



ALBERTA WILDERNESS ASSOCIATION

"Defending Wild Alberta through Awareness and Action"

The Honourable Leona Aglukkaq  
Minister of the Environment  
House of Commons  
Parliament Buildings  
Ottawa, ON K1A 0A6

By email: [minister@gc.ec.ca](mailto:minister@gc.ec.ca)

December 10, 2013

Dear Minister Aglukkaq,

**Re: Maligne Tours Ltd. Conceptual Proposal**

Please consider these comments submitted by Alberta Wilderness Association (AWA) as part of the public consultation regarding the Maligne Tours Ltd. (MTL) *Conceptual Proposal* that includes an overnight lodge at the Maligne Lake Day-Use area in Jasper National Park.

Alberta Wilderness Association, founded in 1965, is a province-wide conservation organization with 7,000 members and supporters in Alberta and around the world. AWA promotes awareness and protection of Alberta's wild lands, wildlife and wild waters.

AWA would like to take this opportunity to express our opposition to the above-referenced Conceptual Proposal. We believe that this manner of development would be entirely inappropriate in Jasper, one of Canada's highest profile and most ecologically important national parks.

Reading through the June 2010 *Jasper National Park of Canada Management Plan*, we are struck by the following paragraphs on p.66 describing the "Intended Future Condition" of the Maligne Valley (**emphasis added**):

"The Maligne Valley's popularity is a testament to **the excellent opportunities it offers to see wildlife and enjoy unspoiled wilderness scenery and pristine waters.** Maligne Lake and Spirit Island are enduring and inspiring symbols recognized all over the world as the best of Canada. The valley attracts a wide range of visitors, from families to new Canadians, from independent travellers to organized groups, from photographers to anglers.

"While their sense of wonder is fully engaged, visitors acquire a fuller understanding of **the importance of the Maligne Valley as home and refuge for sensitive species including grizzly**

**bears, caribou, and harlequin ducks**, and the unique geological features that contributed to the designation of the Canadian Rocky Mountains World Heritage Site—Medicine Lake, Maligne Canyon, and one of the largest karst systems in North America.”

AWA does not believe that the proposed three-storey lodge meets any description of “unspoiled wilderness scenery and pristine waters” as expressed in the first paragraph above. Nor will its footprint and operation be compatible with the provision of “home and refuge for sensitive species” as described in the second paragraph. This applies most especially to the threatened Maligne woodland caribou herd that has been sighted in that day-use area on occasions this last summer.

Approval of this Conceptual Proposal would be a grievous error and a significantly concerning development for Parks Canada, especially in light of the questionable 2011 approval of Brewster Canada’s “Glacier Discovery Skywalk” in the same park. It would speak to an apparent shift in priorities toward commercial development over the provision of ecological protection. Yet according to the 2001 *Canada National Parks Act*, “maintenance or restoration of ecological integrity, through the protection of natural resources and natural processes, shall be the first priority of the Minister when considering all aspects of the management of parks.” It is not Parks Canada’s role to compromise this integrity in an attempt to boost the economic viability of private companies operating in the National Park.

While AWA believes its position and that of its members to be summarized by the above argument, we additionally wish to draw attention to the following specific points:

1. Page 41 of the Jasper National Park Management Plan, as referred to above, includes the directive to “Apply the *Redevelopment Guidelines for Outlying Commercial Accommodations (OCAs) in the Rocky Mountain National Parks (2007)* to commercial accommodations outside the town. No new land will be released for overnight commercial accommodation outside the community.” AWA contends that the latter condition precludes granting approval for this project.
2. The continued reference in the MTL Conceptual Proposal to the lodge as having a “rustic” appearance notwithstanding, there is nothing that meets that description in the preliminary floor draft plans found on pp.56-58 of that document, nor in the description of the spatial allowances and capacities on p.59. This proposal describes a luxury resort, plain and simple; of the sort that has no business in a National Park, outside an established townsite and especially not in an area that is habitat to numerous threatened species.
3. While it is true that the “revival of the tent cabins” also described in the Conceptual Proposal is to occur on the site where tent cabins were historically situated, it must be noted that the previous existence of tents on this site dates to a time prior to the construction of a road to Maligne Lake. There is a significant difference between the levels of use seen by those tent cabins and what is envisioned for the site by MTL.

