

# A WILDLANDS ADVOCATE



THE ALBERTA WILDERNESS ASSOCIATION JOURNAL

DECEMBER 2020



PHOTO: © C. TRUSCOTT



# C O N T E N T S

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## Features

- 4 Common Sense: Really?
- 6 Please Complete Alberta's Recreation Survey...as Flawed as It May Be
- 9 Public lands, protected areas and a pitch for the simple things
- 11 Three Sisters Corridor Functionality Comes First - Then Development
- 15 Jasper's Endangered Caribou Need Stronger Management
- 17 Caribou Sightings
- 19 Bullets for Recovered Bruins: Should We Hunt Grizzly Bears?
- 22 Creating a Silver Lining Out of Disaster?

## Association News

- 25 Photographs for Wilderness
- 28 A Pioneer for Environmental Protection: Linda Duncan, Wilderness Defender
- 31 How Many Bucks Does it Take?

## Wilderness Watch

- 34 Updates

## Departments

- 39 Cub Reporter Corner

## Poems (in memory of Louise and Richard Guy)

Ralph Waldo Emerson "The Snow-Storm" page 5  
Robert Frost "Dust of Snow" page 8  
Bliss Carmen "Winter Streams" page 8  
Henry Stelfox "The Timber Beast" page 35

## Cover Photo

This photograph was taken on a fall morning in 1991 and shows a view looking northward into the Bob Creek Wild-land from the valley of Bob Creek. As I hiked up the slope to the location where I took this photograph I realized the combination of fresh snow, the colour of the aspen leaves, the hills in the distance, and the pattern of clouds in the sky would make for an engaging photograph if I could find an adequate foreground. But the conditions were changing quickly and I was running out of time to find a satisfying composition. The sun was just starting to come through the clouds in the east when I found the rock in the foreground. I quickly set up my tripod and camera and managed to capture the moment. A few moments later the sun burst through the clouds and the scene changed irrevocably. The view recorded in the photograph was no more.

- Charles Truscott



## ALBERTA WILDERNESS ASSOCIATION

*"Defending Wild Alberta through Awareness and Action"*

Dedicated to the conservation of wilderness and the completion of a protected areas network, **Alberta Wilderness Association** is a voice for the environment. Since 1965, AWA has inspired communities to care for Alberta's wild spaces through awareness and action. With a provincial office and library in Calgary, AWA has active members, volunteers, and sponsors throughout Alberta and beyond. AWA is a non-profit, federally registered, charitable society. Donations and financial support are greatly appreciated, please call 403 283-2025 or contribute online at [AlbertaWilderness.ca](http://AlbertaWilderness.ca)

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## Featured Art

Given all of the wonderful photos that were submitted to AWA's Adventures 4 Wilderness photography contest we decided to use some of those photos as our featured art in this issue. The contest winners receive prime billing in our Association News section.

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# Whose Vision?

In this season of hope, I'm concerned. I fear the dismantling of Alberta's public lands and provincial parks regime is picking up steam. I say this despite Minister Nixon's late December news release designed to reassure Albertans that a version of the status quo they have fought for since March will be retained. Perhaps my family lineage runs through Missouri - the "Show Me" state. I need more than a news release on the eve of Christmas to convince me of a genuine change of heart.

Alberta's current provincial government hasn't looked kindly on the provincial parks system since it was elected in 2019. The 2019 budget made it clear the government thought too many tax dollars were being spent on parks. It pegged operating spending for the 2021-22 fiscal year at \$64 million – 26 percent below what was spent in 2018-19. And then there was the decision to remove 164 sites from the provincial parks system (and, make no mistake here, these were the Minister's words - they weren't concocted by malicious conservation organizations).

This battering shifted to a new target midway through 2020 – the protection public lands outside of the parks system enjoyed from open-pit coal mining along the Eastern Slopes. Revoking the 1976 Coal Policy stripped that protection away. Only coal companies and the Coal Association of Canada were consulted about this change.

In late November, the government simultaneously made both the parks system and public lands more generally its targets. It did this through "Alberta's Crown Land Vision" and an accompanying survey about outdoor recreation (which AWA hopes you will complete before January 15, 2021). The focus in this editorial is on the threat I see in the government's *vision*; a critique of the survey comes a few articles later.

The government's vision is long on pretty pictures and short on convincing argument. You're right...as we've come to expect from the UCP we're told repeatedly that the vision reflects "common sense." (see Lorne Fitch's article for a common sense critique of common sense) In the minds of the Kenney cabinet, the system for managing public lands is too complicated, too confusing. Their vision promises to make the system "simpler and more efficient." Apparently, we need this vision because Albertans "asked us to untangle the many classification, rules and regulations so they're easier to understand." Although the Minister insists that Albertans believe this, I cannot recall any consultation whatsoever with citizens on this subject.

During the UCP's November townhall on parks Minister Nixon telegraphed his intent to act on this theme. Then he seemed troubled by the fact we have one piece of legislation dealing with public lands generally (*Public Lands Act*) and another law that deals with a small subset of public lands (*Provincial Parks Act*). It's

hard for me to believe that he and his political staff really find this complicated and confusing. It's no different than the situation in a Ministry like Health. There, the Health Minister is responsible for 53 different laws, laws dealing with dozens of different dimensions of health. And, it's no different than the situation in six other provinces governed by conservative or centre-right political parties: Ontario, Québec, Saskatchewan, Manitoba, New Brunswick, and Prince Edward Island. They are able to navigate their waters with both a Parks Act and a Public Lands Act. So too was Ralph Klein's government.

What the Minister didn't say during his townhall or in his visionary document is that the subjects governments are responsible for such as health and public lands are complicated. Complicated, multi-dimensional subjects demand exactly what the Minister seems to object to – multiple laws enabling governments to make distinctions and prescribe different practices for different purposes.

This brings me to the most important reason I fear what the Minister is going to present to Albertans in 2021. His statements don't reflect as well as they might the "prime directive" of Alberta's *Provincial Parks Act*. During his townhall he said "parks, at the end of the day, is about creating recreation opportunities within the department but not necessarily the number one way to do conservation of large landscapes..." I hope he'll accept a friendly amendment to that position – a careful reading of the *Provincial Parks Act* suggests a very different ordering of priorities. The first purpose listed in the Act is "the preservation of Alberta's natural heritage;" the second purpose is "the conservation and management of flora and fauna;" the third is "the preservation of specified areas, landscapes and natural features and objects in them..." Recreation is only mentioned as part of the fourth purpose. Our parks legislation prioritizes much more than recreation opportunities.

This ranking of the purposes of parks is well-accepted throughout Canada. For example, in Conservative Ontario the *Provincial Parks and Conservation Reserves Act* states its purpose as: "to permanently protect a system of provincial parks and conservation reserves that includes ecosystems that are representative of all of Ontario's natural regions, protects provincially significant elements of Ontario's natural and cultural heritage, maintains biodiversity and provides opportunities for compatible, ecologically sustainable recreation."

I worry then that this year the ghost of Christmas future is going to warn us of the death of a public lands and provincial parks regime that makes vital distinctions between how Alberta's public lands should be managed.

Be well and may your holidays be filled with joy and fellowship – from a distance.

- Ian Urquhart, Editor



# Common Sense: Really?



By Lorne Fitch, *P. Biol.*

**W**hat is “common sense” and is it really common? I’d be rich, if I had a dollar for every time I have heard the expression used, especially to dismiss solutions to a complex issue and offer a simple, but very flawed response.

Years ago, I helped a friend move a log cabin. It was elevated on blocks and all we had to do was back a flatbed trailer under it, lower the cabin, and move it. It wasn’t that simple in practice since the trailer was too high to get under the cabin without raising the structure higher. We tried that and the cabin teetered, swayed, and threatened to topple off its supports. If the cabin couldn’t go higher, I reasoned the trailer would have to get lower. So, we took the wheels off and dragged the now lowered trailer under the cabin, jacked it up, replaced the wheels and the move was underway.

An elderly friend, with years of practical experience complimented me on my “common sense” solution. In retrospect, I think it was less common sense than an analysis of the alternatives, of which only one was viable. If only all problems had that short list of alternative and clear solutions.

Common sense may be an admirable attribute in some, simple circumstances, like the cabin move. But there are clear limits on the application of common sense. To suggest the value of “common sense” conservation provides no more reassurance than to engage in “do it yourself” nuclear fission or “self-help” heart surgery.

One of the lessons of life is that for every complex problem there is a sim-

ple solution that will not work. Merely tacking the term, common sense, onto an action doesn’t make it sensible. Take the “Common Sense Revolution” that Premier Mike Harris pursued in Ontario. That was a catchphrase for his intent to reduce the size and role of government. Many sensible people questioned whether this version of “common sense” served the public interest.

Environment and Parks Minister Nixon has released his government’s vision for Alberta’s public lands. Called the “Alberta Crown Land Vision” it promises “a *common sense* approach to Crown land management that finds the *right* balance between conservation, recreation and economic use.” (my emphasis)

Given how little appreciation the Kenney government has so far shown to conservation science and scientists, I worry that this clarion call in favour of common sense is a backhanded way of attacking a perceived egg-headed, book-trained “elite,” in favor of corporations, industry, and off-highway vehicle users.

Merriam-Webster defines common sense as “sound practical judgement concerning everyday matters, or basic ability to perceive, understand and judge that is shared (common to) nearly all people.” The keys to the utility of common sense are the words “everyday matters” and “basic ability.” The definition also depends on whom you’re asking.

Often, the things that should guide us in life, like physics, chemistry, biology and mathematics, lie well outside our everyday experience, leaving us little to which

we can apply common sense. And, without their guidance, common sense can get things horribly wrong. Take our understanding of the relationship between the Sun and the Earth. Every morning the Sun rises; each evening it sets. Common sense told our ancestors the Sun travelled around the Earth. Copernicus challenged this common sense approach using reason and developed a model where the Earth orbits around the Sun.

Like conventional wisdom, common sense approaches may stop us from thinking “outside the box.” As Melissa Schilling, a professor of management reflects: “Rigid adherence to convention and agreeableness is the sweet way to prevent independent thinking and innovation.”

Gaps often arise between what “feels” true and what scientific research “proves” is true. Commonly held beliefs may animate actions even when scientific evidence shows the beliefs to be myths. Some government and industry foresters, for example, subscribe to the myths that logging is an ecological equivalent for fire and that logging prevents wildfire.

Independent forest ecologists recognize the significant difference between a tree killed with a feller buncher in a logging operation and one torched in a forest fire. Trees removed by logging create different effects on soils, watersheds, fish/wildlife habitat, and aesthetics than ones killed by fire and left on site to be recycled, reduce erosion, and aid in biodiversity maintenance. Logging demands an extensive road network, a significant sediment source for years.



Common sense will lead some to believe that, if a forest is logged, fire risk is removed, or reduced. That might hold true if forests were never allowed to regenerate and create new fuel loads to burn. But under conditions of natural and human-induced fire starts, exacerbated by drought and wind, even young, recently regenerating clearcuts will burn, and burn intensively.

On closer examination the facts of scientific research get in the way of common-sense explanations.

Models allow us to assemble the disconnected bits of information together to understand the workings of a complex system. In these situations, the dictates of common sense are not the most reliable guide to predict an outcome. Common sense favors familiar and simple explanations over unfamiliar, complex, and perhaps unpopular ones. Common sense seems so simple as to be self-evident.

A common sense approach may not allow us to analyze data, the facts, as objectively as possible. Realistically, what is common sense is that no one likes to see their “theories” disproven. Use of the scientific method provides impartiality, tempering human biases and blinkered vision. Science is the umpire of facts, not of defending positions.

If we were to think in ways more open and rigorous, especially on matters out-

side of our everyday lives, we would stand a better chance of drawing the most accurate conclusions, leading to better decisions on the issues we face every day, whether they are mundane or impactful. That is the test we should apply to common sense, especially as it relates to the new “Alberta Crown Land Vision.”

For example: Would “common sense” suggest the wisdom of slashing provincial parks and recreation areas in a time of Covid, when these are the essential safety valves for Albertans? The outcry from Albertans over that common sense approach provides a clear answer. Promoting a 13 percent increase in timber harvest, even though logging may not be sustainable at present levels—common sense? Facilitating a coal rush in the Eastern Slopes, a place that supplies water to two-thirds of Albertans, is a favored recreation/tourism destination, and harbors fish and wildlife populations, some of which are species at risk doesn’t seem to fall under the banner of common sense.

If, indeed, the new “Alberta Crown Land Vision” is, as explained, another “common sense approach” we should be wary, very wary. Buzz words and phrases like “common sense,” “the right balance,” “a modern approach,” and “reducing red tape” should ratchet up our attentiveness to what we’re being sold. The “Vision,” which is hazy at

best, might contain a spoonful of truth, to make the nonsense go down easier. I don’t disagree we need a new vision (or perhaps even a return to an old one like the Coal Policy) but not one that supports more of everything on Crown land. It is doubtful whether this version of “common sense” will take us into a sustainable future, one that serves the broad public interest.

On reflection, we might find common sense isn’t really common, or sense. Perhaps when it is truly displayed, and useful, we should call it “uncommon” sense. Churchill said that common sense is so seldom encountered, when it is it seems like brilliance. The last word on common sense might go to Albert Einstein who reflected it was “the collection of prejudices acquired by age eighteen.” That’s the category in which the “Alberta Crown Land Vision” should be placed.

Maybe we should acknowledge that this thing called common sense might be severely over-rated, beyond simple explanations and solutions. That would be common sense. 🐟

*Lorne Fitch is a professional biologist, a retired fish and wildlife biologist, and a former Adjunct Professor with the University of Calgary.*

### The Snow-Storm

By Ralph Waldo Emerson

Announced by all the trumpets of the sky,  
Arrives the snow, and, driving o’er the fields,  
Seems nowhere to alight: the whited air  
Hides hills and woods, the river, and the heaven,  
And veils the farm-house at the garden’s end.  
The sled and traveller stopped, the courier’s feet  
Delayed, all friends shut out, the housemates sit  
Around the radiant fireplace, enclosed  
In a tumultuous privacy of storm.

Come see the north wind’s masonry.  
Out of an unseen quarry  
Furnished with tile, the fierce artificer  
Curves his white bastions with projected roof  
Round every windward stake, or tree, or door.

Speeding, the myriad-handed, his wild work  
So fanciful, so savage, nought cares he  
For number or proportion. Mockingly,  
On coop or kennel he hangs Parian wreaths;  
A swan-like form invests the hidden thorn;  
Fills up the farmer’s lane from wall to wall,  
Maugre the farmer’s sighs; and at the gate  
A tapering turret overtops the work.  
And when his hours are numbered, and the world  
Is all his own, retiring, as he were not,  
Leaves, when the sun appears, astonished Art  
To mimic in slow structures, stone by stone,  
Built in an age, the mad wind’s night-work,  
The frolic architecture of the snow.



# Please Complete Alberta's Recreation Survey...as Flawed as It May Be

By Ian Urquhart



**E**arly in my academic career I encountered an important, long-lasting observation about the politics of polling in Richard Johnston's *Public Opinion and Public Policy in Canada*. There Johnston argued we should understand public opinion to be a pliable political resource. Public opinion is a resource governments and other political actors try to shape and mobilize in order to successfully attain and exercise power and influence. One reviewer suggested that Johnston saw polling as an exercise in formulating "potentially popular ways of regarding issues, which is itself part of the continual struggle to structure choices and to control political agendas."

Governments of all political stripes use surveys either to try to shape and mold our views or to legitimize courses of action they want to take. Alberta Progressive Conservative governments used surveys this way; so did the Notley New Democrats; and Kenney's United Conservative Party government is following the same script.

**AWA asks you to complete the government's outdoor recreation survey found here.** (<https://www.alberta.ca/sustainable-outdoor-recreation-engagement.aspx>)

The government has advertised the survey as the first initiative by the government to consult Albertans about its "Alberta Crown Land Vision." Those who care about our parks system really don't any options here – we have to participate.

But, there's also no doubt this survey is part of the government's efforts to shape public opinion in order to further its policy agenda.

## The UCP and User Fees

In the 2019 provincial election the UCP's "Alberta Strong and Free" platform signaled the party's support for increasing user fees as part of its approach to environmental conservation. But, the platform implied these fees would be limited; it suggested that user fees only would be applied to off-highway vehicles. The UCP promised "a mandatory \$30 trail permit fee to Off-Highway Vehicles (OHV) and camping trailers to pay for restoring and creating OHV trails and preventing damage in Alberta's great outdoors, and to hire additional enforcement officers."

The 2019-23 business plan for the Ministry of Environment and Parks foreshadowed "a trail fee to restore and create trails" – language very similar to the OHV-centric phrase used in the election platform. The 2020 budget announced that a trail permit fee of \$30 will be levied in the 2021 and 2022 fiscal years. It is projected to raise \$4.5 million per year. But, the platform's clear commitment to levy this fee only on OHVs and camping trailers wasn't affirmed in the budget.

Earlier this year, the government started to explore the public's reaction to the more general adoption of user fees in Alberta's provincial parks. I thought then that the government's woefully unrepresentative survey should make any respectable pollster shudder and argued that more user fees were not a good idea (September 12, 2020 opinion piece in the *Calgary Herald*: <https://calgaryherald.com/opinion/columnists/opinion-more-user-fees-in-albertas-parks-is-a-bad-idea>). I also argued that the government should ask all Albertans what they

think of user fees.

In the future perhaps I should be more careful what I ask for. Towards the end of November, Environment and Parks unveiled what it has billed as its "first initiative under government's approach to modernizing Crown land..." This is the outdoor recreation survey AWA asks you to complete. As an aside, there's some irony in the government's decision to use the phrase "modernizing Crown land" since the phrase "Crown land" may be regarded as antiquated. The term "public land" is the more modern one as reflected in the fact Alberta has a *Public Lands Act*, not a *Crown Lands Act*.

