# AWILD LANDS WE ADVOCATE THE ALBERTA WILDERNESS ASSOCIATION JOURNAL



Bovin Lake from Loaf Mountain, Castle Wilderness – (N. Douglas)

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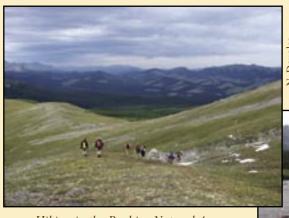
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## EXPLORING WILD ALBERTA 2005



Hiking in the Beehive Natural Area

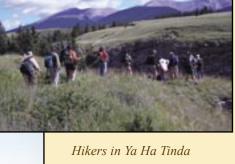


Hikers ford the Brazeau River in Jasper National Park



Hiking along the Milk River in the Twin River Heritage Rangeland

S. Bray





Hikers at the Majorville Medicine Wheel west of Brooks



AWA's mascot, Meg, hiking in the Whitegoat Wilderness

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# BETTER IDEAS FOR MANAGING PUBLIC LANDS ONLY A BORDER AWAY

By Jordan Petty, B.A., LL.B. Candidate (2006)

All must be well in Ralph's World. Our province's annual descent into a yellowing of leaves and chilling of sweet prairie air brought with it something different this year: \$400 cheques from the government. As I write this from my temporary home in Kingston, Ontario, I consider this gesture from an outsider's perspective: things must be going along swimmingly in Alberta.

merely a subterfuge for the problems our province refuses to face. And we have problems. I am not an alarmist or a fearmonger, but I recognize a failure when I see one. And I saw a big one this summer. I spent four months researching public land law and policy in Alberta and a variety of other jurisdictions.

The laws and policies that govern public lands are myriad and complex.



Multiple use and access are important public lands issues

A government that simply has nothing left to do than issue \$400 cheques to every man, woman, and child in the province – even newborns – is unequivocally announcing that it has all its ducks in a row. "Our social programs are fully funded, our most vulnerable of citizens are provided for, our cities are gleaming with new infrastructure, our universities have topped up their endowment funds, our natural environment is adequately protected." This is what a \$400 cheque in the mail is supposed to say.

Sadly, our \$400 cheques are

So many activities are accommodated on public lands, both in Alberta and elsewhere, that numerous heads of authority come into play. Traditional common law property rules, natural resources laws, grazing policy, environmental protection law – all of these play a role in public lands.

The purpose of the project was to examine Alberta's public land policies and compare them to those in other provinces and countries. British Columbia, the United States, and New Zealand were selected for comparison. The project resulted in a final report

that addressed four key questions in relation to public lands:

- How are public lands managed?
- How is access to public land determined?
- What is the process for the sale of public land?
- How are grazing leases managed?

These are all questions that Alberta Wilderness Association decided were central in determining how well public lands are managed in Alberta and elsewhere. While the results are too lengthy to accurately summarize here, the upshot of the report is that Alberta would do well to learn from and implement some of the practices in other jurisdictions.

The problem with public lands in Alberta is that they are managed as though they should be all things to all people. Alberta manages public land according to the "multiple use" model. This philosophy dictates that the land will be used by, and managed for, a variety of users. Thus, public land in Alberta accommodates recreation, grazing, energy extraction, timber harvesting, and a variety of other uses.

Problematic, however, is the fact that Alberta has not defined "multiple use" in the canon of public land legislation, regulation, or policy. This is in stark contrast to practices by the United States' Bureau of Land Management (BLM), which specifically defines multiple use. While a simple definition does not assuage the problems of the multiple use approach to public land, a definition does give a concrete guide to how public land is to be managed.

Without such a guide, public land in Alberta is often subject to the ever-changing and unpredictable discretionary powers of the responsible ministry. The effect, of course, is that the public is hamstrung in its ability to hold the ministry to account for improper management.

In terms of access, both Alberta and British Columbia allow grazing leaseholders to prevent public access to public leased land. This contrasts with the approaches in the United States and New Zealand, which are more adamant about protecting the public right of access to public land. U.S. grazing regulations prohibit public lands ranchers from preventing free transit through or over BLM public lands. However, it is also an offence for an individual to leave a gate unlocked on a public land grazing lease.

C. Wallis

historical and cultural qualities of the areas they pass through."

While New Zealanders do not have the right to access grazing leases without permission, it is clear that the government has recognized public access to public land as a fundamental good and is taking steps to ensure it into the future. While Alberta has recently taken steps toward improving public access to public land, the process of attaining permission from grazing leaseholders is still cumbersome.

Public land sales continue to be a contentious issue in Alberta and elsewhere. According to Alberta



Native prairie with high conservation value was sold and cultivated in southeastern Alberta, 2003

In New Zealand, maintaining public access to public land is recognized as a fundamental element of public land management. New Zealand's primary environmental statute, the Resource Management Act, lists maintaining public access to the country's coastal areas, waterways, and marine areas as a matter of "national importance."

In 1975 the country also enacted the New Zealand Waterways Act with the primary purpose of "establishing walking tracks over public and private land so that the people ... shall have safe, unimpeded foot access to the countryside for the benefit of physical recreation as well as for the enjoyment of the outdoor environment and the natural and pastoral beauty and

Sustainable Resource Development (SRD), public lands are generally only sold when they are not required "to meet the government's resource management commitments" and "to facilitate agricultural expansion and certain types of commercial, industrial and recreational uses, thereby supporting the growth of the provincial economy."

In the United States, public land is generally only sold when it is difficult or uneconomic to manage; this occurs primarily when a small piece of public land is isolated by being surrounded by private land. In New Zealand, all land sales must be referred to the country's primary environmental department, the Department of Conservation (DOC), and reviewed for conservation value.

Lands controlled by DOC may not be alienated.

While all four of the studied jurisdictions treated grazing leases differently, the fundamental elements of grazing leases remained the same. Leaseholders are charged rental fees, usually at below-market rates, and hold those leases for a set period of time. The differences in grazing leases are generally apparent in regard to access.

The forty-page report that resulted from this research details the differences between Alberta's public lands and those in other jurisdictions in far greater detail. It also includes comments from various Alberta public land experts on how Alberta needs to change its current approach to public land management. Finally, the report makes the following recommendations for positive change in public land management:

- Public lands should be managed according to an ecosystem-based management model that makes ecological needs primary and other uses secondary.
- Public lands should be managed with the goal of retaining the current base of public land in perpetuity.
- A public decision-making process regarding public lands should be meaningful, accessible, and enshrined in legislation.
- Within reason, public access to public land should be improved by either eliminating the need to obtain permission from grazing lessees, or by making the process of obtaining permission less cumbersome.
- Public land management principles and tools should be included in clear, meaningful, and enforceable legislation.

The recommendations above are intended primarily as a catalyst. There is a growing recognition within the province that land policy, particularly public land policy, needs to see significant change. Thus, these recommendations are aimed at sparking a conversation within the environmental community. In light of the fact that the Canada West Foundation (CWF) has recently been contracted by the province to assist in the development of a comprehensive land use framework for Alberta,



The settled White Zone and the forested Green Zone meet in the Peace River. Development and conservation are critical issues in both zones.

dialogue around public lands is more important than ever.

Even more crucial is making the environmental community heard – meaningfully – in the privileged circles that make policy in this province. We can bet that EnCana will have a seat at CWF's land policy discussions, but will the environmental community? Thinking about public lands now will prepare us for conversations in the future.

AWA would like to acknowledge the support of the Alberta Real Estate Foundation and Queen's Law Foundation for our public lands initiative.

#### AWA BLOSSOMED UNDER BOTANIST'S CAREFUL GUIDANCE

By Andy Marshall

A centrepiece of Richard Pharis's prolific and ground-breaking career as a botanist has been his work with potent plant hormones called gibberellins. Pharis's work has promoted a better understanding of their ability to induce flowering and other growth in higher plants ranging from conifers to vines.

A stickler for accuracy, Dick, as he's commonly called, demurs at the layman interviewer's suggestion that he helps make flowers bloom better and plants grow more profusely. In his characteristically meticulous and serious tone, he offers instead a more complete scientific explanation of this life-long preoccupation.

But it provides a neat metaphor that can be well applied to the almost four decades he's dedicated to the Canadian conservation movement and in particular to the Alberta Wilderness Association, fostering their flowering and development in a way that will ensure their health for years to come.

In an interview from his home north of Cochrane, near Calgary, Dick agrees that botanical research and his efforts on behalf of conservationism are complementary. Guarded, perhaps even austere, he chooses his words carefully, although occasional flashes of dry humour lighten the conversation.

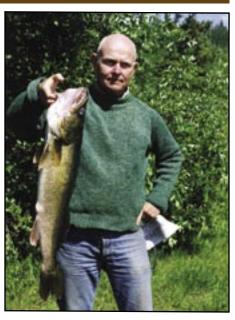
In recognition of his leadership

role in the formation of the AWA in 1968, two subsequent terms as president, plus many years guiding the organization as an effective and influential advocate for the preservation of significant natural areas, the 68-year-old University of Calgary professor emeritus will receive an AWA Defenders Award on Nov. 18.

Soon after, he and his wife, Vivian, another long-time AWA stalwart, will leave for New Zealand, where he will resume several research projects as a visiting professor at the University of Canterbury and where they will both spend up to four months in Waipara, about 60 kilometres north of Christchurch, on a vineyard they jointly own with other partners. "I'm learning viniculture relatively late in life," he says, noting that their product, Torlesse, is available at several Alberta liquor stores under the Richmond Hill label.

Taking advantage of his regular sabbaticals and research fellowships, they've made the sojourn "downunder" many times since Dick took up his first post as a visiting research scientist in Rotorua in 1974.

"We look forward to escaping minus-30-degree winters," he says more lightheartedly. But a prime attraction is the ability, in his ongoing quest for genetically superior trees, to



Dick Pharis at Lesser Slave Lake with a large pickerel

complete a set of experiments there and then build on the results back in North America.

Dick's curriculum vitae lists a formidable 250 papers published in refereed scientific journals or conference proceedings. He has 10 chapters in published books, and two books under his name. Although the path to research money can be winding and frustrating, he has succeeded in obtaining several significant grants during his career. He holds a number of

patents, and the Institute for Scientific Information says he is among the top 250 most cited researchers in the world in the animal and plant sciences.

A self-described "ardent backpacker since age 12," Dick Pharis also likes to hunt, fish, and take photos. Although he was born in Indiana, he spent some of his early years in Florida and many of his formative years in the Cascade and Olympic Mountains of western Washington.

After obtaining a forestry management degree from the University of Washington in Seattle, he went on to acquire a master's degree in forest ecology and a doctorate in plant physiology, both from Duke University in Durham, North Carolina.

So, what brought him to the University of Calgary's botany department in 1965 to embark on an active 30-year teaching and research career, and form an association with the university that continues today? "It was the mountains as much as anything," he says.

And it was the love of those Eastern Slopes and the threat to them from what he describes as "rampant" oil and gas drilling that brought him, together with like-minded people, to form the AWA in the late 1960s. "It was seeing those wildcats being punched in 15 to 20 miles into the front ranges," he says.

That's when he began calling himself a conservationist and helping lay the groundwork for a science-based but clearly political campaign to influence public policy on these precious lands. "I was just one of several people," Dick explains, seeking to spread the credit for that auspicious start.

The U.S. consulate erroneously told him that he could not be politically active here as a U.S. citizen, prompting his successful application in 1970 to become a Canadian. "Citizenship meant the chance to participate in the Canadian political system," he says.

And that he's done for many years, working with Vivian to heighten the public's and the government's awareness of the value of our wilderness resource. Through public hearings, presentations and letters, Dick demonstrated what former Petro-Canada Environmental and Social

Affairs Director Tom Beck called "unwavering devotion" to defending that value.