4. The (Maligne Lake Day-use) area in question is categorized within Jasper National Park as *Zone IV – Outdoor Recreation*. Overnight indoor accommodations, by definition, do not qualify as “outdoor recreation.” The distinction becomes especially conspicuous in this case when noting that in an overture toward addressing impacts on local threatened species, MTL envisages that overnight guests may be essentially “shut in” to the lodge and not permitted to leave the site (“Human mobility off of the lodge site would not be permitted.” – p.2, *Maligne Lake Conceptual Proposal FAQs*) – admittedly, for any number of safety, health and personal freedom reasons, we find it impossible to believe this restriction could ever be a reality. Rather this proposal is for the type of development that more appropriately belongs in *Zone V – Park Services*. With less than one percent of the park given the Zone IV designation, it is unacceptable to have this zoning weakened by permitting the intrusion of developments that so clearly do not belong.
5. In addition to the Zone IV designation for the lodge’s proposed location as above, it is sited adjacent to the Maligne Lake Outlet, which is designated as an *Environmentally Sensitive Site*, for reasons related to its “(importance) for harlequin ducks, particularly during the pre-nesting period,” from p.88 of the Management Plan. That page goes on to state: “Harlequin ducks require special management due to their sensitivity to human-caused disturbance, narrow ecological requirements and low reproductive potential.” It is impossible to imagine how a hotel in operation 24 hours a day, hosting up to 130 guests plus staff, and its associated services, will not create that “human-caused disturbance” that is so problematic for this species.
6. It is not only the harlequin ducks into whose habitat this development will intrude, but also the threatened grizzly bears, and especially the woodland caribou. The Maligne herd now only numbers a small handful of members and this lodge site is right in the middle of its range (per provincial *Caribou Range* maps published by Alberta Environment and Sustainable Resource Development on March 28, 2013). It is of note that while the woodland caribou has been recognized as a threatened species under the federal *Species at Risk Act*, no recovery strategy has yet been published for them and no official Critical Habitat thusly defined. In the meantime it would be irresponsible to permit developments that would knowingly cause such a significant intrusion into their range pending that Critical Habitat definition. Woodland caribou have been spotted in the Maligne Valley, along the access road and at the day-use area, in all months of the year save July and August. It is clear that this area forms a crucial piece of their dwindling habitat. This fact is well known by parks staff and managers, indeed interpretive signs in Maligne Valley and at the lake emphasize the vital importance of this area to Alberta’s dwindling caribou population.
7. Indeed a development of the type in the Conceptual Proposal would be at notable odds with other management actions taken in Jasper National Park within the past year. The closure, announced on July 26 2013, to close certain backcountry ski areas within the boundary for the

protection of the Brazeau, Tonquin and A La Peche herds was a welcome move. However it would be difficult to reconcile the conservation intent of that action with the detrimental result of permitting this lodge to the survival of the Maligne herd. If those other woodland caribou herds are so worthy of protection then clearly so would this one.

8. The primary result of the approval of the MTL Conceptual Proposal, when taken in combination with other recently approved commercial developments in Jasper National Park such as the aforementioned Brewster Glacier Discovery Skywalk, would be the misguided prioritization of one aspect of park operations – the so-called “Visitor Experience” – over other more worthy goals such as ecological conservation. Yet it is this latter feature that is truly the most valuable thing that our National Parks have to offer. Hotels, restaurants, “retail opportunities” and other tourism-oriented project can be sited anywhere and indeed are found everywhere; both in Alberta and beyond. The natural and ecological values that the parks offer to the world, especially as habitat for threatened species and landscapes, are truly unique. It is for this reason that the Canada National Parks Act includes as top management priority the “maintenance or restoration of ecological integrity” within the parks (as cited above).
9. While “visitor experience” is undoubtedly an important consideration in park management, it is by no means the only one, nor should it ever be the most important. The true most important priority, that maintenance of ecological integrity, is nowhere served either by having more visitors to the park, or having them spend more money at retail outlets therein. The only entities served by this activity are the commercial operators of those retail outlets and it is not the point of our park system to be subsidizing those operators. To the extent that more people arrive to enjoy our National Parks, all well and good, but this is not a goal to be chased to the detriment of more important priorities. The one authentic “visitor experience” that Jasper National Park can offer always has been, and always will be, the pristine unspoiled natural beauty of spots like Maligne Lake, unobstructed by three-storey “rustic” hotels and providing unparalleled opportunities to view wildlife in its natural habitat Jasper National Park is known by visitors from around the world as a peaceful place with an abundance of wildlife viewing. Why not capitalize on that true and simple value that brings visitors here.
10. The previous point does indeed seem to be one with which almost all existing visitors to the park agree. At both recent open house public consultation sessions held in Edmonton and Jasper on Nov. 26 and 27 2013 the 60 and 50, respectively, participants were nearly unanimous in their opposition to MTL’s Conceptual Proposal. One participant at the Edmonton session reports that, “Ninety minutes of questions and comments **didn't produce one comment in favour of the project** – other than the architect who would be designing the accommodations.” This is reflected in the poll running this week in the online version of the Jasper *Fitzhugh* newspaper, in which a full **95 percent of respondents have answered “No.”** to the question, “*Should Parks Canada make an exception to its existing outlying commercial*

*accommodation policy to allow Maligne Tours to construct a 66-room hotel at Maligne Lake?"*  
As you are doubtless aware, no less an authority than the former superintendent for Banff National Park has spoken up in opposition to this plan, writing: **"There is absolutely no public support or demand** for these developments." The argument in this case is not simply a disagreement between two ideologically opposed camps: it is a clear case of *everybody* overwhelmingly rejecting this Conceptual Proposal.

Minister Aglukkaq, we strongly urge you not to ignore the many voices advising that they do not want to see this development on Maligne Lake. We urge you not to ignore the priorities set out in the Canada National Parks Act. We urge you not to ignore the park's own Management Plan. We urge you not to ignore the threatened species that will be so negatively impacted if the construction of this lodge goes ahead. We urge you not to ignore the cognitive dissonance that would be caused by the juxtaposition of the approval of this Conceptual Proposal with the other management actions taken to conserve caribou within the park boundaries. We urge you not to permit the further capitulation of our park system to private commercial interests.

Maligne Lake is no place for a hotel of the type proposed, or for overnight accommodations of any kind. AWA believes that Parks Canada needs to reassure Canadians that protection of ecological integrity is still the priority in Jasper National Park. We request that you reject this Conceptual Proposal on the aforementioned bases and we look forward to your response at your earliest convenience.

Yours truly,

ALBERTA WILDERNESS ASSOCIATION



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