



THE QUIET URBANIZATION OF THE BACKCOUNTRY: PART 3

By Shirley Bray and Vivian Pharis

Walking through the slushy snow along the Panther River on a warm spring day, we can see the lasting effects of last year's great flood in the vigorous erosion of the southern bank. It's a reminder that we must be cautious about where and what we build in this valley. It is one of the concerns that brought people out to two open houses hosted by Panther River Adventures (PRA) owner Terry Safron to view his proposal to expand his current lease to the west on just over 7.5 acres.

Both the current lease and the proposed expansion lie on the floodplain along the south side of the river. A thin strip of land runs between the river and the decades-old Panther Road, which started as little more than a trail running west from the Forestry Trunk Road up the Panther Valley. Shell later improved it to a good quality gravel road to access their well sites along the south side of the valley: there is a fair amount of oil and gas activity in the valley these days.

There are four miscellaneous lease sites for commercial recreation along the road, at least three lying on the floodplain between the road and the river. Panther River Adventures is furthest up the valley, positioned on a sort of peninsula where the river sweeps down the valley and then makes a tight curve around a corner between the wooded south bank and the cliff on the north side where bighorn sheep come for the natural mineral lick.

The road used to follow the river closely before this curve until it was washed out. It was repositioned further upslope and the old road was reclaimed. Now that lesson seems to have been forgotten; the current expansion plans propose to reuse part of the reclaimed road to access the site, and permanent foundations are planned.

The river cuts through this valley between the increasingly urbanized southern side and the still wild northern

side. The wildness preserved on the north side in the Panther Forest Land Use Zone (FLUZ) is no accident. As described in Part 2 of this series, the fight to eliminate motorized use and

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The southern bank of the Panther River adjacent to the proposed expansion shows erosion from the river.

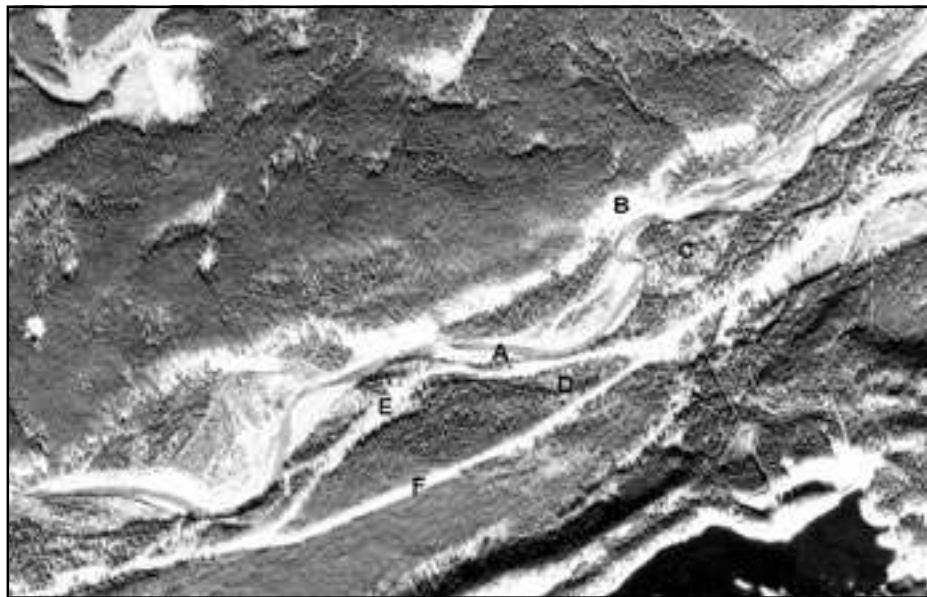
restore a more natural order to what had become a state of increasing anarchy in the area has left an indelible mark in people's memories.

But the increasing urbanization on the south side, with base camps turning into four-season tourism resorts and now pursuing industrial clients as well, does seem accidental, the result of expediency and lack of long-term planning or foresight. The greatest

worry of those who fought hard for the FLUZ is that the same thinking that has allowed development on the south side will allow increasing development on the north side.