A stand-out achievement was the protection of the 4600 km<sup>2</sup> Willmore Wilderness Park in northern Alberta, leading to the presentation to him and Vivian of the national Marguerite and Vernon Heaslip Award for Environmental Stewardship and a **United Nations Commemorative Silver** Medal in 1982. He has a long list of other awards for his environmental and botanical work, including the E.W.R. Steacie Memorial Fellowship from the National Research Council of Canada and an ongoing fellowship with the American Association for the Advancement of Science.

problem," he says succinctly. Having wilderness protection in the hands of individual provinces – as opposed to a more coherent national policy, as is the case in the U.S. – is an important disadvantage for Canada, he says.

During the past 10 years, Dick has stepped back from the fray, leaving much of the heavy slogging to Vivian. His advice to younger people becoming involved: "Hang in there. Do your homework before you speak or before you write."

According to AWA Executive Director Christyann Olson, Dick has set a magnificent example. "He was always well prepared. He never proceeded without the facts," she says. That ability, combined with his tenacity,



Dick and Vivian Pharis in the Bighorn Wildland

For Dick, other pleasing results of his conservation efforts include helping ensure that the Elbow/Sheep country "at least is under a modicum of protection."

While he sees the setting aside of the Bighorn region as another partial success, he is dismayed by the proliferation of all terrain vehicles and their destructive impacts there. And, while he can look back to the Peter Lougheed years of the 1970s and early 1980s as reasonably positive for conservationist interests, the Ralph Klein regime in Edmonton has been grimmer.

"The inability of elected public officials to provide direction to their bureaucrats and the inability of bureaucrats to even enforce their own (limited) regulations is the major made him a formidable proponent, she adds.

He not only had considerable impact on public policy, but he was also highly instrumental in setting the AWA on its feet and in leading the massive administrative effort to establish the Resource Centre in its current location. He spared no effort in assisting with the details – and that meant helping with the layout of early Advocate editions.

Dick's long list of Canadian and international professional affiliations includes membership in the Canadian Institute of Foresters and the Canadian Society of Plant Physiologists, of which he is a past-president.

Any other hobbies? "Irritating politicians," he says, his humour peeking through again.

# HOLD THE APPLAUSE: FSC CERTIFICATION COMES TO ALBERTA'S BOREAL FOREST

By Ian Urquhart

September 20th may go down as one of the most significant dates in the history of forest management in Alberta. This was the day Alberta-Pacific Forest Industries Inc. (Al-Pac) revealed it had pocketed a milestone no other company in Canada or anywhere else in the world could claim. The Forest Stewardship Council (FSC) has certified – pinned a green label on – a staggering 5.5 million hectares of land in the Al-Pac Forest Management Agreement area (FMA). This certificate applies to more land than the province of Nova Scotia, more land than may be found in any certified forest on Earth.

Al-Pac understandably celebrated its accomplishment. FSC certification is a major coup; some well-intentioned staff worked countless hours to secure this green pedigree. But national ENGOs, most notably WWF Canada and CPAWS, also joined in the applause. Reading their words on the press release issued by the Canadian Boreal Initiative (CBI), you could be excused for thinking that boreal forest campaigners had died and gone to heaven.

How good is Al-Pac's milestone for the boreal? FSC's reputation, especially among ENGOs, suggests we should see an FSC certificate as a major environmental victory. The CBI press release describes FSC as "the international gold standard for sustainable forestry." The CBI congratulates Al-Pac for "walking the conservation talk." WWF Canada affirms this view of FSC and Al-Pac's certification when it describes the collaboration between Al-Pac and ENGOs under the FSC umbrella as "helping us conserve more wildlife and protect more forest." We should look forward to building "the relationships that will lead to even greater conservation, and ultimately the implementation of the (Boreal Forest Conservation) Framework vision. over the long term." The national

manager of forest certification for CPAWS applauded Al-Pac's direction and looked forward to working with Al-Pac to realize the Boreal Forest Conservation Framework's "bold vision of conservation and sustainable forestry."



Boreal forest in the Lakeland area in northeastern Alberta

I wish I could share their enthusiasm for Al-Pac's accomplishment. I don't. I do not believe this certification is nearly as positive as the foregoing comments may suggest. Its details demand a much more restrained interpretation of what it really delivers for boreal forest conservation. If my take on what this certificate means on the ground today is right, then applauding ENGOs should be brought before TV's Judge Judy and charged with "irrational ecological exuberance." They ask their audiences to accept promises and maybes as certainties and done deals.

None of this means AWA is not willing to work with Al-Pac on ways to expand the amount of genuinely protected forests found in Primrose-Lakeland. I believe – even after a good, hard pinch – that there is a promising amount of good will among some key company personnel. Can this good will be translated into real gains in respect to the content of the Lakeland Management Plan, the exploration of biodiversity conservation options on the Cold Lake Air Weapons Range, and protecting the larger Lakeland Diversity Area? I think so.

But this guarded optimism does not shake my conviction that the Al-Pac certification is no more than a small step toward realizing the protected areas goal established by the Boreal Forest Conservation Framework.

The Framework, to which Al-Pac is a signatory, aims "to protect at least 50% of the region in a network of large interconnected protected areas."

A rather key fact seems to have been missed during the applause for Al-Pac's achievement – no new protected areas are established by Al-Pac's FSC certificate. Instead, it simply commits Al-Pac to try to establish protected areas. It does so by first recognizing Al-Pac's commitment to defer from logging in some parts of its FMA "to maintain options for protection."

In addition to acknowledging this important commitment, the certificate makes it a condition (Condition 6.4b) that, during the first year of certification, the company will work "with the provincial government, First Nations, the forest and energy industries and ENGO's to achieve the (permanent) protection of the Gypsy-Gordon, Athabasca Rapids and Lakeland deferral areas." The company is required to document its progress in meeting this goal.

This condition waters down, perhaps even repudiates, what the National Boreal Standard's protected areas criterion actually requires. The sixth principle of the National Boreal Standard outlines environmental protection criteria that applicants for

Wilderness Watch



A Vanderwell cutblock between two Al-Pac cutblocks



Logging in Lakeland

certification must satisfy. Criterion 6.4 applies to protected areas. It reads: "Representative samples of existing ecosystems within the landscape shall be protected in their natural state and recorded on maps, appropriate to the scale and intensity of operations and the uniqueness of the affected resources."

To accept deferrals and wellintentioned efforts to secure protected areas in the future as proxies for satisfying the requirement that representative ecosystems "shall be protected" makes a mockery of this criterion. So today's answer sadly must be "zero" to the question of how many hectares must be set aside as new protected areas in the Al-Pac FMA in order for Al-Pac to receive FSC certification.

What about in the future? How many hectares must be set aside as permanently protected areas next year or the year after or the year after that in order for Al-Pac to retain its certificate? Is "zero" necessarily the wrong answer here? I don't think so because Condition 6.4b just requires Al-Pac to work with other parties with interests in the boreal landscape and document the progress made. Specific territorial targets for protected areas are missing from the conditions attached to Al-Pac's certificate.

A fundamental difficulty here is not Al-Pac's lack of interest in establishing protected areas to serve as ecological benchmarks in its FMA (see my argument in Wild Lands Advocate August 2005 where I noted that Al-Pac is quite committed to this course of action). It rests rather with the energy industry, with many of Al-Pac's counterparts in the forest industry, and, most importantly, with the provincial government.

All of these actors must accept the need to enlarge a meaningful protected areas network in boreal Alberta. Up until now they generally have viewed

this need as a heresy, or, to quote a former Alberta Environment Minister, as "sterilization." Establishing the type of protected areas network anticipated by criterion 6.4 requires levels of good will and enlightened self-interest from these actors that heretofore have been woefully absent.

Does this mean that Al-Pac is accommodating enough when it comes to identifying potential protected areas on its FMA? Does this mean that FSC should not have demanded genuine protected areas rather than promises as part of this certification? The answer is "no" to both questions. The deferrals (remember, these are just potential permanently protected areas) offered by Al-Pac and accepted by FSC only amount to somewhere between 3 and 4 percent of the total certified area in northeastern Alberta and between 9 and 10 percent of the productive forest base there.

The FSC certification of Tembec in Québec's boreal forest makes the Al-Pac/FSC endorsement of deferrals of such small proportions look quite disappointing. Tembec's FSC certificate applies to the very large forest it logs in Québec's Abitibi region. There, expected protected areas will cover 8.8 percent of the nearly 1.2 million hectares certified by FSC or 14.3 percent of the productive forest area.

Protected areas in Québec, deferrals in Alberta, larger percentages in Québec, smaller percentages in Alberta – what could possibly account for such striking qualitatively different provisions when it comes to the necessity for establishing protected areas in the two locales?

Part of the answer to this question rests with the provincial governments. Québec is establishing additional protected areas; Alberta is not.

The higher protected areas expectations of "La Belle Province" certainly would help to encourage Tembec and FSC assessors alike to support more liberal protected areas provisions. Alberta raised no such expectations about the need to establish new protected areas in the Al-Pac FMA; FSC assessors were content to accept options for protection rather than genuine protection.

Disappointment on what the FSC certificate delivers in respect to the

project.

protected areas front is compounded by Al-Pac's proposals to increase substantially the annual allowable cut (AAC) on its FMA from now through to 2011. Al-Pac proposes to increase the deciduous cut by 21.5 percent over the AAC established in its 2000 Forest Management Plan. It proposes an even larger increase in the coniferous AAC – 32 percent.

On the one hand, FSC approves a certificate for Al-Pac that only offers deferrals instead of insisting on new protected areas. On the other hand, Al-Pac proposes to increase substantially its annual allowable cuts. Such circumstances force me to sit on my hands for now. I will save my applause for the day when the government announces that new protected areas will established in and around the Al-Pac FMA.

Ian Urquhart is associate professor in the Department of Political Science at the University of Alberta. He is coordinating AWA's Primrose-Lakeland conservation work. AWA would like to acknowledge the support of the Richard Ivey Foundation.



© Loucas Raptis

## EnCana Plans Major Drilling in Suffield National Wildlife Area

Just a scant two years after it was designated amid much pomp and ceremony, the Suffield National Wildlife Area in southeastern Alberta is under attack by EnCana. The company wants to drill 1,275 gas wells

wants to drill 1,275 gas wells in the area over the next three years in addition to the thousand already drilled in the past 30 years.

EnCana predictably says the new wells won't have much impact, that they are responsible producers (but we have been getting a different view from some folks in the Rosebud area) and that they have worked with all the stakeholders. Really? A National Wildlife Area is a federally protected area; that means every Canadian is a "stakeholder." As far as we know, no Alberta ENGO was contacted for their input. In fact, there has been a disturbing lack of public involvement since the formation of the NWA and during the planning of this

The good news is that an environmental assessment (under the Canadian Environmental Assessment Act) is necessary and an announcement is expected this October that will provide a project description and scope of assessment. Concerned citizens and groups are calling for a public panel review as part of the EA. This area is of national and international significance, and wildlife values must take priority.

AWA's goals are to reduce footprint in the area; restore wellsites, pipelines, and other disturbances; and establish timelines for phasing out energy production in sensitive areas.



The Grasslands Naturalists point out that while it was expected that producing gas wells in the area would continue operating after the establishment of the NWA, it was not expected that new exploration would be approved. The scale of this project will cause significant disruption to surface vegetation through access roads and wellsites and to wildlife with vehicular traffic. If exploration is successful, pipelines and well servicing will add to the disturbance. A public review panel will allow these concerns to be expressed and explored in an open and transparent way.

While the Department of National Defence (DND) is the responsible authority, other federal departments involved include Environment

Canada, Fisheries and Oceans, and Agriculture. Apparently the Alberta Energy and Utilities Board and Alberta Sustainable Resources Development have also requested participation under the Canada-Alberta Agreement for Environmental Assessment Cooperation.

An open house in Medicine Hat is planned tentatively for the second week in November, when public presentations can be made including written briefs. A decision will be made by National Defence on whether there will be a panel review depending on the level of public concern.

