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Cheviot Mine Brings Host of Access Problems

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The Cheviot Mine is not the only issue in the Cardinal Divide area that is of concern; recreation access is also of prime importance. On April 30, 2004 a Stakeholder and Public Access Management Plan (AMP) meeting for the area was held, chaired by Cardinal River Operations Consultant, Curtis Brinker, but held under Sustainable Resource Development auspices at the latter's office in Hinton. The 'Stakeholders' in this case were almost entirely motorized recreation representatives. They have been meeting for a couple of years with appropriate government managers to discuss OHV access to reclaimed mine sites (e.g. Gregg and Luscar).

At a recent meeting of the Stewards of Whitehorse Wildland Park (WWP) with Cardinal River Operations (CRO), we stressed the need for the Stewards to be involved with the discussions on access management in the Cheviot Mine area, as this could directly affect the ecological integrity of the adjacent WWP. As the current meeting was the first to involve the Cheviot Mine I asked to be involved as a Steward of WWP.

I was not able to be present at the meeting but I made a submission and wrote a letter asking for the AMP to be discussed at the regional level, as recommended by the Panel at the Alberta Energy and Utilities and Canadian Environmental Assessment Agency (EUB / CEAA) hearings in 1997. Apparently SRD will be organizing this. Alberta Community Development is also getting involved, because of WWP, and other non-motorized recreation groups should also be able to have a say, so it should be a much wider and more comprehensive meeting.

The following is based on a submission made to the Stakeholder and Public Access Management Plan meeting in April 2004.

At the EUB / CEAA hearings in 1997, the Panel accepted the importance of the Cardinal Divide Natural Area (later the WWP) as a major mitigating factor for the mine as a wildlife buffer between the mine and Jasper National Park (JNP). But this mitigation will only be successful as a real buffer if other potential cumulative effects are minimized.

Restriction of off-highway vehicles (OHVs) played a large part in the Panel's acceptance in 2000 of mitigation of the cumulative effects of the mine. It is therefore in CRO's interest that OHV restrictions are put in place at an early stage of the mine development. In access management planning, it is important to distinguish between motorized and non-motorized recreation activity. Using the more general terms recreation users or recreation activity can lead to misunderstandings and false assumptions.

Regional Planning

Now that the Mine is going ahead, the situation has significantly changed from the past few years and any access within the Mine area must be looked at as part of the regional plan, as recommended by the Panel and specified in the Mine Permit. We are not just dealing with some local access trails in the Mountain Park area. All major cumulative effects must now be taken into account, as discussed exhaustively at the EUB / CEAA Hearings in 2000, one of these being increased 'recreational' activity (primarily OHVs).



**Cumulative Effects of Increased or Displaced OHV Use**

While the Mine will definitely have an impact on OHV access, OHVs are also one of the additional cumulative stresses. CRO's Stakeholder Access Management Plan (AMP) refers to the adverse effect of 'recreation', when it is really referring to OHVs. The AMP notes that any access plans must minimize adverse cumulative effects of OHVs. But then CRO says it will minimize the Mine's impacts on current (i.e. OHV) access, which is a different matter altogether.

It was recognized at the Hearings that because of the additional cumulative effects of OHVs on wildlife, mitigation for wildlife disturbance would require the displacement of OHV activity from the Mine area. There has been some success at the Luscar mine in the return of wildlife where OHVs are not permitted, and we should build on this experience.

Mitigation of OHV displacement

The current Mountain Park OHV Staging Area will be eliminated once the current proposed Mine developments start (or very soon thereafter). It is essential that serious discussion of relocation of the Staging Area be undertaken well before it is closed, according to the Mine Permit. Our main concern is that it must not be relocated to any area anywhere near the Whitehorse Wildland Park (including the Cardinal River Headwaters) where it could continue to impinge on the wildlife and ecological integrity of the Mine buffer area, WWP and JNP.

Coal Branch Access Management Plan

The Coal Branch AMP in 1994 was discussed before there was any mention of the Mine, so no consideration was given to the consequences of access if such a major development took place. This significant change in the landscape clearly alters the actions required for wildlife management and maintenance of the integrity of the natural environment.

A review of the Coal Branch AMP in 1997 was cursorily carried out after the first Hearings, but before the Mine had been approved, so again there was no proper discussion of the Mine's impact. The Coal Branch AMP must be adjusted to take this major factor into account.

It should also be noted that, at the Hearings, the considerable impact of the new haul road on wildlife movements with its 24 / 7 heavy truck traffic was not considered either, so to say that all previously designated OHV routes must be maintained is clearly inappropriate.

Recommendations for Restricted OHV Access

The Hearing Panel's approval for the Mine was dependent on restricting OHV access to the Mine area, in order to mitigate the adverse effects on wildlife and allow for its eventual re-establishment. The Panel specifically mentioned that there should be a minimum 1000 m buffer between the Mine workings and WWP, and that there should be no new access points created. These stipulations were repeated in the Mine Permit.