Ironically, the establishment of the FLUZ on the north side in 1985 may have led to the development of the current lease site at PRA. Amos and Heather Neufeld had a 10-acre lease on the north side of the river, where the Dormer River runs into the Panther, that allowed them 10 cabins, although they built only one. They were deeply involved in the fight for the FLUZ and agreed with a request by Forestry to trade their lease on the north side for one on the south side at the site of PRA, where they eventually built a lodge and some cabins. They subsequently sold the lease and it has been resold several times.

None of those people who fought for the FLUZ wants to repeat that struggle, but neither are they willing to give up their victory. So they are starting to raise questions about further development in the valley, on either side of the river. PRA is not the first to expand its lease, but it is



A: Panther River; B: Sheep Cliffs; C: Panther River Adventures; D: Area of Proposed Expansion; E: Old Reclaimed Road; F: Panther Road

the first to propose such a high level of development, most notably with permanent foundations, and to push established backcountry rules in the FLUZ.

J. Nyland



Bighorn sheep on the natural mineral lick on the north side of the Panther River.

Open House at Panther River

The two open houses at PRA were well-attended but left people with more questions than answers. The public was allowed to walk not only through the area of the proposed expansion covered in the Alberta Tourism Recreational Leasing (ATRL) application, but also through the existing lease, which has never gone through the ATRL process. Many guests had concerns with both sites and about the lack of clarity and detail in the application. Applicants are not required to provide any substantive evidence for claims they make about the site, the business, or the need for the project, nor are proper drawings for buildings required, or even a legible site plan drawn to scale.

Forestry officials Tracey Cove and Norman Hawkes, obviously reluctant to say anything about the proposal, directed questions to Safron, who often appeared to have no answers either. Cove said there is no government policy dictating what sort of tourism development is allowed in this area. There is no long-term planning or management plan for the area either. Neither is there any set of rules that applies to everyone, and discretion in decision-making is rampant.

Of great concern is that Safron wants to cater to industrial clients, not just tourists, and that means that a different type of industry may begin along this river that was never envisioned. He plans to build a large shop on his current lease: some speculate that this will service his oilfield business. No one seems to know what the final plan will really be.

Other than riparian specialists from Edmonton, it is uncertain who will be called in to evaluate the site environmentally or how thorough their investigation will be. This information should be available to the public prior to consultation; it does nothing to generate public confidence when obviously questionable developments have already taken place on this site and forestry officials are not seen to be concerned. Why is it up to the public to point these things out?

For example, Safron wants to put in another septic field, yet no one knows the depth of the soil and no percolation test has been done. Provincial standards require five feet between the point of effluent infiltration and the water table, yet when the first septic field was put in, we were told that the water table was a mere three feet below surface where the pipes were laid. How will water from hot

ground because frost heaves can break the lines, yet underground glycol lines crisscross the property, providing heating to existing facilities. Glycol is toxic, and although the lines are buffered in sand, leakage is inevitable and may be difficult to detect.

Besides unanswered questions, there were only a few other glitches at the open houses. When a community member asked Cove why only one open house was scheduled, and that on a working day, he was told that Safron wanted it that way and people would just have to work around it. People had to lobby to get a second open house on a Saturday.

When an employee of Safron was asked who he was and why he was taking pictures of guests, he told people it was none of their business. In a Sundre newspaper, Safron was reported saying nasty things about opponents to his proposal, and claimed they and their

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The western shoreline along the Panther River Adventures lease shows rocks placed to protect the bank from erosion, a gazebo, and the natural mineral lick for bighorn sheep across the river on the north shore.

tubs, laced with chemicals unsuitable for disposal in rivers or septic systems, be disposed of? A stream flows beside a corral but no one knows if manure is seeping into it.

