



Vol. 14, No. 2, June 2004



CCWC Announces New Grizzly Study

by Jillian Lynn Lawson

In 1871, a Hudson Bay trader in the Cypress Hills reported the “incredible numbers of grizzly bears [killed] of which our share of the skins numbered 750.” Extirpated from most of their range in southern Alberta, the remnants of this once vast population now try to survive in the eastern slopes of the Rocky Mountains. In his new report *The Grizzly Bear in Southwest Alberta: A Vision and Plan for Population and Habitat Recovery 2004*, Dr. Brian Horejsi estimates that there may only be a total of 39 grizzly bears in Southwest Alberta south of Highway 3; that only about a quarter, or between nine and 11, of these are females; and only about three or four of these are adult females. This is a bear population in disarray and at risk. Not only is the population low, but the sex ratio of 23 percent females to 77 percent males is unusually skewed. The preponderance of bears killed has been sub-adults and young adults under 10 years of age.

With so few adult females, reproduction cannot sustain the population given the current and historical levels of mortality and management removals of about seven bears, or 17 percent, per year. The population vacuum in this part of Alberta has attracted an in-migration of sub-adult and young adult males from Montana and British Columbia. The high mortality rate among these young bears is not addressing the long-term problem of human-bear conflict, nor has it, based on Dr. Horejsi’s analysis, led to successful establishment of an adequate stabilized, and stabilizing, population of adult grizzly bears.

The evidence set out in this report suggests that without bears from adjacent jurisdictions there would be no grizzly bears in southwestern Alberta; that southwest Alberta is a “huge drain” or “sink” area for the regional transboundary grizzly bear populations; and that current management of the population and habitat in southwest Alberta is not meeting contemporary social or scientific standards for the conservation of threatened or endangered wildlife populations.

But there is hope, and as the report’s sub-title indicates, Dr. Horejsi has set out a vision and a plan for the recovery of this population and its habitat. While the body of the report sets out a synthesis of current scientific understanding of the specific issues adversely affecting the bear population in southwest Alberta, the recovery plan provides direction for reversing the trend.

Endangered Population Recognition: Recognize that grizzly bears in southwest Alberta are biologically endangered and manage these bears, not as a source of conflict and an impediment to development, but as a nationally and internationally valuable asset. Then, based on this, redraw the management boundary to include public and private land in order to allow for home ranges partially on private land.

Special mandate and management skills: Engage a full time grizzly bear management specialist for Southwest Alberta, particularly to encourage an increased level of tolerance of bears and reduce the availability of attractants which lead to human/bear conflict.

Bear population goals: Establish a stabilized population of adult bears, aim for 10 adult females—well below the historical estimate of 20 but significantly better than the three or four which may be there now; and use the best science available.

Human/Bear conflict management: Although a stabilized adult bear population will lead to a relative reduction of in-migrant sub-adults, and secured habitat effectiveness will lead to less displacement, recognize that some human/bear conflict resolution will be a continuous process as long as grizzly bears survive in the region (Dr. Horejsi suggests that all adult male and sub adult bears that become involved in human/bear conflicts be removed until the adult female population is stabilized; that no female bear be destroyed or removed until at least a second

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CCWC Annual General Meeting

Saturday June 5, 10 AM to evening

Beauvais Lake Provincial Park group camp

10:00 Wetland walk with Mike Taylor

12:00 Potluck lunch

1:00 Business meeting

followed by guest speaker Dr Brian Horejsi

2:00 Field trip to fire site and salvage logging

Supper and evening—conversation and hiking

Group camp available for camping Saturday night

Further details: www.ccwc.ab.ca or 403 627 5059

Box 2621, Pincher Creek, Alberta T0K 1W0
Telephone 403 627 5059

e-mail: office@ccwc.ab.ca
website: www.ccwc.ab.ca

off-road website: www.canuck.com/off-road/

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(address/phone/e-mail as above)

Chris Wutzke, Field Programs Coordinator
(address/phone/e-mail as above)

James Tweedie, Conservation Director
403 628 2422
e-mail: tweedie@telusplanet.net

Upcoming Meeting

The next board meeting at the Annual General Meeting (see page 1).
All are welcome.