## Structuring Your Responses...Sometimes with Misinformation

While this broad consultation is better than the half-baked approach taken earlier this year, it is still a classic example of a survey designed "to structure choices and to control political agendas." How does it structure your choices and control the political agenda? In the first place, the public wasn't consulted at all about the government's guide for its survey – the Alberta Crown Land Vision. That vision is the Minister's vision; it is imposed on Albertans from on high. Albertans didn't have any opportunity at all to tell the government what is central to their vision of what public lands, our lands, should look like.

Second, the first section of the survey is about partnerships. Partnerships with local governments and private sector actors are an idea the Minister of Environment and Parks is firmly wedded to. They are a giv-



en in his view of how recreation on public lands must be managed. To this end, you are not asked if you're in favour of or opposed to partnerships. Instead, the survey asks you what you think are "the best ways for partnerships to contribute to providing the kind of experiences and services Albertans want to see." This is how the structuring of public responses proceeds.

Third, the section "Funding for Recreation" opens with a lengthy preamble. The preamble intends to condition respondents to view user fees as the obvious or normal choice for funding recreation on public lands. It uses the assertion that user fees in Alberta currently are "fairly limited" as a springboard to suggest how out of step Alberta is with other provinces. The survey massages your mind here. It's encouraging you to see user fees as the normal, perhaps in the minds of government spin doctors the modern or common sense, way to fund recreation on public lands.

The preamble states that "most other provinces and states have access fees to their provincial/state parks." This is likely true but these access fees are very different from the ones the survey soon will ask you about. Fees elsewhere generally are gathered through a vehicle pass system like that employed in our National Parks. They very seldom apply to the things you might do in a park other than camping. While most other provinces insist on vehicle passes to enter provincial parks the survey makes it very clear that the Alberta government is committed to a very different approach to user fees here.

This key message – that other governments rely on user fees – is fundamentally suspect in crucial respects; in part, it promotes misinformation. The preamble asserts that annual trail passes in New Brunswick, Québec, Ontario, and Prince Edward Island are among the fees other Canadian jurisdictions collect to support recreation management. (my emphasis) This is simply untrue. None of these governments have annual trail passes or charge annual fees (other than vehicle licence/registration fees) for trail use on public lands. In these four provinces, trail permits are issued by

off-highway vehicle and not-for-profit associations. The preamble misleads in another way. With the apparent exception of PEI, OHV users don't have to purchase annual passes – day, three-day, and weekly passes are also trail permit options. Not only then does the government survey try to condition our response but that conditioning effort is based on inaccurate and misleading information. Take the preamble as truth and you will proceed to answer the survey based on a distorted portrait of reality.

Another message in this section is: "Government has committed to implementing a fee system to better support the costs associated with recreation on provincial Crown land." This is true. Without any consultation at all government has decided we need user fees.

The survey then asks you to disagree or agree with the idea that collecting user fees is "the right approach for enabling sustainable recreation opportunities on provincial Crown land." The very slender silver lining here is that at least the survey is honest enough to give you the opportunity to disagree. But, given the survey's previous encouragement to see user fees as "normal" is a right-minded soul, meaning a person of sound views, likely to disagree?

Now that the government has put you firmly on the "if we're normal we need user fees" path, the survey goes on to structure the choices you can make with respect to the factors that should guide the fees the government is committed to introducing. Ability to pay? Type of Activity? Intensity of Use? You're asked to rank these factors.

It then asks you to prioritize how funding (presumably from user fees) should be spent. For example, is protection of the environment a number one priority or a number seven priority? The next question essentially asks that, since we're going to have user fees, how should we pay for them? Annually, daily, multi-day? Do we want to charge people from outside the province more? What about free days?

The last section of questions is defined as optional. It asks you to identify what types of activities you do on your public lands,

what types of public lands you spend time on, how often you use public lands for recreation, your age group, your gender, your annual income, and who you work for/affiliate yourself with. Frankly, I don't think it's the government's business to know many aspects of my personal life.

Make no mistake about it. This consultation is very flawed if you expect that a government consultation on outdoor recreation shouldn't try to steer you towards the government's preferred direction. That said, I don't think Albertans who are concerned about the future of public lands in this province have any choice other than to participate in the survey. So, please visit the government's website and weigh in, as best you can, on what you would like to see the future of recreation on public lands look like. **The deadline for the completing the survey is January 15, 2021.**

## Points Made in AWA's Response to the Survey

For your information here are the points AWA made in its formal response to the survey. Please consider using points you agree with in your own survey response:

- 1.) Question 1 – Partnerships: they must incorporate conservation objectives and follow the *Provincial Parks Act*; they should be limited to providing maintenance/operational services for campsites in provincial parks and provincial recreation areas; they should not have any responsibilities on other public lands (such as Public Land Use Zones); partners must collaborate and take direction from Alberta Environment and Parks; partners should be held to performance measures that include those conservation objectives; we are concerned that partnerships through mechanisms such as Delegated Administrative Organizations will lead to the privatization of public lands (authority for trail management in the provinces lauded by the survey effectively is delegated to trail associations).



- 2.) Question 2: AWA strongly disagrees with seeing collecting more user fees as the right approach to enabling sustainable recreation activities on public lands.
- 3.) Question 3 – Other preferred tools or approaches that should be utilized? More taxpayer dollars should be devoted to enforcement and campsite infrastructure. Measures – including fines – must be introduced to manage random camping on public lands.
- 4.) Question 4 – where should fees be applied and on what activities? All three factors listed are “most important,” none are “least important.”
- 5.) Question 5 – other factors to consider? Ecological values such as species at risk, watershed integrity, and landscape thresholds must trump trail development. Remember here that the UCP declared in its platform that OHV user fees would be devoted to “restoring and creating OHV trails.” (my emphasis) Environmental assessments of proposed trails must be conducted to ensure these ecological values are respected.
- 6.) Question 6 – Ranking priorities for funding: number one is protection of the environment. The other two in AWA’s top three were enforcement to promote public safety and amenities and services.
- 7.) Question 8 – anything else to tell us about outdoor recreation in Alberta? Low impact recreation should be prioritized. This is the form of recreation that is most likely to be sustainable. This priority also is suggested by a 2017 survey conducted for Alberta Culture and Tourism. That survey reported that approximately 53% of households participate in day hiking, 10.3% participated in cross-country skiing, and 14.7% participated in motorized recreation. 🌲

### Winter Streams

By Bliss Carmen

Now the little rivers go  
Muffled safely under snow,

And the winding meadow streams  
Murmur in their wintry dreams,

While a tinkling music wells  
Faintly from there icy bells,

Telling how their hearts are bold  
Though the very sun be cold.

Ah, but wait until the rain  
Comes a-sighing once again,

Sweeping softly from the Sound  
Over ridge and meadow ground!

Then the little streams will hear  
April calling far and near, —

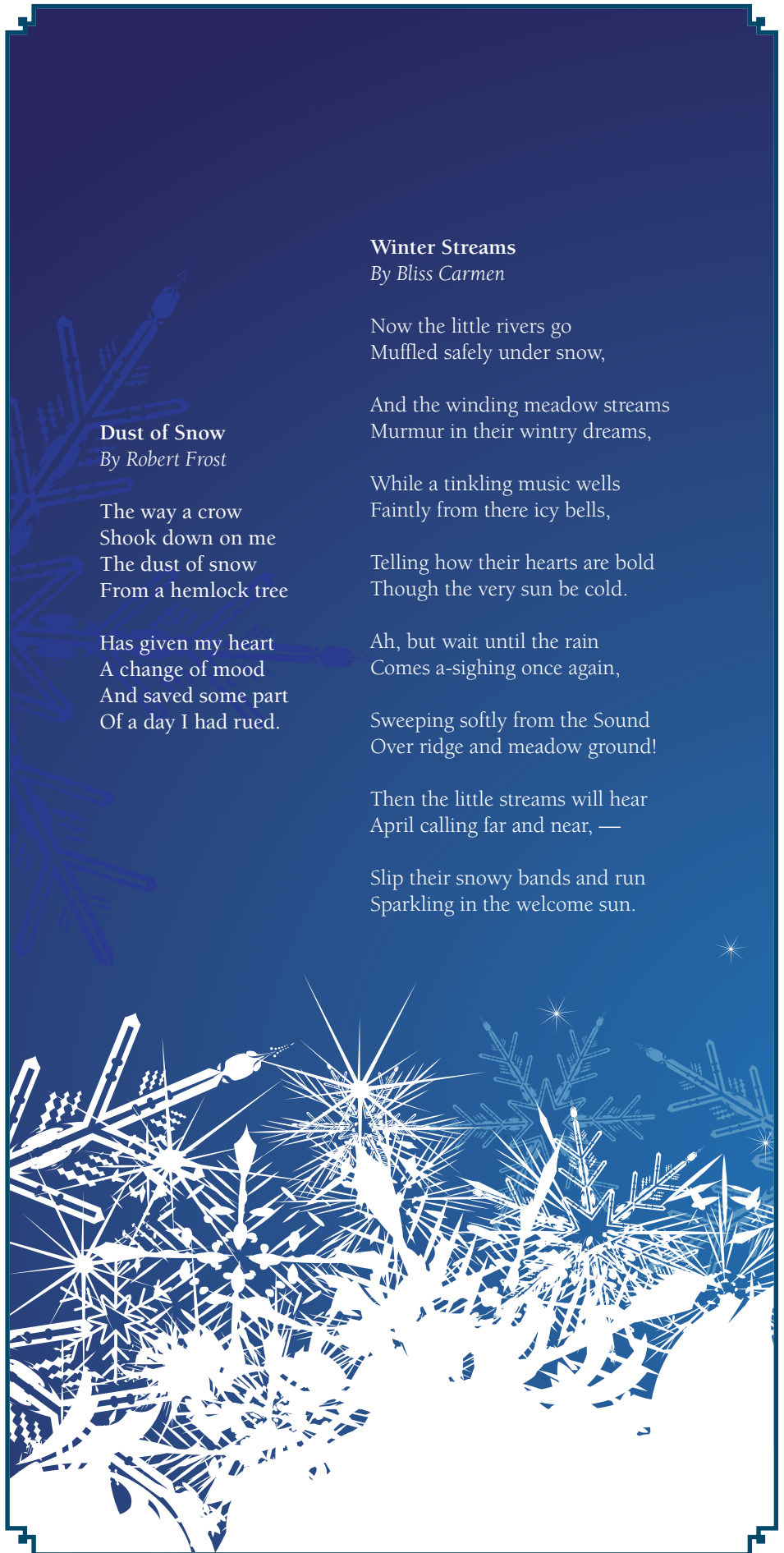
Slip their snowy bands and run  
Sparkling in the welcome sun.

### Dust of Snow

By Robert Frost

The way a crow  
Shook down on me  
The dust of snow  
From a hemlock tree

Has given my heart  
A change of mood  
And saved some part  
Of a day I had rued.



# Public lands, protected areas and a pitch for the simple things

By Grace Wark, AWA Conservation Specialist



Facing down the double-barrel of a new provincial Crown Land Strategy and the divestment of 164 of Alberta's parks, I seem to be spending increasingly more time pondering the purpose and distinctions between our provincial parks system and public lands.

In some cases, the definitions for parks and public lands could be used interchangeably. Either could be considered a “shared resource and a shared responsibility” or places to “inspire people to discover, value, protect and enjoy the natural world.” Both parks and public lands have significant front and backcountry offerings, can act as gateways into the wilderness, or places to seek either connection with others or solitude. Parks and public lands are found throughout Alberta's diverse and incredible landscapes and house the species and natural features that make our province special.

However, to say, as Minister Nixon has, that “not much is changing” as scores of parks are destined to be converted into public lands ignores the important distinctions that have made public lands and protected areas key management tools in the provincial landscape. There are, in other words, good reasons why governments in the past established both a *Provincial Parks Act* and a *Public Lands Act*.

When I participate in provincial planning processes, I'll often think about the differences in the management of and protections for wild lands, waters, and wildlife under each respective designation. From a conservation perspective, sites under the *Provincial Parks Act* have a much stronger legislative foundation for protection. Purposes like “the pres-

ervation of Alberta's natural heritage,” “the conservation and management of flora and fauna,” and “the preservation of specified areas, landscapes and natural features and objects in them...” enshrine conservation as the “prime directive” of the parks system. It's no accident that these purposes are listed ahead of outdoor recreation. And, when recreation is identified in section 3 of the Act as a purpose of parks, it's immediately followed by the government's commitment to ensure that parks provide “lasting protection for the benefit of present and future generations.” Conservation is privileged here.

Conservation's importance also is inferred when section 4 outlines the purposes of provincial recreation areas. These areas “are established, and are to be maintained, to facilitate their use and enjoyment for outdoor recreation by present *and future* generations.” The reference to future generations implies a duty or ethic of care that will be applied to those lands. They must be maintained in a way that doesn't deny their opportunities to future generations.

The *Public Lands Act*, on the other hand, speaks much less directly about conservation. While it does well to guide public land use, industrial dispositions and prohibited activities, the explicit commitment to conserving nature found in the *Provincial Parks Act* is noticeably absent. This isn't to say that conservation activities can't take place on public lands, but they exist in a multiple-use land management framework with no guarantee of their primacy. Industrial uses of the land may take precedence on public lands, uses that should not be allowed in a park.

One possibility under the “Optimizing Al-

berta Parks” decision is that if a new partner isn't identified to manage a site, it will transform into what we call “vacant public lands.” In technical terms, these are public lands not tied to any industrial dispositions (timber, oil and gas, mineral, grazing, etc.) that the public are allowed to access for recreation and random camping. In contrast to our parks, “vacant public lands” are largely unserviced and lacking in the recreation infrastructure supplied by the provincial parks system. They consist of not much more than dirt roads and trails and the occasional staging area.

This is a possible fate of at least some of the 164 sites, given that the initial “Optimizing Alberta Parks” proposal (as accessed through a Freedom of Information request by the Canadian Parks and Wilderness Society) intended to divest only 45 sites to partners and deregulate the remaining 119 parks to vacant public land status. Although this detail was seemingly changed by the time the Minister went public with his parks announcement, this initial intent likely means that the Ministry is aware that they'll only manage to find partners for a limited number of sites and plan to deregulate the rest.

While we've heard repeated statements that access will still be provided to all Albertans on landscapes like these, I feel the Minister hasn't yet addressed how this change will impact the nature of that access. I feel that there may be a few practical considerations for how that access to public lands is enabled and utilized by the people who seek to recreate within Alberta's landscapes.

With that said, instead of offering a long-winded, jargon-heavy analysis of parks



and public lands legislation in Alberta, I would much rather offer a few of my own stories from exploring and accessing wilderness in my own backyard. What follows is a pitch for parks and the simple amenities they provide and how they have given me access to nature during some of the times when I've needed it most.

### ***The simple things...***

There was once a time during my childhood that I would physically recoil at the word "adventure." An "adventure" would be rolled out on days where my mum, a single parent looking for a way to spend the weekend with her kids, would be struck with a sudden inspiration to visit the mountains. Despite her best efforts, adventures became associated with cold hands, wet socks, sore legs, and, on the odd occasion, getting lost in the woods. This was the likely result of stubborn children who chose to wear sneakers and sweatshirts rather than boots and jackets during weekend outings. Still, a negative connotation stuck.

At this time in our lives, we weren't backcountry enthusiasts or avid hikers, but instead four people looking for a brief distraction from home. My father passed away in 2004, and in the days that followed it was hard for us to spend time in the city that held so many memories of him. So, we sought comfort from popular haunts like Johnston's Canyon, Troll Falls and even the short interpretive trails near Kananaskis

Lodge. These are places that more seasoned hikers may steer clear from due to their over-popularity, but are easy to locate and had predictable amenities such as washrooms, picnic tables, and parking spots.

In the early days of internet information sharing, we relied heavily on roadside signage, clear maps, and information centres to get us out and into the mountains. A well-marked trail was a necessity for my mum to convince me that we weren't going to go on another accidental detour through the woods. Retrospectively, choosing the more well-visited areas also meant that my family, lacking basic hiking essentials like GPS or bear spray, was likely safer than if we had ventured off the beaten path. And so, frontcountry sites and pullouts became our sanctuary, an escape from the city, and an opportunity to forge ahead and create new memories.

It wasn't until I was in university that I started exploring my local public lands. I was drawn west of Calgary to Waiparous and Mclean Creek. I began to create adventures of my own, rambling up rutted dirt roads and staking temporary claim to a small, undisturbed corner of land. Here, the pace of life would slow and I could take the time I needed to momentarily detach from homework assignments.

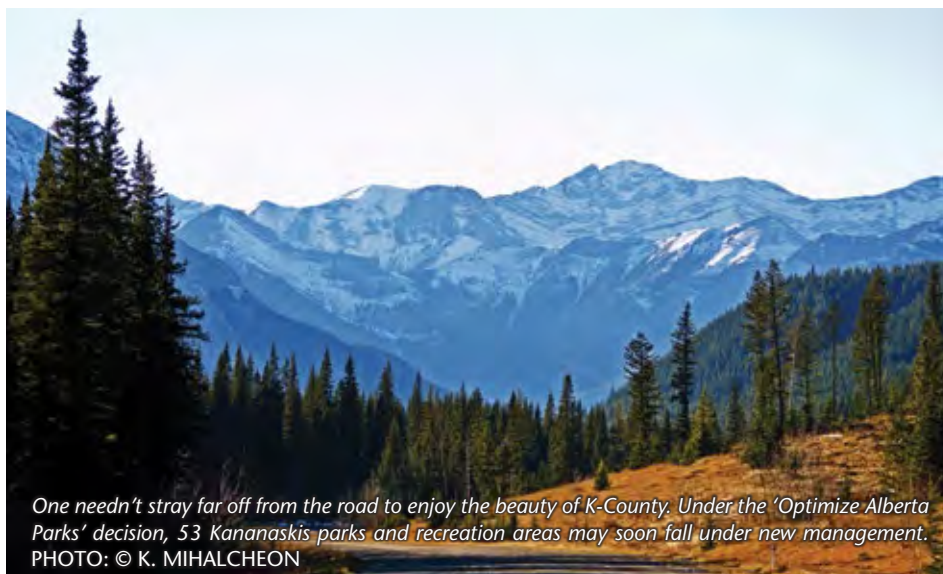
However, while distance from city and structure sometimes offered peace, it also bred chaos. Venture a few kilometres into public lands and you may notice the occa-

sional bullet hole or semi-demolished sign. On more than one occasion, I've heard straight-piped trucks or dirt bikes outside of my tent at 2 o'clock in the morning or the sounds of target practice off in the distance. Nights like those would occasionally send me back towards the comfort and polite decorum of provincial campgrounds and their reliable amenities and noise restrictions.