If you have concerns about EnCana's plans to drill in the NWA, it is VERY important to submit your comments, even if it is just a one line statement of opposition to the project and its potential impact on native grassland and associated wildlife.

We will provide updated information on our website as it is received. Contact: The Honourable William Graham, Minister of National Defence, House of Commons, Ottawa, Ontario K1A 0A6, Graham.B@parl.gc.ca

For more information:
DND Backgrounder: http://www.army.
gc.ca/Suffield/English/backgrounder\_
dnd.asp
NWA Regulations: http://www.

html

annettemoen.com/greenway/wildlife-area.



# More CBM Wells Slated for Rumsey Natural Area No Money to Keep Promises, Says Government

By Dr. Shirley Bray

The government called on Albertans to "celebrate Alberta's native prairie heritage" this summer, while Trident Exploration Corp. laid out their plans to drill 31 coal bed methane (CBM) wells in the internationally significant grasslands of the Rumsey Natural Area. Spokespeople from Sustainable Resource Development complain there is no money for promised studies in the protected area.



An unreclaimed Canadian Natural Resources Ltd. wellsite

But the government seems to have no qualms about compromising this landscape for an economic activity that has not shown itself to be profitable yet despite several thousand wells being drilled. Even Trident's CEO, Jon Baker, isn't all that optimistic.

While government and industry talk about minimal footprint being the best solution to industrial activity in Rumsey, conservationists say, as they have said for years, that oil and gas activity should be phased out and that we should be restoring past disturbances, not creating new ones. Industrial development is not appropriate in protected areas, especially in our valuable and increasingly rare rough fescue grasslands.

Trident Exploration Corp., the first company to drill a CBM well in Rumsey, met with conservation groups and government representatives in

early July. Although their first well is not producing yet because of high line pressure, they plan to continue to drill in the area, but they want to do so in a way "that raises the bar within the petroleum industry" by minimizing their environmental impact. Apparently other companies would like Trident out of Rumsey because it is being too compliant.

Trident has 100 percent mineral ownership in five sections in Rumsey

and contractual agreements with other companies to develop 26 other sections, 18 of which expire at the end of the year. Trident plans to drill one well per section to collect the data necessary to determine how many wells per section they need. They don't believe it would be economically viable to develop more than four wells per section in the Horseshoe Canyon coals, but economics can change quickly.

Furthermore, underlying those coals is the Mannville formation, for which separate wells would be required. Trident has made a corporate decision not to drill in the Mannville, but other companies may do so.

If Trident fails to fulfill drilling requirements of one well per section for the 18 agreements expiring at the end of the year, the original owner, Canadian Natural Resources Ltd. (CNRL) is interested in developing the leases. Although Trident refused to name CNRL, even though it is public information, the company was marked on the maps they showed us of potential drilling sites. Trident says they want to be "the company of choice" in Rumsey. They warned that other companies "may not have the same commitment to stakeholder engagement and responsible stewardship" as they do.

Conservation groups acknowledge that Trident has been

forthcoming on their plans for Rumsey, although only after they drilled their first CBM well and mistakenly trenched in, instead of ploughed in, a pipeline. Unlike many stakeholder processes that are closed, Trident says they are willing to have anyone interested in Rumsey as a stakeholder in their consultation process.

Trident has been generally well-received by the community in Fort Assiniboine, where they have another CBM project on the go. But it is important to understand that while such a company can, with constructive input, be quite good at doing the right thing in a development framework, they are predictably resistant to foregoing development in places like protected areas, where there should be no industrialization.

At the Trident meeting, company representatives surrounded ENGO representatives to discuss their plans in small divided groups. When, after some discussion, AWA told Trident reps we didn't think they should be in Rumsey at all, it was telling how they quickly deserted us.



Erosion from vehicles on a hillside in the Rumsey Natural Area

The argument is that if they don't develop, someone else will. And unfortunately that is true in Rumsey because of the insistence of the government to allow industry there. The government made rules that allowed development; then they argue that they are simply following



Trident's first CBM wellsite in the Rumsey Natural Area showing the pipeline path seeded with annual rye

those rules, as if they are helpless to do anything about it. However, if corporations were truly ethical, none of them would agree to drill in Rumsey.

Rumsey has suffered six major betrayals by government in its history:

- The first was the building of a permanent road (the Poco Road) in the late 1980s after guidelines prohibiting such a road were agreed upon by government, industry, and conservation groups.
- The second was the formulation of the final Regionally Integrated Decision (RID) or management plan in 1993, which allowed oil and gas development in perpetuity. This was in direct contrast to recommendations by the RID committee of government, industry, and conservation interests, which called for the phasing out of oil and gas. Alberta Energy overrode that committee.
- The third was the designation of Rumsey in 1996 as a Natural Area instead of a Heritage Rangeland, which was promised by government. Heritage Rangelands have much more stringent guidelines for surface disturbance.
- The fourth was the selling of oil and gas leases the year after its designation as a Natural Area, with the environment minister boasting that Rumsey would be the leading example of how industrial development could be accommodated in protected areas.
- The fifth was the advent of CBM without any public consultation. CBM is known to have a much greater

footprint than conventional gas and which the RID never considered.

• The sixth is that although the government now claims it is following the RID, it is only following some of the recommendations governing continued use of mineral and agricultural (grazing) resources, not those governing conservation or public involvement. It has never done the monitoring, inventories, cumulative effects analyses, or annual or five-year reports. The exception is a 2001 assessment by regional managers that determined there would be no major review. At the time it appeared petroleum-related activities were subsiding and CBM was not considered. It has also never ensured "ongoing and meaningful public involvement as the RID is implemented." The government has not honoured this contract with the public.

Clearly, there were several times when the government could have made the decision to truly protect this area. Instead, continued development has been made the priority. Even if the government institutes monitoring and cumulative effects assessment as a gesture of good faith, what will it do if the results show that gas development will inevitably destroy the grassland? Will the government stop gas development? Without studying and monitoring ecological integrity, we do not know if the management goal of preserving and protecting the ecosystem is being met.

Now Public Lands staff say they have no money to do these studies. In fact, they are looking at fundraising, and they want to target not only government and industry, but the conservation community as well. So we are essentially being asked to subsidize oil and gas activity in Rumsey. Perhaps that is what they now consider meaningful public involvement.

In an April 2005 letter, Greg Melchin, Minister of Energy, wrote, "Management direction provided by the RID ensures the protection of the environment and the complete reclamation of oil and gas disturbances." Now that sounds good until you actually go out into the field and see the truth. On a field trip to Rumsey in August, we found two

apparently abandoned wellsites by CNRL that have not been reclaimed, examples of a lack of industry commitment to, not to mention government enforcement of, reparation of environmental harm.

Our field survey also found the following:

- Overgrazing, with the result that grassland on the slopes of hills is trending towards a mixed-grass community and away from a rough fescue community.
- Deep tracks eroding a hillside, indicating that Rumsey's topography is too rolling to rely on minimum impact undeveloped access.
- Invasive non-native species along the Poco Road.
- Unreclaimed wellsites with mixtures of native and non-native species slowly colonizing largely unvegetated areas of gravel and sand.
- Trident's non-producing CBM well with a five-metre wide row of cleared native vegetation over the pipeline that has been planted to annual rye.
- Trident's failure to meet the conditions for their pipeline resulted in significant disturbance to the native grassland. The native vegetation adjacent to the wellsite and road has been invaded by non-native species.

The government is ready and willing to give CBM development a break on royalties. It's time to give our protected areas a break from industry - permanently.

For more information on Rumsey and coal bed methane development in the Natural Area, see Issues and Areas on our Web site. Thanks to Cheryl Bradley, Dorothy Dickson, and Cliff Wallis for contributing to this article.



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Wilderness Watch

#### CWD IN WILD DEER NO ACCIDENT!

By Vivian Pharis, AWA Board of Directors

Albertans should be truly alarmed about the future of Alberta's wildlife with three cases of chronic wasting disease (CWD) now found in the wild near Oyen, just north of Medicine Hat. That this has happened is no accident and Alberta Wilderness Association (AWA) holds the Alberta government fully responsible for it. For 25 years, scientists and Alberta's conservation community have warned our government of the many pitfalls associated with domesticating wildlife, yet we have been ignored.

In 25 years we have seen every dire prediction about this industry come true, and still our government throws millions of taxpayer dollars at it in an attempt to make game farming viable. This year alone has seen \$10 million in direct subsidies for "alternative agriculture" and another \$38 million for a prion research centre. Now the ultimate tragedy has happened – game farming's most dangerous disease has been transmitted into our wildlife.

This is a sad time for wildlife. a sad time for hunters, and a time of shame for the Alberta government. It is also time to take stock of what has happened in promoting an industry that had no basis in agriculture and no sustainable markets, and that has carried with it a litany of highly predictable woes. AWA has previously asked the government to free this province from wildlife domestication by minimally compensating game farmers and disposing of their stock in a quick, safe manner. We again demand that the Alberta government take this action.

We also demand that Alberta immediately set out a proper, scientifically sound procedure to deal with CWD in wild deer. AWA sees a reliance on eradication by the hunting community – which is the way our government is choosing to handle CWD in the wild – to be inadequate and very dangerous.

Instead, we need scientists to set

out a plan and professional wildlife biologists to oversee it. This means the Fish and Wildlife arm of Sustainable Resources Development needs to be infused with funds and authority to take action. Such action must be in concert with similar action in Saskatchewan. If the two provinces do not work concertedly and efficiently on professional eradication programs, all of western Canada's wild deer species, and perhaps other species, are at risk from this erratic and virulent disease.

AWA has no confidence in Alberta's current stated process to deal with deer culling in the Oven region. It is well known that CWD, unlike BSE. is transmissible by animals in close proximity as well as through the soil. While hunters may submit heads for CWD testing, they will be leaving gut piles and bones in the field, where CWD may be passed on to wildlife through direct contact or contact with contaminated soils.

Hunters may also transport contaminated carcasses and thus introduce CWD to clean sites. Professionally handled eradication will undoubtedly remove entire bodies and dispose entirely of any that indicate CWD. The hunter cull method may be a cheap way of being seen to deal with CWD, but it could also be the most dangerous way.

AWA sees that the only responsible route forward for the Alberta government is to eliminate game farming as quickly as possible and to enter into an aggressive, scientifically developed joint plan with Saskatchewan to eradicate wild ungulates in contamination zones. This must be done quickly, or, as evidence

from the U.S. and Saskatchewan shows us, CWD will steadily spread.

Wyoming has now given up trying to contain CWD in the wild. Saskatchewan, despite testing about 15,000 wild animals, has seen CWD spread to 68 known cases in just five years. CWD was first found in research facilities and then in the wild in Wyoming and Colorado,. By 1996 it had been detected on a game farm in Saskatchewan, supposedly introduced from a contaminated game farm in South Dakota.

South Dakota.

Chronic Wasting Disease In North America
Flore and data on a state to recent related to the characteristic for the charact

A map by the Chronic Wasting Disease Alliance shows the number of cases of CWD

By 2002, CWD had spread to game farms in five states and two provinces, and to seven jurisdictions in the wild, including Saskatchewan. By 2005, CWD has spread in the wild to ten states, to four separate sites in Saskatchewan, and to the Oyen region of Alberta. It is now on game farms in two provinces and twelve states.

In the U.S., tens of thousands of wild deer are being slaughtered in an attempt to curtail infection. Colorado wildlife managers are saying, "For the first time, herds won't be managed for hunters and wildlife watchers, but for chronic wasting disease." Eradication programs are apparently not checking its spread.

In Colorado, where CWD is infecting wild deer herds on both sides of the Continental Divide, the epidemic is being called "an unimaginable blow to wildlife and local economies." There, it is predicted to have a devastating effect on communities

reliant on an influx of hunters each fall. Unless significant action is taken immediately, Alberta is poised to follow Colorado.