Fuel tanks sit askew on home-made frames in plastic catch basins beneath conifer trees. A yard light is nailed to one of the trees. A wood/coal boiler sits a mere five meters away. Another fuel tank sits beneath the eaves of a tack shed without any containment system. The ATRL application says electrical cables are placed above

“followers” liked to cause trouble.

One person who wanted clarification on the phases of the project from Safron was told she was being rude. Another was told he was being slanderous after asking about the digging up of the meadow across the road (see Part 1). Safron has told people that if they did not see who the driver of the caterpillar was who did the damage, they cannot blame him. However, Forestry is requiring Safron to repair the damaged meadow.



A stream runs through the Panther River Adventures lease close to a corral.

Buffers and Shoreline Access

The issue of buffers along the Panther River remains an enigma. The buffer is 20m from the top of the bank for buildings, 30m for latrines, and 50m for fuel storage. This is smaller than buffers for other users, including Mountain Aire Lodge on the Red Deer River. The buffer is 60m for forestry and 100m for oil and gas. Municipalities generally use 30m, although many do not allow development on floodplains that are classified as hazard lands. The Commercial Trail Riding Policy specifies a 150m buffer for base camps, but this has been reduced to 30m in the standard operating conditions.

The most important thing, says Cove, is not the size of the buffer but whether any deleterious substances are entering the river either from surface runoff or underground seepage. With a development like this on a floodplain, with thin soil underlain by river rock, it's hard to see how water contamination could be avoided.

Cove says the reduced buffer at PRA was due to recommendations sent to Edmonton prior to Calgary taking over administration of this area. A legal survey has apparently been done, but there has been significant erosion of the shore. Cove says if an appreciable amount of land that could affect facilities is lost, then they might have to be removed if there is a risk of water contamination.

Continued access to the shoreline was of great concern to those at the open house. Albertans have the right to access the beds and shores of rivers up to the "ordinary" high water mark. They also have a right to access buffers from the top of the bank. Cove assured us that access along the Panther River

shoreline next to the PRA lease would be maintained, but sadly, no one really believed her.

The map in the ATRL proposal shows a 20m buffer along the river side of the proposed expansion, but none around the existing lease. People walking around the existing lease within the 20m buffer zone will walk by or into a house trailer (and the sewage pipe and electrical outlet for it), a gazebo, and a rusting old propane tank. A sign warns people to stay at least 15 feet from the bank which has eroded unevenly. The feeling of walking on someone's property is unavoidable because existing structures are so close to the river.

Safron has already complained about AWA representatives "sneaking around" his place, even though they simply exercised their shoreline access rights. He said such activity might scare people, especially single women, who might be sleeping in nearby cabins, apparently during the day. He told us that he can help protect the bighorn sheep on the cliffs across the river simply by closing his gates. Did he forget about shoreline access?

considered during the hearings, especially since the federal government wanted to decentralize services outside the national parks.

A 1973 Red Deer Regional Planning Commission report says, "Although considerable potential exists for water, energy and forest resource development, it is likely that the greatest potential lies within the realm of recreation." In a hypothetical land plan, they proposed a dam on the Panther River to supply power for coal mining. However, the 1976 Coal Policy excluded the Panther from coal development. The Commission did not see a clash between the dam and their zoning of river valleys as preservation areas – prime winter range where only essential facilities should be allowed.

The 1974 *Land Use and Resource Development in the Eastern Slopes: Report and Recommendations* noted that although proposals concerned possible human uses, they all supported retaining the essential qualities of the ES, including protection of wildlife, certain wilderness areas, treasured scenic outlooks, and the opportunity to escape from urban settings.



The area of the proposed expansion showing the reclaimed road, the river (left) and a power pole in the distance indicates Panther Road.

Urbanizing the Eastern Slopes

Urbanization in the Eastern Slopes (ES) was a concern and was given serious thought during the 1973 hearings that led to the 1977 policy. While outdoor recreation and commercial outfitters had been using the ES for decades, recreation and tourism began to be more formally

The report identified three major uses: wildland recreation, tourism and urbanization, and primary resource development. Regardless of the recreation, tourism or urbanization project, the report recommended that the scenic values of the ES be undiminished or enhanced.