This isn't to belittle experiences on public lands outside of the parks system. It's meant instead to point out that there's a noticeable difference in how they're accessed and used. I like to think the basic services provided by parks are partially responsible for this.

I expect that the experiences I've described aren't unique. Many of us love and enjoy public lands for the escapes they provide and frontcountry parks for their structure and reliability. For families like mine, it was the simple things that made all the difference. A picnic table, a campfire ring or even a nearby outhouse might be the difference between staying home and getting out for the weekend. The simple things were the key to unlocking my own adventures, part of what helps keep our parks friendly, and ensure that anyone is able to enjoy nature.

I worry that if these changes to our parks system go through, we'll see fewer parks and parks amenities across Alberta's landscapes. If you care for the simple things as I do, I hope you'll consider writing Minister Nixon to make your personal pitch. 🐾



*One needn't stray far off from the road to enjoy the beauty of K-County. Under the 'Optimize Alberta Parks' decision, 53 Kananaskis parks and recreation areas may soon fall under new management.*  
PHOTO: © K. MIHALCHEON

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# Three Sisters Corridor Functionality Comes First – Then Development

By Heather MacFadyen



In 1992 citizens from all over Alberta came to Canmore to raise their voices in opposition to development proposed by Three Sisters Golf Resorts Inc. (TSR) in the pristine Wind Valley adjacent to Canmore's Bow Valley.

After lengthy public hearings by the Natural Resources Conservation Board (NRCB) these voices were heard, and TSR was restricted to Canmore and the Bow Valley with the pre-eminent legal condition that the developer provided functional wildlife corridors across TSR property.

Today, almost three decades later, citizens of Canmore and Alberta are still working to see scientifically functional wildlife corridors legally designated by the Province to protect the remaining 2.6 km of the 10 km multi-species Three Sisters Along Valley Corridor. This corridor is critical for wildlife, whose survival depends on being able to move from the Bow Valley to the Wind Valley and Kananaskis Country to the south, the Spray Valley and Banff Park to the west, and the Bow River and Bow Flats Regional Habitat Patch to the north.

As Dr. Robert Powell, the former Director of Science and Technology for the NRCB wrote: *"What is at stake here is whether the large mammal populations of the central Canadian Rockies remain viable or dwindle away as they have done elsewhere."*

## What is at stake?

On February 26, 2020 Alberta Environment and Parks (AEP) published a decision on the Smith Creek Along Valley Corridor, the last 2.6 kilometres of the Three Sisters Along Valley Wildlife Corridor to be Provin-

cially delineated on what is now Three Sisters Mountain Village Properties Ltd. (TSMVPL). However, this decision is conditional on the construction of a new wildlife underpass and on legal designation and permanent protection of this corridor, both of which are approximately two years away according to AEP.

Unfortunately, the 2020 AEP Decision falls far short of accepted Provincial scientific data gathered since 2002; the 1998 and 2012 Provincial guidelines; and two Provincially approved Along Valley corridor sections in the Three Sisters Resort and Stewart Creek Areas of the TSMVPL development. These two sections are both protected by Provincial conservation easements.

The 2020 AEP Decision on the Smith Creek Corridor section is seriously deficient. The width of the proposed corridor is too narrow and, in high slopes, the corridor will be dysfunctional. This deficient corridor decision comes despite the prolonged effort of Canmore residents and Albertans, successive Canmore Councils, and Provincial scientists. It also flies in the face of the NRCB's 2004 documented satisfaction and acceptance of an improved corridor width from what the Board envisioned in their 1992 Decision. Any approval of development adjacent to the Smith Creek Corridor as it stands would be at the expense of the legally required viable wildlife corridor necessary for bear, elk, deer, wolves, and other species to live and move through the Bow Valley to other areas of our Rocky Mountains.

## The Three Sisters Saga

Spanning 28 years of bankruptcies and buy backs, multiple developers and development

proposals, the Three Sisters Along Valley Wildlife Corridor qualifies as a saga.

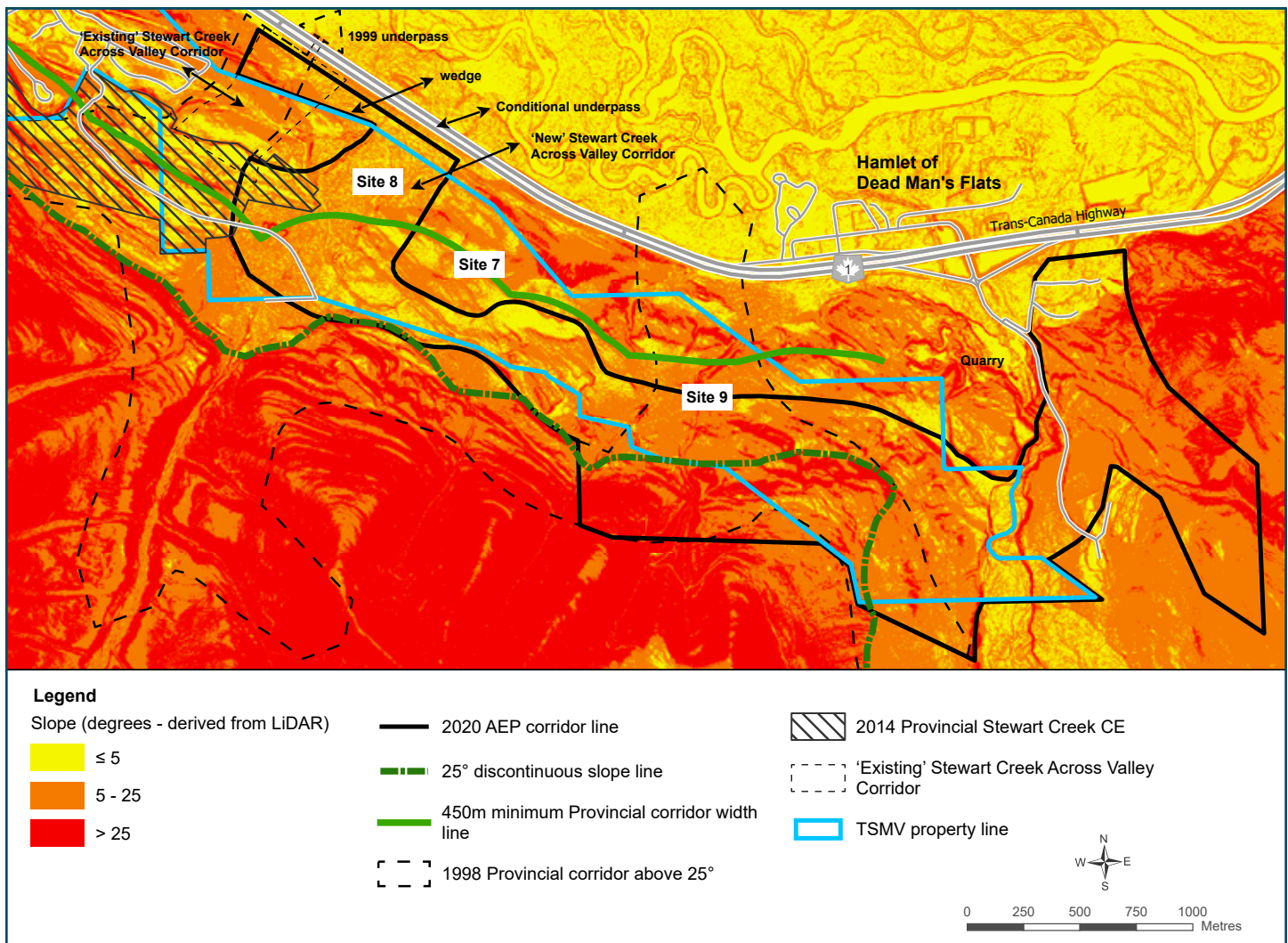
It began when the developer received approval for the Three Sisters Stewart Creek Golf Course from the MD of Bighorn in 1991 (shortly before the 1992 NRCB Hearings on TSR's development proposal for the Wind Valley). Sixty percent of the Stewart Creek Along Valley Corridor lies in the golf course.

Move on to the NRCB's 1992 decision when it turned down the development proposal for Wind Valley and restricted the TSR development to the Bow Valley. At this time there were no valid scientific criteria available to determine the necessary width, slope and placement of a functional corridor in this Rocky Mountain terrain. The NRCB was left to guesstimate these criteria. They recommended that the corridors were to be *"a minimum of 350m wide and may be up to 500m wide in some cases."*

To leave room for future scientific information on designating corridors, the NRCB had the foresight to recommend the formation of a Regional Ecosystem Advisory Group (REAG) to review *"the locations and widths of corridors to be set aside for wildlife movement."*

Following the NRCB Decision, TSR proposed corridor criteria derived from data on deer and elk in non-winter, remote forestry regions of Washington and Oregon where there was little human activity. In spite of the limited applicability of this research to multi-species of wildlife in a mountainous region, across all seasons (including winter) and adjacent to a town like Canmore, these criteria were approved by the Province in 1998 and used to designate all of the Along Valley Corridor.





This questionable corridor designation came in the same year that the provincial government accepted the 1998 Bow Corridor Ecosystem Advisory Group (BCEAG) Wildlife and Habitat Patch Guidelines for the Bow Valley. These guidelines were based on ten years of research in the Bow Valley and recommended a minimum corridor width of 450m below a discontinuous slope of 25° of steepness for a two kilometre corridor on flat terrain.

In spite of being adopted by the Province as guidelines for wildlife corridors in the Bow Valley, a political decision exempted TSR from applying them to the Three Sisters Corridors. The irony here is that the BCEAG Guidelines were developed in response to the NRCB's recommendation for an advisory group (REAG) to review corridor locations and widths.

In 2003 and 2007, two corridors were legally designated in the Three Sisters Resort Area: a provincially approved and scientifically func-

tional Along Valley Corridor with an average corridor width of 535m below a discontinuous slope of 25° (including a 35m corridor buffer), and a 470m Across Valley Corridor (which includes two 35m buffers). In 2014, a similarly scientifically functional corridor was established in the Stewart Creek Area. All of these corridors are permanently protected under Provincial conservation easements.

However the 2020 AEP Decision excludes these corridors from consideration. It only compares the 2020 TSMVPL Smith Creek corridor proposal to the 1998 Provincially approved corridor width of 350m, all of which lies above a discontinuous slope of 25° in the Smith Creek area.

So it is a shattering blast from the past to see the 2020 AEP Decision choose the 1992 NRCB minimum corridor width of 350m with a slope that is demonstrably higher than that recommended by the 1998/2012 BCEAG Guidelines and confirmed by Pro-

vincial scientific data. Remember that two Along Valley Corridor sections are already established and protected consistent with these Provincial guidelines and data.

Unfortunately the scientific evidence tells us that the 2020 AEP approval of the TSMVPL 2020 Corridor Proposal does not meet even the lowest criterion.

## What the scientific evidence tells us

When an analysis of the Smith Creek Corridor section was carried out using the TSMVPL slope file and LiDAR imagery accurate to 1 metre, the corridor width averages approximately 300m when measured below a discontinuous slope of 25°. This is not even 300 metres for the entire length of this Along Valley Corridor section. It falls considerably short of the "minimum of 350m wide and...up to 500m wide in some cases" recommended by the NRCB in 1992. It also has a pinch point

of 198m.

The 2020 AEP Decision acknowledges the significance of the 25° slope and its scientific credibility. On page nine it states: “*Scientific and technical literature indicates that terrain below a 25 degree slope is preferred by most species.*” However in practice, the Decision approves an average corridor width of 405m below “a perceived slope of 25°”. This “perceived slope” lies significantly further upslope than the Provincially validated 25° discontinuous slope required for corridor functionality.

While the AEP Decision also references a wider average corridor, its functionality for wildlife is illusory. This width is not corrected for slope and to the east, lies approximately 375m above the Provincial discontinuous 25° slope with barriers to wildlife movement. Also, it is ‘undevelopable’ under Town of Canmore Land Use Bylaw 2018-22.

Unfortunately the recommendation for wider corridors below a discontinuous slope of 25° made by the 2018 AEP Decision on the earlier 2017 (and rejected) corridor proposal from TSMVPL, was not accepted by the 2020 AEP Decision.

## Uncertain and not legally designated

At present the 2020 AEP Decision has only the status of a corridor ‘delineation.’ According to AEP, legal designation is still about two years down the road.

The Decision is also conditional on the construction of a new wildlife underpass to access the ‘New’ Stewart Creek Across Valley Corridor. This new corridor would replace and lie east of the ‘Existing’ Stewart Creek Across Valley Corridor. It is an attractive solution for the developer, as the ‘New’ underpass and Across Valley corridor will lie on an alluvial flood plain that cannot be developed. It also frees the ‘Existing’ Stewart Creek Across Valley Corridor for new development.

Since the 2020 underpass is only “proposed as an option”, it is critical that TSMVPL’s current proposed Area Structure Plan adjacent to the Smith Creek Corridor section is not approved by Canmore Council until the new underpass is built. Otherwise, any development in the ‘Existing’ Stewart Creek Across

Valley Corridor would create a dead end for wildlife which would allow no direct access to the 2014 Provincial conservation easement on the Stewart Creek Along Valley Corridor section. It would force wildlife to navigate a 73m wedge of land along the Trans Canada Highway to access the new Stewart Creek Across Valley Corridor and the Smith Creek Along Valley Corridor section to the east. Effectively, this renders these latter corridors dysfunctional for wildlife.

## Corridors for development not wildlife

This Decision benefits development over wildlife at every turn.

The 2020 AEP Smith Creek Corridor is dysfunctional for several reasons. It is based on a “perceived 25° slope” rather than on a “discontinuous slope of 25°”. (The 2020 AEP Decision is the first time that the concept of a “perceived 25° slope” has been used.) It only establishes an average corridor width of 300m below the Provincial discontinuous slope of 25°. This 300m width is narrower than any previous corridor width including that approved by the Province in 1998. It includes slopes that range several hundreds of metres above both the 2020 AEP “perceived” and lower Provincial ‘discontinuous’ 25° slopes, into terrain that is too steep for most wildlife.

Development is proposed in the ‘Existing’ Stewart Creek Across Valley Corridor. At present, this corridor provides wildlife direct access to the 2014 Stewart Creek Conservation Easement on the Stewart Creek Along Valley Corridor section to the west. This corridor also offers wildlife direct access to the Bow Flats Regional Habitat Patch to the north under the 1999 wildlife underpass below the Trans Canada Highway.

Further, in TSMVPL Site 7, 30.4 acres are gouged out of the minimum 450m width recommended by Alberta Sustainable Resource Development (ASRD) in 2008, a width consistent with both Provincial science since 2002 and the 1998 and 2012 BCEAG Guidelines. At Site 7 the corridor is reduced to a pinch point of only 156m.

At Site 9, the developer would be allowed to reduce the corridor width by approximate-

ly 132m (from the Provincially validated and recommended 450m corridor width). This will free another 55.9 acres for development.

## Powers of Canmore Council

Since 1998, Canmore Councils have continued to protect the locations of both the Three Sisters Along Valley Corridor and Across Valley Corridors under Wildlands Conservation (WC) zoning in the 1998 Land Use Bylaw (1998 - 2017) and Conservation of Wildlands (CW) zoning in Canmore Land Use Bylaw 2018-22. The only permitted land uses according to these bylaws are wildlife corridor and wildlife habitat.

For 22 years, Canmore Councils and the community have maintained temporal protection for corridors while waiting for ASRD/AEP to act. They have waited for ASRD/AEP to follow through on their responsibility to implement the 1992 NRCB Decision to delineate, legally designate and permanently protect functional corridors that meet proven scientific criteria.

Similarly, while a political decision in 1998 prevented the Provincial 1998 BCEAG Guidelines from being applied to the Three Sisters lands, Canmore’s 2016 Municipal Development Plan explicitly required that land uses adjacent to wildlife corridors be “consistent with” the corridor criteria of 2012 BCEAG. “Adjacency” is defined as 175m from a primary corridor.

Consistent with the 2012 BCEAG Guidelines, the Town of Canmore requires land uses adjacent to corridors to apply a ‘soft’ edge, following a gradient of low to higher density land uses, with a ‘green’ area directly adjacent to the corridor. Development and human uses are gradually increased down slope from the corridor.

In the most recent 2020 third party review of TSMVPL’s Environmental Impact Statement (EIS) for their proposed Resort Area Plan, the firm Management and Solutions in Environmental Science (MSES) cites 2020 research in support of a ‘soft edge’ adjacent to the Three Sisters Along Valley Corridor. The review notes the scant scientific or practical support for the ‘hard edge’ of a 2.5 metre fence that TSMVPL has proposed to keep wildlife in the



corridor and human use out. This research should apply equally to the Smith Creek area.

It must be noted that the developer's proposal of a 'hard edge' fence is not supported by the 2020 AEP Decision, the legal conditions of the 2014 Provincial Conservation Easement Agreement on the Stewart Creek Along Valley Corridor, or Provincial science from 2002 – 2019. Nor is it consistent with the existing 'soft edge' land uses adjacent to the Resort Area Along Valley Corridor section. The current owners of TSMV agreed to these land uses in 2003 and 2007 and they are permanently protected under two conservation easements.

In the meantime, Canmore Council has not approved any TSMVPL development until Provincial conservation easements were signed on these corridors.