Newsletter

Editor: Judy Huntley.

This newsletter welcomes comments and/or submissions from members and others. Please send submissions by mail or e-mail to the office. Please check with the office for submission deadlines.

The opinions, evaluations, claims and assertions contained in articles appearing in the Castle Wilderness News are the responsibility of their authors, and may not reflect the policies of the Castle-Crown Wilderness Coalition. The office takes responsibility for articles, notices, etc., for which an author is not identified.

Production: Murray Coppold. Thanks to Rosemary Coppold, who addresses, stamps, stuffs and mails the newsletter to you.

*Donations to CCWC are tax creditable
and greatly appreciated.*

Thanks to all the members who have contributed to the recent extraordinary expenses.

May is renewal month—please renew. And perhaps you know someone who needs a gift membership as well!



CMR Legal Action

by James Tweedie

CCWC has filed an Appeal to the Alberta Environmental Appeals Board (EAB) regarding Castle Mountain Resort Inc.'s (CMR) sewage disposal. The EAB has presently scheduled a Preliminary Meeting for June 7 in Lethbridge to hear arguments and evidence to determine whether the CCWC will be accepted as a directly affected party in this matter, and hence whether we have the right to pursue this Appeal. The Board has requested our members to provide affidavits showing how they are personally affected by Alberta Environment's decision to amend CMR's Wastewater system Approval. Thank you to all of you who have provided these letters and affidavits at short notice.

The CCWC has retained Cam MacLennan, of Huckvale Wilde Harvie MacLennan LLP, to represent the organisation in this Appeal, and we are in the process of requesting a deferral of the meeting date, owing to Mr MacLennan's unavailability on June 7. Anyone interested in attending this Preliminary Meeting should therefore call the CCWC office or check the website to confirm the time and place. Anyone who has been able to provide us with a personal letter describing how they will be personally affected by this Amendment, but has been unable to get the letter notarised as an Affidavit, can appear at the start of the Preliminary Meeting and have their letter and evidence sworn in at that time.

Important New Info

It may be that the deadline for members' support letters is extended. Please contact James or the office if you are willing to write one.

The CCWC still awaits the decision from Madame Justice Kenny on the Judicial Review of the Alberta Government's decision not to require an environmental assessment report from CMR. We have just received a copy of the following letter sent unilaterally by CMR's counsel to Justice Kenny requesting a decision:

We have been asked by our client, CMR Inc, to enquire as to the anticipated timing for release of your decision in this matter. Our client indicates that the seasonal nature of the ski resort results in a brief summer construction window and that the work to be done this summer will vary depending upon the timing of the decision and ultimately the decision rendered. •

Volunteers Welcome!

CCWC wants your energy, as a steward, a hiker, or a restoration worker. Contact Chris at 403 627 5059 or office@ccwc.ab.ca, and join us at the AGM

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chance has been granted; and that corrective action be taken regarding the situation that provoked the conflict).

Hunting grizzly bears for sport: Bear deaths will have to be managed within a recovery framework, and there is not evidence that hunting can be accommodated within the relatively precise envelope of management actions that are necessary. Hunters will have to “step up to the plate” and be part of a bear population and habitat recovery with the long term expectation that the future holds greater promise.

Land use initiatives: Address the effects of roads, off road vehicles, density of human residences, oil and gas exploration and exploitation; livestock and grazing, logging versus forest management; recreational and real estate development, such as Westcastle, in core habitat areas; and address roading and development in Waterton Lakes National Park.

Core habitat—Wilderness designation: The survival of the grizzly bear in this ecosystem depends on our willingness to commit undisturbed and unimpaired low elevation habitat for secure use by bears. Designate the South Castle and Upper West Castle river valleys as core wilderness habitat, create useable and effective habitat in the Blakiston valley in Waterton Lakes National Park, and designate east slope valleys north of Waterton as prime grizzly bear range when industrial and agricultural use is bought or phased out.

