

Conservation Groups react to Alberta Environment's Appeal of recent Judicial Review decision

For Immediate Release, August 19, 2004

The Castle-Crown Wilderness Coalition (CCWC) and the Canadian Parks and Wilderness Society (CPAWS) are disappointed that Alberta Environment will appeal the recent result of a Judicial Review that quashed the departments decision not to order an Environmental Impact Assessment (EIA) for the expansion proposed at Castle Mountain Resort (CMR). On July 2nd 2004, the Court of Queen's Bench found Alberta Environment's decision to approve the real estate and ski terrain development at CMR without an EIA "patently unreasonable", and ordered the department to reconsider its decision in accordance with the Environmental Protection and Enhancement Act.

CMR proposed to expand its ski terrain onto an undeveloped mountain, to add a new chairlift, new runs, and cat skiing. Along with the expanded ski terrain, CMR would also like to increase its residential townsite to 225 housing units, and to add a hotel and hostel, pubs, restaurants, RV lots, local roads, and parking lots. In 2002, the CCWC, a Pincher Creek-based conservation group working to protect southwestern Alberta's Castle Wilderness, sought a Judicial Review of the government's decision to waive EIA requirements for new developments at CMR.

"We are disappointed that Alberta Environment has decided to appeal this decision. The person tasked with deciding whether an EIA is required, Alberta Environment's Director of Assessment, recommended no less than five times that an EIA be done for CMR's proposed expansion," said Jeffrey Emmett, Executive Director of the CCWC. "The Court of Queen's Bench found that ultimately Alberta Environment did not live up to the requirements of its own legislation. Now the department is appealing the fact that it has to follow its own rules."

The Westcastle Valley, where CMR is located, has the highest rate of precipitation of any valley within the Alberta's eastern slopes. Also, CMR is directly adjacent to the Westcastle Wetland, which has been identified as unique, significant and environmentally sensitive.

Both conservation groups are concerned about the impact the resort will have on water. "We find it difficult to believe that the Alberta Government's "Water for Life Strategy" claims that efforts to protect aquatic ecosystems in critical areas are underway, and at the same time it permits the creation of a year-round townsite right beside a sensitive wetland. All this in the valley that boasts the eastern slopes's precipitation without even the modest consideration of an EIA." states Joe Obad CPAWS' Conservation Director for Southwest Alberta. "We encourage the government to live up to the best motivations behind the "Water for Life Strategy." Requiring an EIA for development in this crucial watershed would be a good start," adds Obad.

"An EIA would not stop this development, it would provide information about the impact of the ski terrain and real estate expansion, and most importantly it would provide information about how to mitigate those impacts". said Jeffrey Emmett, Executive Director of the CCWC. "This was done when development was proposed at this ski hill years ago; an EIA was done and full public hearings were held before the province's Natural Resource and Conservation Board (NRCB). In 1993, the NRCB recommended the creation of a protected area, whether or not the ski resort expansion went ahead. The proposed expansion at CMR will impact the environment, there is no question; the NRCB Decision Report #9201 offers a sound way to mitigate those impacts- the creation of a Wildland Park. We wish Alberta Environment would spend its energy protecting the environment, rather than dragging things out in the courts," he concludes.

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For more information contact:

Jeffrey Emmett, Executive Director CCWC: 403-627-5059, cell 403-627-8556 www.cwc.ab.ca
Joe Obad, Conservation Director –Southwest Alberta CPAWS: 403-232-6686 www.castlewilderness.ca

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Conservation Group Releases in depth study and population recovery plan for Southwest Alberta's Grizzlies

For Immediate Release, August 18th 2004

The Castle Crown Wilderness Coalition (CCWC) is proud to announce the release of the scientific report: *The Grizzly Bear in southwest Alberta: A vision for population and habitat recovery*, by Dr. Brian L. Horesji.