## Powers of the Canmore community

Fortunately for the economic well being of the Canmore community, planning documents show that even if the 2020 TSMVPL Smith Creek and Resort Area Structure Plans (ASPs) are not accepted, Canmore's construction and trades have more than five years of already approved development.

The current developer and consultants have full knowledge of the 1992 NRCB Decision and the 1998 and 2012 Provincial BCEAG Guidelines for delineating wildlife corridors. They also cooperated in 2003 with Canmore Council in establishing a 470m Across Valley Corridor and the Along Valley Corridor section with an average width of 535m in the Resort Area, now protected under a Provincial conservation easement. The NRCB expressed its satisfaction with these corridors in a 2004 letter to TSMVPL and conservation organizations. i.e., "...the Board is satisfied that the changes made to corridor design from that which the Board approved in 1992 represent the application of more recent scientific thought in relation to wildlife corridor design, and that these changes will result in more effective corridors."

Regardless, TSMVPL has brought forward two ASPs that clearly go against Canmore's 2016 Municipal Development Plan policies regarding land uses adjacent to corridors, and

Land Use Bylaw 2018-22 Conservation of Wildlands zoning, where the only permitted uses are wildlife corridors and habitat. These municipal documents were unanimously approved by Canmore Council and supported by the majority of Canmore citizens.

In summary, the 2020 AEP Decision is not a legal corridor designation; excludes consideration of Provincially approved and protected corridors in the TSMVPL Resort and Stewart Creek areas; is conditional on the construction of a new underpass; proposes development in an existing corridor, and is dysfunctional for wildlife.

There are many reasons for the Canmore community to turn down the 2020 ASPs for the Smith Creek and the Resort Areas until TSMVPL brings forward a development proposal that is consistent with the hard won policies and land uses of the Town of Canmore.

## What can Albertans do?

It is time for concerned Albertans to question AEP's 2020 decision to approve this dysfunctional 2.6 km Smith Creek Along Valley Corridor section which was to complete the 10 kilometre Three Sisters Along Valley Corridor as legally required by the 1992 NRCB Decision.

## We ask the Province to...

1. Rely on the research findings and recommendations of their own wildlife biologists based on 30 years of scientific study of wildlife movement in the Bow Valley.
2. Evaluate corridor functionality and adjacent land uses 'consistent with' the Province's own research-based Guidelines on minimum corridor width, slope and hiding cover necessary to legally designate and permanently protect the TSMVPL Smith Creek Corridor section as legally required by the 1992 NRCB Decision. This would be consistent with the Provincially approved and permanently protected Along Valley Corridor sections in the TSMVPL Resort and Stewart Creek Areas.
3. Provide a forum for public feedback as was the case for the 2018 AEP decision on the 2017 TSMVPL corridor proposal which was not approved. Some 439 submissions were received.

4. Rescind the 2020 AEP Decision on the 2.6 km Smith Creek Corridor section, provide a public consultation, and render a new delineation which meets at the very least the 1992 NRCB Decision requirement of a "minimum corridor width of 350m...up to 500m" for the entire length of the corridor, remembering that this might not be comparable to the already approved corridors in the TSMVPL Resort and Stewart Creek areas.

The NRCB made its position clear in 1992 and in its letter to TSMVPL in 2004: a functional wildlife corridor comes first at both the Provincial and Municipal levels.

Regardless of how much TSMVPL would like to maximize their development, the NRCB cautions that *no* development can proceed until the developer has provided a scientifically functional Smith Creek Corridor. Until such time as TSMVPL meets these requirements further development must be stalled.

Heather MacFadyen, PhD, has served on Canmore's Environmental Advisory Review Committee, the Board of Directors of CPAWS (Calgary-Banff) and the Bow Riverkeeper, and is Chair of the Bow Corridor Organization for Responsible Development (BowCORD), an intervener in the 1992 NRCB Hearings on Three Sisters Golf Resorts Inc. In 2010, MacFadyen received a national award from Earth Day Canada and in 2013, the Queen Elizabeth Diamond Jubilee Medal for conservation of wildlife corridors and habitat. ▲

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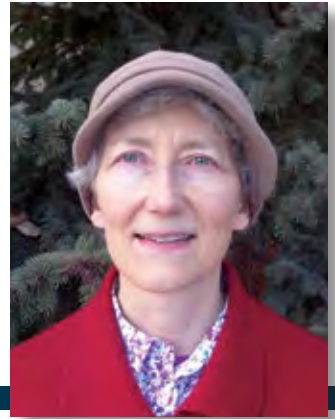
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# Jasper's Endangered Caribou Need Stronger Management

By Carolyn Campbell, AWA Conservation Specialist

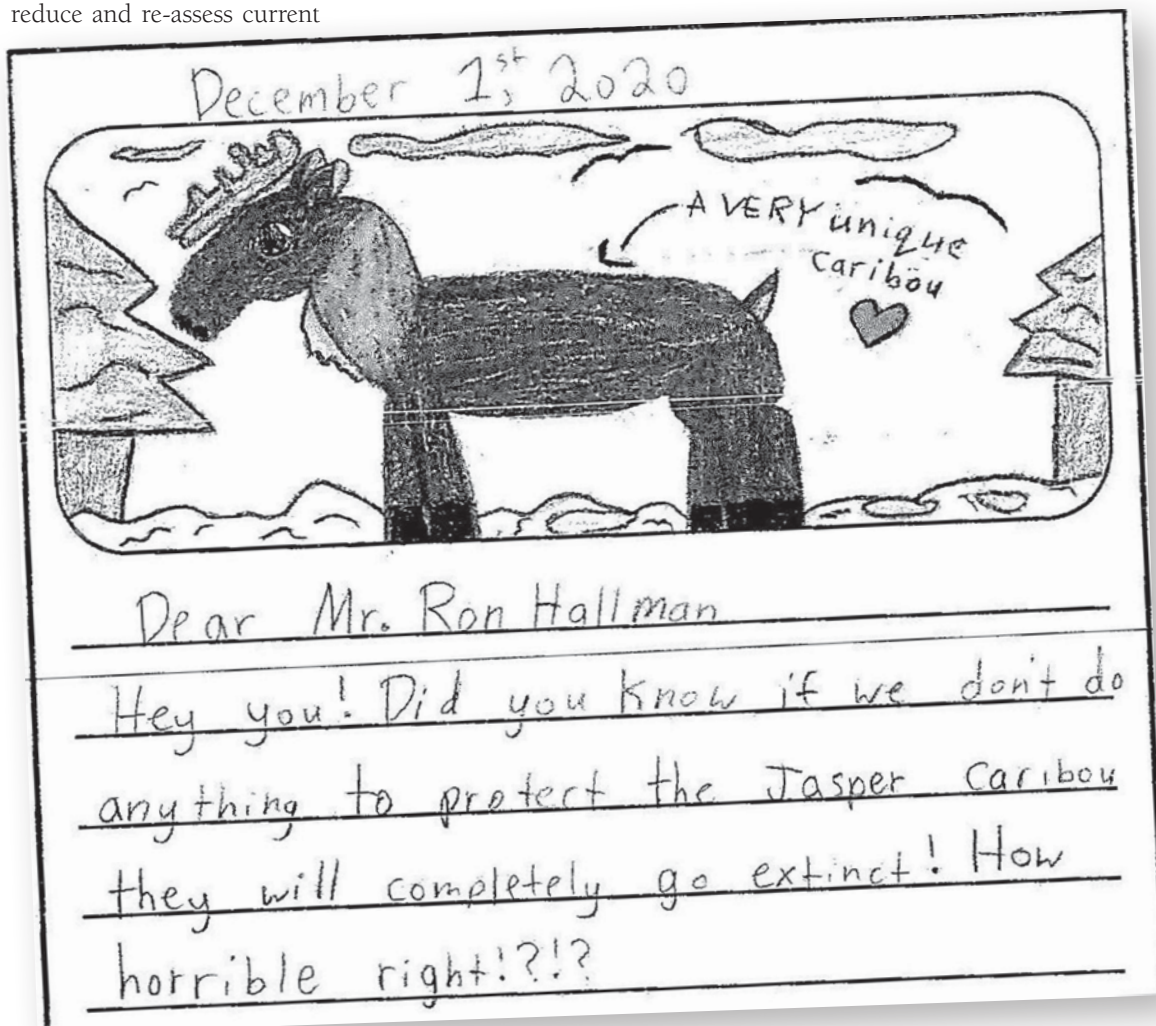


**E**arly October marked a month since Jasper National Park quietly posted news that its Maligne caribou were officially extirpated and that Tonquin and Brazeau caribou were too few to recover on their own. With respect to the human access that has facilitated these dramatic declines AWA proposed on October 8 that Parks Canada should: reduce and re-assess current

human access pressures on Tonquin and Brazeau caribou; stop snow clearing Maligne Lake Road beyond Maligne Canyon; and maintain hard-won Maligne back-country winter access limits.

From October 8-30, the Environment and Climate Change Minister convened the bi-annual Minister's Round Table to ask Canadians for advice on Parks Canada

matters, as required under the *Parks Canada Agency Act*. AWA advised that Parks Canada should: manage for greater ecological connectivity within and adjacent to national parks, limit national parks' commercialization, and increase visitor education on responsible wildlife-related activities. We also urged Parks Canada to



Letter from a Grade 4 student at Hugh A. Bennett School to Parks Canada's CEO Ron Hallman PHOTO: © THE DISAPPOINTED ELF



take stronger actions to ensure the survival and recovery of Jasper caribou. We were encouraged that, during this consultation, a number of national organizations also called on Parks Canada to do more to prevent Jasper caribou extirpation.

In late October, Parks Canada announced winter season access management measures for Jasper caribou ranges. They are little different from the measures of previous years; you could be excused for thinking that Jasper National Park doesn't believe its dwindling caribou need further action on this front. In Tonquin and Brazeau ranges, early winter season closures begin November 1 as usual. They are scheduled to be lifted as usual on February 16 in the Tonquin caribou range and March 1 in Brazeau. At those times, snowmobile supply routes and ski trails will be open to access several Tonquin backcountry ski lodges, as usual. In addition, Marmot Basin's 'Tres Hombres' downhill ski runs that were approved in 2017 above Tonquin's Whistler's Creek area remain open, as usual. This clearly violates Dr. Fiona Schmiegelow's expert advice, advice she gave Jasper National Park in the 2014 caribou risk assessment the Park commissioned her to prepare.

The only access change Parks Canada has made actually eases access restrictions. Now that Maligne caribou are officially extirpated, Parks Canada has removed its former early winter restrictions in two backcountry areas of the Maligne range, while it will keep most areas closed from November 1 to March 1. Meanwhile it will keep plowing the entire road during winter, a decision that facilitates wolf access and led to the caribou extirpation there. Parks Canada says that if caribou are in the area, winter access will be immediately rolled back. AWA is concerned that this is, in effect, a range retraction. It sets a very poor example to other jurisdictions about caribou range management. Instead, Parks should prioritize caribou re-occupancy of this prime caribou range as soon as possible, by halting snow plowing of the Maligne Road past the Canyon to minimize

chances of wolf re-occupancy.

In late October, Parks Canada also announced that its Jasper caribou conservation breeding program proposal will be reviewed by external experts. AWA's view is that the proposal has already had extensive expert review. However, if another review must occur, it should be quick and transparent, so Canadians can see whether the plan is viable and ethical.

In November 2020, Canadian Press obtained a Jasper National Park draft caribou breeding plan from 2017. In itself, the document is proof of a much-delayed process, during which caribou populations spiraled down. As well, it describes the annual February 16th re-opening of Tonquin winter backcountry access as a "compromise to offer some protection to caribou while still allowing the existing stakeholders to operate during a shorter portion of the winter season."

Tonquin caribou are the largest caribou population remaining in the south Jasper ranges managed by Parks Canada – they have at most ten breeding females left. Their survival is key to Jasper caribou recovery. Considering federal responsibilities under the *Species at Risk Act*, Parks Canada's ecological priority mandate, the

ongoing decline of Tonquin caribou, and Dr. Schmiegelow's analysis of Tonquin critical habitat disturbance, AWA believes this 'compromise' of Tonquin caribou survival to suit local interests is completely unacceptable. It is costing caribou their future in the Park.

In mid-November, AWA and other ENGO colleagues met with Jasper National Parks staff and a director from Parks Canada Capital Region and discussed all these concerns. We requested Parks Canada:

- keep Tonquin backcountry restrictions through late winter;
- transparently re-assess and reduce Tonquin summer-fall access impacts with urgency, in light of Dr. Schmiegelow's habitat loss analysis;
- revoke approval of Tres Hombres ski runs;
- prioritize caribou re-occupancy of the prime Maligne caribou range as soon as possible and consider precautionary actions to ensure the range is ready to be safely repopulated by minimizing chances of wolf re-occupancy.

There are very few grains of sand left in the Jasper caribou hourglass. 🐾

AWA is inspired by a group of Grade 4 students from Hugh A. Bennett School in Calgary. While studying Alberta's physical regions and persuasive writing, they became very interested in writing about Jasper caribou. Here are some of the many persuasive phrases they included in the thirty letters they sent to Parks Canada's CEO Ron Hallman:

"Without the caribou the world is not complete and the world does not feel right for example when we will go to Jasper national park it will feel empty and I'm sure you sir won't want that to happen right."

"We are making roads and taking over their space and how will they live if they have no space."

"Please protect the caribou they are so fabulous, unique and innocent I can't watch them go extinct."

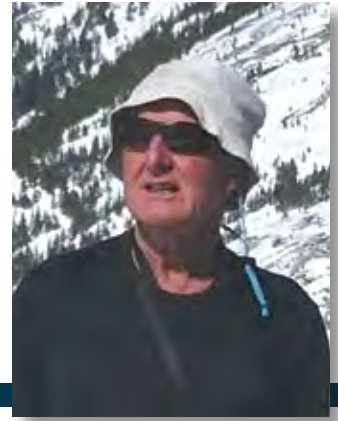
"Did you know that the caribou in Jasper are endangered because humans keep building hotels, ski hills and hiking trails and because of that the caribou are losing there habitat."

"There is decreasing herds with less females. Bad right. Let's help caribous."

"They didn't do anything they just walk and eat and don't deserve to die."

# Caribou Sightings

By Alistair Des Moulins



**A**re they sheep? No, too big for sheep. Moose? No, they look smaller than moose. We get a bit closer. Wow! They are caribou! That is the sequence of thoughts that usually goes through my head prior to recognizing caribou when I am in the Rocky Mountains.

Enjoying the natural environment is a main purpose of hiking according to more than 98 percent of participants in a survey conducted by the Alberta Hiking Association in the spring of 2020; having the opportunity to see wildlife in its natural habitat is a major part of that enjoyment for many of them. People come from all over the world to the mountain parks with the hope of seeing all the major mammal species during their visit. In my 30+ years of hiking and backpacking in the Rockies I have enjoyed seeing wildlife of many species. I enjoy watching mountain goats move up and down mountains and wish I was as nimble as them. Also I like watching pikas, usually heard but not seen, scurry about rockpiles carrying grass to add to their winter larders in their homes under the rocks. The rarer kind of wildlife sightings really stand out as memories of certain trips - like watching a mother grizzly and her 2 cubs frolicking in a late season snowpatch on the side of Scapegoat Mountain, Montana or the wolverine bum-sliding down a snow slope above Murtle Lake, BC. Caribou are also among the rarer kind of wildlife sightings in the Rocky Mountains.

I saw my first caribou on the way to do a backpack to Glacier Lake in November 1988. Four of them are just grazing by the

highway just north of Waterfowl Lakes. Just like tourists seeing their first elk I am thrilled to see them. The next summer three of us are on one of our favourite backpacks from Helen Lake to Silverhorn Creek. On the first day we see a large grizzly bear 400 metres away. On the second day, as we head up towards Silverhorn Pass, we see five animals ahead – at first we think they are sheep but then we see they are caribou and I wonder whether four of them are the ones I saw the previous November. They see us and hurry up to the pass then on up the ridge to the east. Will says he had seen a larger herd of about 15 when he was here a few years earlier. He also recalls the time in 1984 when he was on a nine-day backpack at the Miette passes on the boundary of Jasper and Robson Parks. He saw about 12 caribou. One was an old male who was obviously unwell as he did not even get up and move so Will and the group did not go nearer to him.

It was just over three weeks later when five of us are in the northern branch of the McDonald Creek valley in the White Goat Wilderness as part of a nine-day backpack trip. We put up our tents on the east side of the valley and notice there were about eight caribou on the west side not far away. We make supper and head to our tents. The next morning is wet and we do not venture far. The caribou are still grazing across the valley. It is pleasant to feel that they sense we are not a threat to them. Those caribou, along with a larger group that joins them later, allow us to share their valley that day.

Over three years pass before our next

sighting. I am scheduled to lead an Alpine Club of Canada two day ski trip up Mosquito Creek, north of Lake Louise, for the weekend of 12-13 December 1992. While seven people sign up, five are forced to cancel, leaving just me and my wife Gail to make the trip. The snow is unconsolidated so it is not good skiing. We camp by some trees just before Mosquito Lake. The next morning we ski then walk up to the ridge south of the lake. From the ridge I see five animals on the north side of the lake. Again: sheep? No, moose or elk? No, we realize they are caribou. Of course the binoculars are back down in the tent. Back at the tent we enjoy watching them slowly move up from the lake towards North Molar Pass. Again I wonder whether they are the ones we had seen over three years earlier. That sighting, that brief encounter from afar, more than makes up for the unconsolidated snow we have to deal with on this trip. Back in Calgary the next day, I phone Parks Canada to report our sighting. I am directed to speak to consultant, John Kansas. He is pleased to hear of our sighting. He tells me there are 25 animals south of the David Thompson highway and that they have been seen on the Highway 1A between Banff and Lake Louise.

In March 2001, two Scottish friends visit for some ski touring. We go to Snow Bowl between the Shovel Passes in Jasper National Park. We do see some caribou tracks. However, on the return journey to Calgary we see a lynx cross the highway near Sunwapta falls and we stop to watch four caribou on the flats near Beauty Creek – marvelous visual treats for the



locals and visitors alike.

