed, but said it would be unfair to change the rules in mid-stream for an application in process. Because the WCSA had to protect their rangeland interests and make certain their needs were met, they worked with BBWC and SRD to resolve conflicts over boundaries and fencing, and eventually signed a memorandum of understanding. However, they remain dissatisfied with the ATRL process.

Riny de Jonge said when SRD changed their minds about the site, they should have let the public know and given everyone a fair chance. Looking back through a two-inch thick file of correspondence, she reflected that the process was all wrong to begin with; it was unclear, unfair, and ultimately a waste of time for everyone.

"First-come first-served – it might work in a supermarket but not in a more complicated setting like this, because you should really look at what's best for the whole area and the bigger picture, and not say, 'Okay, well, he happened to be first so too bad.' It doesn't work."

Limiting Public Involvement

According to its application, BBWC is a 17-year-old non-profit, charitable organization run by a volunteer board of directors under the

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The 532 runs west from Highway 22 to the Forestry Trunk Road (940) and is the boundary between Kananaskis Country to the north and the Livingstone-Porcupine area to the south.

activities including hiking, fishing, mountain biking, equestrian users, and motorized users.

Although OHVs are not allowed on the north side, the forest reserve on the south side of the highway provides an unregulated playground for random campers and motorized recreation. With no marked trails and little law enforcement, the motorized free-for-all has created a huge amount of damage to the landscape and illegal use in Kananaskis. Parts of the forest reserve are now closed to motorized traffic to protect the rangeland. The Willow Creek Stock Association (WCSA) has grazing allotments in the area, which entitles them to a certain amount of forage.

However, the beauty of the area, the numerous recreational activities, and the proximity to their Okotoks home made the venture desirable for the couple, who have two small

the desire to keep these facilities public.

Prior to the fall of 2003, other parties, including the WCSA and the non-profit Blue Bronna Wilderness Camp (BBWC), had also inquired, formally and informally, about using the abandoned site and old buildings. They were all told that the site and facilities would be reclaimed and were not available for use. But that fall, BBWC applied for a recreational lease on the site and adjacent lands. Their proposal was accepted and entered into the ATRL process.

The de Jonges and the WCSA were out of luck. ATRL rules say applications are accepted on a first-come, first-served basis and once the ATRL process starts for an applicant, it cannot be stopped. Proponents can amend their application until it is acceptable, ensuring that other applications are never considered. An email from Tracey Cove, a forester



Blue Bronna Wilderness Camp's recreation lease on the west side of Willow Creek was pared down to 22 acres from the original proposal of 140 acres. This resulted in avoidance of the riparian area next to Willow Creek and allowed for cattle movement around the lease by the Willow Creek Stock Association.

Canadian Sunday School Mission, which has seven camps in Alberta. It offers guided and supervised outdoor education and experiences, including hiking and commercial trail riding, to a variety of clients in a Christian context.

After 14 years in the Dutch Creek and Old Man River area, BBWC felt they were unable to offer their program safely amidst ongoing logging, which would also impact most of their trails. They relocated their trail riding operation further north. Then they looked for a permanent site from which to expand their operation to a year-round program, including winter activities, and settled on the Willow Creek Ranger Station. They got letters of support from the MD of Ranchlands, Spray Lake Sawmills, and Devon Oil and Gas “for using a facility already designated for this type of use.”

Curiously, two of the three letters were from private companies whose activities on the same public land base have garnered significant public concern. When did the facility become designated for commercial recreation use? According to Blairmore forestry officer Norman Hawkes, it is a matter of word of mouth as far as who learns about the availability of a site first and applies for a lease, because such sites are never advertised. Apparently abandoned ranger stations, unless specifically proscribed from development, are usually up for grabs.

After a pre-application meeting with various government staff to comment on an ATRL proposal, the proponent submits a formal application, which is referred to various government agencies for comment. The proponent

is required to place a small ad in a local newspaper for two weeks to solicit public comments. Such a system is designed to limit public involvement, and it is here that word of mouth really counts to get the word out. AWA only found out about these applications from concerned members.

AWA suggested to Cove that SRD place all applications on a webpage in a table that shows what stage they are at, along with pertinent documentation. Proponents are encouraged but not required to submit an electronic copy of their application. If only a paper copy is available, people generally must obtain it from a local MD or SRD office. De Jonge said that BBWC's application had to be accessed at the MD of Ranchland office, which meant a day trip for her.

Cove says the system has to be fair and open to everyone. AWA does not disagree with that, but one wonders what serious business venture these days, especially one looking for a geographic diversity of clients, lacks a computer or a website. Cove said she is amenable to placing information on the web but intimated she has been discouraged from doing so by her superiors. The public is not informed as to whether proposals are accepted or rejected, nor do they receive responses to their comments. When you don't make reasons clear to people, de Jonge remarked, you will only meet with resistance.

