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Jasper National Park Management  
Parks Canada  
Delivered Electronically to [maligne@pc.gc.ca](mailto:maligne@pc.gc.ca)

To Whom it May Concern:

CPAWS Northern Alberta has reviewed Parks Canada's ***Situation Analysis for the Maligne Valley - Draft October 2013***. In general, CPAWS concurs with most of the science-based information and we agree with the repeated theme in the report that there are several gaps in information about the Maligne Valley.

In fact, we believe those information discrepancies and gaps are significant enough to constitute a challenge for sound decision-making by Parks Canada about what visitor experiences would be appropriate or not in the valley. Furthermore, the report's stated potential impacts on sensitive species should be adequate, based on provincial and federal legislative requirements, to prevent any approval of new infrastructure overnight accommodation.

In our response below, we have highlighted some of the information gaps that the ***Situation Analysis*** identified as well as several items related to sensitive species that suggest the risk of impact from overnight accommodation or new infrastructure would be too great. For ease of reference, we have used the same section headings contained in the ***Situation Analysis***.

## **Visitor Experience** *(Section 2.1)*

### Traffic

We are concerned that the ***Situation Analysis*** applies traffic use patterns on the Icefields Parkway to the Maligne Lake Road. Given that the ***Situation Analysis*** identifies Maligne Valley as an important habitat and movement corridor for sensitive species, current traffic patterns should be documented specifically for the Valley. This would also help establish a benchmark for any changes in traffic numbers and patterns as a result of new visitor experiences or activities in the Valley. Without accurate baseline data, it will be difficult to determine what, if any, traffic pattern changes result from new visitor activities.

### Maligne Tours Unique Position

On page 6, the **Situation Analysis** notes that Maligne Tours is uniquely positioned to contribute to enhancing visitor experience and park stewardship. We would add that, by equal measure, their decisions also have the potential to negatively impact visitor experience and stewardship of the natural environment. Acknowledging this and their responsibility to steward the environment (as they have stated in their own Development Proposal) would remove any potential interpretation of bias in this original statement in the **Situation Analysis**.

### Targetting New Canadians

Page 9 of the **Situation Analysis** states: *“Although the Parks Canada Agency has set priorities to attract more New Canadians and urban youth to national parks, we have very little information on these and other types of visitors to the valley or on how visitor needs, motivations, and expectations differ in relation to characteristics such as age, origin, and family status.”* We concur that this is an information gap about the Maligne Valley and generally about New Canadians activities within Parks. Therefore, neither Parks Canada nor Maligne Tours should make assumptions about what types of activities this particular target population is looking for or how to draw them to the Park. For example, Maligne Tours does not have sufficient evidence to state that a lakeshore hotel will meet Parks Canada’s priority target market because the social science data doesn’t support that claim.

The final section of the report references several times offering new activities and opportunities for New Canadians. This contradicts earlier information in the **Situation Analysis**, noted above, which says that very little is known about Newcomers’ visitor experience expectations in National Parks. We suggest that more social science work needs to be done in order to know definitively what New Canadians want in Park activities before planning on those activities can be done effectively.

### Reasons for Visiting Maligne Valley

There are three things we would like to point out in this section of the Situation Analysis. First, there seems to be an over-simplification of reporting survey results. For example, the Maligne Lake visitor survey cited on page 9 and a statement in the report on page 21 indicate that hiking was the primary activity (49%). These statements appear to contradict a p. 20 statement, and others in the report, that says the largest segment of visitors to the valley are focussed on sightseeing (photography, picnicking, taking a boat cruise on Maligne Lake).

Second, it is possible that some of the same people who said photography was their main reason for coming also hike to get to the spot where they take photos. Similarly, those that picnic might also do a day hike and so on. So the intersection of the data is important for getting a clearer picture of why people come to Maligne Valley but does not seem to be reflected in the ***Situation Analysis***.

Third, we note that the text sometimes references “visitors to Maligne Valley” while the supporting table is based on data from Maligne Lake surveys only. We suggest that a more holistic picture of visitor reasons for visit could be obtained by also conducting surveys at the Medicine Lake area and elsewhere in the Valley. This is particularly important because, as the ***Situation Analysis*** notes, the people that visit Maligne Canyon, Medicine Lake, and Maligne Lake are not necessarily the same people so it may not be inaccurate, nor scientifically valid, to extrapolate data from Maligne Lake visitors and apply to visitors along the length of the Valley.