In the Spring of 2009 I am really saddened to hear that the last of the southerly Caribou herd have been killed in an avalanche in the Molar Creek area of Banff National Park not far from where

we saw caribou in December 1992. I feel as though I have lost some dear friends. I wonder what had caused the 25 to dwindle to five before their sad demise. I hope appropriate steps are taken immediately so that the remnants of the herds further

north can thrive and provide an opportunity for all of us to see them in future. ▲

*Alistair Des Moulins and his wife Gail are experienced hikers and backpackers. When not on the trail they live in Coleman. Alistair has spent over eight years of nights in a tent.*



Caribou in Jasper National Park Along Sunwapta Flats PHOTO: © A. DES MOULINS

# Bullets for Recovered Bruins:

## Should We Hunt Grizzly Bears?

By Nissa Petterson, AWA Conservation Specialist

Hunting has long been a divisive topic in Alberta. Hunting's controversial status rises from the personal values individuals, and sometimes governments, attach to wildlife. While all Albertans should have an equal stake in the province's wildlife, some people think their values give them greater claim. Take, for example, the recently approved sandhill crane hunt. This hunt sparked a contentious debate. Many people were outraged at the idea of hunting a bird known for its majesty and, in part, because of the risk of hunters mistaking sandhills for endangered whooping cranes. Others saw it as an opportunity to broaden their hunting skills and experiences. While both arguments may be valid, battle lines are still drawn and these debates obscure a position that both sides share – it's crucial to ensure that wildlife populations are thriving on the landscape.

As L. Scott Miller wrote, "...managing wildlife populations is really a matter of managing anthropogenic factors..." Healthy populations of wildlife are often regarded as a sure fire indication that we are managing our landscapes appropriately. Effectively managing Alberta's landscapes goes hand in hand with successfully managing the province's wildlife. If the former is done poorly the latter, including the legal hunting of wildlife, may very likely suffer.

When discussing the proposed sandhill crane hunt with *Alberta Outdoorsmen Magazine*, Minister of Environment and Parks Jason Nixon suggested he was encouraging his department to explore new hunting opportunities for Alberta: "Tundra swans or any species on the bird side that are hunted

in other jurisdictions are being investigated to find out if it's appropriate to have the same opportunities in Alberta." However, Alberta has already shot itself in the foot by prioritizing land-use activities above the ecological health of our landscapes and wildlife. In 2001, a Pembina Genuine Progress Indicator Report suggested that more than a quarter of Alberta's wildlife species were at risk, requiring special management and/or habitat protection measures to prevent further population declines. If Alberta is already failing to maintain healthy populations of wildlife on the landscape, how can we justify exploring new hunting opportunities?

AWA has long held a neutral position on hunting, emphasizing the importance that this land-use activity is scientifically justifiable and performed sustainably and humanely. Hunting is one of many land-uses that impact wildlife and wildlife habitat and game species must be demonstrably stable enough to handle proposed new hunting pressures. Our failure to prioritize healthy and robust wildlife populations over industrial or recreational land-uses is clearly demonstrated in the tenuous position on the land of our larger keystone species such as wood and plains bison, woodland caribou, and grizzly bears: they are all species at risk and, as such, cannot withstand the added pressure hunting would bring.

In Alberta, grizzly bears are considered "ecosystem engineers" because they deliver key ecosystem services to their surrounding environment. Grizzly bears help to regulate prey species such as elk and deer, propagate various plant species through the dispersal of seeds, and can aerate soils while forag-

ing. Their presence on the landscape can be representative of healthy forests and watersheds; they are, as detailed by Dr. Stephen Herrero, "indicators of sustainable development." The recognition of these important bear/ecosystems linkages to a healthy environment is true across various jurisdictions and cultures. Clark and Slocombe, 2009, explored the oral history of many western indigenous communities. Those histories emphasized the importance of grizzly bears to flourishing ecosystems, with some populations of grizzly bears being known to serve as "a significant vector of marine nitrogen into terrestrial forest ecosystems" in coastal and inland communities. This bear/ecosystem interaction, as described by Clark and Slocombe, increases the overall health and functioning of nearby riparian areas. In turn this enhances spawning and rearing habitat for salmonids, giving many species, including bears, more feeding opportunities.

Unfortunately, in Alberta, it is human activities and our respective land-use management approaches that are preventing grizzly bears from thriving on the landscape and fulfilling their ecosystem roles. Our damage to the functioning of the natural world ultimately reduces the vital ecological services that support the health and well-being of our own communities.

The road to recovery for grizzly bears in Alberta continues to be an arduous battle. Following a four-year moratorium on legal hunting of grizzly bears in Alberta, the species was designated threatened in 2010 under the *Wildlife Act*. To date, Alberta's recovery plan and management strategies for grizzly bears have yet to produce a signifi-







*Grizzly bear spotted foraging in Bighorn wilderness. PHOTO: © K. UNGER*

cant increase in population numbers. They have not demonstrated that populations can be self-sustaining in the wild without intervention. While there has been a lot of good work done to recover Alberta's grizzly bears, progress towards recovery across all Bear Management Areas (BMAs) has been rather slow. I suspect that, in part, this is due to the complexity that has been introduced by competing public values for the species, and the need to re-establish these important bear-ecosystem linkages – has been lost in the shuffle.

As described by Hughes and Nielsen (2019), many individuals living and working within bear country in Alberta are concerned over the presence of grizzly bears and what they perceive to be increasing population numbers. They fear this will increase human-bear encounters and increase risks to their safety. They also fear direct impacts to livelihoods through bear activities such as killed livestock or breached grain bins. These concerns generally translate into less tolerance for grizzly bears on shared landscapes, and a subsequent decrease in

support for conversation strategies. In their analysis of the grizzly bear policy discourse, Hughes et al 2020 also note the perpetuation of the “shoot, shovel, shut up” rhetoric when it comes to dealing with human-bear conflicts amongst these communities. Some participants even raised the topic of “re-establishing grizzly bear trophy hunting as a potential way to manage problem bears and build social tolerance...” in those respective communities. This option was challenged by biologists who highlighted the logistical difficulties of effectively implementing a problem bear hunt. This option would require rigorous identification methods, increased scientific monitoring, and could potentially further impede social tolerance for the species and the advancement of recovery efforts in the province. Similar sentiments are also present in southern jurisdictions such as Park County, Wyoming, where residents are actively seeking to have grizzly bears delisted because of coexistence issues.

Similar to Alberta, grizzly bear management in the lower 48 states has been a bit of a roller coaster. There are currently less

than 2,000 bears collectively that roam the lower 48 states, with source populations for the species residing within the Greater Yellowstone and the Crown of the Continent Ecosystems. While the species has made an impressive turnaround since the implementation of recovery efforts in the United States, many organizations and stakeholder groups are still not convinced that the grizzly bear population is healthy and stable. Others speculate that some major ecosystems have now surpassed carrying capacity for grizzly bears and have the potential to support limited draw hunts.

In May 2018, despite receiving over 185,000 public comments opposing the decision, the Wyoming Game and Fish Department voted 7-0 to approve a hunt outside of Yellowstone and Teton National Parks for 22 grizzly bears. In an interview with *Jackson Hole Daily*, hunting outfitter and Safari Club member Paul Gilroy described a potential hunt for the Greater Yellowstone Ecosystem as “...easily advertised and easily booked.” Gilroy added that, “It would be nice to be able to whack one [grizzly bear] that’s caus-

ing problems...” In fact, prior to 2017, the U.S. Fish and Wildlife Service attempted twice to delist all or some populations of grizzly bears, with court rulings overturning the agency’s decision each time. It would seem that the push to delist grizzlies and renew the hunt is the desire of a select few that is supported by some state authorities; Wyoming had plans in motion to charge out-of-state hunters \$6,000 for a grizzly tag and Wyoming residents \$600, despite the fact that “between Yellowstone and Grand Teton alone, more than \$1 billion is generated annually through nature tourism...”, with a significant part of that attraction being the chance of seeing a wild grizzly bear.

The opposite was seen in British Columbia’s ban on trophy hunting grizzly bears in 2018. Grizzly bears were considered biologically sustainable passing thresholds for allowable hunting with an estimated 15,000 individuals, yet it was social and political opposition that were the deciding factors in banning the hunt. And provincial economics seem to favour this decision, given that bear viewing opportunities generate twelve times the economic revenues than guided non-resident and resident grizzly hunts. In Alberta, dominating conservative social values paired with political may land us in a similar position as Wyoming.

Given the tendencies of the UCP provincial government and its supporters, I don’t think it’s farfetched to suggest that, at the

very least, there will be discussion among conservatives in Alberta to reinstate the grizzly bear hunt as an attempt to appease a variety of groups. Hypothetically speaking, even if Alberta’s grizzly bears were deemed to be biologically recovered on paper, would it be appropriate to reinstate a hunt as a management tool for human-bears conflicts, or simply just because people want to hunt these apex predators?

When considering wildlife and landscape management decisions, we must ensure the process includes all Albertans and all values are represented fairly. We must also be mindful of the ecological impacts a management decision may have, and avoid adopting management strategies and policies that stem from skewed values or perspectives that are magnified by political will.

Regardless of the justification, whether it be for wildlife management purposes or broadening recreational opportunities, introducing new legal hunts on any species is a complex issue that should be cautiously approached in Alberta. One factor supporting caution is the declining state of most of our major ecosystems across the province. Currently, Alberta is experiencing an ongoing elevation shift of most of our major biomes, whereby biomes are moving further north as a result of a changing climate. As described by Schneider, 2013, this macro-scale shift will have significant impacts on the survivability of wildlife that have evolved

over centuries to live specifically in their surrounding environments. Even if these hunts are thought to be biologically sustainable, there remains concerns about the outlook for wildlife and their respective ecosystems, with the intensifying impacts of climate change and surging land-use activities. How much secure habitat will be available to support wildlife in the future?

If we consider the case for grizzly bears in either Canada or the United States, as the human population continues to grow, so too will habitat fragmentation and degradation, alongside increased human-bear conflict. Is it a responsible decision to have add hunting pressure on this species?

If we were to allow the reinstatement of a legal hunt on grizzly bears, it begs to ask, what precedence does this set for conservation in Alberta? Is it an honest reflection of all values Albertans have for wildlife? Or will the rhetoric of ‘because I want to’ or ‘because we can’ trump the precautionary approach to protecting wildlife, causing us to slip further away from the inherent value of having thriving wildlife populations on the landscape.

I worry that the discourse around wildlife management and conservation is Alberta is becoming one-sided. Albertans have entrusted government officials with the responsibility of managing our wilderness in a manner that is representative of all values and will serve to benefit all communities. However, given some recent management decisions from the provincial government – for example, the reduction of protected areas and removal of the Coal Policy – it seems that leeway is being made for personal narratives and values to dictate what approach the province should take.

We need to refocus our efforts on improving the state of our wilderness before we broach the topic of new hunting opportunities. We need to weigh the impacts our land use activities have on wildlife and wildlife habitat and understand that these are finite and fragile; they cannot support every activity, all the time. Being distracted from this goal will result in Albertans losing the wilderness that defines us. 🐾



Grizzly bear digs unearths plant roots, while aerating soils. PHOTO: © J. SKRAJNY



# Creating a Silver Lining Out of Disaster?

By Ian Urquhart



**A**re there silver linings in environmental disasters? Perhaps. Environmental disasters can mobilize public opinion. They can put pressure on corporations and governments to take action to try to prevent future disasters. London's Great Smog of 1952, DDT, Cuyahoga River, Love Canal, Exxon Valdez are all names associated with environmental disasters that sparked efforts at positive change. This article looks at a homegrown disaster – the Obed mine disaster – and the effort to try to generate something positive out of calamity.

## The Obed Mine Disaster

At least a few of those who oppose the Alberta government's efforts to revive coal mining in the Rockies likely remember a very nasty trick one coal mine played on Alberta's environment on October 31, 2013. That Halloween witnessed a catastrophic failure of an earthen dam at the Obed Mountain Mine east of Hinton. When Dyke E breached it unleashed a torrent of approximately 800,000 cubic metres of water and material from a mined-out pit. This waste stream rushed downhill into the mine's main tailings pond. In turn, the tailings pond couldn't handle a surge of such volume. The mine waste overtopped the tailings pond, sending about 670,000 cubic metres of wastewater rushing down Apetowun and Plante Creeks into the Athabasca River.

It's hard to wrap your head around such a gigantic volume of wastewater – 670,000 cubic metres. How much waste was this? This torrent released as much water as ALL

of Calgary's residents and businesses used over an average 36-hour period in 2019 – a day and a half's worth of water. Water from the tailings pond flowed into the Athabasca River for nearly two days.

This toxic wave seriously gouged and tore apart the streambed and banks of the uppermost portion of the Apetowun Creek. Nearly all riparian vegetation along the creek was washed away. Large quantities of sediment were deposited in its place. In some places, one to two feet of contaminated mud was left behind.

When Nick Pink wrote about this spill in the *Wild Lands Advocate* in September 2017 he said the spill was "considered one of the most damaging environmental disasters in Alberta history." No exaggeration there.

## Legal Consequences

In 2017, Prairie Mines and Royalty, a subsidiary of the U.S. coal miner Westmoreland Mining, pleaded guilty to violating federal and provincial fisheries/environmental legislation. It was fined \$4,425,000. The judge also ordered the company to



Electrofishing in Apetowun Creek PHOTO: © I. URQUHART





*Athabasca Rainbow Trout Caught by Electrofishing* PHOTO: © I. URQUHART

rehabilitate roughly five kilometres of Apetowun Creek, the most polluted and damaged creek.

In addition, Chief Ron Kreutzer on behalf of the Fort McMurray First Nation No. 468 launched a class action against the company. The settlement in that civil case provided funds to AWA to monitor the company's rehabilitation efforts. Hatfield Consultants is taking the lead in the Apetowun Creek restoration project.

## The Silver Lining

The restoration work could be the silver lining. In 2014, Athabasca rainbow trout (*Ondorhynchus mykiss*) were assessed as Endangered by the Committee on the Status of Endangered Wildlife in Canada (COSEWIC). This status means the species faces

"imminent extirpation or extinction." In 2019 the federal government finally listed them as Endangered under the *Species at Risk Act* (the Act states that a species should be listed within nine months of a COSEWIC assessment). In September 2020 Ottawa released a final recovery strategy for this sub-unit of the rainbow trout species. Hybridization – the genetic mixing of pure strain Athabasca rainbow trout with other species such as non-native rainbow trout – was identified there as a high risk to Athabasca rainbows throughout their range (as were climate change and interactive/cumulative effects).

The restoration plan, in addition to restoring the streambed and riparian habitat, tackles the hybridization challenge. Its ob-

jective is to rehabilitate the upper five kilometres of the Apetowun Creek watershed and release pure strain Athabasca rainbows in those upper reaches. The goal is to establish a pure-strain Athabasca rainbow population of at least 100 fish in the upper segments of the creek. A fish barrier will be installed to prevent those pure strain rainbows from migrating down the creek and mixing with non-pure strains; similarly, the barrier should prevent non-pure rainbows from migrating into the upper reaches.

Ironically perhaps, extensive construction activities are needed in order to transform the watershed into one approximating its original condition. Matrix Solutions took the lead on the project's engineering. The creek bottom had to be dredged and replacement rocks sourced from elsewhere on the Obed Mountain Mine site. It took over a year to sift through and sort the replacement rocks by size. The largest rocks are located at the top of the creek's watercourse. This section is the most obviously engineered section of the project. It is heavily reinforced to ensure the water flow is diverted away from the dam and into the watercourse. Preventing future erosion of the dam is a key consideration here. Fewer boulders (rocks greater than 256 millimeters) are encountered as you move downstream from the dam. Smaller clast sizes (a clast is a rock fragment), cobbles and pebbles, predominate. The pebbles provide spawning gravel that the project's designers hope will be used by the reintroduced pure strain Athabasca rainbows.

Another initial task was removing all of the water in Apetowun's upper watershed. Before this dewatering Hatfield, the project partner responsible for restoring the riparian and aquatic habitats, electrofished those reaches. When safety practices for fish and operator alike are followed, electrofishing is a valuable technique for sampling fish populations. The electric current in the water stuns fish in the vicinity of the electrofisher. The stunned fish typically go belly up; they are then quickly netted and put into a large container of freshwater to recover. The fish caught with the backpack electro-





*Tagging an Athabasca Rainbow with a Passive Integrated Transponder*  
PHOTO: © I. URQUHART



*Stream Rebuilding in a Dewatered section of Apetowun Creek*  
PHOTO: © I. URQUHART

fishing gear used by Hatfield staff were then released downstream into natural holding areas that weren't devastated by the wastewater flood.

Before they were released, two steps had to be taken. Since the goal is to establish a pure strain population of Athabasca rainbows, the genetic profiles of the rainbows caught by electrofishing must be established. To this end, the rainbows caught prior to dewatering were tagged with passive integrated responders and their caudal fins were clipped.

The fins were sent for genetic testing at the University of Alberta. In the spring of 2021, with the genetic profiles of the tagged fish in hand, electrofishing will resume in the lower section of the creek. The hope here is that the fish tagged in 2020 will be caught a second time. When tagged

fish are caught again, their genetic profile will be checked. The pure strain Athabasca rainbows will be released above the fish barrier; non-pure strain rainbows will be returned to the creek below the barrier.

