



UNDER

SIEGE

Can the ancient grasslands of the Eastern Slopes survive the urban appetite for land that threatens to destroy them?

By Lorraine Andrews

In 1898 W.C. Gardner left his job as a sailor in the British Navy and bought an abandoned ranch in the foothills west of Nanton. More than a century later, his grandson Francis with wife Bonnie still run cattle there. Mt. Sentinel Ranch sits in a valley on the eastern flank of the Rocky Mountains at the northern end of the Porcupine Hills. It's a rugged, ancient, unforgiving landscape with a wild beauty that's difficult to capture in words. Except for the asphalt scar of Highway 22 that snakes along the valley to the east of the ranch, it probably hasn't changed much since W.C. settled here all those years ago.

It may not look like it from the road, but Mt. Sentinel is under siege. Thirty years ago, when Bonnie arrived from California, it was still the "back of beyond," with dirt roads and no telephones. Now, it's less than an hour's drive from Calgary, a city whose population will soon top one million. If you follow Highway 22 south from Calgary through Millarville to Turner Valley, Black Diamond and Longview, you'll get an idea of what Francis refers to as an "invasion into an intact bioregion that allows for long-term fracturing and nibbling away at the ecosystem." The countryside is dotted with acreages and developments filled with urban commuters intent on grabbing their own little piece of the solitude and beauty that makes this place so extraordinary. The invasion hasn't reached Mt. Sentinel yet, but it's only a matter of time. Francis Gardner, winner of the Alberta Cattle Commission's 1992 Environmental Stewardship Award, points out, "The public at large looks at land as unlimited—we can sprawl our way into it." But when you consider that all of Canada's arable land, including rangeland, will fit in an area 1.75 times the size of Montana, and that Canada already has 26 million people living on this arable land, the issues surrounding "sprawl" take on a whole new urgency.

Further south on the same highway, northwest of Pincher Creek, the Elk Horn Stock Ranch sits on the edge of the Livingstone Range. Hilton and Alta Pharis run the ranch together with their son Nolan and his wife Leona. In the last few years, they have seen an unprecedented growth in the number of people buying recreational properties in the area. Buyers are drawn by the wide open vistas and plentiful wildlife—the very things they are slowly destroying by building houses and fences. The demand has driven the cost of the land far past its grazing value, meaning local ranchers are unable to expand their operations to accommodate offspring who want to stay and carry on the business. Some have decided to sell

out for the big bucks and move to cheaper areas where they can buy a viable ranching operation with enough land to support two families. As Leona explains, "The MD of Pincher Creek doesn't permit properties much smaller than 1/4 section—64.75 hectares. People buy a quarter and put a house on it. Even though the land may be rented to local ranchers, it means that wildlife is disrupted and the open spaces are lost." She adds, "It's nice to have your cabin outside the city, but it's not doing the wilderness any good."

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Writer and conservationist Charlie Russell owns a ranch just north of Waterton National Park in the municipal district of Pincher Creek. He believes the fight to keep the intrinsic value of the land intact could be an uphill battle. He notes, "Every national park has some type of strip development coming into it." Without stricter land use policies, he fears, Waterton could fall victim to the same fate. In the end, he points to the land itself as a major ally in the battle against development. "This land is harsh and fierce. The weather is always a factor here. The wind might just blow these guys out of here, but we shouldn't count on it. It should be protected through legislation—we shouldn't have to rely on nature's brutality." Craig Smith is a fourth-generation rancher who

agrees it takes a certain type of person to withstand the onslaught of what this country can dish out—everything from two-metre snowfalls to wind he describes as “the exhaust pipe of hell.”

Still, as Russell points out, there has to be a better way to protect these special places. In 1998, he joined Francis Gardner and a group of concerned ranchers from southern Alberta to form a rancher-run organization called the Southern Alberta Land Trust Society, or SALTS. They agreed it was time to get serious about finding some solutions to the insidious cancer of “sprawl” that threatens the land of the Eastern Slopes and the families who have cared for it over the course of the last century. The main goal of the organization, as current president Gardner sees it, is “to keep the land in ranching and ranchers on the land.”

“This watershed produces water for all southern Alberta—it has to be intact to work.” —Francis Gardner, rancher

So what is Gardner’s vision of success for SALTS? “One hundred years from now, the land will still look the same. We have to get the word out. There aren’t enough ranchers in the world to do the job. We need public support. People have to realize the value of the Eastern Slopes. This watershed produces water for all southern Alberta—it has to be intact to work.” Gardner points to the critical role the rangelands play in maintaining clean water and wildlife habitat, not to mention the \$30-billion annual contribution that the cattle industry makes to the country’s economy. Everyone benefits when these ancient grasslands remain whole.