Since CWD has just been found in wild moose in Colorado, we know that no members of the deer species are safe. So far, it has not jumped into bovines or humans, but lab tests indicate that the potential is there to make this sort of leap. This means it is doubly important to act now, to act at our scientific best, and to act in cooperation with our neighbour, Saskatchewan.



# HARLEQUIN DUCKS DISMISSED BY FEDERAL COURT IN CHEVIOT CASE

By David Samson, AWA Conservation Specialist

Harlequin ducks have effectively been served with their eviction notice for their residence on the McLeod River. The Federal Court, on August 17, 2005, dismissed a challenge to the approval of the Cheviot coal mine, which had been filed by a coalition of environmental groups representing wildlife and concerned members of the Alberta public.

The legal issues with which the coalition was most recently concerned surrounded what the coalition believed to be ill-founded approval for the Cheviot mine, the enormous coal mining project located within three kilometres of the eastern border of Jasper National Park. The coalition had applied for a judicial review of the failure of the Minister of the Department of Fisheries and Oceans (DFO) to comply with duties under the Canadian Environmental Assessment Act.

It is not just harlequin ducks that are affected by this decision. "What they promised wouldn't happen and what is happening on the ground are two different things," said Jill Seaton of the Jasper Environmental Association in a recent press release. "For example, there's been no replacement habitat found and protected for the grizzly bears, which are, in effect, a threatened species in Alberta."

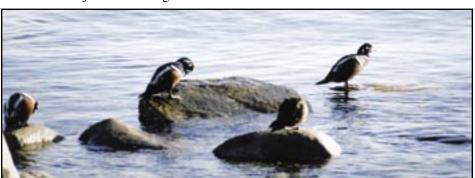
A key ruling by the federal court was that a new environmental assessment (EA) was not required, even though Elk Valley Coal and its parent companies, Teck Cominco and Fording Canadian Coal Trust, had not included a haul road in the original submission and subsequent EA. Additionally, the

court deemed it irrelevant that a haul road was later added to now pass over a causeway/dam, as the dam itself had been assessed previously.

The court also ruled that no new mitigation measures were required despite the potential impacts of the major change in which the mined coal was now going to be transported down the McLeod River valley. Furthermore, in disregard of an acknowledgement of precautionary principles, the court deemed that rejection of mitigation

be closed down?" And of course there remains the significant unanswered question of what the eventual impact will be on Jasper National Park.

Lastly, and with respect to the challenge under the Migratory Birds Convention Act (MBCA), the court also held that, as the DFO was not in control of the project, it was not responsible for ensuring compliance with the MBCA; however, they could be free to prosecute for any harm that occurred later.



measures for harlequin ducks was acceptable, given that Environment Canada had not identified specific mitigations required.

AWA remains opposed to the existence of the mine. "The federal environmental process has failed us in this instance, forcing AWA to give up its legal opposition, but we can pursue other options," says AWA Past-President Cliff Wallis. He also pointed out that even though the mine has started operating, not everywhere has been wrecked, yet.

"With this constant disturbance, will animals like grizzly bears and harlequin ducks be able to adapt to this non-stop disturbance?" he asks. "Will public access beyond the mining area

The current status of the haul road in question is that legal opposition to it has become effectively moot. The mine has started operations and trucks loaded with coal have already started moving down the valley.

This latest round of court action was initiated in August 2004 and was presented by Sierra Legal Defense Fund on behalf of a coalition comprising Alberta Wilderness Association, Jasper Environmental Association, Nature Canada, the Pembina Institute, and Sierra Club of Canada. The coalition has decided not to appeal these current legal issues unless more compelling legal issues arise. AWA has now ended its role in the coalition.

Olson .



# Special Areas Water Supply Project Unrealistic and Irresponsible

By Dorothy Dickson

While I understand that the agricultural sector is having difficulties and needs to change to remain viable, I think other options must be explored to provide more long-term security than is provided by the plan for the Special Areas Water Supply Project (SAWSP). I oppose SAWSP as I do not think it is realistic in its expectations, environmentally sustainable, or financially responsible.

Options should be sought that would reduce the need for manipulation of water supply, such as returning pastures to native species that evolved to survive drought, temperature fluctuations, etc.; not planting crops that are dependent on irrigation; and consolidating small towns into fewer more viable communities that might specifically attract small industry that is not dependent on water.

I'm afraid that the time may have come to accept the fact that many people, young and old, wish to live in (or within driving distance of) centres large enough to provide amenities and job opportunities for the lifestyle they want and that population decline in rural areas is inevitable.

I think flexibility and adaptability will be the watchwords for all of us in the future, but SAWSP is based solely on the possibility (not certainty) of an increased water supply enabling the continuation and some expansion of past practices.

In trying to assess the need for and value of this particular plan, there are too many unknown factors in the calculations, especially regarding future commodity markets, input costs – including energy – and, most of all, the unpredictability caused by climate change.

Indeed the whole plan is based on "assumptions," "estimates," "predictions based on historical data" (which probably no longer apply), and motherhood statements about "enhancing" the environment and "mitigating" the damage the project will cause.

Even the Special Areas Board Chair said that the aim of this plan is to handle immediate problems and agreed it would tie up water needed years down the road. Society cannot afford to be so short-sightedly selfish with an element as essential to life as water. for its workers.

Other reservoirs (Glenifer, Abraham, Oldman) where the attraction of water-based recreation has been touted as a social and financial plus have not lived up to hopes because of often dangerous conditions.

It seems that the proponents are assuming that grain and cattle prices



Red Deer River downstream from the proposed diversion

## **Economic Analysis Based on Guesstimates**

The economic analysis is based on a series of assumptions and too many optimistic outcome scenarios! The plan does not state how many farmers/ranchers are expected to benefit, and the possible job increases it suggests are small compared to the estimated costs. The "guesstimate" for long-term jobs created is only about 200 – certainly nowhere near enough to "keep the young people at home," as one resident of a small town hopefully stated.

Even the short-term jobs for construction of the project would be mostly for labour and not create a "more stable population." But then, attracting industry and more people would only increase the demand on the water supply and no little town is likely to grow enough to afford proper treatment and sewage disposal plants, let alone the hospitals, doctors, schools, and other facilities that industry expects

will go up, but market economics would dictate that the more of a commodity that is available, the lower the market price, while the cost of farm inputs, especially gasoline and fuel-based chemicals, will certainly rise. Taxpayers are already having to subsidize farmers because of droughts, floods, market constraints, etc. What will it cost us if the water supply to farms and other businesses fails?

If any irrigation is allowed (and trying to grow crops in an area not naturally suited to them is obviously a gamble), it must not be with the type of equipment allowed in the south, where an appalling amount of water is wasted. As noted in the Socio-Economic Assessment, farmers would have to make a major investment in this gamble to be able to take advantage of the project, and their income would be totally reliant on there being enough water to make it work every year.

I'm afraid that many of the benefits listed are not just "unquantified" but also unreal. There is no list of "unquantified costs" such as increased use of fossil fuels and chemicals and the associated health and environmental costs. How will the continuing research and monitoring of uncertainties listed in the water quality study be done and paid for when government field staff are already overworked and the government has not been willing to provide funding for promises of monitoring, enforcement, etc. required in other regions?

smaller towns in the Red Deer River watershed that are strategically placed near major transportation routes and in reach of larger centres for commuters (e.g., Innisfail) are also growing rapidly. Upstream industries and new developments such as coal bed methane extraction are also increasing and need water for their operations.

If you get several drought years in a row (which seems to be an increasing pattern), I doubt if you could have enough water stored – after all the



A ranch bordering the area of the proposed water supply project

Salinization is another worry and we apparently have no way of dealing with it, other than prevention. Much as I would like to see the continuation of small family farms and a rural lifestyle, I must sadly admit that they are becoming increasingly endangered and I think it will take much more innovative thinking than projects like this to save them.

#### **Impacts on Other Users**

Other users, including the aquatic ecosystem, will certainly be affected by this proposal and I suspect that the plan's assumptions regarding upstream development, population growth, and water needs are inadequate; it does not state on what rates of growth the needs of areas with prior allocations for the next 50 years are based or when they were calculated.

Red Deer's population increased by over 32 percent in the last decade and seems to be accelerating. Some senior (i.e., prior to 1977) and current junior allocations and the in-stream flow needs (IFN) were satisfied – to meet all the new uses that are proposed in the plan. This would only create a worse situation for those who had come to depend on the project.

We should learn from, rather than repeat, mistakes made in the south of the province, especially in regard to environmental damage and the waste of water from irrigation methods. It should also be noted that during the recent floods, water that had to be released from overflowing dams, including the Dickson Dam, only exacerbated the downstream situation.

I was somewhat appalled at the Open House when a rancher at one information booth insisted to his audience that the main reason other Canadians come to Alberta is not the energy industry jobs but the abundance of water, and that there was more than enough for everyone to have all they wanted and anyone who said otherwise was just fearmongering because we would never run out. He added that talk of global warming and climate change affecting the supply was just nonsense.

#### Needs of the River

In the other rivers that contribute to the South Saskatchewan basin, demand for irrigation and other allocations is already sometimes in deficit, and in-stream flow objectives are not always met. It is therefore likely that demands on the Red Deer River, which currently usually has adequate flow for IFN and allocation needs, may be called on to pass on more of its flow to help meet apportionment needs.

So far, the Red Deer has not been required to contribute more than 50 percent of its natural flow – which is the minimum amount needed for IFN. This is noted in the draft SSRB Water Management Plan which states, "[A]s the utilization of the existing licences in these [Bow and Oldman] basins increases, there will be an increasing requirement for contributions from the Red Deer River [to meet apportionment requirements]."

So it is absolutely essential that the IFN of the Red Deer River are met while we still have the capacity to do so, before we risk over-allocation for other uses. We must also avoid setting the percentage for IFN too low, as it is now apparent was done in other watersheds, which did not allow enough leeway for drier years. The IFN of other rivers and riparian ecosystems of the basin are already not being protected at a high enough level to ensure their environmental health.

If the Red Deer River has to pass on more than 50 percent of its flow even in drier years, the extra would have to come from allocations in order to keep enough for IFN. If our contribution was fixed at a maximum of 50 percent, it could cause considerable hardship for users in the more southerly basins. It seems it would be both unwise and unfair even to consider the SAWSP before the management plans for the whole South Saskatchewan Basin are completed.

When estimating flow in the river, historical data probably will no longer apply, as weather patterns are changing more rapidly and unpredictably than

would be expected under "natural" conditions. Unfortunately, the "Water for Life" program only starts at the base of the foothills and does not protect the upstream supply from the mountains, on which the flow in all the rivers in the South Saskatchewan River basin largely depend and which appears to be decreasing.

The flow is also likely to be adversely affected by the increased industrial activity and mechanized recreation being allowed in the lower ranges. It should be noted that, even with reduced snowfall and therefore less run-off from the mountains, the melting of glaciers may, for a short time, boost the flow somewhat in some watersheds, but not in the Red Deer River, which is not glacier fed.

Furthermore, transferring water from one river basin to another is a scientifically stupid thing to do because the chemical and living composition of two rivers or streams is never identical and the consequences of mixing them is not predictable. The Province should not set a precedent by allowing this – the law preventing it is there for a purpose.

The desire of humans to "even out" the flow of rivers for their convenience is not compatible with the way river ecosystems work because both the life in the river and the riparian habitat have evolved with spring surges and lesser flows later in the year.

The South Saskatchewan Basin study clearly states this: "[T]he pattern of flows (frequency, magnitude and duration) is more important to ecosystem health than total annual volumes."

As has been all too clearly shown on other rivers, water withdrawals for use and/or storage, which make flows lower than natural in the spring and summer, place great stress on the aquatic and riparian ecosystems. Fish habitat, riparian vegetation, channel maintenance processes, and water quality are all affected.