Once comments are received, Cove places them in an issues matrix, which has a column for comments and one for government responses. The public is excluded from the rest of the

process unless the proposal changes substantially or enough pressure is exerted to require public meetings at which further comments are solicited. When de Jonge asked why SRD held no public meetings regarding BBWC's proposal, she was told that not many people show up so why bother.

The de Jonges had a lot of trouble being recognized as stakeholders and getting accurate information about the proposal. Although Cardinal assured them in a letter that a “number of face-to-face meetings ... held with local residents and stakeholders to discuss the proposal and listen to concerns” had occurred, the de Jonges only got to attend one and only because WECSA invited them. They felt the process tended to set people in conflict rather than encourage them to work together. For example, BBWC included offering services to Indian Graves campers in their application without first consulting the de Jonges.

Once the comments are tallied, a proposal is either rejected, or the proponent is asked for further information before decision, or a letter of intent is issued that includes a list of additional requirements before a lease is given. Cove says the latter equates to approval in principle if certain conditions are met. BBWC received their letter of intent in August 2004; by June 2005 the conditions were met and SRD was prepared to issue a lease.

Hodgepodge Planning

Every current proposal for commercial recreation in the Eastern Slopes is proceeding without an updated area management plan.

The 1987 IRP for the Livingstone-Porcupine, which includes the Willow Creek ranger station, encourages “the development and expansion of commercial and private tourism and recreation facilities, particularly by the private sector on public land,” with an emphasis on using established transportation corridors.

The WCSA felt the ATRL program did not consider current resource management issues in determining best use. They felt the area would not handle the extra pressure from additional users and uses proposed. Cove noted that Blue Bronna’s application conformed to the IRP and that without “an area structure plan dictating specific development criteria, it would be very difficult,” especially after BBWC met the WCSA demands regarding fencing and access issues, “to deny the lease.”

In June 2004 SRD was planning to start an Access Management Plan (AMP) for the area within two years, but this has now been pushed back to eight to ten years. The WCSA argued that “a long-term management plan for the area is urgent and essential” and “long-term leases without long-term plans just do not make sense.” Mistakes are costly and difficult to correct. They are particularly concerned that the potential for an OHV program remains in BBWC’s application, a program BBWC agreed to defer until an AMP was developed.

BBWC suggested that although they would introduce many more people to the area, “the positive impact would more than compensate for any

C. Olson



A view up Allison Creek.

extra use” (originally called “negative impacts”). Unsubstantiated statements are common in ATRL applications. De Jonge said it was irresponsible of SRD to give people permits to start more businesses when they haven’t solved the issues.

“At present there are no carrying capacities set for businesses in an area on public land,” said Cove. “The market is allowed to determine how many businesses an area can sustain. It has been demonstrated in other areas that like businesses attract more business if they pool their services and complement one another. This,” she claimed, “is working well in Kananaskis Valley and Panther Corners where businesses attract and share clients.”

The de Jonges noted that one of SRD’s major responsibilities, according to its website, is to optimize “the benefits (environmental, social and economic) that Albertans receive from public lands through effective, efficient planning and disposition management.” In a letter to Cardinal, they said SRD told them there were no plans for the

area, “yet your department is spending time and energy on getting rid of valuable land and facilities on a 25-year lease to a large private development initiative.”

They expected leaders to anticipate problems and take action before they grew too big and costly to resolve. They felt the ranger station could be “a key asset in the preservation of this environment and can be used to the benefit of all tourists visiting this area.” However, SRD replied that anyone can apply for a lease to use public land and there was a long tradition of approving leases for private organizations.

De Jonge said SRD should redirect the large amounts of time and energy they spend on ATRL applications to developing a proper management plan where everyone knows what the rules are. Currently, each development is considered on its own merits, which is leading to somewhat ad hoc development throughout the Eastern Slopes. Environmental and cumulative impact assessments are not required for these smaller developments. AWA does not feel that ecosystem integrity is being adequately considered.

With increasing land use impacts in the Eastern Slopes, greater control needs to be placed on exactly where permanent commercial recreation ventures can be placed. AWA continues to advocate placing permanent commercial recreation facilities in nearby communities on private land and leaving our public wild lands alone.

Adventures without Planning

Against the backdrop of the majestic Crowsnest Mountain, Western Adventures has been staging commercial trail rides into the backcountry for the past 13 years. Their 10-acre base camp lies up Allison Creek valley on a rough logging road that travels north from Highway 3 past the Allison-Chinook cross country ski area. As with other developments, this one also lies on the banks of a watercourse. As with other commercial trail riding (CTR) operators with base camps, they too want to enlarge their development to be more economically viable.