### **AWA's 2020 Site Visit**

In the first half of 2020, AWA's Joanna Skrajny did considerable background work in order to prepare for a site visit in the summer. In part, this involved research into the Species at Risk Act Section 73 permit required in order to do the restoration work. It also involved contacting and coordinating with officials from Department of Fisheries and Oceans, Westmoreland Mining, and Hatfield Consultants. In July, Joanna and I visited the mine property. We toured the mine site, observed the stream dewatering/rebuilding work taking place, observed

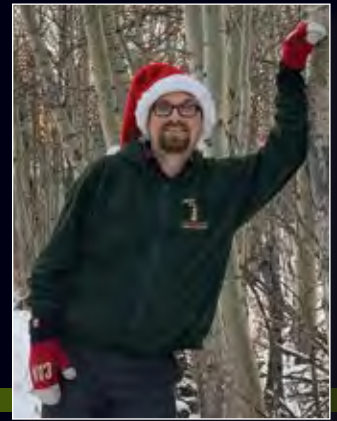
electrofishing in Apetowun Creek, and observed the tagging, fin clipping, and release of Athabasca rainbows into the lower sections of the creek.

I'm generally skeptical of our species' ability to replicate or improve on long-standing habitats that, through our misadventures, we destroy. But I have to say that I was impressed during our site visit. Hatfield's David Evans and his staff appeared very dedicated to doing the best restoration work possible. Through their redesign and construction work they are certainly trying to mimic what nature itself would recommend as suitable habitat for trout. I'm looking forward to returning to the site next year in order to check on the restoration project's progress. Hopefully, I'll see even more silver in Apetowun Creek than I witnessed this past July. 🐟



# Photographs for Wilderness

By Sean Nichols, AWA Program Specialist



## Amateur Photographers from Across Alberta and Around the World Capture the Province's Amazing Wild Spaces and Wildlife in AWA Photography Contest

For eight months earlier this year, AWA asked members and wilderness enthusiasts from around the province to share their favourite places and wilderness experiences in our first ever “Photographs for Wilderness” photography contest.

Rising to the challenge, Albertans did not disappoint. By the time the contest closed at the end of September, 21 photographs were submitted in one of three categories: “Landscape,” “Wildlife,” and “People in Nature.” And to be sure, the array of photographs submitted was stunning, truly showing off Wild Alberta in some of its best possible light. AWA’s panel of judges had a difficult decision narrowing down the selection to just one winner in each category, and as you can see from the winning entries featured in this issue of the *Wild Lands Advocate*, it proved impossible to restrict it to just three!

Entries exhibited a wide variety of perspectives on the province’s wilderness. They included such highlights as a can-

did photo of a grizzly bear relaxing in the forest, a juvenile rattlesnake in Dinosaur Provincial Park, landscape photos from five of Alberta’s Natural Regions, photographs of the sunrise from mountaintops, contemplative reflections on nature, and more. Amateur photographers made submissions from all corners of the province and beyond: the winning photo in the “Wildlife” categories comes from an Ontario-based photographer; yet another entry was submitted by a visitor from South Africa. It is truly uplifting to see how Alberta’s wild places inspire people from around the world.

You can see all submissions to the contest on AWA’s *Adventures for Wilderness* website, at <https://www.adventuresforwilderness.ca/adventures/a4w2020-photographs-for-wilderness/>.

What you see on these *Wild Lands Advocate* pages represents the very best of the best, the result of our judges’ difficult deliberations.

In first place overall, Gerald Osborn’s autumn study of Larch Valley in Banff National Park is an exhilarating picture of contrasts, juxtaposing one viewer’s reflection with the grandeur of the Rocky Mountains.

No less awesome is the majesty of the migrating geese set against Theo Wagner’s dramatic foothills skyscape, one of the two winners in the “Landscape” category. David Smith was the other winner here for his wonderful photo sharing the serene

scene of glacier lilies set against the actual ice and snow of the peaks on the Elk Pass trail in Kananaskis.

Finally, who could fail to be charmed by Daniel Camilleri’s capture of a shy, but curious, young lynx peering out from behind the bushes near Hinton? Daniel’s accompanying story about getting the capture helped push this entry over several other very worthy photos in the “Wildlife” category.

Everyone at AWA was truly delighted by the response to our contest – so much so that we are reprising it for 2021, this time focused on a “winter” wilderness theme. We would love it if you wish to enter the 2021 contest, which you can do online at <https://www.adventuresforwilderness.ca/adventures/a4w2021-photographs-for-wilderness-winter/>. Please also forward this invitation to friends, family, and anyone you know who may have a stunning photo in their back pocket to help show off the wonder of Wild Alberta!



Overall Winner  
and  
People in Nature Winner:



*Larch Valley Autumn, Banff National Park* PHOTO: © GERALD OSBORN





## Landscape Co-Winner



*Beautiful glacier lilies at edge of Frozen Lake (off Elk Pass trail). These plants were an important food source for some indigenous groups as well as for grizzlies. From a July 2019 hike.*  
PHOTO: © DAVID SMITH



*Foothills landscape west of Fort McLeod.*  
PHOTO: © THEO WAGNER

## Wildlife Winner



*A young lynx peering out at me near Hinton, AB. I couldn't believe my eyes when I saw this lynx cross the road in front of me. After scrambling to get my camera from under camping gear, I thought it would be long gone. Luckily this was a curious cat!*  
PHOTO: © DANIEL CAMILLERI



# A Pioneer for Environmental Protection:

## Linda Duncan, Wilderness Defender

By Ian Urquhart

"I couldn't help but become an environmental lawyer." With these words Linda Duncan opened her Martha Kostuch lecture "Law and Order for the Environment." Over the years many Kostuch lecturers have alluded to the importance of the "growing up" years, of family and friends, to their subsequent commitment to look out for and defend nature. Those influences were instrumental to setting Linda on her path.

As a child she spent a great deal of time at Lake Wabamun, west of Edmonton. In the summers, she hiked there; in the winters she skied. Darcy Duncan, Linda's father, was a partner in Duncan Craig – an Edmonton law firm with roots predating Alberta's birth as a province. His success enabled the family to live for a time on 40 acres near Devon where their home overlooked a massive marsh. It's easy for me to imagine the bird songs that would have filled the air on the acreage in the spring. Living there also helped nature seduce Linda into devoting her professional life to trying to strengthen environmental protections.

From the very beginning of her career Linda wanted to work with Indigenous peoples, support their rights, and protect the environment. Alberta was an important incubator for developing these perspectives. "We have had the worst of the worst

struggles in our wonderful province of Alberta," she said. Growing up in a province dominated by petroleum encouraged Linda to adopt two fundamental positions. First, citizens need to be able to participate effectively in decision-making. Second, people need to have the legal power to hold government accountable.

The importance of these positions was affirmed early in her career during an oil

McMurray during a snowstorm to offer her legal advice to STOP. The situation she described to us in her lecture bordered on the macabre. There she was, one public interest lawyer, representing upwards of 80 interveners who had concerns about Imperial's ambitions. This was a contest the underdogs couldn't win.

The stress Linda places on citizen participation and citizen accountability via the

courts arguably reflects the failures and weaknesses of electoral and legislative politics. Majority governments are notorious for the deafness they can show towards the public during their tenure. The courts then might be regarded as a counterweight to conventional politics, as an alternative means to increasing the citizen participation and accountability that should be central to democratic government.

But, it's also clear from what she said to us that we would be mistaken to regard the law and courts as a panacea. Her pioneering interest in securing an environmental bill of rights and

in directly representing individuals in regulatory hearings are proof of this. In the late 1970s, Linda worked with David Kilgour on drafting an Alberta version of an Environmental Bill of Rights. This was done under the auspices of the Canadian Bar Association. "Sadly and typically," Linda said, "the



sands hearing involving Imperial Oil. Unbeknownst to her, STOP (Save Tomorrow Oppose Pollution), perhaps the first environmental group to oppose tar sands mining, told the hearing that Linda and Alex Pringle were the group's lawyers. Linda piled into her old ramshackle car and drove to Fort

energy bar of Calgary vetoed that bill.”

One reason the label “pioneer” fits Linda so well is because she established Alberta’s Environmental Law Centre. Her initiative was inspired in part by her experience with STOP. She secured a grant and used the money to write a report on the need for interveners in energy hearings to be able to secure their costs from government. She used the report as the basis to approach the Alberta Law Foundation for funding to establish the Environmental Law Centre. The Foundation accepted her proposal and the Centre opened its doors in 1982.

In its early days the Law Centre represented individuals such as farmers in regulatory hearings. This was in addition to the research and education work the Centre did then and continues to do so well today. As was the case with the draft Bill of Rights, this profile offended some in the energy industry. After one intervention where the Centre was particularly effective in asserting the rights of a landowner the affected company approached the Law Foundation. It complained that the Centre was competing unfairly with private law firms. The Law Foundation responded to the complaint by telling the Centre that, if it didn’t stop representing individuals, the Foundation would withdraw its funding. That was the end of the Environmental Law Centre’s efforts to represent people directly in hearings.

Another first for Linda was when, with Brian Staszewski – another pillar of Alberta’s environmental movement – she formed the Canadian and Alberta Environmental Networks. (*Time* named Brian a “Hero of the Planet” in 2000 for his environmental activism.) These organizations also were animated by Linda’s belief that environmentalists had a right to be heard and needed to be more proactive.

It is the importance Linda attaches to the need for strong environmental laws and strong enforcement of those laws that let her be enticed to work for the Mulroney government in 1987. Environment Canada invited her to come to Ottawa through an Executive Interchange to lead a newly established enforcement unit in the department. She

left her mark as an environmental pioneer abroad as well. Her career took her to Jamaica, Indonesia, and Bangladesh. In all three countries she helped to create and establish environmental law enforcement systems. She mentioned that she found her experience in Indonesia both “an incredible opportunity” and “a little intimidating” – none of her experiences in Canada prepared her very well for conversing with the military officers who ran the country’s environmental offices then.

As one might expect from someone as committed to the importance of the law and judicial review as Linda, she shared her views on two of her favourite court decisions: *Friends of the Oldman River Society v. Canada (Minister of Transport)* [1992] in the Supreme Court of Canada and *Adam v. Canada (Environment)* [2011] in the Federal Court of Canada. AWA played a role in both of those cases. We intervened in *Friends of the Oldman River Society* and with the Pembina Institute and three First Nations we were applicants in *Adam v. Canada*.

*Friends of the Oldman River Society* was a groundbreaking decision in Canadian environmental law. The ruling stipulated that the federal department of Transport was bound by the *Environmental Assessment and Review Process Guidelines Order (EARP)* to conduct an environmental assessment of the Oldman River dam. The Minister of Transport had declined to do so before approving the Alberta government project. Linda had argued previously that although EARP used the term “guidelines” it was in fact “law” and therefore demanded the type of assessment EARP prescribed. The Supreme Court also ruled that provincial government projects were subject to EARP if the project touched an area of federal jurisdiction. In its 1992 report, the Oldman River Dam Environmental Assessment Panel recommended that the dam, completed by that point in time, be decommissioned. Its lower diversion tunnels, the recommendation said, should be opened to allow the river to run unimpeded.

The second case Linda chose was *Adam v. Canada*. In this case First Nations and environmental applicants went to the Federal

Court of Canada to ask the court to order the federal Minister of Environment to issue an emergency order. That order, the applicants argued, was needed to protect the habitat of seven caribou herds in northeastern Alberta. The Minister declined to recommend an emergency protection order because he believed “there are no imminent threats to the national survival or recovery of boreal caribou in Canada.”

Justice Crampton set aside the Minister’s decision not to issue an emergency protection order and sent the matter back to him to reconsider in light of his reasons. What impressed Linda about this decision was the importance the justice accorded to First Nation Treaty rights in his reasons. When Minister Prentice decided not to recommend an emergency protection order his decision stated that the impact of the decline of caribou on Treaty rights and on the Crown’s constitutional duty to act honourably when dealing with Aboriginal peoples were “not relevant” to deciding if there were imminent threats to caribou. Justice Crampton concluded “the Minister clearly erred in reaching this decision by failing to take into account the First Nations Applicants’ Treaty Rights and the honour of the Crown in interpreting his mandate...The Decision therefore warrants being set aside on that basis alone...”

One of the many “firsts” Linda is associated with came through her involvement with the Clean Air Strategic Alliance (CASA). She joined CASA in order to fight coal-fired electricity production in Alberta. One of her greatest victories there was securing the agreement of those electricity producers to capture mercury. Alberta was the only jurisdiction to require this.

Perhaps the second-to-last chapter in Linda’s environmental activism career came through her time in Ottawa as the NDP Member of Parliament for Edmonton-Strathcona. She says it was “a moment of absolute insanity” that led her to run for office. As her constituent for the nearly 11-years she served the people of Edmonton-Strathcona I appreciated her momentary madness. More seriously, she ran because of what she

feared the Stephen Harper Conservatives would do to environmental laws. She ran for office based on her “suspicion that if Stephen Harper ever got a majority government he would shred every environmental law we worked so hard to create.” That fear was confirmed in 2012 when the Harper government used an omnibus budget bill to weaken seriously the provisions of the *Canadian Environmental Assessment Act*, the *Fisheries Act*, the *Species at Risk Act*, and other legislation with the gall to regulate activities in the name of nature.

In Ottawa Linda distinguished herself on many fronts. One of her major environmental contributions was her sponsorship of private member’s bills that would establish an environmental bill of rights. On four separate occasions Linda drew the attention of Canadians to the important contribution an environmental bill of rights could make to environmental law and order in this country. The rights to access information, to guaran-

tee public participation, and to have access to the courts figure importantly in her bill.

In reflecting on what this bill of rights could deliver I suspect it could deliver broader, more complete protections for the environment than even her most favourite court cases were able to realize. Despite their significance, *Friends of the Oldman River Society* and *Adam v. Canada* delivered limited victories. The federal government wasn’t required to decommission the Oldman River dam as recommended by the environmental assessment review panel. Similarly, *Adam v. Canada* forced the federal Environment Minister to reconsider his caribou decision in the light of treaty rights and the honour of the Crown. It didn’t demand that the Minister recommend an emergency protection order to the cabinet.

But, if Linda’s environmental bill of rights was part of Canada’s legal regime, the government may have had to go further in both cases. This is because her bill established

the paramouncy of existing and emerging principles of environmental law: the precautionary principle, the polluter-pays principle, the principle of sustainable development, the principle of intergenerational equity, and the principle of environmental justice. If such principles were paramount and if they were interpreted generously by the courts, then Linda likely would be able to celebrate even greater environmental victories in the courts. It certainly would limit the ability of future governments to shred environmental protections.

I suggested second-to-last chapter above because now that Linda has retired from federal politics she shows no sign of retiring from environmental activism. At home in Edmonton she’s now taking on City Hall on behalf of the North Saskatchewan River Valley and pushing for the creation of an urban National Park in that valley. Once she accomplishes these goals I wonder what epilogue she plans to write. 🌱

## Photographs for Wilderness



*Red Rock Canyon The foothills are wonderful places, where you can see many ecosystems in the same image. Poor weather and intermittent cloud are gold for landscapes; variegated lighting lends depth and rain brings out the saturation. PHOTO: © KEVIN MIHALCHEON*



*Kris on the Black Rock PHOTO: © HEINZ UNGER*



*Labour of Love, in our backyard near the Red Deer River. PHOTO: © TJARDA BARRATT*

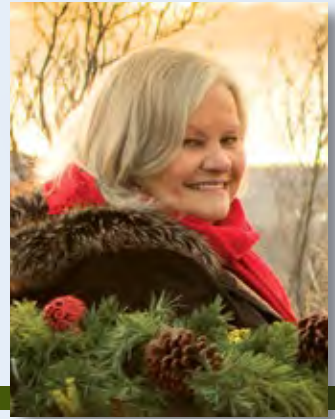


*This old Jack Pine is on a sand ridge near Lost Lake, a once lovely wetland that has all but dried up, along with similar ones throughout the Sandhills. The tree has a few rungs attached by Marcel Fournier, an indigenous elder from the Beaver First Nation to the north. PHOTO: © ROGER MALHERBE*



# How Many Bucks Does it Take?

By Christyann Olson, *AWA Executive Director*



The year 2019 – 2020 brought unprecedented change and unexpected challenges. As we reflect on the year that's behind us and write this report, we are thankful. We are thankful for our many supporters and the challenges that moved us to be resilient, healthy, and strong in pandemic times. Throughout AWA's 55 years, but perhaps especially through this year, you have made a positive difference. With your help we have managed financially and emotionally in these past difficult months to stay strong and to keep all our staff working and responding to conservation concerns.

Fifty- five years later... so much has been achieved. Yet, there are days where we're disappointed that we haven't seen more substantial change, more measurable proof, of the difference we make. Make no mistake though, we are making a difference.

In this year, conservation staff completed a massive review of our extensive website. This required updating pages, developing content, and providing historical records for more than 53 Wild Spaces – does it make a difference? *Yes!* Not long ago a government employee told us: "AWA's website is the most valuable resource we have to understand what has happened in this area."

Our Outreach Program – teaching about wilderness, wildlife, and healthy living – has been ongoing for years. This year we put the finishing touches on our *Adventures for Wilderness* Program. The program has been tremendously successful – far more successful than we imagined. People can create, join or support an Adventure. Our 27 Adventures included everything from extreme activities to learning about gardening under the Chi-

nook Arch, to learning about pollinators and adding 65 native bee nesting boxes throughout the province. We are truly pleased with the success of the program. Four hundred and thirty-eight participants and more than 600 sponsors made our new program so successful that we needed to develop internal resources to handle registrations and sponsorships in a more effective way. Sean Nichols, our Program Specialist, has taken the lead on developing those resources and this program. People are excited and they are developing ideas and creating more Adventures for the months and years to come. Thanks in large part to your enthusiasm we have developed a very successful outreach program.

Our Conservation staff has been working on some very difficult issues. Carolyn Campbell, our expert staff person on the caribou file, and board member Cliff Wallis have worked with the government of Alberta on Caribou Range Task Forces for more than a year now. Carolyn recently raised the public profile of a very quiet announcement from Jasper National Park: the Maligne caribou herd is extirpated. That initiative has led to steps to work with the National Park and others to recover the Park's caribou populations. We manage and maintain a separate website on caribou at [www.Caribou4Ever.ca](http://www.Caribou4Ever.ca) to help provide better awareness of the plight of caribou in Alberta.