The water quality study done for this project obviously had some reservations about the continuing quality of the water in the Red Deer River if the project goes forward and, because of uncertainties of the outcome, recommends the need for continual monitoring and even a

contingency plan.

More cultivation, irrigation, chemical pollution, sewage, etc. would all also affect water quality and habitat. With the quality of the water now reasonably good, no risk should be taken that might reduce it. The Red Deer is now one of the healthiest rivers in central and southern Alberta – keep it that way.



Disturbance from a pipeline shows clearly on this native prairie in Special Areas. Careful stewardship of the grasslands has kept this ranch in good condition, showing grazing is a compatible land use.

#### **Finding Sustainable Solutions**

This project seems to be based on the question "How can we manipulate the environment to make farming more economically possible?" It would be better to ask "How can we change our farming methods to make them better suited to the current environment and flexible enough to cope with future changes in climate and the economy?" SAWSP does not take account of these changes so is not a sustainable, long-term solution – and agriculture, of all industries, is a long-term proposition.

The idea of "enhancing" nature is arrogant. Much of the time we don't even understand how it works, and mitigation has been described as about as useful as "putting lipstick on a corpse." If you want to continue

farming in this somewhat inhospitable region, work with what has worked in nature for millennia, rather than trying to fight and manipulate it.

Prairie grasslands are the most altered ecosystems in Canada with the highest number of endangered species. NONE of what is left should be altered for any sort of development, including farming. It is the responsibility of Albertans to preserve these precious ecosystems.

Alter the farming methods to take advantage of the inherent properties of the native species and, wherever possible, restore some of what has already been lost. Environmentally and economically native grassland is the most sustainable groundcover for the region.

Unfortunately, I think that government actions over the past decade in closing rural hospitals, not ensuring home care and child care delivery, and so on speak louder than the motherhood words of their Rural Development Strategy.

This article is based on the author's comments for the public consultation conducted by Equus Consulting Group May-July 2005. The final report is available at www.specialareas.ab.ca but does not reflect the depth of the author's comments, which are often not even mentioned.



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WILDERNESS WATCH

#### WILL A NEW COMMITTEE REALLY SAVE THE WOODLAND CARIBOU?

By David Samson, AWA Conservation Specialist

Alberta Sustainable Resource Development (SRD) announced the creation of a new caribou committee as part of a package of "new" actions aimed at conserving caribou. Whether this alleged new initiative will actually "ensure that caribou remain on Alberta's landscape for many years to come," as David Coutts, Minister of SRD, states in a June news release, remains to be seen.

We have seen committees come and go and caribou populations still remain threatened. Three of 18 caribou herds are at immediate risk of extirpation; six herds are in decline; three herds are listed as stable; and there is insufficient information on another six herds to even know what their status is.

The new committee charged with the task of developing yet more plans for the recovery of threatened caribou is the Alberta Caribou Committee (ACC). It is an amalgamation of two existing caribou committees - the Boreal Caribou Committee and the West-Central Alberta Caribou Committee - and the Alberta Woodland Caribou Recovery Team. The new committee will consist of government, industry, and a smattering of that over-used mercurial hodge-podge description of "stakeholders," as well as the equally non-committal "efforts to initiate dialogue with aboriginals."

On a more positive note, Alberta Wilderness Association (AWA) will be represented on the committee. "We feel this is our last shot from the inside," says Cliff Wallis, AWA's past-president and committee member. "If we can't reach agreement with the other players and get a commitment from government for some essential planning tools like deferrals, we will have failed caribou and our responsibility to Albertans who want to see caribou restored in abundance to their former ranges."

A key recommendation that SRD has chosen to dismiss so far is to put

in place a moratorium on, or deferrals of, further industrial development within the ranges of threatened species until proper caribou recovery planning actions can be determined and implemented. It is difficult, however, to expect that SRD will accept recommendations in the future from a new committee when it has already rejected numerous previous recommendations, including those from its own departments, and placed industrial development at the forefront in threatened caribou habitat.

In a description of its key actions, SRD touts two enhancements. neither of which has proven to work so far: (1) creating another committee and (2) promoting industry best practices. With respect to a third more corporeal approach, they have chosen to highlight the option of

predator management as a tool.

According to recommendations derived from the Report from the Caribou Workshops conducted in April 2005 (which included 39 participants from government [policy, science, and management], academia, industry biologists, consultants, and members of the Boreal Caribou Technical Advisory Committee), predator control was identified as a last-resort method of trying to save critically endangered populations. They identified predation as the major cause of caribou mortality, which occurs largely due to human alteration of habitat that in turn changes predator-prey relationships.

Additionally, the workshop arrived at a "clear understanding that predator control as a management tool is highly controversial" and that

"predation risk is presumed to increase with habitat loss, and increased linear features." SRD is recommending proceeding with this last-resort option while at the same time allowing continuing linear disturbances from industrial development.

SRD's indolence on this issue is akin to "Alberta continuing to fiddle while our caribou perish," as Wallis says, and clearly illustrates the glaring gap between what SRD says they want to do with caribou recovery and what they are actually prepared to do to



A sign on Alpac's FMA, 1998

achieve that objective.

What is needed is concrete action on habitat protection in caribou ranges. Only then can another tool, predator management, become an effective tool. In and of itself predator control is simply a last-ditch effort, which will likely result in failure unless it is coupled with ensuring the existence of significant habitat regions.

"We have danced around this issue of securing viable caribou habitat for 14 years or more," says Wallis. "Industry agrees that implementing other ideas has resulted in a failure to keep caribou populations from declining." He adds, "We may already be too far in some ranges so we need to act fast. There is a short fuse on ENGO support for SRD's actions. Industry has to do its homework. We need to

set targets. The key tool in the kitbag is deferral and ultimately, securing of habitat."

Wallis, however, does not rule out industry activity. It may be possible for oil and gas activity to occur, but in an unconventional fashion, like in the Arctic. He points out that there are other major problems that need to be addressed as well, such as forest companies' high-grading practices in old-growth forests.

These are two huge problems. It is possible that industry can work in these areas and recover caribou, but we have yet to determine exactly how to do that. In the meantime, deferral as a tool is necessary to ensure that there will be caribou remaining to recover. This may give caribou much-needed breathing room to have a chance to recover and maintain their populations, and time for the ACC to get a clear idea of what tangible, effective actions need to be put in place to produce sustainable, healthy herds.

In 1987, the provincial government declared caribou as threatened. In 2000, the federal government listed caribou as threatened under the federal Species at Risk Act (SARA). Under this act, the provincial government must put a recovery plan in place by 2007; however, it is becoming clear that there may be more committees than caribou by that date based on the rate at which industrial development is being allowed to occur in threatened caribou habitat. The extent of our current knowledge of caribou is noted by Professor Bill Pruitt, Taiga Biological Station, University of Manitoba: "We know ridiculously little about them or how our actions are affecting them."

In a foreshadowing of what may eventually become of the caribou herds if no substantive actions are taken on managing industrial disturbances in caribou habitat, we can look to the Maligne herd in Jasper National Park. The Jasper Environmental Association asked Dr. James Schaefer, a caribou biologist at Trent University, to look at Parks Canada's proposed actions to maintain the Maligne herd.

Schaefer found that the actions are "timid" and may result in a herd population of 17 by 2008, by which time the herd may have "entered an



A caribou lichen study near Grande Cache, 2005

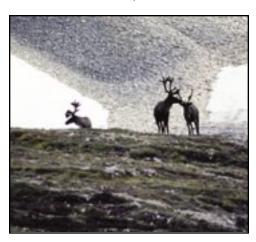
extinction vortex and be unresponsive to recovery actions." The remedies with that herd that Parks Canada did not accept involved a suggestion to restrict some road access during the winter. Failing to take this action may result in loss of the herd as described above.

We can only imagine the effect of continuing oil and gas and forestry activity in the habitat of the herds in other areas of the province, particularly on those herds that we know are on the verge of extirpation. If the irreversible annihilation of the Maligne herd could be imminent by 2008, it is conceivable that other herds in the province could be at high risk of a similar fate by 2007, the date by which the province's recovery plan is to be in place.

What will probably not work on its own is simply another committee with reworked strategies. Provincial initiatives to date in caribou conservation are summarized in a January 2001 report issued by Alberta's Fish and Wildlife Management Division, Status of Woodland Caribou in Alberta. The report points out that recognition for a provincial management plan began in the late 1970s. Since then, three provincial strategies have been developed and shelved with few of their recommendations adopted. The three reports are Woodland Caribou Provincial Restoration Plan (1986), Strategy for Conservation of Woodland Caribou in Alberta (1993), and Alberta Woodland Caribou Conservation Strategy Development Committee (1996).

Lastly, in a telling summary of the results of all these previous efforts, the report states: "The lack of endorsement of senior government officials has been viewed by some as a lack of commitment to caribou conservation efforts." We see, from the recent SRD focus, that little has changed.

If there is a glimmer of hope, it is that SRD's deputy minister has indicated that if industry and ENGOs can agree on actions, the provincial government will defer to those recommendations. This, however, may not be enough. In order to not disadvantage those industry players willing to defer their activities only to see valuable lands scooped up by others not willing to defer, government must make those ground rules apparent and fair to all. After all, we must keep in mind that the ultimate goal, as industry, government, and others agree, is to recover the caribou, isn't it?



Caribou in Willmore Wilderness Park

# RECREATION MONITORING REVEALS IMPROVEMENTS AND PERSISTENT PROBLEMS IN BIGHORN

By David Samson, AWA Conservation Specialist

Alberta Wilderness Association's Bighorn Wildland Recreation Monitoring Project continues to reveal disturbing evidence of continued illegal ATV use in the Bighorn Wildland's Upper Clearwater/Ram Forest land Use Zone. This is despite efforts by Alberta's Sustainable Resource Department (SRD) personnel and various special-interest user groups to educate users and mitigate and prevent further damage.

With detailed surveying of the entire study area complete, we have an excellent overall view of the extent of the existing damage and we are still witnessing evidence of ongoing illegal use. Equally worrisome, though, is the potential for accelerating damage that could easily occur with increased recreation usage, both legal and illegal, if not properly managed and/or enforced. Ultimately, this leads to serious questions on the long-term sustainability of the recreation uses presently allowed in this area and questions on the effectiveness of the management plan.

The extremely wet season that the area experienced this spring and summer has exacerbated this whole situation. Heavy precipitation in the area is not the only factor, however, as we continue to observe damage and evidence of illegal use that clearly occurred prior to June of this year. We observed how rapidly rutting, braiding, and erosion can occur when certain weather conditions, types of terrain, and types and volumes of recreation uses combine.

It is not just spring and summer recreation that is of concern for illegal use. SRD described a recent situation that involved hunters on ATVs who made the choice to retrieve the results of their hunting efforts by driving down a section of trail that SRD had obviously closed. Earlier in the season, we saw evidence on this same section of trail where ATVs had circumvented numerous signs and temporary

blockages put in place by SRD, only to proceed down this trail. The ATVs left their own trail on heavily washedout portions of trail and included the creation of new off-trail braids through trees and shrubs.



SRD's placement of rocks and a sign at this site appears to be stopping illegal water-crossings by ATVs and will assist in recovery of this sensitive section of Hummingbird Creek (compare this to the photo in previous WLA August 2005, p. 16, top left).



The depth of trail damage, clearly evident, has arisen from a combination of ATV use, horse use, and spring rains.

After the 2004 season, AWA representatives met with SRD officials to discuss their management plans for the area for the following season. During the 2005 season, we could see that SRD had been implementing some planned measures in the field, with some of the efforts appearing to be successful.

For example, we observed a site where access to a stream had been blocked off with large mounds of rock by SRD and a sign was posted clearly stating that access was not permitted. This site illustrated that often strong measures are needed and can work in getting the message across to ATV riders of where they should not ride. Our observations of this site throughout the season reveal that this measure appears to have been successful. Unfortunately, as recounted above, sometimes even these types of measures are simply not enough to deter riders who believe that somehow the management rules do not apply to them; additionally, they appear not to understand the environmental impact and not to realize the damage inflicted on their own user groups.