Western Adventures base camp lies in the shadow of the majestic Crowsnest Mountain and overlooks Allison Creek.

K. Pharis

Typically, their plans also include year-round activities and permanent facilities such as a campground, horse and snowmobile shelters, a cookhouse and log cabins. Also in common with many other such developments, their services would include horseback riding lessons, winter activities, weddings, and business retreats, in addition to trail riding.

The area falls under the Crowsnest Watershed Resource Management area of the Livingstone-Porcupine IRP. One objective is “to reduce negative impacts of land use activities on wildlife and wildlife habitat.” Allison Creek is one of a number of high-quality sport-fishing streams in the area, and the IRP emphasizes maintaining high-quality watershed values and protecting aquatic and riparian habitat.

The IRP recommends focusing tourism opportunities in the Municipality of Crowsnest, well south of the base camp, “due to existing infrastructure, services and facilities.” However, it also says that unique opportunities for facility development that cannot be accommodated, or are not appropriate, in the municipality will be considered.

Western Adventures’ application appears to fall into this latter category and is also in a multiple-use zone. It is likely their application will be successful. Hawkes said that there is growing public demand for such backcountry opportunities, but that is no reason for urbanizing our backcountry.

David McIntyre, a Crowsnest resident and a contributor to a recent birding brochure for the area, notes that Deadman Pass is the third lowest in the Rocky Mountain corridor between New Mexico and Jasper National Park. It is also notable for its lack of human linear disturbance (roads, railways) that interferes with wildlife movement. He believes the proposed development would be detrimental for unimpeded wildlife movement, would negatively impact surface water quality, and would disturb the tranquility and wildland character of the overly small cross-country ski area, already compromised by surrounding motorized use.

He feels that “society would be best served by curtailing the existing lease and managing the land for the

best long-term public good. The worst scenario would be to grant the proposed application, thus allowing a quantum leap in the de facto industrialization of

was slated to be cleared of trees to accommodate a hay shelter, 10 tent sites, a parking lot and office, tie stalls, a corral, outhouses, and access.



Just north of the base camp for Western Adventures, run-off flows down the west side of the road and through a culvert to the east side. The water pools in the meadow below the horses in the riding arena just above Allison Creek.

this recently ‘wild’ public land base.” Opponents are concerned that owners of such developments will continue to desire expansion for economic reasons and that similar developments in the area will follow, as happened in the Panther River valley.

If You Build It, Permission Will Come

After 11 years of setting up adventure training services in the backcountry for the British military, Lazy H Trail Company owner Richard Blair decided to expand the company’s public business by opening an equestrian campground, called Trappers Hill Lodges, in the Ghost River area. He chose a site eight km along the TransAlta Ghost River Diversion Road, on a ridge overlooking the Ghost River to the south.

In 1998 he obtained a CTR permit and in 2000 he acquired a 10-year Miscellaneous Lease (MLL) for a 15-acre base camp, originally described as an “adventure tourism backcountry camp.” The site was composed of a predominantly pine overstorey with limited grazing for wildlife or livestock, requiring that Blair import feed for the horses. About one acre

However, because the site is on public land in the MD of Bighorn, an MD development permit, in addition to provincial approval, was required before any buildings could be erected. Development applications are supposed to be advertised in a local newspaper. Greg Birch, a planning and development officer for the MD, said Lazy H did not follow this process.

“This was an exception,” he said, as the owners had established one or two cabins on the site without any approvals in 2000. The province issued two stop orders before development eventually halted and the owners began to apply for approvals. In 2003 they advertised their equestrian camp and spent the next two summers hosting clientele.

Like other trail ride operators, not only was their base camp allowed to be more elaborate than the CTR policy indicates, but they soon had plans to have a year-round operation with a 50-bedroom lodge, 10 fully serviced cabins, 30 additional tent sites, 100 RV sites, a recreation centre, and other amenities on a quarter section (160 acres). They have another MLL for a base camp in the mountains.

Like other applicants for this

type of development, the intent changed from a “backcountry camp” to a centre for corporate functions and conferences, as well as a wide range of winter and summer (in this case non-motorized) leisure activities and interpretive programs. British and Canadian Forces personnel continue to be key clients.

While the main site is perched on a ridge above the river, the suggested location for the RV sites is on the lowest bench adjacent to the river. The application notes the steepness between upper and lower benches, with smaller benches in between that are heavily treed with poplar, but says “these benches offer ideal locations for septic fields and access roads top to bottom.”