Once current trails are eliminated, any replacement is a 'new access point.' As is well known, existing trails in the Mountain Park area are creating OHV access points to WWP, specifically along Drummond Ridge, beyond the old Prospect Mine, and up Thornton Ridge, not to mention beyond the Cardinal Headwaters Falls (CHF). We have an opportunity now to reverse these adverse effects. Although the Drummond Ridge access point was identified in the Coal Branch AMP, the AMP did not take into consideration the mine activities. All OHV requirements in the area require major revision.

Accessibility of Grave Flats Road for OHVs

There was a lot of concern expressed by many participants at the Hearings about the cumulative effects of increased OHV use. What was not anticipated was the opening of the Grave Flats road to OHVs or the extension of the season of access, as OHVs have greater mobility on roads in poor driving conditions





(e.g. end of February this year). This has created an enormous increase in accessibility for OHVs, particularly to the CHF (not to mention the potential for more disturbance at the Cardinal Divide itself). This is in spite of strong recommendations by the Panel both in 1997, and in 2000, that the CHF should be given more protection and included in WWP. This change is particularly significant as it impacts the wildlife corridor through to Jasper National Park and increases the possibility for poaching, etc.

The Government and the County have ignored the Panel's recommendations and, in fact, have exacerbated the problem. The constant heavy traffic on the haul road (also unforeseen) will place an even greater stress on wildlife movement. As a result, it is even more crucial now that other mitigation recommendations regarding OHV restrictions in the Mine area are strengthened.

OHV Requirements

CRO is under no obligation to provide for OHV access to its Mine area, as no mention of a need for OHV access was made during the Hearings, or as part of the conditions in their permits. In fact, the opposite was the case, as all the wildlife experts agreed that without OHV restrictions, the Mine's mitigation plans for wildlife would be ineffective. As CRO has said, apart from closures during active mining, for safety reasons, other access plans are not under their control.

As all OHV access west of Grave Flats road will be closed during haul road construction and the Cheviot Pit development, for at least the next twelve years, the Government should take the necessary steps to make this a permanent closure, under a modified AMP, to allow the optimum reclamation and rehabilitation of that area.

Monitoring Effects of Access on Wildlife

Another of the conditions of the Mine Permit is to monitor the effects of its activities on wildlife movements and populations as well as public use. It is unfortunate that there are no reliable baseline figures, particularly for public access. Counts of OHV activity were reported at the 2000 Hearings, but not for anything west of the Grave Flats road at Mountain Park, so one cannot estimate the degree of displacement. On the other hand, counts for the CHF in 1998 were 90 vehicles over a 6-week period, and that was before the upgrading of the trail and the opening of the Grave Flats Road to OHVs.

I counted 35 OHVs in one hour coming up over the Cardinal Divide one weekend in August 2003, and those most likely came from the CHF. Other figures for campground registrations have also been criticized as under-reported, and other visitor surveys have been very brief snapshots at best. Much more systematic monitoring will be required if any valid conclusions are to be drawn. Forestry should initiate an electronic counting system on the CHF trail to clarify some of these points. The same applies for the wildlife figures, and particularly for the CHF area, for which little or no work has been done.

Other Non-Motorized Recreation Users

CRO is holding this meeting to address public access management concerns, but it is noticeable that the large majority of stakeholders are OHV (or snowmobile) associated organizations or similar special interest groups. It may not be possible to get everyone round the same table, but CRO has an obligation to take NMR concerns into at least as much consideration as OHVs. A special group may have to be set up to coordinate the NMR groups (naturalists, eco-tourism operators, hikers, horse-packers and non-motorized hunters, etc.), so that their voices are given equal consideration.

Other Aspects of the Proposed Access Management Planning

We understand the necessity for road closures during construction, but public information has to be readily available in a timely and consistent manner, as people often want to make holiday plans ahead of time. The website and toll-free phone number will be helpful in this regard. I suggest that weekly updates be posted by Wednesdays, so that spur-of-the-moment plans for the weekend can be confirmed.





We are also concerned about publicizing the suggestion of alternate access for foot/horse traffic to upper Prospect Ck from Drummond Ck. through WWP. This is an area which is high use summer grizzly bear habitat, and increased traffic should not be encouraged. If it is suggested, people will go! Wildlife corridor, yes, human access corridor, no!

While efforts to open the road to public access for the four long weekends is a worthy goal, will it in fact be open for regular vehicle traffic, not just OHVs, which can manage ruts and poor surfaces? If access is not possible for the general public, it should remain closed for everyone. We don't expect a finished, or even smooth surface, but it has to be passable for regular cars, otherwise a significant number of visitors will be excluded, particularly to the Cardinal Divide.