Our concerns with sustainability of the current recreation management strategy for this area have been recognized by SRD. They acknowledge that we have continued concerns with illegal off-trail and out-of-season ATV use, and with damage mounting from unmanaged horse use; they also acknowledge our apprehension that there may not be sufficient resources and expertise available to SRD personnel and user groups to adequately manage the area, which was officially opened to ATV use in 2002.

We will be continuing with our study in the area and would like to be optimistic about seeing responsible use of the area, but some of the trends we have observed so far are not very encouraging.

AWA would like to acknowledge the support of Alberta Conservation Association in our Bighorn Wildland Recreation Monitoring Project.





## COURT RULES ENVIRONMENTAL ASSESSMENT NOT REQUIRED FOR Castle Ski Resort

By Nigel Douglas, AWA Conservation Specialist

In September the Alberta Court of Appeal overturned an earlier Judicial Review decision which ruled that Alberta Environment was "patently unreasonable" not to require an Environmental Assessment for future expansions of Castle Mountain Resort in the Westcastle Valley. Despite a disappointing decision, conservation groups are vowing to keep up the fight to secure legislated protection in the Castle Wilderness, and calls for the designation of the Andy Russell Wildland are gathering steam.

Although the Natural Resources Conservation Board (NRCB) called for legislated protection of the area back in 1993, the Alberta government has so far failed to act on these recommendations.

#### Background

In 1993, the NRCB ruled that future expansion of the Westcastle ski resort could only go ahead if the surrounding areas of the Castle received Wildland designation. In fact, the area should have been declared as a Wildland, whether the development went ahead or not. Unfortunately, being Alberta, this designation never happened.

In later years, the Westcastle ski resort became Castle Mountain Resorts (CMR), and piecemeal expansions in their operations were allowed to go ahead with no environmental assessment and still no Wildland designation. So in October 2002, the Castle Crown Wilderness Coalition (CCWC) initiated a Judicial Review of Alberta Environment's decisions not to require an Environmental Impact Assessment of these expansions.

In July 2004, Madam Justice Kenny, Court of Queen's Bench decided that the decision by the Minister of the Environment (then Lorne Taylor) was "patently unreasonable" (see WLA, August 2004). CMR's development plans were put on hold.

#### New Decision

Alberta Environment appealed Madam Justice Kenny's decision, and on September 9, 2005, the Alberta Court of Appeal ruled that the Alberta government was not "patently unreasonable" in giving the green light to further development by CMR. An unfortunate decision

that left conservationists bowed but not heaten

At the time of writing, CCWC is still deciding whether to take the case to another level, to the Supreme Court of Canada. A separate court case is still pending on CMR's plans for a new sewage lagoon proposal for its new developments.



In a way, the future prospects for the Castle have changed little with the court decisions. There is still a clear need for full legislated protection in the area. A coalition of conservation groups, including AWA, CCWC, Canadian Parks and Wilderness Society (CPAWS), Yellowstone to Yukon Conservation Initiative (Y2Y), Sierra Club, and the U.S.-based Natural Resources Defence Council (NRDC) continue to fight for the Castle, but increasingly it is not just the "usual suspects" calling for changes.

In Martin Jalkotzy's superb new report, Selected Ecological Resources of Alberta's Castle Carbondale: A Synopsis of Current Knowledge, produced by CPAWS in association with Shell Canada. current knowledge about the ecological health of the region is combined into one comprehensive document. In a



Spionkop Canyon in the Castle Wilderness looking east

recent Globe and Mail article, Shell Ecosystem Manager Roger Creasey commented, "Although our perspective differs from that of CPAWS, as a company that's committed to sustainable development, we were pleased to participate in a project that will help ensure the sustainability of the region."

#### **Andy Russell Wildland**

AWA's calls for designation of the Castle as the Andy Russell Wildland, in recognition of this incomparable wilderness advocate, have received widespread support. Gary Mar, Minister for Community Development, wrote in a letter to AWA that "designating the Castle area as Andy Russell Wildland Provincial Park would be a fitting tribute to a truly great Albertan who dedicated his life to protecting Alberta's wild places." Maybe, after decades of concerted effort, the Castle's time has finally come.

Martin Jalkotzy's report can be found at www.cpawscalgary.org/castle/ ecological-resource-report.html.

#### WINDFALL FOR RANCHERS

Ranchers with grazing leases who can wrangle a wind farm deal could be setting themselves up with lucrative retirement packages – all at the public's expense. One rancher is reportedly setting up a deal with West Windeau owner, David Boileau, to place 18 turbines on grazing leased land north of the Cypress Hills. The rancher's deeded land has conservation easements that don't allow wind turbines. At proposed rates of \$5,000 per turbine, a ranch with up to 20 turbines, each with a 30-year lifespan, could net up to \$3 million. Why should only a chosen few be able to benefit from such a deal on our public lands?

The government's response to concerns over wind royalties is that "the proponent and leaseholder negotiate compensation for the consent." That is, the government will not collect royalties on behalf of the entire public; it will follow the practice of compensation for oil and gas activities, which many have argued for years is unfair.

The Grasslands Naturalists have taken up the challenge. In a letter to Sustainable Resource Development Minister David Coutts they outline the following points.

#### Use an Appropriate Approach

This approach to compensation is inappropriate. Its primary flaws are 1) it invites abuse and entails mismanagement of public assets, 2) it is inconsistent with government policy, as reflected in the Agricultural Lease Review Report (ALRR) (1998) and the follow up unproclaimed Agricultural Statutes Amendment Act (ASAAu), and 3) it creates undesirable incentives for the use of public land.

#### **Use Private Lands**

With the limited amount of turbine development slated for the province and the abundance of locations available for this industry on private degraded and/or farm land, we suggest that public lands not be used to compete with the private sector in this business. In our view, the Crown should

definitely not permit development where it imposes any undue costs – for instance, where the public land under consideration comprises valuable natural assets, like scarce native prairie grasslands.

#### Do It Right the First Time

The negotiated payment on deeded land is the best indicator of fair market value (FMV) for turbine development. It is our understanding that the sum paid for turbines is not usually broken down into the typical categories of Surface Lease Agreements for oil and gas activities, which take their lead from the compensation considerations outlined in s. 25(1) Surface Rights Act (SRA). Instead, payments are made either on a per turbine basis, about \$5,000 per turbine per year, in our area [southeast Alberta], or as a percentage of the value of electricity generated.

Although the SRA does not apply to the wind resource, it is instructive to describe the categorization and distribution of payments for oil and gas activity. On deeded land, there is a royalty payment to the Crown. The landowner receives:

- (a) an entry fee and compensation for (b);
- (b) market value of the area granted;
  - (c) loss of use of the area granted;
- (d) nuisance, inconvenience, noise:
- (e) adverse effect to remaining lands; and

(f) damage to the area granted. For grazing dispositions the Crown still collects a royalty and is entitled to (f) above. The leaseholder collects for (c), (d), and (e) and the developer is left with (a) and (b). One could say the ASAAu is partially directed at rectifying the unjustified subsidies/payments for the Crown's current failure to collect for (a), (b) and (c).

We note that if the ASAAu were in force, the Crown would take the area granted for development purposes out of the grazing disposition, reduce grazing fees in proportion to the area



withdrawn, and collect rent from the developer equivalent to compensation paid for development on private land. Also, the disposition holder would not receive compensation for (c), but compensation items (d) and (e) would remain, as they represent the obligation of the developer to pay the leaseholder for damage to agricultural operations.

The ASAAu provides a responsible solution to compensation policy because it provides fair compensation to the leaseholder and FMV for the use of Crown lands. Accordingly, if public land is to be used for wind farm development, implementing the ASAAu would set the right precedent. "Doing it right the first time" has its merits. Given the abundance of suitable private land available for this industry, we suggest not proceeding on public land until the ASSAu is implemented.

# **Unjustifiable Gifts and Mismanagement of Public Assets**

Implementing an inappropriate policy is not the answer. Under ASRD's proposed policy, where the proponent and leaseholder are simply left to negotiate the amount for consent, the leaseholder is being invited to

capture as much of the FMV for turbine development as possible. This is essentially an invitation to abuse, with the leaseholder being allowed to negotiate for the highly subjective items (d) and (e), in circumstances where the proponent is prepared to pay the whole of the FMV just to compensate for these two items.

To illustrate the problem, suppose that the FMV is \$5,000 per turbine per year and that the leaseholder successfully negotiates for \$3,000. Also, assume that \$1,200 accurately reflects fair compensation. This outcome entails Crown gifts of \$1,800 per turbine per year to the leaseholder and \$2,000 per turbine per year to the proponent. One can use different numbers but the result will be the same – mismanagement of public assets.

#### **Royalty Option**

Although we do not advocate proceeding, other than by implementing the ASAAu, there are more justifiable interim possibilities than ASRD's proposed policy. The Crown could, for instance, enter the negotiations and collect an appropriate royalty to approximate the ASAAu result. There is a precedent for wind resource royalties, as they are analogous to payments to the Crown for other surface resources, like stumpage fees for trees. Royalties can be collected as a set amount per turbine or as a portion of the amount/value of electricity generated, like with oil and gas.

On deeded land, the royalty, or payment for the wind resource, is captured within the rent but is readily recognized as FMV minus economic costs imposed by turbine development. On deeded land, economic costs would be high where the land potentially has a high value alternative use – for instance, where there is the potential for a country residence in a "natural" setting.

However, for Crown land, where only a small number of acres, whose only alternative use is farming, are taken and the disposition holder isn't much inconvenienced by the turbines, or even enjoys them, a high percentage of the FMV payment will be royalty. Recognizing this, the Crown might follow the practice of collecting a standardized justifiable royalty, say, 85

percent of the local FMV per turbine. The leaseholder could then be given the option of receiving 15 percent of the FMV for consent or decide not to permit the development.

Rather than invite the abuse inherent in the difficulty of valuing items (d) and (e), this approach has the merit of providing insight into the leaseholder's true valuation of these subjective items. It is also efficient from an economics perspective, because it gives the leaseholder the right to refuse development where it imposes undue damage to agricultural operations.

#### **Undesirable Incentives**

The inherent unfairness in ASRD's proposed policy has further negative consequences. Turbine development on grazing lands at below FMV is an incentive for developers to locate turbines on grazing dispositions as opposed to deeded lands. Further, disposition holders who are in line for unjustifiable rewards will be encouraged to abandon good stewardship and promote development on their Crown leases.

This is exactly what responsible Albertans don't want, since it directs environmental damage to what are usually environmentally sensitive lands requiring protection. As the Pekisko group points out, once degraded, many of these scarce lands can not be replaced at any cost.

Further, by attracting turbine development away from private lands to Crown lands, these incentives put the majority of farmers, those who are not privileged by having grazing dispositions, at a disadvantage in the competition for turbine development. This latter consequence adds support to our preliminary suggestion that the Crown should keep public lands out of the competition for this business altogether, a policy that has worked well to date and can continue.

#### **Equitable Distribution of Gifts**

In light of our comments regarding invitation to abuse, mismanagement of public assets and the other negative consequences of ASRD's proposed policy, ASRD should be urged not to adopt it. If development is to proceed on public land, it should do so pursuant to the ASAAu, which is based on principles of fairness, user pay, and trades for fair market value. If gifts of public property are to be made, they should, of course, be distributed equitably to all Albertans.

#### **Andy Russell Wildland**

More and more people are joining the call for the permanent protection of the Castle Wilderness as the Andy Russell Wildland. There could be no finer tribute to a man who made a difference to so many, from the young children he inspired with his tales of wildness to the thousands who read his books from cover to cover, learning about Alberta's wilderness legacy.

It could be said that Andy inspired us to believe that "in wildness is the preservation of Alberta." He passionately believed that humans cannot improve on nature. The contributions made by this incomparable man to wilderness protection in southern Alberta must be recognized in perpetuity.

