

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

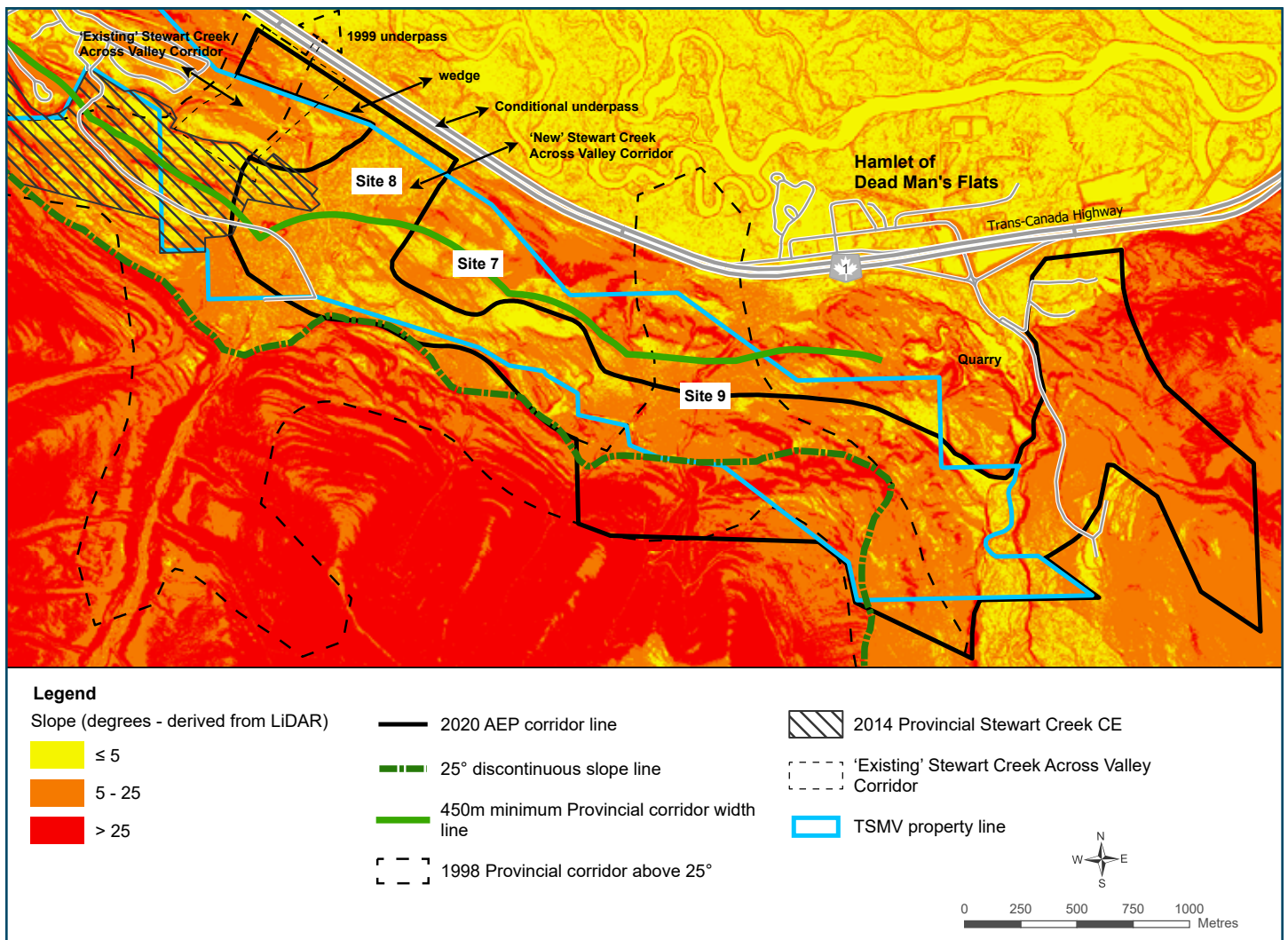
proposals, the Three Sisters Along Valley Wildlife Corridor qualifies as a saga.

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.

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