Grazing permit buy out: Part of allowing grizzly bears to use public lands effectively, and thereby both reduce their dependence on private land and increase the productivity of public landscapes, will be to allow public land to reach its ecological potential for wildlife. The most reasonable way to accomplish this is to establish a voluntary grazing permit buy out program on public lands. A program similar to this has recently removed livestock from 87,500 acres of grizzly bear habitat in Wyoming.

Acquisition of land: Acquisition of habitat through purchase or conservation easement has and will play a significant role in determining the viability of this ecosystem.

Westcastle development: The establishment of the Castle Wilderness Area south of the West Castle River the West Castle headwaters and the Middle Kootenay Pass should limit the escalation of ecological damage. The best possible effort to minimize conflict will be sanitation standards equal to or exceeding those in place in well regulated National Parks; and, to be effective these standards need to be legally enforceable and systematically enforced.

Numerically defined habitat protection standards: Numerically established thresholds for grizzly bear habitat effectiveness and protection should be established, particularly for three standards:

Road access management standards: Numerical definition of standards is essential to efficient and accountable implementation, management and monitoring of landscape protections measures;

Regional security habitat: Meaning that a significant percentage (68%) of each female home range should be secure habitat, (i.e., more than 500 metres from any motorized access route); and,

Offroad vehicle management: Public land access plans must be science based, involve identification and protection of core area and linkages to other landscapes, and protect wildlife and its habitat for educational, economic, scientific, aesthetic, non-motorized recreation. ORV use outside of main roads and very select designated routes is not compatible with habitat effectiveness necessary to provide security for grizzly bears and all other wildlife populations.

C5 Forest management planning: Public land management should be more than a comprehensive logging agenda. The U.S. National Forest plans provide a template for forest management plans and the process leading to them. A full scale environmental impact assessment (EIA), employing the best available science, is necessary; public scoping must be part of the plan, and a suite of alternatives should be developed based on that scoping. The draft EIA would be finalized with full public input and using the best available science. An alternative would then be selected and established in law.

The Waterton Connection: To meet expectations as effective grizzly bear habitat, motorized use of Blakiston Valley should be progressively withdrawn by reclaiming the road upstream from Crandell Mountain campground and decommissioning the highway east of Crandell campground. Access to Crandell campground could continue but by foot, horseback or horse drawn wagon.

In his conclusion, Dr. Horejsi states that a radical shift in the direction of public land management will be necessary in order that the future of the grizzly bear population be secured by law; a much broader Alberta public constituency be served; a broad spectrum of interests be recognized in Waterton Lakes National Park; and international obligations that contribute to the viability of the Northern Continental Divide ecosystem grizzly bear population be addressed.

CCWC thanks both Alberta Ecotrust and the Calgary Foundation for the financial support that made this report possible. The full illustrated report is available from the office, 403 627 5059 or office@ccwc.ab.ca; the text report is on the website, www.ccwc.ab.ca. Anyone wishing to arrange a public presentation please contact Jeff or Chris at the office. Ms. Lawson hopes that many people will get involved in this issue. •





Executive Director's Report

by Jeffrey Emmett

The winter has gone quickly; we are excited about spring and the beginning of our field programs. Chris has been planning our restoration project with creativity and diligence, I am looking forward to distributing the native seed collected last fall and using some innovative techniques to prevent erosion and ease the damage of off-road vehicle (ORV) use. Scouts Canada and Canada World Youth will be participating in the restoration program and we are preparing for all of their help.