Dr. Horesji estimates that there may only be a total of 39 grizzly bears in Southwest Alberta south of Highway 3. Of great concern, only about a quarter of these are females, with as few as three or four of these females being adults; so few adult females cannot sustain a stable grizzly bear population given current levels of mortality and the management removal of bears from the area. Southwest Alberta, in Horesji's view, has become huge drain for regional bear populations; there would likely be no grizzly bears in the area if it were not for bears coming in from neighbouring landscapes.

These findings indicate recovering the Grizzly in southwestern Alberta will require the following steps:

- The Grizzly Bear should be recognized as endangered and managed with care
- A core protected area in the Castle Wilderness should be established immediately to provide habitat
- The effects of roads, off road vehicle use, oil and gas activity and recreational real estate development must be addressed
- Implementation of a voluntary grazing permit buy out program to increase the quality of habitat on public land
- A full-scale environmental impact assessment should be conducted for logging in the area before any more planning proceeds

"The science is clear: Grizzlies are in trouble in southwest Alberta and this threatens genetic links between populations in Montana, British Columbia and areas to the north", said Jeffrey Emmett, Executive Director of the CCWC, who commissioned the study.

"Southwest Alberta can be home to a stable Grizzly Bear population if we move beyond rhetoric to making *real* changes in our local management and land use. We hope that the provincial government of Alberta will do what it takes to keep the Grizzly alive and healthy in our province. The work of Dr. Horesji is a great place to begin the recovery of the Grizzly Bear in southwest Alberta", he concludes.

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For more information contact: Jeffrey Emmett 403-627-5059

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Court Finds Environment Minister's decision "Patently Unreasonable"-

Orders Department to reconsider its decision in accordance with the legislation

For Immediate Release

July 7, 2004

Calgary, Alberta- The Court of Queen's Bench has found Alberta Environment's decision to approve the real estate and ski terrain development at Castle Mountain Resort (CMR) without an Environmental Impact Assessment (EIA) "patently unreasonable", and has ordered the department to reconsider its decision in accordance with the legislation.

In 2002, the Castle-Crown Wilderness Coalition (CCWC), a Pincher Creek-based conservation group working to protect southwestern Alberta's Castle Wilderness, sought a Judicial Review of the government's decision not to require an EIA for new developments at CMR.

Castle Mountain Resort, located in the West Castle Valley, proposed to expand its ski terrain onto an undeveloped mountain, to add a new chairlift, new runs, and cat skiing. Along with the expanded ski terrain, CMR would also like to increase its residential townsite to 225 housing units, and to add a hotel and hostel, pubs, restaurants, RV lots, local roads, and parking lots.

Conservation groups have been opposing CMR's proposed development due to its size, and its location in the heart of the Castle Wilderness. After exhausting all other administrative avenues, the CCWC requested the Judicial Review.

While there are other regulatory requirements that must be met under, for example, the *Municipal Government Act* and the *Public Lands Act*, none of these other processes can adequately deal with the larger issues of wildlife habitat and movement, biological diversity, and cumulative effects. An EIA is the proper tool for dealing with these broader concerns, and to allow for full public input.

"The West Castle Valley is a crucial watershed in southern Alberta. It is also a wildlife corridor which connects wildlife populations in Alberta, B.C. and Montana. The Canadian Parks and Wilderness Society (CPAWS) is pleased that we have a second chance to do things correctly before this important valley in a beautiful wilderness is squandered", said Joe Obad, CPAWS' Conservation Director – Southwest Alberta.

"While we would have liked the judge to order an EIA, we are happy that the court has recognized the obvious problems with Alberta Environment's decision. Now that the government has been ordered to reconsider their decision in accordance with the legislation we expect the government itself to order the EIA", said Jeffrey Emmett, Executive Director of the CCWC. "This is a step forward for the environmental protection of the West Castle Valley and the Castle Wilderness. We've defended wildlife and the watershed, and we've also held the government accountable for its decision."

For more information contact:

Jeffrey Emmett, Executive Director CCWC: 403-627-5059, cell 403-627-8556 www.ccwc.ab.ca

Joe Obad, Conservation Director – Southwest Alberta CPAWS: 403-232-6686

www.castlewilderness.ca