At the time the ES were sparsely



Part of the proposed expansion. Many of these trees would have to be cleared to make room for proposed buildings and camp sites. To the right an old river bank slopes up towards Panther Road.

populated and it was recognized that different types of accommodation would be necessary for diverse tourists and that this would introduce an element of urbanization. However, to minimize disturbance of the area, it was recommended that facilities, or increased urbanization, be concentrated within established transportation corridors and within the present or projected borders of established townsites, and that facilities outside the corridors be encouraged only when they were indispensable to appropriate and desirable recreational uses.

The 1974 report concluded that recreation and tourism, if properly managed, were a renewable resource, but it remained to determine what balance of private and public recreational enterprise the ES could viably support, and changes in tourist trends also needed to be taken into account.

The 1976 Land Use Forum noted that due to wide seasonal demand for different types of recreation, “most commercial recreation areas are not viable on a one-use basis but must be developed with a variety of different uses to be commercially successful.” It recommended that public land be considered for lease for private recreation development that was facility oriented, such as backcountry lodges. At that time, AWA defined “backcountry” as basically land with

primitive facilities available, such as trails and shelters, and “wilderness” as land that exists in its natural state.

Recreation and tourism trends described in the 1978 *Tourism Development in the Eastern Slopes* indicated that the demand for wilderness experiences was expected to increase, and less intensive activities such as natural history, photography, trail riding and wilderness camping would become more popular. At the same time, a large segment of the population was expected to continue to demand urban amenities in a non-urban setting, thus increasing the use of resorts, motor homes, and trailers. Tent camping was expected to decrease.

A 1981 *Analysis of Backcountry Lodge and Shelter Opportunities in Alberta* concluded that substantial markets existed for properly developed backcountry lodges in the foothills and mountains and that they should operate year round and offer a range of activities for best economic potential. The analysis noted that the 1977 ES policy generally accommodated recreational activities in multiple use zones and thought this would detract from the wilderness aspect necessary for backcountry lodges and shelters. It recommended placing lodges near to Prime Protection zones and relatively near a resource road but not proximate to any industrial activity.

However, it pointed out that a

“market survey of existing backcountry lodges, guest ranches and other lodges indicates significant land use conflicts and the potential for future problems that may affect the viability of some present operations.” As well, legislation had been developed without wilderness backcountry lodge development in mind.

Another Travel Alberta study in 1981 on tourism in central Alberta found that workers in oil and gas and forestry tended to live in temporary camps set up in the area or commute from bordering communities where commercial accommodation was used. Mountain Aire Lodge, at the junction of the Forestry Trunk Road and the Red Deer River, was built in 1960 by Shell to accommodate workers in the area.

One tourism and marketing goal was “to maintain the integrity of the west country” by limiting development to designated nodes and encouraging more development to service visitors in the fringe area and the communities to the east. Up the Panther Road, camping was to remain the main form of accommodation and other facility developments to be provided were trail systems, base camps for outfitting operations, and interpretation centres or displays.

The study said that outfitters would be more profitable if they were located in a community with services for both residents and guests so that guests could have a good start and a good finish before they went home. Because of the seasonal nature of outfitting, the report suggested diversifying to offer four-season activities to make it more viable.

In 1984 the government revised the ES policy without public consultation to allow more tourism and industry in the region. While the 1977 version made watershed management the highest priority and relegated tourism to one of the many uses of the ES, the 1984 version raised recreation and tourism benefits from private and public sections to an almost equal level with watersheds. Even wildlife was now largely viewed for its ability to provide “recreation benefits to Albertans followed by economic benefits gained from various uses of wildlife through tourism.”