Through the winter we have worked on engaging the regulatory processes of the government in defense of the Castle's ecology. Cynics will say that this is futile given the disregard that the environment receives from decision makers in the province; but we persist, if only to prove the inadequacy of the overall system and to raise the importance of the Castle to our government. At the very least, decisions to promote development in the Castle are made knowing that they put the most biologically diverse public land in Alberta in peril and compromise wildlife connectivity between the U.S. to the south and regions further north. The Castle is an ecological bottleneck, significant to the wildlife of Alberta, British Columbia, Montana and other parts of the U.S.

Shell Canada continues to push for more sour gas wells in the area, with the associated roads, facilities, infrastructure, traffic and potentially lethal pollution. Our formal objections to the Alberta Energy and Utilities Board (EUB) about these wells have been crafted with the intent to expand the narrow perspective that the EUB approaches the well site approval process. Issues of human rights, of the public's right to healthy public land and the clean water and air that land provides are given little weight by the EUB. As well, the case by case, well by well approval process fails in addressing the very real cumulative effects of oil and gas and other activities on the landscape. We hope that our pressure will eventually result in a change that reflects the realities of the natural world.

Through the winter we have also struggled with the aftermath of the Lost Creek Fire. Salvage logging has been ongoing in the area for months. While ORV lobby groups enjoy representation on the public advisory committee for forestry planning and were consulted by government officials with regard to the design of salvage logging roads, conservation groups have been excluded from these processes. I had a month long run around with the department of Sustainable Resource Development in order to get a copy of the Salvage Logging Plan for the Lost Creek Fire. The areas to be clear-cut are extensive. We have raised concerns in the media regarding the susceptibility of the post-fire landscape to noxious weeds. We hope to monitor salvage logging and the likely expansion of ORV trails through the summer. We will point out the problems with the logging plan and the decision making processes that guide the activity. Right now that means writing a detailed response to the C5 Matrix, a process that will guide logging activities from Waterton to Kananaskis for the next 20 years, and highlighting the ORV and logging industry bias of the public advisory committee.

Expansion at Castle Mountain Resort Inc. (CMR) could go ahead this summer. The Judicial Review that we originated was heard in December 2003, but a decision has yet to be rendered. Construction is free to continue, but at CMR's risk should the Court order an Environmental Impact Assessment. Regardless of the outcome of the case, the CCWC is proud of years of letters to government asking questions and raising environmental concerns as well as the detailed legal research specific to the case that resulted in strong arguments before the Court.

We are presently engaged in an appeal of an amendment to CMR's sewage lagoon approval that replaces a unit-based restriction on the lagoon with a volume-based limit. By removing any mention of the number of units the sewage lagoon can service, there would no longer be any firm limit to the housing units at CMR. Presently the Municipal District has a limit on the number of housing units at the resort, but this could change as it has in the past. Our appeal is before the Alberta Environmental Appeals Board, we are in the process of proving that we are "directly affected"; a legal test that means gathering affidavits from members. I have been impressed that our members have not only written informed personal letters but that they have had them officially sworn. The effort that all this takes is a testament to the dedication of our members to protect the Castle.

Perhaps the biggest threat to the Castle right now is the growth of organizations promoting ORV use in Castle. With fancy websites full of beautiful images, charitable status for fundraising, and close political connections, the ORV lobby is strong and growing. The danger of ORVs in causing wildfires, in spreading weeds, causing erosion, fragmenting habitat and disturbing wildlife has yet to receive its due weight in government planning. But we keep working on it.

I hope I haven't discouraged you. We are working hard to protect the Castle and we have yet to realize the reward of some of our big achievements over the past year such as our Judicial Review. The international ecological importance of the Castle has meant that the Natural Resources Defense Council in the United States, a very effective environmental group, has joined the Castle-Crown, the Canadian Parks and Wilderness Society and the Sierra Club of Canada in our work to protect the Castle. We have increased public awareness of the Castle's plight, have sent thousands of faxes to industry and government, have engaged in strategic legal defense of the area, have facilitated further scientific research of the area's significance, and we are all planning together to ramp up our campaign to new levels. Thanks for your support and commitment to the Castle!

Please join us in our restoration work and other projects over the summer! •

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