#### Visitor Satisfaction in Maligne Lake Survey

We also want to draw attention to the statement on page 20 that “*there has been little overall change in the mix of activities available in the valley*” (listed in Table 5) and the high visitor satisfaction rating of 99% in the visitor survey specific to Maligne Lake. Both these items in the ***Situation Analysis*** suggest that visitor demand doesn’t require a change in the “mix of activities” at that location.

#### Summary – Visitor Experience

There are a significant number of inconsistencies and gaps in information to ensure good decision-making about new activities and infrastructure in the Park. We strongly encourage the federal government to reinstate funding to Parks Canada to help build capacity to do more natural and social science work. For example, the framework of visitor engagement (as laid out in the Jasper National Park Management Plan) could be used for creating a survey at different locations in the Maligne Valley.

## **Wildlife Protection (Section 2.2)**

### Caribou

CPAWS concurs with the ***Situation Analysis*** that the loss of even one caribou from the Maligne herd will impact the long term survival of the herd. Given that caribou have been observed on the Maligne Valley road in most months of the year, as the report notes, we are

concerned that significantly increasing traffic on the road (regardless of whether that is attributable to visitors, construction, service vehicles to a hotel development) will put caribou at risk by creating a higher probability for caribou fatality from vehicles. Therefore, we concur with the report's expressed concern about road mortality for caribou.

### Grizzly Bears

We concur with Parks Canada's information including grizzly bears are an umbrella species and that an already slow population growth can be further impeded by mortalities resulting from human interaction. We also concur with Parks Canada's assessment that, while it is not clear how many grizzlies use the Maligne Valley as their home range, there are at least a dozen in a variety of habitats in the Maligne Valley including the area immediately adjacent to the proposed site for the hotel on Maligne Lake.

We also agree with the ***Situation Analysis*** that grizzly bears require large ranges to search for food and mates and that high levels of human activity can negatively influence wildlife movement. We appreciate the recognition by Parks Canada that it is important to consider the impact on bear habitat and movement at both a landscape scale as well as their localized habitat security in order to stabilize and maintain populations.

Given the above information noted in the ***Situation Analysis***, we agree with its finding that threats to grizzly bears in the Maligne Valley are primarily displacement and habituation resulting from more human-bear interactions. Therefore, we would not support any new activities or infrastructure that have the potential to increase human-bear interactions and subsequently create additional threats to the bear population.

### Harlequin Ducks

We concur with Parks Canada's decisions to maintain the closure of the area. We believe that more development in the area will potentially put additional stress on the ducks, given their proximity, and should not be permitted.

### Summary - Wildlife

CPAWS agrees with the science and staff observational information provided which demonstrates sensitive wildlife (recognized by federal and provincial legislation) and areas of an ecosystem already under significant pressure. We also agree with the report that there is a lack of data about grizzly bears and that losing even one caribou from the Maligne herd will significantly impede the herd's ability to survive. We concur with the page 47 statement "*the ability to move freely between areas of high quality habitat is critical for the long term survival of many species.*"

*Moderate or high visitor use in some areas of the valley may affect the ability of wary species to move through or forage in the valley (particularly when that use does not follow predictable patterns)."* Given the potential further harm to sensitive species in the area, we suggest application of the Precautionary Principle, noted in Parks Canada Guidelines, which has previously been applied by Parks Canada.

We agree with the ***Situation Analysis*** and the Management Plan which states unequivocally that four of the most important ecological challenges in Jasper National Park are: *"the status of woodland caribou, the regional grizzly bear population, human-caused wildlife mortality, and the integrity of wildlife movement corridors"*. There are already significant pressures on wildlife in the Maligne Valley as noted in the Management Plan and the Situation Analysis. Therefore, we support Parks Canada's efforts to reduce human-animal interaction and, consequently, we would not support any new infrastructure or activities that could increase traffic along the road and people at Maligne Lake in the mornings and evenings which are prime time for animal movement.