The revised policy wanted to

encourage the provision of a wider variety of tourism opportunities and services in the ES, year-round operations, and private sector development, and to promote the grouping of facilities and services. At the same time, provision of an adequate land base for tourism activities, minimizing environmental impact, and maintaining the high aesthetic quality and value of the tourism experience were also important. The preface says that all legitimate land use proposals would be considered, and if a proposal did not fit into the policy provisions for an area, another location would be found.

A critical change was made to the General Recreation Zone, the same zone that follows the Panther River. While both versions agree that the intent is to retain diverse natural environments for a wide range of outdoor opportunities, the 1977 policy did not allow industrial or residential development. The revised version allows resource extraction and “commercial development which serves the general public.” The latter were formerly allowed only in Facility and Multiple Use Zones.

AWA condemned the new changes and the lack of public consultation. But shortly after these revisions were announced the government released the *White Paper*, a new industrial and science strategy that promoted tourism as a key economic opportunity. Alberta was to be billed as a four-season destination point, and government would continue investment in basic services and major facilities.

The *White Paper* elicited a *Position and Policy Statement on Tourism*. Alberta’s tourism strengths and opportunities included Alberta’s freedom of space and full-service outdoor adventure vacations and western theme vacations, including horse pack trips and guest ranches.

These businesses could be improved, the report said, by more attention to comforts – providing good accommodation and meals, and the extras that make “roughing it” a little less rough; additional services; where possible, year-round operation; and package tours combining several of the adventure activities.

In 1985, the same year the

Bighorn FLUZes were announced, Dr. Ian Reid, Edson MLA and Alberta Solicitor General, indicated that the provincial government wanted to develop a series of tourist areas up and down the foothills, each with its own attraction.

The Alberta Conservation Strategy’s 1988 discussion paper on tourism noted that public land is a resource in trust for future generations. It argued that it is the government’s responsibility, through its broad land-use policies and regulations, to ensure that land is used appropriately and that any developments on public land are

they are not generally concerned with the way this parcel fits into the overall scheme of long-term public interest. The result is ad-hoc development.” Unfortunately, this is not necessarily that different from development on public land.

However, the authors agreed that government and private industry could form a more interactive partnership, with government agencies principally active as managers of the environment and the private sector developing services or facilities in specified zones.

“There is a view,” said the authors, “that, eventually, economic forces will win out over non-economic forces and that areas such as parks will have to justify their existence in economic terms, which clearly makes well-planned tourism development the preferable alternative to unplanned activities thrust on an area. While there is no argument against the preference of well-planned development, it should be noted that economic forces only win over non-economic forces when based on extremely short time-lines.” It could be argued, they said, that non-development is like an investment in our future.

The authors recommended having a spectrum of tourism opportunities that cater to different markets, from those content to view wild spaces from a car to those who desire more direct experiences, including front country or backcountry lodges, chalets in scenic areas, commercial bases with recreation facilities, roadless primitive recreation areas, or wilderness backpacking.

They recommended a zoning system that would recognize different resource values, recreation uses, and specific management requirements for parcels of land to prevent overcrowding and degradation of wilderness areas. The designation of an area as a wildland or wilderness is not meant to exclude human involvement, they said, just reduce the level of intensity and have activities that create minimal disturbance.

They noted that the intent of Integrated Resource Plans with respect to tourism is to maintain areas with significant tourism potential for possible future use for recreation and tourism. However, they also noted there are frequent exceptions



An electrical panel nailed to a tree.

A sewage pipe for a house trailer enters the ground near the river bank.



Fuel tanks, a concrete pad for a shop and a hopper that feeds fuel to an adjacent boiler at Panther River Adventures

well managed, orderly, and appropriate for the surrounding environment. The Department of Tourism was usually forced to take a back seat to other departments (which did not often consider tourism potential) in land-use decisions, and some argued it was preoccupied with infrastructure.

The paper noted it was in the tourism industry’s own interest not to reach levels or take forms that would destroy the resource base on which it is built. It noted that private operators tend to have relatively short planning horizons and focus on maximizing profits. Private operators “may manage their land base to their own benefit, but

to IRPs, that government can change priorities in favour of development, and that multiple use is not appropriate everywhere.