Please take the time to write a letter to Premier Ralph Klein to add your voice for the designation of the Andy Russell Wildland.

> The Hon. Ralph Klein Premier of Alberta Room 307 Legislature Building 10800 - 97th Avenue Edmonton, Alberta T5K 2B7 Phone: (780) 427-2251

Fax: (780) 427-1349 E-mail: Premier@gov.ab.ca



#### SASKATCHEWAN INVESTS IN GREAT SAND HILLS ENVIRONMENTAL STUDY

By Dr. Shirley Bray

The province of Saskatchewan says it is fulfilling two of its commitments to the future of the Great Sand Hills (GSH). First is the establishment of a Scientific Advisory Committee that will undertake a Regional Environmental Study (RES) of the GSH over two years to consider the effect of cumulative human impacts in the area. Second is a commitment to public consultations over the course the study.

Hills and the National Wildlife Area in Suffield, Alberta.

In June 2004, the government accepted the recommendations of the GSH Land Use Strategy Review Committee, which was set up to study the future of the area, including hiring "an independent expert in prairie ecology to conduct a RES and to make recommendations on future land use in the area." In December 2004, the government sought public input on a

be based on Strategic Environmental Assessment (SEA) methodology, which the Scoping Document describes as a "systematic process for evaluating the environmental consequences of policies, plans, programs or proposals to ensure that they are addressed on par with economic and social considerations early in the decision-making process.

Appleby explains that SEA methodology is "rooted in an industrial development commitment, not an ecosystem based planning commitment." He points to statements in the Scoping Document such as "The plan should be based ... on the evaluation of a range of development scenarios and environmental impacts for the region." Or, "The intent is to emulate the size and scope of other previous ecosystem-based assessments, such as the 20-year forest management plans." The RES is concerned with proceeding with industrial development with the least impact and protecting only small local areas too sensitive for such development.

The RES is supposed to be an environmental study, says Appleby, not an environmental impact assessment on industrial development in the GSH. A better model, he says, is one used by the Silva Forest Foundation. Their model actively plans for the protection of ecosystem and ecological values, and not just for industrial impact



Dr. Reed Noss, a world-renowned expert in ecosystem management for the University of Central Florida, is heading the committee. "Our goal is to examine the social, economic and ecological issues facing the Great Sand Hills and using that information we will work together to assemble an ecosystem-based, integrated, sustainable development plan for the area," he said in a government news release. He and other panel members demanded and have received independence in order to do their work.

The GSH lie just across the southeastern border of Alberta, north of the Cypress Hills and south of the South Saskatchewan River. They are a significant part of the remaining 4 percent of native prairie in the province and are connected to the environmentally sensitive Middle Sand

Scoping Document outlining the way the study will be conducted.

Local conservationists have concerns about the RES. "The Scoping Document is quite clear in revealing that the basis for the plan is that all of the area is desired for industrial development," wrote Alan Appleby, conservation director for CPAWS Saskatchewan, in his submission. "The GSH are the largest remaining native prairie in Canada, and the focus of its environmental study should be to outline its inherent environmental values and develop a plan to keep them intact.

The overall objective of the RES is a management plan "to guide human activities in the GSH so that the long-term ecological integrity of the area is maintained while economic benefits are realized." The RES will



mitigation. "A fundamental premise of [the RES] should be that we intend on maximizing the protection of rare native prairie ecosystems and habitats in the GSH ... and that as a result there will be further areas of protection."

The Scoping Document has other problems. The timetable shows that the final report is due in July 2006, one month before the end of the second field season. There is also no mention of the promised public participation.

Sandra Finlay of the
Saskatchewan Environmental Society
urged the Committee to put the GSH
into its current-day context and
consider legal, ecological, political,
and economic realities. She quoted
a 2001 Supreme Court decision that
"the protection of the environment has
become one of the major challenges

of our time" and that environmental protection is a "fundamental value in Canadian Society."

She notes that the government is also a part of the industry and that there is a revolving door between the two. Crown corporations have invested heavily in natural gas in the GSH. SPIGEC (Saskatchewan Petroleum Industry Government Environment Committee), whose Web site is hosted by Saskatchewan Environment, writes the regulations for the oil and gas industry. The regulatory function is missing, she says, and conflicts of interest are ignored.

She quotes from John Kenneth Galbraith's book, The Economics of Innocent Fraud: "As the corporate interest moves to power in what was the public sector, it serves, predictably, the corporate interest. That is its purpose.... One obvious result has been well-justified doubt as to the quality of much present regulatory effort. There is no question but that corporate influence extends to the regulators.... Needed is independent, honest, professionally competent regulation.... There is no alternative to effective supervision."

"May your deliberations serve the public interest well," ended Finley in her submission to the Committee. Hopefully the Committee will see eyeto-eye with Finley on the meaning of the public interest.

For more information see www.se.gov.sk.ca under Ecosystem Management – Land Use Planning; the CPAWS – Saskatchewan chapter Web site; or AWA's Web pages on the GSH.

#### Albertans Call for New Heritage Rangeland

By Nigel Douglas, AWA Conservation Specialist

Plans for huge increases in oil and gas activity have upset a lot of people in the Livingstone/Porcupine area of southwestern Alberta (see WLA August 2005). But local residents, ranchers, and environmental groups are determined to fight back.

in this beautiful region.

Residents recognize that the abundant natural resources below ground are of enormous economic value. But of no less value is the resource of native grassland, justifiably described as "Alberta's



The Cartwright Ranch in the Livingstone-Porcupine

Plans by Win Energy to drill along the beautiful Skyline Trail and proposals by Compton Petroleum for "carpet-bombing" in the area, with possible gas well densities of more than 64 per section, are leading to growing calls for a "time out" from development longest standing sustainable industry." Abundant clean, fresh water is another natural resource that is vital to the health of future generations in Alberta. But because it is difficult to put a dollar figure on the value of our watersheds, their significance tends to be dismissed.

Groups, including AWA, the Pekisko Group, and the Livingstone Landowners Group, continue to question the apparent urgency of liquidating a one-off non-renewable resource – natural gas – at considerable risk to other long-term sustainable resources, including clean water and native grassland. As Gordon Cartwright of the Pekisko Group pointed out at a recent open house, "Whatever oil and gas exists beneath the ground there is a public asset owned by Albertans. This asset can only appreciate over time."

These groups are continuing to call for the protection of this spectacular, unspoiled habitat as a Heritage Rangeland. Celebrations for Alberta's centenary year have left most Albertans decidedly underwhelmed, but what better way to mark the centenary than to leave the permanent legacy of a fully protected grassland landscape that would provide clean water, sustainable rangeland, and pristine wildlife habitat for future generations to enjoy?

The Pekisko Group website, www.pekisko.ca, carries a suggested letter to send to Premier Ralph Klein, calling for a time-out from development in this area.

#### Long-term RV Lease Proposal Compromises Waterton

By Nigel Douglas, AWA Conservation Specialist

Local residents are opposing a land-use bylaw change that would allow long-term leases for recreational vehicles just north of Waterton Lakes National Park. The MD of Pincher Creek recently debated an application by the new owner of Waterton Springs Campground that would allow long-term lease tenure for recreational vehicles on individual sites.

AWA agrees with the concerns expressed by groups such as the Southern Alberta Group for Environment (SAGE) that approving this change in land-use zoning would be the "thin edge of the wedge" that would ultimately lead to further country residential developments in the area. Experience at Westcastle ski hill shows that long-term lease tenure for RVs can quickly lead to poorly planned residential development, which continues to grow to the detriment of the area's ecology.

For many years now there has been an intent to allow only those land uses along the front of Waterton Lakes National Park that are compatible with protecting the larger Waterton ecosystem, including its aesthetics.

AWA is opposed to a long-term lease tenure for recreational vehicle development. "It is neither compatible with the current Rural Recreation 1 Zone designation nor with the protection of this globally important ecosystem and beautiful landscape," says AWA Past-President Cliff Wallis.

There is little indication that the full implications of these proposals, including water supply, waste water management, and implications for wildlife and riparian health have been adequately considered.

The current zoning mandates that the borders of Waterton National Park be developed "in a sensitive fashion to limit or avoid compromising the municipality's natural attributes, natural aesthetics, and important scenic vistas," and AWA believes that this requirement should not be changed.



"We believe it is time to live up to the spirit of the land use bylaws and to go even further, ensuring that the environmentally significant areas of the MD of Pincher Creek remain unimpaired for future generations," says Wallis.

Please send your comments to Loretta Thompson, Chief Administrative Officer, MD of Pincher Creek, lthompson@mdpinchercreek.ab.ca.



© Loucas Raptis

### ATHENS-BORN ARTIST FINDS NATURAL CONNECTION IN CANADA

By John Geary

Like many nature artists, Loucas Raptis always felt a connection to nature, and that connection always started and ended with his drawing.

However, unlike many of his peers, the self-taught Victoria, B.C.-based artist did not experience it firsthand as a child. Born in Athens in 1961, he moved to Canada in 1981, living in Montreal, Toronto, and finally, Victoria, where he's lived since 1989.

As a child, he turned to books to feed his hunger for natural subjects.



Loucas Raptis

"Whenever my mother would buy me books, I always chose books that had lots of pictures of animals and nature in them," he says. "Then I started drawing. I've been drawing birds, fish, and other animals since I was 10."

His pencil drawings have always been about nature – so much so that to Raptis, to draw means to draw nature. He has never really figured out why he feels so connected to the natural world, though.

"Most of my life I've been a big-city dweller. The smallest city I've lived in is Victoria. I don't understand where this affinity for nature grew from, other than from the books I read as a child. It certainly didn't come from any direct experiences I had growing up.

"How one grows up interested in nature, in an absence of all natural things, I've never been able to explain to myself."

The opportunity to view and draw nature subjects in their natural habitat

was one of the factors that appealed to him the most about moving here.

"In Athens, where I grew up, you don't get many opportunities to draw subjects in natural history," he says. "You have to go a long way from Athens to find any nature. The forests in northern Greece are quite rich, but nothing like what we have here in North America."

His affinity for nature is so strong that when he and his wife moved to Victoria, he felt like he was really "home," like this was where he was supposed to be.

Since moving to Vancouver Island, he's made up for his previous lack of exposure to nature. He and his wife learned to enjoy camping, hiking, and birdwatching. The first way he connected with nature, though, was through fly-fishing.

"To fly-fish, you have to understand the environment of the fish," he says. "You learn more than just how to catch fish – you learn about entomology, about the environment of the trout and salmon. Through that process, you come to understand none of those things operate on their own. It's never a single relationship between the trout and the mayfly, or the salmon and the herring – it's a whole community of organisms, and everything affects everything else."

Because of his connection with fishing and his subsequent involvement with fly-fishing organizations, it was just natural he would delve into that area of expertise when he began to carve out a niche for himself as a professional artist. Much of his early professional work focused on fish and fishing.

He was so good at it that in 1996, the Haig-Brown Fly Fishing Association of Victoria invited him to illustrate a limited edition of Pool and Rapid, written by the late Roderick Haig-Brown.

Raptis followed that up by producing many illustrations depicting B.C.'s freshwater fishes, on provincial government commissions. Eventually

he chose to expand his portfolio, though, because he is interested in drawing much more than fish.

"It came to a point where the work wasn't reflecting my range of interests, which have more to do with natural history," he says.

When Bruce Whittington decided to write the book Seasons with Birds, Raptis jumped at the opportunity to provide the illustrations for the book.

"It was a fresh opportunity to do something different, when Bruce approached me with this book idea," he says. "So it had a special appeal for me."

He met Whittington when the Seasons author wrote a nature column for the Victoria Time-Colonist and ran a naturalist store in the B.C. capital. Eventually they developed a friendship, and when Whittington decided to do the book, he asked Raptis to do the illustrations.