## **CULTURAL RESOURCES** (Section 2.3)

The Jasper National Park Management Plan states an intention to revise its Cultural Resources Management Strategy and raise the profile of the area's human history and cultural resources. The ***Situation Analysis*** identifies that there is a lack of data about First Nations cultural interests in the valley as well as archaeological potential in the valley. CPAWS believe that this information gap must be addressed in order to effectively plan for fulfillment of this objective in the Management Plan. Therefore, we suggest restoring funding in the annual federal budget in order to re-build the lost capacity from layoffs of 30% of Parks Canada's capacity in cultural, archaeological, natural science, and social science research. This would also be in keeping with the Government of Alberta, Tourism Alberta, and the federal government recent identification of cultural experiences as trends in tourism.

## **MANAGING GROWTH** (Section 2.4)

### Zoning

We note that, while the shoreline of Maligne is zoned for recreational activity, the zoning of wilderness nature and natural environment of the lake itself and surrounding ranges could be negatively impacted by additional infrastructure at the lake. Because Maligne Lake surveys, cited in the ***Situation Analysis***, demonstrate that scenery and wildlife are a high priority for

visitors to the area, the zoning in immediate proximity to Zone 4 must also be considered in decision-making. This lens is absent in the **Situation Analysis** and we suggest that it be added.

### Leases and Licenses

We note that on page 55, some aspects of the Maligne Tours lease are referenced without details provided. More importantly, we note that some lease and license of occupation aspects (e.g. overnight accommodations, new building development) are not noted in the **Situation Analysis** but should be as they are relevant and useful to informing the public discourse on whether a hotel is an appropriate development at Maligne Lake.

### Federal legislation

One of the largest information gaps we noted in the **Situation Analysis** was a comprehensive section that outlines Parks Canada's over-arching legislative and policy commitments to protecting ecological integrity. This legislative and regulatory framework should be a part of all **Situation Analysis** of any area in a National Park and is particularly germane to the question of a proposed hotel development on Maligne Lake. We suggest adding a section to the **Situation Analysis** that notes the following as over-arching umbrella criteria for decision-making about what activities or infrastructure is appropriate in a National Park:

- The Parks Canada's Mandate in the Charter – *“On behalf of the people of Canada, we protect and present nationally significant examples of Canada's natural and cultural heritage and foster public understanding, appreciation and enjoyment in ways that ensure their ecological and commemorative integrity for present and future generations”*
- The Canada National Parks Act requires that - *“Maintenance or restoration of ecological integrity, through the protection of natural resources and natural processes, shall be the first priority of the Minister when considering all aspects of the management of parks.”*
- The Parks Canada Agency Act notes in its preamble that it is in the national interest to *“maintain ecological and commemorative integrity as a prerequisite to the use of national parks...”*
- National Parks Policy *”(section 4.1.3) which states that: “Only outdoor activities which promote the appreciation of a park's purpose and objectives, which respect the integrity of the ecosystem, and which call for a minimum of built facilities will be permitted*
- Parks Canada's Shared Responsibility guidelines - two things that sustainable tourism must be based upon are *“maintaining and enhancing ecological and commemorative integrity’ and “respecting the intrinsic natural, cultural and scenic values of Canada's protected heritage areas”.*
- Redevelopment Guidelines for Outlying Commercial Accommodations (OCA) and Hostels in the Rocky Mountain National Parks (2007) – the JNP Management Plan

(2010) states Parks Canada's intention for "applying the Redevelopment Guidelines for Outlying Commercial Accommodations and Hostels in the Rocky Mountain National Parks (2007) to guide any changes to commercial accommodations outside of the community of Jasper. Given that the OCA guidelines pre-empt new overnight commercial accommodations, we believe that the OCA limitations on new overnight commercial accommodations should be clearly outlined in the **Situation Analysis** for the public's better understanding of the situation in the Maligne Valley.

### UNESCO World Heritage Designation

The Criterion (vii) states: *The seven parks of the Canadian Rockies form a striking mountain landscape. With rugged mountain peaks, icefields and glaciers, alpine meadows, lakes, waterfalls, extensive karst cave systems and deeply incised canyons, the Canadian Rocky Mountain Parks possess exceptional natural beauty, attracting millions of visitors annually.*

We suggest greater prominence for this designation in the Situation Analysis report given that a large new infrastructure at Maligne Lake runs counter to this designation criteria of Jasper National Park as a UNESCO World Heritage site.