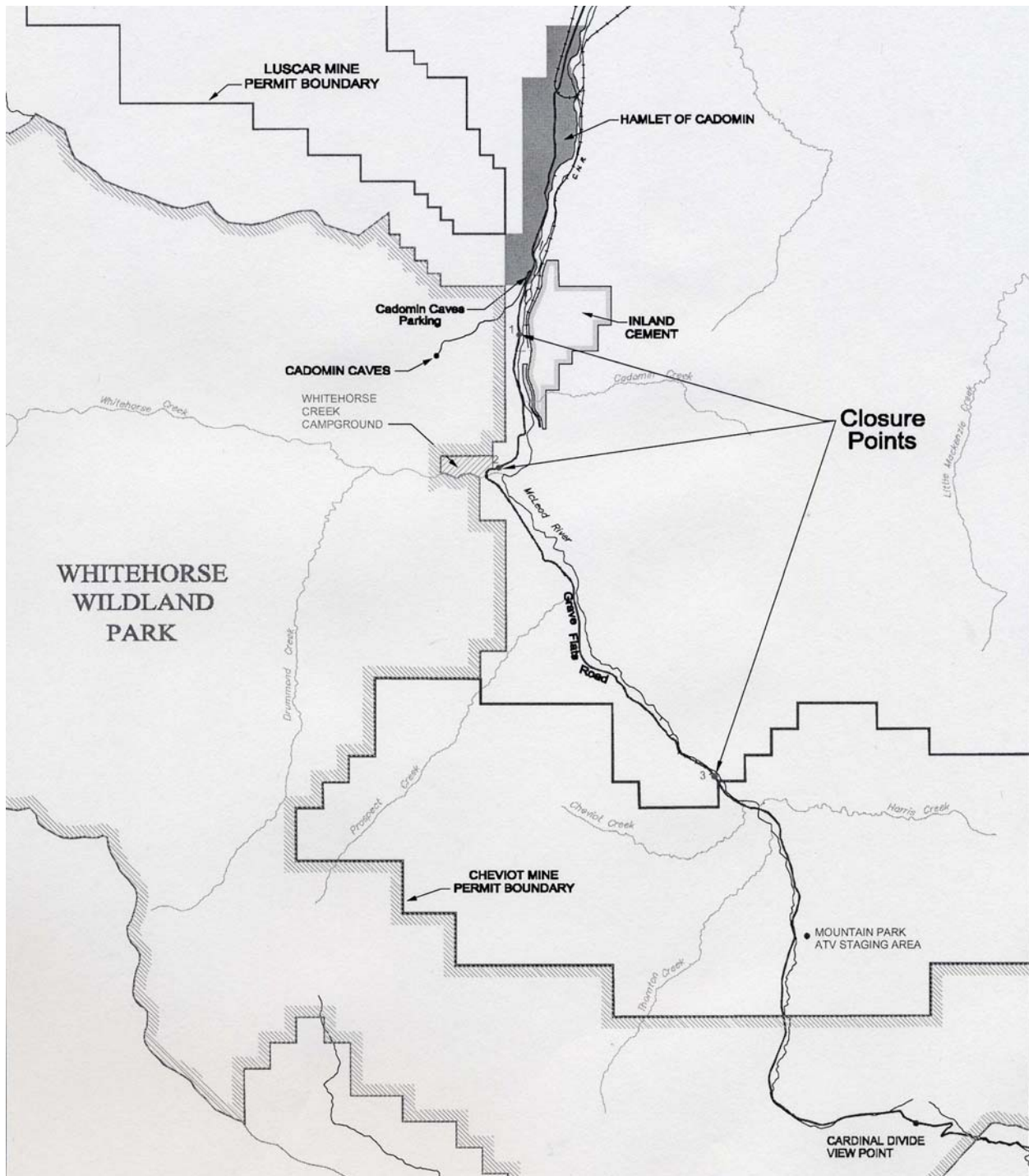
There are many routes and areas available for OHVs throughout the whole extensive Coal Branch region. OHV restrictions in one small but highly critical and sensitive area should not be viewed as significantly affecting their recreational pursuit, when there are overwhelming reasons for these restrictions.

While the impacts of OHV access may seem minor compared with the more major disturbance of the Mine, it is the cumulative effects that we must bear in mind. This could be the proverbial straw that broke the camel's back, particularly if the Mine's mitigation plans are compromised. I hope OHV users will realize that this small sacrifice will pay dividends for the future ecological integrity of the region and maintenance of its biological diversity.

In late May we found out that there will be an appeal hearing on the Alberta Environment approvals for the Cheviot haulroad. The Alberta Environment Appeals Board has granted Ben Gadd standing in these appeals. This is good news, but the decision to stop the haul road (and the mine?) or not is still a long way off. Construction of the haulroad is continuing. I am concerned that if everything does grind to a halt, and there is no mine, we will be left with the huge messy scar up the McLeod valley, and an uncontrolled OHV heaven in the Mountain Park area.

This could have a different but highly significant adverse and irreversible impact on the wildlife, vegetation and recreation of WWP and the surrounding area. As we only achieved the establishment of WWP as mitigation for the mine, I personally feel it is highly unlikely there would be any consideration of an expanded park without the mine.





Map of the upper MacLeod River Valley. Grave Flats Road follows the valley up to the Cheviot mine site. (From the Cardinal River Haulroad Construction Access Management Plan. The complete map is available as a pdf on the website for Elk Valley Coal.)