Lazy H submitted an ATRL application in 2005 after two years of preparation. Not surprisingly, AWA missed the one notice placed in a local Cochrane paper in August 2006 for public comments, but Cove allowed AWA to make comments past the deadline but prior to a final decision.

While the MD is keen to have lower impact developments like the equestrian camp, Birch says the year-round operation is pushing the limits of the MD’s comfort zone, as it does not fall within one of the development nodes they have recently established with their new Municipal Development Plan. The nodes allow developments such as hotels and group camps, while outside of the nodes, scattered trail riding operations are permitted. Birch said the MD is unlikely to allow other larger random developments like the Lazy H’s, although this resolve could change with a new administration.

Panther River Adventures Appeals

The first three parts of our series followed the trials and activities of Panther River Adventures (PRA) owner Terry Safron, who had done some controversial trail maintenance and then applied through the ATRL process to expand his lease on the banks of the Panther River. The application received significant negative public comment before and after an open house.

Cove was reluctant to say that the application had essentially been denied and that Safron was appealing. She finally told AWA that the application was still in process. We heard that both

M. MacQuarrie



Although Western Adventures maintains that they clean up horse manure every day, this January 2006 photo shows a large amount of manure left at their base camp over winter.

Safron and his local opponents were consulting with their respective MLAs.

The FOIPed documents, however, answer some important questions that came up over the course of our investigation: specifically, how the buffer on the site was reduced from the 150 metres recommended in the CTR Policy to 20 metres.

In October 1988, a couple of years after the original lessees acquired the lease, Forestry noted in an inspection report that there were facilities outside the lease boundary and that there were developments within the 100-metre buffer designated for the site. In 2002 when the lease was transferred to PRA, these issues had to be cleared up.

Cove wrote that “a file review uncovered the department’s intention to amend the lease to include facilities outside of the lease boundaries and, among other changes to the conditions, agreed to reduce the buffer between the camp and the river to 20 m from 100 m.” Although discussed

V. Pharris



A campsite at Western Adventures overlooks Allison Creek.

with the original lessee in 1989, the amendments and changes were never processed until the lease was assigned to PRA in 2002.

Private Paradises

In early 2004 Safron brought up the issue of separating his CTR permit from the MLL to make the MLL more attractive to prospective buyers if he decided to sell out. With the CTR attached, a buyer would have to be eligible to work in the business in order to buy the MLL. Cove noted that the MLL was originally issued for a permanent base camp for a CTR operation. “The MLL has evolved into a four-season operation,” wrote Cove, and although trail riding was still an important activity, some guests preferred to do other activities or simply stayed on site.

After much discussion, SRD has decided that CTRs will not be separated from MLLs. They are well aware that it is easier to put infrastructure on a base camp or get ATRL approval for a development by going through an easily obtainable CTR permit and MLL for a base camp. In PRA’s case, a manager’s residence and additional lands and uses had been approved on the lease without going through an ATRL process.

Rick Blackwood, the SRD Area Manager at the time, commented that CTRs should remain tied to MLLs and that any change in business direction and intent should trigger an ATRL process. He was concerned that MLLs must be tied to some realistic commercial activity; otherwise “we

are opening the door for any and all interested parties to apply for their own little piece of paradise without a true purpose (hidden behind something else on the application). This could cause [a] flood of these kinds of applications from the OHV community and those with their own favorite camp sites.”

Blackwood hit the nail on the head. How is the department to determine if a legitimate commercial operation is present and the lease is not being used for a private getaway? It is government policy that developments are not permitted for the purpose of gaining a private residence in public lands in the Green Area. However, SRD does not check the books of these operations. Economic Development reviews the business section of an application and provides advice to help those whose financial summary may be inadequate to make the operation viable. Cove says it is up to the individual leaseholder to decide if the

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The Lazy H Trail Co.'s equestrian camp, Trapper's Hill Lodges, lies on a ridge overlooking the Ghost River.

business remains profitable enough to continue.

If the operator cannot afford to continue, he or she can assign the lease to someone else who can buy the business. Safron paid over \$200,000 for the Panther River operation. With recreation properties at an all-time high, there is concern that the highest economic value of these leases will not

be producing a wanted service, but will be a piece of real estate whose value is increasing every year.

Cove said she has noticed a shift in attitude in senior SRD administrators toward land use. She no longer feels compelled to accept all commercial recreation proposals. Taking a lot of the discretion out of the process by proper land planning would help achieve the clarity and fairness of which Riny de Jonge spoke.

One possibility is to try to infuse the Land Use Framework the government is developing with a strong public land and wilderness ethic. The government needs to de-emphasize tourism development in the Eastern Slopes, which can detract from the area's wilderness character and compromise watershed values. Public support and involvement is essential if citizens are to save these precious wild lands for our future and the public good.