### Dark Sky Preserve Designation

We noted the inclusion of this in the **Situation Analysis** on page 57. It would also be useful to summarize key requirements for maintaining that status to add to the richness of the public debate regarding a hotel on Maligne Lake.

## **Environmental Stewardship** (Section 2.4.5)

We appreciate the inclusion of this section in the **Situation Analysis** and, again, we believe the gaps in information are representative of, not staff expertise, but rather a lack of capacity within the Parks Canada service to have enough staff to effectively monitor cumulative environmental impacts in the Park.

We offer the following specific examples below of some of the information gaps in this section some of which are expressed as gaps in the **Situation Analysis**. First, in addition to "mitigating any forms of pollution" as the **Situation Analysis** states,, legislation says that Parks Canada should also be making efforts to "prevent and eliminate" existing forms of pollution. Second, we appreciate the statement in the **Situation Analysis** that very little information is available related to the contaminated sites and we suggest, based on the information gaps in the **Situation Analysis**, that statement could be applied to most of this section of the

**Situation Analysis.** Furthermore, we believe it is another indication of the reduced capacity of Parks Canada to monitor cumulative impacts in the Park. For example, are records kept of air emissions resulting from the diesel generator? What records are available for non native species at Maligne Lake and what has their impact been on the ecosystem? What measurements are taken of the light pollution from the existing facilities? How frequently is groundwater tested for contamination? Why is Maligne Tours responsible for monitoring their own environmental impacts in a National Park?

## **Management Plan and Objectives** (Sections 3.0 and 4.0)

The Minister's letter in the Jasper Park Management Plan includes this statement related to protection of National Parks: *"Our Government's goal is to ensure that Canadians form a lasting connection to this heritage and that our protected places are enjoyed in ways that leave them unimpaired for present and future generations."* The Management Plan also states that *"Parks Canada will continue to lead projects that improve the condition of key ecological integrity indicators"* and *"Parks Canada has specific obligations under the Species at Risk Act and works with federal and provincial agencies on recovery plans"* We believe that the spirit of these statements is reflected in the Wildlife Protection sections of the **Situation Analysis** but could be strengthened in the Visitor Experience sections.

The Management Plan notes that *"A variety of factors motivate visitors. Chief among these is the desire to enjoy the scenery, experience nature and view wildlife. Visitor surveys consistently return high satisfaction scores"*. This should be re-iterated strongly in the Visitor Experience portion of the Situation Analysis as it is relevant to the debate about a hotel development on Maligne Lake.

Point 17 on page 66, states that new events and activities in the Maligne Valley should complement the valley's wilderness setting and, similarly, point 18, states that the Maligne Tours proposal will be reviewed against park objectives for visitor experience and wildlife conservation. To reiterate our earlier points, we believe the screening criteria also be done within the existing legislative and policy framework.

## **SUMMARY**

CPAWS applauds Parks Canada on the interdisciplinary nature of this report. We concur with the science data provided on sensitive species and we agree with the **Situation Analysis** that there are a number of information gaps about the Maligne Valley.



We believe that is lack of information in some areas reflects, not on the quality of the Parks staff, but rather on the lack of funding to Parks Canada to adequately measure cumulative impacts in Parks as well as social science data.

We've identified several additional pieces of information for inclusion in the Situation Analysis including a legislative and policy framework through which decisions for the Valley are made.

Given high current visitor satisfaction with Maligne Lake, given the likelihood of increasing existing pressure on endangered and threatened species, given limited data on what visitors and Canadians want in their Parks, we conclude that the ***Situation Analysis*** lays out a number of good reasons for NOT proceeding with the Maligne Hotel and to exercise the precautionary principle in making decisions about development and activities in all areas of the Valley.

Sincerely

Kelly Sloan  
Executive Director  
CPAWS Northern Alberta

cc. Mr. James Rajotte - Member of Parliament, Edmonton-Leduc  
cc. Mr. Laurie Hawn - Member of Parliament, Edmonton Centre  
cc. Mr. Rob Merrifield - Member of Parliament, Yellowhead