The Government of Alberta's announcement that it will remove 164 sites from Alberta's provincial parks system sparked an outpouring of engagement with members. We have developed excellent Briefing Notes and spoken with hundreds of members who have written or called their MLA. We remain hopeful that the government will re-think

their decision. There is no doubt that this decision sacrifices protection. Grace Wark is our Conservation Specialist taking the lead on this file. She has created an air of urgency about the need to retain these protected areas and has inspired people to let elected officials know why these areas are important to them.

A resurgence in applications to explore and strip mine for metallurgic coal is putting formerly protected areas in jeopardy. On June 1st, the government rescinded the 1976 Coal Policy without any public discussion (but...the government did discuss this change with the Coal Association of Canada). This policy change opens up much of the Eastern Slopes to strip mining. For more than five years now, we have worked to oppose a mine at Grassy Mountain in the Crowsnest Pass and a Joint Review Panel is evaluating this application (a public hearing into the project started on October 27th). AWA has full participation in this hearing and, along with the Grassy Mountain Group of landowners, was represented in the proceedings by the legal firm of Ackroyd Law. The decision from this panel promises to be precedent setting. The fates of a number of other applications likely are waiting for the outcome of this hearing. Nissa Petterson, Conservation Specialist, and Ian Urquhart, Conservation Director, are taking the lead on outreach and helping people understand the issues.

We have devoted time to many wildlife issues over the year. They include native trout, grizzly bears, sandhill cranes, and greater sage-grouse. We are part of a monitoring project for the recovery of Athabasca rainbow trout in Apetowun Creek after the catastroph-

ic Obed Mine spill. Joanna Skrajny, Conservation Specialist devoted significant time and effort to working with multi-stakeholder groups developing recovery strategies and plans for Alberta's native trout. Earlier this year the legal case we planned to intervene in between the Government of Canada and the City of Medicine Hat/LGX Oil and Gas was dismissed. The challenge against Canada's *Species at Risk Act* Emergency Protection Order (EPO) for greater sage-grouse was dropped. While we were confident we would have helped successfully defend the EPO, we no longer have to prepare for that legal case.

Public Lands sales have been an issue for a very long time in Alberta. At the core of the concept of public lands is the belief that the public has access to enjoy those lands in the province. Public Lands sales threaten that freedom; so too do land use regulations allowing lease holders to control access to those lands. Sales that would convert native grasslands to agricultural lands (for crops such as potatoes) represent one particularly egregious initiative. AWA is constantly on the watch for, and opposing, any such initiative. We were unsuccessful in stopping one such sale this year and have been alerted to plans for another that we will oppose. Any conversion of native prairie to crops is unacceptable since our native prairie and the habitat it offers many endangered species is threatened so seriously.

We have collaborated and cooperated with many groups over the past year. AWA chaired the International Great Plains Conservation Network and spearheaded the formation of an informal provincial Coal Policy Working Group in Alberta. In February, I participated in a Day for Nature organized by our colleagues at Nature Canada on Parliament Hill. Grace Wark, Conservation Specialist, has taken a leadership role with the Prairie Conservation Forum and has been an important contributor to the Connecting Corridors and State of the Prairie committees. I am on the Board of Directors for Prairie Conservation Forum. Nissa leads the Alberta Environment Network Water Caucus and Carolyn takes a leadership role for a regional Caribou ENGO committee and participates in a national Caribou ENGO group.

AWA's on the ground research in the Bighorn area of the province was completed this July. A comprehensive report of the years 2012 -2017 to complement earlier reports was completed and a synthesized report for the general public is nearing completion and will be available on our website. Throughout the years we found that off highway vehicle use on the Bighorn's Hummingbird Trail System has damaged the health of local ecosystems. We hope the report and data will help others researching similar issues and making decisions about where trails should be constructed.

*Our Wild Lands Advocate* magazine edited by Ian Urquhart is produced four times each year and receives praise and accolades from all who read the excellent articles. Each issue is delivered to 2,200 individuals and more than 900 access the magazine on line. The June issue featured stories from people throughout the province who wanted to tell us why their favorite wild place was important and needed to remain part of our protected areas network. Indeed, more than ever it seems, the voice and insistence of individuals are needed to convince and influence decision makers to respect the input of stakeholders and experts alike.

And so how many bucks does it take to achieve this work and make this difference? Even though our major fundraising event the Climb for Wilderness was transformed into a new outreach program, Adventures for Wilderness and the Covid pandemic impacted donor gifts from March through July, donor gifts and fundraising still provided 70 percent of our total revenue (\$689,494.). General and administrative costs of 15 percent continue to merit our status as an efficient and carefully managed association, supported significantly by volunteerism. Another 15 percent was devoted to Development and included seeking new members, applying for grants, and creating a broader awareness of AWA's mission to inspire people to care about wilderness and wildlife. AWA devoted 70 percent of its budget this past year to wilderness stewardship, conservation, and outreach. This includes funding the Alberta Wilderness Resource Centre.

When it comes to AWA's wealth, it isn't possible to separate financial wealth and resources from human resources; each one of you who read this, donors, volunteers, board members and the outstanding staff who work tirelessly as your team. From AWA's humble beginnings to the strong force it is today, there is no question we are about people. Our membership has grown and stands at 6,122 voting members with an additional brigade of more than 1,500 supporters who are not members but donate funds to ensure our strength. Our members may be found in 213 Alberta communities, across Canada and around the world. Your heartfelt notes of encouragement really do make a difference, please keep them coming!

I'm sure you know your donations are carefully invested in AWA's work and no matter how small or large the gift, it is sincerely appreciated and means we can continue to work towards the healthy wilderness legacy we hope to leave. Evidence of the confidence you can have in AWA came from an achievement we are very proud of – a review of our operations by Charity Intelligence, a Canadian watchdog for charities. They have given AWA an **A and a four star rating**. This is significant recognition for AWA; one of the top 100 rated charities in Canada. AWA was one of only two provincial organizations given this recognition.

Thank you for being part of the AWA team! 🌲



# Bequests, Memorial Tributes, and Recognizing Outstanding Individuals

## Wilderness and Wildlife Bequests

Individuals, members, and supporters making a bequest in their will naming a gift to AWA are helping make a difference to long-term security and AWA's ability to plan for the future.

Daphne M. Smith 1980  
Dr. James Birkett Cragg 1997  
Anna Nowick 1999  
Myrtle Muriel Koch 2001  
Ian Ross 2003  
Dorothy Barry 2003  
William Mayer 2004  
Diane Hughes 2005  
Harold deVries 2009  
Ann Roberts 2009  
Richard Collier 2013  
Harriet Ruth Mowat 2016  
Kim Bennett 2016  
Carol A. Haines - 2017  
Wendy Williams - 2017  
Herbert G. Kariel - 2017  
Ted Davy - 2018  
Richard Pharis - 2018  
Del Lavalley - 2019  
Meyer Estate - 2019  
Doris Davy - 2019  
Helen Dixon - 2020

## Memorial Tributes

AWA is honoured to receive memorial tributes from family and friends; we remember those gifts and individuals here.

Roger Creasey 1953-2012  
Claire Falls 1952-2019  
Paul Potapoff 1922-2019  
R. David Petterson 1948-2014  
Orval Pall 1951-1986  
Dale McRae 1929-2019  
John Glenn Robinson 1940-2019  
Glen Warnke 1954-2019  
Sally McLean 1954-2019  
Charles A. Miller 1921-2009  
Joan Dunford 2009  
Mel Dunford 2008  
Raymond Sloan 1996  
Weslyn Mather 2015  
David & Murray Manzer  
Helen Dixon 1920-2019  
Charlie Russell 1942-2018  
Jim Burton 1960-2020  
Bill Laidlaw 1936-2020  
David Eriksson 2019  
David Pritchard 2019  
Jasmine and Aliyah 2019  
Christina Havard 1944-2015  
Wilbur Tripp 1931-2020  
Margaret Hougau 1932-2020  
PK. Anderson 2014  
Wilfred & Brenda McQuaid  
Barry Fellows 1956-2020  
Calvin McLaren 1970-2020  
Margaret Main 1935-2020  
Murielle Carlson 1960-2020  
Gus Yaki 1932-2020  
Greg Johnston 1951-2020  
Gerrit Brolsma 1935-2020  
Nancy Allison 1941-2020  
Harry Taylor 1941-2020  
Richard Guy 1916-2020  
Emma McPhail  
Earla Rudd  
Ron Prokosch  
Murray Vines  
Ann Savage 1929-2020  
Betsy Nicholls  
Russell Wells 1926-2020  
Sharon Henderson 1943-2018  
Mary S. Lore 1921-2019

## Recognition For Outstanding Individuals

AWA is honoured to receive throughout the year donations from friends and families made to honour outstanding individuals and their accomplishments. This year's tributes recognize:

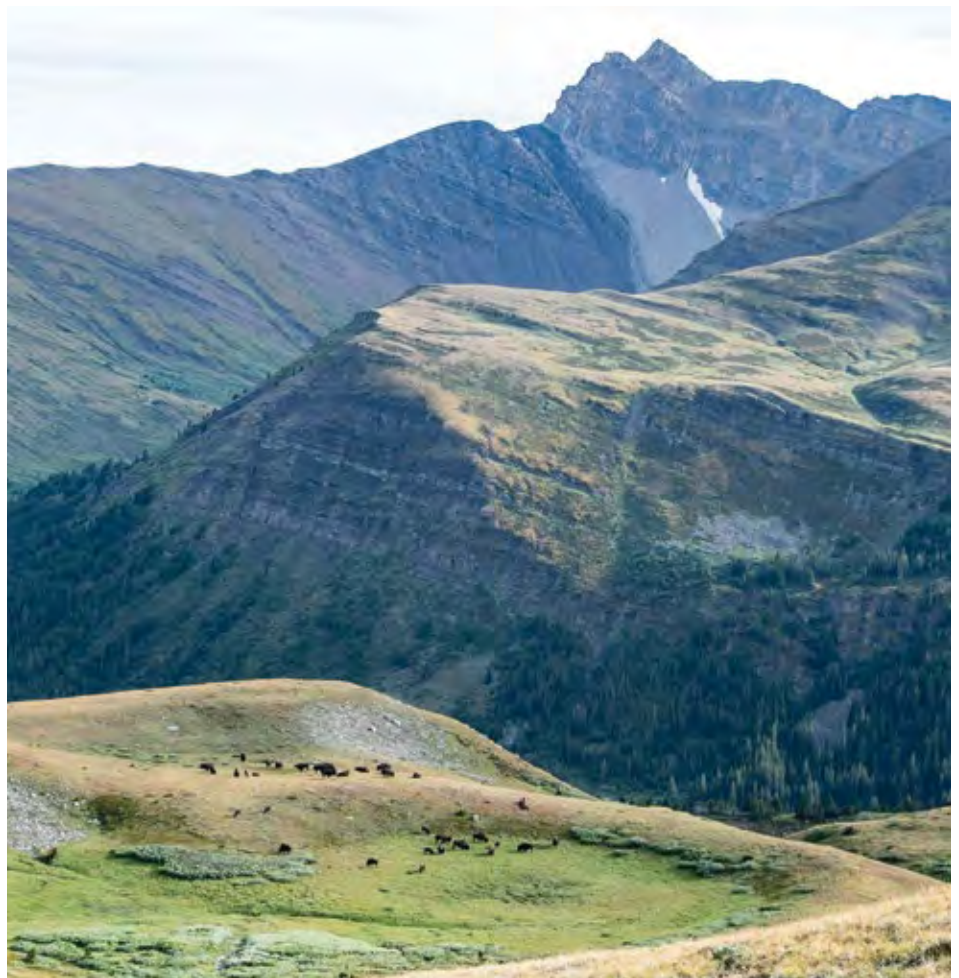
Johanna Buchman-Duck  
Cleve Wershler  
Bruno Canadien  
Cliff Wallis  
Sebastian and Milo Brennan  
Jennifer Graham  
Marion Rogers  
Esther Kienholz  
Blair Porter  
Lindsay and Alex  
Gus Yaki  
Aileen Pelzer  
Laurence Marks  
Mark Jackson  
Yaro Horachek  
Carolyn Peterson  
Will Cunningham  
Jill Seaton  
Kevin Van Tighem  
Madison McGinnis  
Linda Duncan  
Peter Duck  
Barbara Buchmann

# Updates

## They're Still Back...Bison in Banff National Park

Here is a short update from Karsten Heuer, the Bison Reintroduction Project Manager in Banff National Park, about the Banff National Park Bison Reintroduction Project:

- Twenty eight months (2+ years) have passed since we released our small herd of bison into the backcountry of Banff National Park. The free-roaming herd has grown to 50 animals;
- All but two animals have survived so far; a three-month old calf went missing in 2019 (and presumably died of natural causes), and a newborn calf was lost to wolf predation this spring (May 2020);
- All other animals are healthy and have subsisted on natural forage only (we have not fed them since we released them);
- The average annual growth rate of the herd since we translocated them in 2017 is 38% per year. This is expected to decrease as the young herd ages and the initial high female-to-male ratio of the founder herd equalizes;
- The 50 animals continue to move mostly as a single herd with a few lone males periodically breaking off and rejoining. The herd continues to use meadows, grassy mountain slopes, and previously burned forests in the Panther and Red Deer drainages of Banff National Park. Summers are spent high in the alpine; fall/winters are spent moving between meadow systems in the valley bottoms (see photos below);
- No movements outside of the 1200 km<sup>2</sup> reintroduction zone or Banff Park occurred over the past year and no herding by Parks staff was necessary. All movements have been within 30km of the soft release pasture where the animals were held for the initial 1.5 years;
- The bison continue to periodically interact with two drift fences that encourage them to stay within and anchor



August 2020 – Banff bison herd grazing in old alpine lakebed, Red Deer River drainage, Banff National Park PHOTO: © K. HEUER

to the target reintroduction zone (along the Red Deer and Panther rivers). The potential effect of these fences on other wildlife is something Parks Canada committed to monitoring and assessing. I'm pleased to share that we just published a paper in Wildlife Biology that confirms these fences allow for the free passage of other wildlife while deflecting bison.

- We fitted seven bison cows with new or refurbished GPS radio collars over the

past year to replace the original collars that have now worn or broken off. We mostly captured and collared bison from horseback (see photo below). Our goal is to have at least 10% of the population collared for the next few years;

- No bison-related closures or restrictions have been in place over the last year and none are expected in the future.

- Karsten Heuer,

Bison Reintroduction Project Manager,  
Banff National Park

## Increasing Timber Harvest in Alberta's Forests

In May of this year, Minister of Forestry Devin Dreeshen announced that provincial Annual Allowable Cut (AAC) will be

increased by up to 13 percent for Alberta's forestry companies.

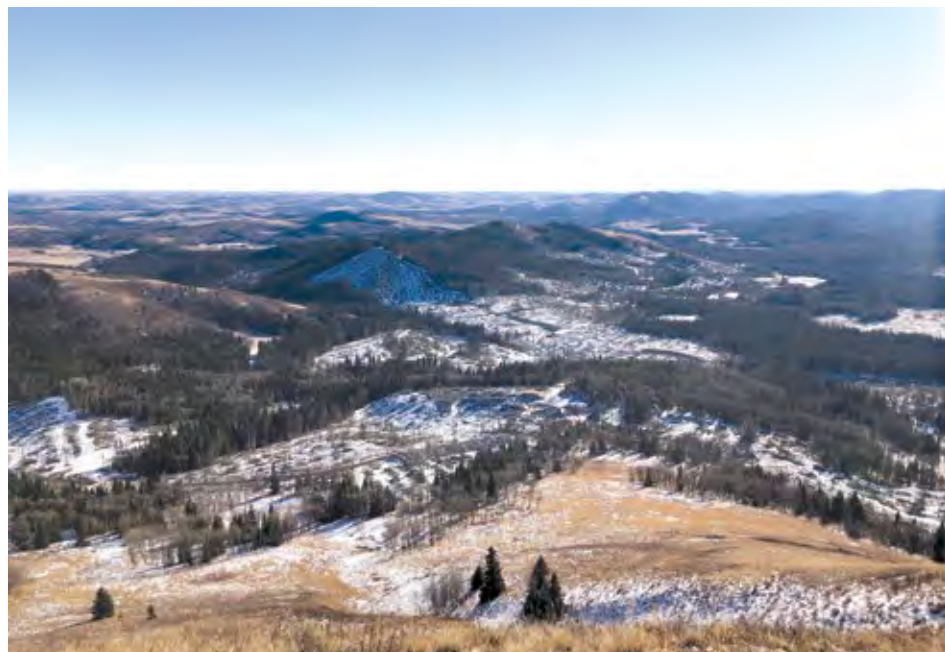
The announcement was foreshadowed by the Minister's comments during the October 2019 budget debate where he hinted



he was considering a drastic 33 percent increase in provincial cut. At the time, AWA wrote to the Minister to express our concerns and to ask for clarification on where this additional cut would be sourced within the province's already over-allocated forests. We never received a response.

The Minister intends to facilitate the re-assessed target of 13 percent largely using existing policy levers. AWA is particularly concerned about the plans to open up two new forest management units (FMUs) in Alberta's boreal forest. These new FMUs fall within the range for endangered woodland caribou and habitat for barred owl. AWA supports the government's goal to increase Indigenous participation in and benefits from forest management. But, we also believe that, instead of new allocations in over-allocated forests, Alberta should promote meaningful Indigenous partnerships through more sustainable harvest allocations and practices, ecological stewardship, and increased habitat restoration programs.

We are also deeply concerned about the potential harvest of more ecologically-sensitive or difficult to recover areas, such as steep slopes or stands of black spruce. If Alberta forest companies continue to harvest at unsustainable rates, we likely could see further habitat degradation for valued wild-



Many of Alberta's forested public lands are at their limits for timber allocation. Pictured, a recent harvest as seen from Mesa Butte. PHOTO: © J. HOPE

life including old-forest migratory birds, threatened native fish, and endangered woodland caribou.