The 1990 *Foothills Tourism Destination Resort Plan* prepared for Alberta Tourism said that recreation opportunities are the strength of the foothills area, and in a region still relatively underdeveloped for tourism there is still room for more operators, especially those catering to outdoor or adventure vacations, including guest ranches, rafting tours, and ski hills. The important thing is to create market perception that there is much to see and do, good food, accommodation, and specialty goods.

In 1994 the government had a public stakeholder process called the Commercial Recreation Policy Review to address various conflicts that had arisen between commercial recreation operators and other users of public land, especially industry, particularly in the backcountry. The goal was to develop an integrated policy to guide

research that will help determine acceptable densities of use (both biophysical and social) in an area; limiting damage to the natural environment; recognizing existing commitments, traditional uses, and general public values and use; and promoting stewardship by commercial operators.

While AWA commented that the development of such a policy was overdue, they were concerned with the focus on increased backcountry development, including permanent roof structures and structures with multi-season uses. Proponents of the proposed Genesis development in Kananaskis in 2000 noted that providing “roofed accommodation” was the key factor to allowing a tourism industry to grow.

AWA argued that the policy failed to recognize the importance of keeping as much commercial recreational development in areas that were already urbanized and instead encouraged new urbanization in increasingly scarce wild

extent of its lease or appropriate more and more leased land.”

Urbanizing the Panther

These same concerns can be applied to the Panther River Valley today. When the administration of this region changed from the Clearwater to the Calgary office a few years ago, the Clearwater office allowed the lease for Sunset Guiding and Outfitting, a base camp east of PRA, to be expanded to 20 acres and have commercial and industrial activities similar to Mountain Aire Lodge.

Up to that time, Mountain Aire had been the only facility in the area permitted such activities as selling fuel and having a restaurant. Now Sunset has been bought out by Capital Pressure, a Sunde oilfield service company. Will they be more likely to serve industrial clients or tourists? Now PRA is looking for a similar lease, a year-round commercial operation catering to industrial clients and retail sales of fuel and liquor.

The Calgary forestry office has been criticized for its “Kananaskis attitude” regarding backcountry development. The rapidly urbanizing Panther River Valley doesn’t seem to be an issue for them. Most people are not opposed to low impact commercial outfitting operations that are compatible with the wilderness character of the area. Some do not object to a few rustic cabins, although AWA and others believe no development should occur on the floodplain.

Forestry has said there will be no more meetings about PRA, and that doesn’t please the community of concerned citizens. They don’t see their request for better communication being realized and that doesn’t make for greater trust. They don’t want to feel that their submitted comments have entered a black hole.

If Forestry approves PRA’s ATRL application and the numerous questions and concerns have not been answered to the public’s satisfaction, many will wonder how the public interest regarding our public lands is being served.

In Part 4 of this series, we will continue with the Panther River story, examine other ATRL applications and the ATRL process.

V. Pharris



A view of the western shore of Panther River Adventures shows various items from the lease within the buffer zone.

commercial recreation on public land.

It was felt that the old policies governing fishing lodges, trappers’ cabins, backcountry camping standards, guides’ and outfitters’ campsites, commercial trail riding, island leasing, trophy lakes, and private residences in the green area were out of date and were not integrated with newer policies.

Of interest here are recommendations ensuring that proposed developments comply with land and resource plans and policies; establishing a resource management fund for resource inventories and

lands. AWA noted a number of poorly sited and poorly planned “ecotourism” developments built close to protected areas or proposed protected areas and warned that such development would soon seek to expand in order to remain viable.

Kananaskis was cited as an example where commercial recreation operations, such as modest alpine cabins that were built with the intent to serve the “average Alberta family,” soon gave way to four-season resorts that cater to an international clientele. “The pressure is on,” AWA wrote, “to allow a development to build to the full