Raptis was a little concerned about making the switch from fish to birds, because while he had a fairly thorough knowledge of fish, he did not have the same knowledge of birds. He had to check and double check everything to make sure of his accuracy.

Technically, the drawing was actually easier.

"I found birds' plumage easier to do in colour pencil, accurately, than the scaly aspects of fish."

At the same time that Raptis has



© Loucas Raptis

cut back illustrating fish, he has also cut back on fishing, giving him more freedom to find other subjects to draw.

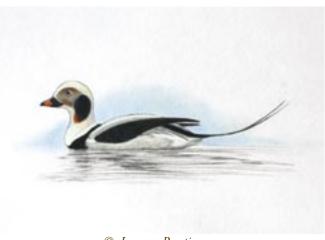
"When I go out, I just look for whatever comes up, I never look for something specific or try to force the issue," he says. "I always bump into interesting things."

Raptis is certainly looking at some new horizons. He wants to add reptiles, mammals, and even plants to his portfolio of birds, insects, and fish. He also wants to combine his drawings with some of his own writing. His writing takes the form of natural history

storytelling.

"I want to share my interest and my fascination for nature with others."

While Raptis says he does not have anything earthshattering to say, through his art and his writing, he will help connect others with Mother Nature.



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#### HEARD AROUND ALBERTA

#### **Enjoy Your Local Sour Gas Blowout**

Greg Melchin, Alberta's Minister of Energy, is pretty excited about the future of oil and gas in the province. At the Canadian Association of Petroleum Producers 2005 Steward of Excellence Awards, he said, "One of my first introductions to the industry as Minister of Energy happened just west of Edmonton. It was great to wake up one morning and watch this flare in the west, from my condo window, when the sour gas blowout occurred."



Flaring

#### Alberta's Mothership

"The environment is the 'mothership' of Alberta and we must protect it at all costs – and with the shared effort of all of us," said Alberta Environment Minister Guy Boutilier at the April 2005

Environmental Leaders' Forum. But what does the minister consider to be "the environment?" Clearly not the unique and internationally significant McClelland Fen, for example, which the government is happily destroying for oil sands mining.

It must be that from the government's perspective, ships, including motherships, require fossil fuels to operate. Therefore, in their minds, protecting the environment really means protecting the coal and oil and gas industries – at all costs. Maybe it's time to hitch a ride on somebody else's mothership.

#### Facts Don't Matter

Montana's governor Brian Schweitzer discussed "his 'God-given' political gifts" with Blaine Harden of the Washington Post recently (Sept. 5/05). "In politics, it doesn't matter what the facts are,' he said. 'It matters what the perceptions are. It is the way you frame it.' In Montana, he continued, the best way to frame an issue is to get horses and guns into the picture." Harden's article contains more gems from this feisty politician.

# **Experience "More" Canoeing Lakeland**

A card on a coffee shop table in Lac La Biche described the following: "Peaceful, relaxing, adventure, spectacular views, abundance of wildlife, you can experience all that and more on Alberta's only backcountry canoe circuit in Lakeland Provincial Park." An observant citizen remarked, "I think the 'more' is the fact that they allow things like motorboats along the way."



One of 30 motorboats cruising Touchwood Lake in Lakeland one summer day

# Do Montana Spies See Open Government in Alberta?

It's no surprise that Montana is using satellite imagery to "spy" on Alberta's consumption of water from the Milk and St. Mary Rivers (see Calgary Herald, Edmonton Journal [Aug.7/05]). It turns out though that Alberta uses satellite imagery for similar purposes and can't help seeing what Montana is doing.

The real surprise is Dave McGee's comment. He's an approvals manager for Alberta Environment in Lethbridge who said Montana could have just phoned and asked him for the information. "The Alberta government's philosophy is to do things openly and the right way," he said. "This isn't the kind of world in which you can hide things."



Milk River

Really? What about the Milk River Feasibility Study that former Environment Minister Lorne Taylor locked in a cabinet and refused to let anyone see? Promised to the public by June 30, 2003, the study was finished in December 2003 and has been locked up ever since. Senior Alberta Environment officials claimed that even they hadn't seen it. It will stay locked up until the IJC finishes its deliberations on Montana's challenge of the international agreement regarding sharing of water of the St. Mary and Milk Rivers (see WLA Feb. 2005).

Current Environment Minister Guy Boutilier will not confirm rumours that the government is spending more money studying options in the Milk River Basin. Is this doing things openly? We can hardly blame Montanans if they are a bit suspicious.

#### Government "Inefficiency" Ministry Called to Task

The Annual Report of the Auditor General of Alberta says the Ministry of Restructuring and Government Efficiency has not clearly defined its performance measures and targets or developed systems to monitor and report results. The report says "the Ministry made unsatisfactory progress improving its performance measurement systems."

"It is laughable that we have a ministry responsible for improving all around government efficiency unable to define its own performance measures and targets," said Alberta Liberal MLA Laurie Blakeman.

#### Value of OHVs to Economy Overrated

How much do off-highway vehicles (OHVs) actually contribute to the economy? Well, the simple answer is that it depends on who you ask.

The Alberta Snowmobile
Association (ASA) Web site refers
to a study undertaken on behalf of
the ASA and Alberta Off-Highway
Vehicle Association by Econometric
Research Limited, which revealed
that "snowmobiling and off-highway
recreational vehicle activity throughout
Alberta during 2002 resulted in a
province-wide economic impact (value
added) of \$653 million."

But authors of a recent report looking at the economic implications of expanding Waterton-Glacier International Peace Park into the Flathead Region of B.C. suggest that this is more of a contribution to the Japanese economy than to the local economy. Although future prohibition of OHV use might result in a loss of participant satisfaction for some people, "there would not be an actual loss in economic activity and thus no loss in local incomes would be expected."



A June 2005 social and economic analysis for Montana's Gallatin National Forest travel plan found that non-motorized users of the forest generate nearly twice as much spending as motorized users do. Non-motorized recreation generated \$7.3 million in economic activity and supported 330 jobs; motorized recreation created \$3.9 million in spending and 185 jobs.

And then, of course, there are the economic costs to the environment of motorized activity, but many of these are much more difficult to measure (and so less likely to be measured). How do we put an economic value on clean air, healthy fish habitat, or a peaceful wilderness experience that are degraded by motorized recreation?

# **Dumb Idea Award: Transplant African Wildlife to Great Plains**

Even scientists can come up with dumb ideas. Take that of PhD student Josh Donlan of Cornell University and 11 scientists who suggested in the journal Nature that the best chance for saving Africa's big mammals was to transplant them to North America's Great Plains. They argue there are habitats that remain unfilled in North American because of Pleistocene extinctions. Of course, the animals would have to be kept on huge enclosed game farms.

The idea was roundly criticized by regional and national conservation groups working to restore the Great Plains in an August 2005 news release (see AWA's Web site under Grasslands). They point out the following:

- Current species have likely evolved to fill habitats formerly occupied by now extinct species, and that introductions of exotics will result in competition with native wildlife species already under pressure from habitat loss and other factors.
- Native keystone species, species that help create conditions that allow many other types of wildlife to survive such as bison and black-tailed prairie dogs, are in need of restoration help. It would be the height of folly to introduce non-native animals to the Great Plains when we haven't even established healthy numbers of our own keystone species.
- The second-leading cause of the loss of native wildlife around the world is the introduction of non-native wildlife.
- If we want to save African wildlife, we should focus our efforts on saving African ecosystems.

Fortunately, the African mammal transplant idea is dead for now.



Bison roam the Great Plains





The Prairie Fiddlers stepped up the beat for arriving guests



Stalwart volunteer, Margaret Main, at the auction of organic beef from TK Ranches and a beautiful watercolour by Jacqueline Treloar.



Guests mingled and bid on a fantastic array of items.

A lively program and excellent wine and dining filled the evening.

Marilyn and Heinz Unger greeted guests with true western



Auctioneers from Graham Auctions spur bidders on



Amos Garrett and the Eh Team provided superb entertainment

## READERS' CORNER: CROOKED LAKE BIOPHYSICAL SURVEY 2000

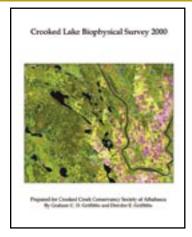
This 330-page report was written by Graham and Deirdre Griffiths for the Crooked Creek Conservancy Society of Athabasca, a not-for-profit volunteer organization established on the principles of nature restoration, conservation, and preservation.

Little is known about the flora, fauna, and significant natural features of the Central Mixedwood subregion of the Boreal Forest Region of north-central Alberta. The complexity of natural environments is a major challenge to ecologists attempting to understand them, particularly the dynamics of change at both the local and landscape/ecosystem levels.

In the 11-km<sup>2</sup> Crooked Lake study area, vegetation types and associations (their species composition, age, and extent) are extremely diverse and form a mosaic in which old-growth stands

predominate. This diversity is due less to disturbances such as wildfire, and more to glacial origins: topography, soils, wetland distribution, hydrology, and microclimate variability, together with intervals of beaver and ungulate influences.

To date, a total of 309 native vascular plant species (clubmosses, horsetails, ferns, trees, shrubs, and herbs) and only 13 introduced (nonnative) species have been identified. Approximately 56 non-vasculars (lichens, liverworts, mosses, and algae) have been recorded. The survey includes 233 vertebrate species: 35 mammals, 190 birds (of which 116 nest), three amphibians, and five fish. Significant ecological features, many of regional or provincial importance, are described and recommendations for further studies are listed.



The report includes nine colour maps and 39 colour plates and costs \$90 (plus \$10 S&H). You can order it from Crooked Creek Conservancy Society of Athabasca, P.O. Box 2072, Athabasca, Alberta, Canada T9S 2B6 or contact Joan Sherman: jsherm@telus.net.

## Open House Program

#### CALGARY

Location: AWA, 455 12th St. NW

Time: 7:00 - 9:00 p.m.

Cost: \$5.00 per person: \$1 for children

Contact: (403) 283-2025 for

reservations

Tuesday, November 8, 2005 **Pekisko Rangeland** With Alan Gardner

Tuesday, November 29, 2005 **Badgers**With Cleve Wershler



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#### ALBERTA WILDERNESS AND WILDLIFE TRUST

#### Annual Lecture and Awards

Friday, November 18, 2005 **The Enigma of Wild Things** *with* Dr. Jim Butler

Reception: 6:00pm

Lecture and Awards: 7:00pm

Cost: \$25.00

Reservations: (403) 283-2025,

1-866-313-0713, awa@shaw.ca or online at www.AlbertaWilderness.ca

## OTHER EVENTS

Wednesday, November 9, 2005 Wondering about Watershed: Beehive Natural Area With Heidi Eijgel

When: 7:00 p.m. – 9:00 p.m. Where: Fish Creek Environmental

Learning Centre Cost: \$6.00

Registration: (403) 297-7927

# Annual General Meeting

Saturday, November 19, 2005 Alberta Wilderness Association **Annual General Meeting** 

When: 10:00 a.m. Where: AWA Office, 455 12 St. NW, Calgary Registration: 1-866-313-0713

## Leave Your Legacy for Wild Alberta

Celebrate Alberta's 100th birthday and AWA's 40th anniversary with a gift to Alberta's wild lands, wild waters and wildlife. We have a remarkable wilderness heritage, one that cannot be sustained without determined, passionate efforts. You can help!

The health of our environment and the quality of life we leave for future generations is up to us. Each of us can make a difference!

A gift to the Alberta Wilderness and Wildlife endowment fund supports wilderness programs and research that contribute to the protection, understanding and appreciation of wilderness and wildlife.

Your legacy will touch many lives!

| YES! I WOULD LIKE TO NAME: | LEAVE A LEGACY   | FOR WILI       | O ALBER     | CTA.          | 1     |
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#### **Alberta Wilderness Association** Box 6398, Station D Calgary, Alberta T2P 2E1

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