AAC needs to be determined on a case by case basis to ensure that the increased cut won't negatively impact water quality, drought and flood risks, or wildlife habitat. Alberta forests already have high levels of industrial fragmentation and provincial regulations generally only require three to five percent retention rates within har-

vest stands. These rates are far below the levels needed to retain healthy biodiversity. While the recently proposed *Forests Amendment Act* would have you believe that Alberta is a world leader in sustainable forest management, this seemingly arbitrary increase of 13 percent AAC doesn't align with sustainably managing Alberta's forest ecosystems.

- Grace Wark

## Alberta Forests Deserve More than the "Forests (Growing Alberta's Forest Sector) Amendment Act"

On October 22, without any public consultation, the Alberta government introduced a bill to change the *Forests Act*. By late November, it had almost completed its passage through the legislature. It received Royal Assent on December 9, 2020 and will come generally into force on May 1, 2021. AWA believes the *Forests Act* changes have missed a key opportunity for needed reforms to support forest ecosystems and transparent, inclusive forest management.

The *Forests Act* is a law from the 1970s that mainly sets rules for commercial timber supply. Over the years, some of the

planning standards under this law have added some ecosystem considerations. But, Alberta's forest management system retains its outdated, timber-supply centred focus. In practice, there is also very limited transparency or public involvement in important stages of forestry allocation, planning, and accountability.

Forest management decisions affect soils, wetlands, water, and wildlife on Alberta public lands. Climate change pressures upon our forests are intensifying, areas of intact older forests are shrinking, and forest biodiversity is declining, including at-risk populations of woodland caribou, old-forest birds and native fish. The need to better manage Alberta's forests as resilient ecosystems is clear.

From the Legislature debates on this bill, AWA learned that between February and August 2019, the government consulted with 41 different forestry companies about the changes they wanted to the *Forests Act*.

### The Timber Beast

By Henry Stelfox

The lumber king, the timber beast,  
Is on the rampage all the time,  
Slaughtering the hardwood,  
The poplar, spruce and pine.

He is the despoiler of our North woods,  
Who lays waste God's handiwork,  
A person who despoils your heritage,  
Is one, who all men should shirk.

There was no public consultation, nor was any evidence presented during the debates of any meaningful Indigenous consultation.

The government's changes include adding a preamble that mentions forest ecological values and climate change, as well as timber supply access. Preambles can resolve ambiguities in the interpretation of a law, but they don't have the same power as enforceable sections. AWA doesn't see enforceable *Forests Act* changes to support forest ecosystems or to increase public participation; we only see revisions to facilitate forest commercial interests.

After issuing an October 28 news release to make these points, on November 13 we also posted our proposed amendments to improve the environmental and participatory aspects of the *Forests Act*. We sent these to Agriculture and Forestry Minister Dreeshen and Environment and Parks Minister Nixon, requesting them to reply to our recommendations. We haven't received any replies as of yet.

One change to the *Forests Act* will enable the Minister to make regulations about the standard clauses and the 'matters that must be addressed' in important 20-year long Forest Management Agreements (FMAs). These FMAs cover most of Alberta's public forests. This may be the best opportunity left to modernize our forest management



*Loading Aspen for a Pulp Mill, northern Alberta, 2017. Forests Act changes to meet industry requests are about to be adopted, without public or Indigenous consultation. PHOTO: © ALBERTA WILDERNESS ASSOCIATION*

system to increase its participatory and ecosystem attributes anytime soon.

Since citizens were not consulted on *Forests Act* changes, AWA asks the Alberta government to ensure that there is meaningful public and Indigenous consultation on the upcoming FMA regulations. We will request that provisions for environmentally

sustainable forestry, transparency, and public and Indigenous participation be included in the 'matters that must be addressed' in these key regulations for our public forest management.

- Carolyn Campbell

## The Forests Act – What Should Be Included

AWA proposed the following additions to the binding provisions of the *Forests Act*. However, the bill has moved forward without amendments. As an alternative, these changes should be incorporated into upcoming regulations to be written for 20-year-long Forest Management Agreements:

### In section 1 'Definitions', add:

Environmentally sustainable: Forest management that maintains forest biodiversity, ecosystem processes and resilience, while natural resources within forests are used by humans in ways and at rates where they are

able to replenish themselves.

### Add: Environmentally sustainable forest management section

The Minister shall manage for environmentally sustainable timber harvest levels and methods, based upon scientific evidence, recognizing the need to maintain and restore forest soil, water, carbon, and biodiversity values.

*Rationale: Confirms in an enforceable section the commitment to environmentally sustainable forest management.*

### Add: Consultation section

The Minister shall provide for meaningful Indigenous consultation and meaningful public participation in forest management, including adequate notice, information and

opportunity to comment upon the development and review of:

- forest laws, regulations, standards, and guidelines
- forest management agreements
- forest management plans and
- annual operating plans

*Rationale: Provincial requirements for accessible information and meaningful public participation opportunities in these important processes either do not exist or are very limited.*

*Add: Transparency section*

The Minister shall provide for widely accessible public reports of:

- Proposed and approved forest management plans, including assessments of vegetation inventory, timber growth and



yield, and of harvest scenario impacts upon Indigenous rights, soil, water, carbon, biodiversity and timber values

- Annual operating plans and annual reports of operations

*Rationale: Management of public forests requires transparency and accountability. Online posting of approved ten-year forest management plans occurs now, the others are generally never made accessible. Some are only available for paper copy review by those at annual open houses or government offices.*

- Carolyn Campbell

## December WLA Water Update

AWA's Water file sees no rest, and for good reason, as it is an important element that is intrinsically woven into every major conservation issue in our province. Take, for example, coal mining in the Eastern Slopes. Water withdrawals and contamination from coal mining activities not only pose a major risk to the ecological integrity of these invaluable landscapes, but also have implications for the health of human communities. As a life-giving resource, we cannot be too diligent about protecting our water sources.

AWA's work on water pursues three general objectives:

- 1) Protecting and conserving healthy aquatic and riparian communities in Alberta's rivers headwaters,
- 2) Raising the profile of sustainable water management and stewardship lead initiatives, and
- 3) Ensuring all Albertans now, and in the future, have safe and secure drinking water supplies.

To accomplish these water conservation objectives, AWA continues to participate and connect with focus groups such as the Alberta Water Council (AWC), Alberta Environmental Network's (AEN) Water Caucus, in addition to small grass-root or stewardship groups. For nearly two years, I have chaired AEN's Water Caucus and have been a Non-Government Organization representative on the Alberta Water Council board.

AEN's Water Caucus serves as a forum for AEN members to share water-related projects and conservation concerns. It also provides an opportunity of continuous dialogue and the exchange of water related information. In the last six months, a significant portion of AWA's contribution to the Water Caucus has focused on updating members on our work on coal. We also provided detailed concerns on regional water projects we have been following such as the Special Areas Water Pipeline project, the Wapiti Watershed Management Plan, and more recently, the Irrigation Expansion Project. Our participation in Water Caucus over the years is a worthwhile venture as it improves our understanding of watershed-specific issues, and allows us to tap into historical and expertise knowledge of Water Caucus members. Forming these new working relationships with environmental professionals from various backgrounds is integral to refining our knowledge on water, and staying looped into upcoming issues.

AWA's work with the Alberta Water Council is similar to Water Caucus in that it deals with water issues across the province. But, AWA's involvement with the Alberta Water Council also enables us to directly participate in specific water projects that could ultimately set standards and improve water management across the province. In my time on the board, the Alberta Water Council has approved projects such as a guide source water protection for municipalities, a guide for building drought resiliency, and more recently, a Water For Life Implementation Review.

At AWC's summer board meeting this past June, the Government of Alberta proposed the council adopt a "nimbler" process for projects that provide relevant information for water management and conservation. Generally, AWC projects are a significant time investment, taking anywhere from one to two years to complete.

The AWC board accepted the government's proposal, and is in the midst of applying this shortened or nimbler approach to two projects:

- 1) Alberta Wetland Policy Implementation Review, and

- 2) Alberta Water Futures.

The goal is to finalize both projects by March 2021.

The AWC fall board meeting approved the Terms of Reference for both projects. I volunteered to be on the formal project working team for the Wetland Policy Implementation Review.

Alberta's Wetland Policy is by no means perfect, and this project aims to gather perspectives from all sectors on its implementation. It also will suggest potential performance measures to indicate whether the goals, outcomes, and strategic directions of the policy are being achieved.

AWA believes that a review of the implementation of the Wetland Policy is an important opportunity to provide meaningful feedback and perspectives on behalf of the environmental community on the effectiveness of the policy in achieving wetland conservation. Participation in this project will also be important in ensuring that the review does not culminate in a list of sector-specific grievances that will only serve to further harm the effectiveness of the policy in conserving wetlands.

AWC's other current project is the Water Futures project. This project has the goal of identifying water risks, and assessing the preparedness of Alberta's water systems to cope with these potential stresses and risks. This project's finalized product will be a report on cross-sector perspectives for the provincial government. While AWA does not have a direct representative on this project team, we have colleagues from Water Caucus who are and provide regular updates on the progress of the project.

- Nissa Petterson

## Sentencing in Grizzly Bear Poaching/Assault Incident

In late February, a concerned citizen contacted AWA about a November 2018 potential grizzly bear poaching incident

and assault against someone who witnessed the incident in southern Alberta. This news came as a shock to us given there was no mention of the incident in the news, nor were there murmurs circulating in the conservation community. Our contact was concerned that without publicizing this incident, it would not be investigated and charges, if warranted, would not be laid and prosecuted.

AWA's contact clarified that family members on a camping trip witnessed the incident. From a nearby campsite, they saw two men with a grizzly bear carcass and approached the men requesting an explanation. It was alleged the two men illegally killed the grizzly at their hunting camp

near Indian Graves Provincial Recreation Area. CBC recently reported that the grizzly had fed on deer the two had killed and hung on a meat pole. When the grizzly returned, they shot it.

Worried that this was indeed poaching, one witness photographed the bear carcass and the license plates of the two suspects; this person was subsequently threatened and assaulted by the suspects for doing so. After the confrontation, the witnesses left the area and contacted Alberta Fish and Wildlife and the RCMP.

After the altercation with the witnesses, Fish and Wildlife officers visited the suspects at their campsite. One suspect confessed to his involvement in poaching the

grizzly bear and showed the officers where the carcass had been dumped. The officers could find no evidence that the suspects acted in self-defence.

In November, Jeffrey Edison Hambrook and Gary Edgar Gilson were sentenced. They were fined \$22,000, given a one-year conditional sentence, and banned from hunting for three years.

For AWA these sentences for assault, uttering threats, hunting out of season, and the unlawful possession of wildlife are insufficient. From the wildlife perspective, the deliberate, unjustified killing of a threatened species should demand a much longer ban of hunting and a steeper fine.

- Nissa Petterson

## Alberta-Canada Caribou Conservation Agreement

On October 22, 2020, Ecojustice lawyers, acting for AWA, Athabasca Chipewyan First Nation, Mikisew Cree First Nation, and David Suzuki Foundation, discontinued our caribou lawsuit. We decided this after we received word that the Minister of Environment and Climate Change had recommended to federal Cabinet a 'safety net' habitat protection order under the Species at Risk Act (SARA). That is significant: as far as we know, it's the first ministerial recommendation for a SARA 'safety net' habitat protection order.

However, the very next day the federal government indicated it would not act on the Minister's recommendation for a protection order. Instead, the governments of Canada and Alberta released a caribou conservation agreement, covering all the caribou populations on provincial lands.

We believe the lawsuit we filed in 2019 was a powerful motivator for the province and the federal government to finalize this conservation agreement. As a reminder, our lawsuit was filed in January 2019. We argued that, in the absence of adequate measures from Alberta, the federal minister must step in and recom-

mend SARA federal habitat protections for five caribou populations in north-east Alberta. In December 2019, we adjourned this lawsuit pending further discussions with the federal government.

On the positive side, in the caribou conservation agreement with Canada, Alberta finally committed to:

- produce enforceable plans for all its caribou ranges, over a specific five-year timetable;
- achieve and maintain the 'minimum 65% undisturbed' habitat threshold, using evidence-based caribou habitat definitions, as per federal woodland caribou recovery strategies for boreal and mountain caribou;
- integrate land-use decisions in each range across all land users, to achieve and maintain adequate habitat for naturally self-sustaining caribou populations within 50-100 years.

If Alberta follows through and implements these commitments, the government will make a major advance in environmentally responsible land use.

That's a big 'if'. On the negative side, the agreement lacks any interim habitat protection measures in caribou ranges. Also, there's no specific consequences if Alberta misses its deadlines or deliverables, which the government has done re-

peatedly in the past.

There are also no specific conservation areas included in the conservation agreement. AWA believes that, at the very least, there should have been a commitment to complete a proposed 150,000-hectare expansion of northeastern Alberta's Kistaskino Nuwenēné Wildland Park, most of which is unprotected caribou habitat; the expansion has garnered broad support from Alberta's energy, mineral and forestry sectors and Indigenous groups.

Meanwhile, development and access pressures continue to reduce land management options and undermine caribou recovery. The large timing gaps – between 'planning to do better', 'actually managing for habitat conservation and restoration' and 'adequate on-the-ground habitat conditions' – will likely continue to be filled by ongoing, intensive wolf culls in too many ranges.

Despite some promise in the agreement AWA is concerned that actions within the conservation agreement may not move fast enough to protect Alberta's threatened caribou. We believe the federal government should have issued an interim habitat protection order.

- Carolyn Campbell



# Cub Reporter Corner

## Youth Test the Climate in Court



By Sadie Vipond

My name is Sadie and I am 14 years old. I am one of the youth engaged in the *La Rose, et al. v. Her Majesty the Queen* lawsuit that seeks to hold the federal government accountable for contributing to climate change and violating my Charter rights to life, liberty, security of the person, and equality.

I was born to be in nature. It is my true home, just like it used to be for all of us. I spend my winters skiing in the mountains, my summers roaming the prairies, badlands, and high alpine in caves, on mountains, and backpacking.

I am already seeing the effects of the climate crisis in nature. Ski seasons are declining due to warm weather and rain when there is supposed to be snow. The bitter orange mark of the pine beetles scar entire mountainsides. Smoke from this year's California fires, more than 1500 kilometres away, hangs in the air of Calgary, changing the colour of the light and the sun and worsening the air quality. The smoke is more than just a visible reminder of the destruction of forest life, it impacts my health. Two years ago, the smoke limited me from biking to school, forcing me to take city transit.

In 2013, my family had to evacuate our home because of flooding and stay with friends. That flood was the most damaging in Alberta's history. I remember waking up in the middle of the night by my grandmother, and she told me that we have to evacuate. We stayed with a friend who lived outside of the valley until the flooding subsided, and the rest of school (about a week) was cancelled. Every day we saw the images of the local zoo, and downtown being flooded. Thankfully, the flooding did not reach our house, but I worry as the Climate Crisis gets worse, the flooding will have an even bigger impact.

I know the effects of climate change will get worse as time passes and our carbon emissions pile up. Storms, floods, fires, destruction of the natural world -- all will become more common and more extreme during my lifetime.

Some people think that climate change is something to worry about in the future, but they are wrong. We see it now increasing in deadly fires, the 2013 Calgary flood, the melting glaciers, the recurrent and increasingly damaging hailstorms.

A recent report says Canada has warmed almost twice as fast as the rest of the world. And yet, the sad reality is, our country

continues to contribute to the climate crisis. Especially here in Alberta, most of our economy is from the oil and gas industries.

This crisis will affect my generation and younger generations much more than the current generation of adults. The ones in the government today -- those who are making decisions that will affect my future -- might not have to worry about all this, but their decisions affect me. Being 14, I am too young to vote, just like most of my co-plaintiffs in the lawsuit. Joining this lawsuit is a way to get my voice out there.

The federal government has been worsening the crisis, and is even trying to keep our lawsuit from going to trial. By allowing dangerous levels of greenhouse gas emissions, the Canadian government is responsible for the climate change impacts we are all experiencing. We want the government to put a plan in place that will reduce those emissions, decarbonize the country's energy system, and protect the rights of its young people. I want to live in a world where I don't have to worry about my future burdened by Climate Crisis.

In a developed country like Canada, we all need to focus on long-term safety. The government needs to treat the changing climate like the crisis that it is.



PHOTO: © I. URQUHART

Hey young conservationists! Tired of adults dominating conservation discussions, discussions about your future? If so, pitch a story idea for this Cub Reporter Corner to the editor at [iurquhart@abwild.ca](mailto:iurquhart@abwild.ca). Stories should be approximately 250 to 500 words long and may report on any environmental or conservation issue you feel is important to Albertans.

ALBERTA WILDERNESS ASSOCIATION

# 2019 | YEAR IN 2020 | REVIEW

CELEBRATING



## THANK YOU FOR 55 INCREDIBLE YEARS!

THIS YEAR OUR MEMBERS AND  
SUPPORTERS DONATED \$481,000  
AND >2400 VOLUNTEER HOURS  
WHICH SUPPORTED OUR WORK ON...



WE'VE RAISED PUBLIC  
AWARENESS AND ACTION AGAINST  
THE CLOSURE AND REMOVAL OF  
**164 SITES** FROM THE  
ALBERTA PARKS SYSTEM,  
THE SALE OF PUBLIC LANDS AND  
CANCELLATION OF THE  
1976 COAL POLICY.



## WILDLIFE

WE'RE WORKING HARD ON HABITAT  
CONSERVATION MEASURES FOR  
WOODLAND CARIBOU, HAVE SPOKEN  
OUT AGAINST THE SANDHILL CRANE  
HUNT, AND SPOKEN UP FOR  
GRIZZLY BEAR REHABILITATION.



## WILD WATERS

WE CONTRIBUTED TOWARDS THE  
FEDERAL RECOVERY PLAN FOR  
BULL TROUT, EFFORTS TO REDUCE  
THE ENVIRONMENTAL IMPACTS OF  
OILSANDS, AND OPPOSED THE  
RED DEER RIVER WATER  
DIVERSION PIPELINE.



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