Kevin Van Tighem, well-known author and conservationist, spent seven years in Waterton as the park’s conservation biologist. He admits that when he arrived in 1993 he shared a common perception that ranchers and conservationists couldn’t peacefully co-exist. “After seven years, I realized that the reason the park is so viable is because of ranching. Many of the perceptions about ranchers are based on prejudice and assumptions that aren’t valid. They have a ‘live and let live’ attitude. If they had an issue with a bear or a wolf they would deal with it, but they weren’t running around shooting them.” Van Tighem believes, “It’s not just about predators. Protecting ranchlands is a big part of protecting biological diversity in southern Alberta. The ranchlands sustain the bears, the elk, the grasses, the hawks, the cranes, the bugs—they all need natural habitat, and ranching provides this. People say they love Waterton, but Waterton is the way it is because of the ranchland surrounding it. If the habitat is there, then you can change the management, but once it’s fragmented, you can’t do anything.”

He points to programs like the Southwestern Alberta Grizzly Strategy and the Cows & Fish Riparian Habitat Management Program as evidence that many ranchers are serious about working with conservationists to ensure the long-term sustainability of natural and riparian habitat. Dave Poulton, executive director of the Canadian Parks and Wilderness Society (CPAWS), concurs with Van Tighem. “We believe that the large ranchers around Waterton have been good conservationists and we are fully supportive of maintaining large ranches in order to maintain wildlife corridors and significant viewscapes.”

Waterton National Park was recognized as a Biosphere Reserve in 1979 and a World Heritage Site in 1995, designations that acknowledge its “rich geologic history, biological diversity and dynamic cultural heritage.” The drive into the park is, without a doubt, one of

the most spectacular in the country, as prairie grassland stops abruptly at the foot of the Rocky Mountains. Bill Dolan, chief park warden of Waterton, recalls his arrival in 1990: “I was coming from the east. The park boundary sign was down for repairs and I didn’t even know I was in the park until I came to the main entrance two or three kilometres down the road. It says something about the landscape.” He readily admits there is a close interdependence between the park and the ranching community that has existed on the surrounding grasslands for more than a century. He explains, “Waterton is a very small park, the smallest of the mountain parks in Alberta. Its boundaries weren’t necessarily set up to accommodate the wildlife species that populate the area.” He believes the ranching community has played an integral role in preserving the natural wildlife corridors and scenic viewscapes that make this area unique. Larry Simpson, director of the Alberta and northern region of the Nature Conservancy of Canada, agrees. “Almost everything there is the same as when Columbus came.”

Suddenly all that is about to change. Across the Waterton River in the County of Cardston, council gave final approval in September 2001 to local rancher Jim Garner to proceed with his plans to subdivide a portion of his Rocking Heart Ranch into 23 residential lots bordering eastern Waterton National Park.

In an article in the October 15, 2001, issue of *Canadian Business* magazine, Garner defended his plan “as a simple matter of a man exercising his property rights for the future benefit of his family in the land of the free.” County councillors evidently agreed. They eventually approved the controversial proposal in the face of significant local opposition. Randy Janisko, councillor for the nearby hamlet of Mountain View, says he speaks for council when he says the issue is no longer up for discussion. “The decision has been made and it’s time to move on.”

Many local residents don’t see it that way. They have established the Prairie Crocus Ranching Coalition (PCRC), a registered non-profit society. By providing information to ranchers and members of the public, and working in collaboration with ranchers, government and other interested parties, the coalition aims to “promote the preservation of sustainable, unfragmented ranchland in southern Alberta’s Rocky Mountain foothills.”

Craig Smith lives at Hill Spring, north of Garner’s development, and is the PCRC president. He and many of his neighbours were alarmed at the size of the proposed development right up against the park boundary. “We felt the ranching industry needed a stronger voice that wasn’t being heard by council. They are living in a fool’s paradise, unaware of the issues and the huge body of experience with this type of development out of the western U.S. in places like the Flathead Valley in Montana, where locals can no longer afford to live.” Smith explains, “The council looks at it as new blood, new ventures, a new tax base—it makes the pie bigger but it cuts it up differently. The losers are traditionally the long-term residents, both socially and economically. There’s a long, dreary history of it.” For example, many people believe residential development adds to a community’s tax base, but more than 60 cost of community services studies, conducted throughout the U.S. by the American Farmland Trust, have shown that for every dollar of revenue raised by residential development, the median cost to provide services is \$1.15. In contrast, the median cost to service farmland is 37 cents per dollar of revenue.

As developments grow, the fabric of the community begins to change. Smith says, “It destroys the subtle interconnections, the neighbourliness, the charity.”

In December 2001, the PCRC applied to the Alberta Court of Queen’s Bench for judicial review of the approval process of the Garner development and for an injunction to halt the development. In February 2002, however, the application was dismissed. In a separate but related move, CPAWS and the Southern Alberta Environmental Group, based in Lethbridge, have requested that David Anderson, federal Minister of the Environment, exercise his discretion to initiate an environmental assessment of the Garner proposal.

Bob Jenkins runs the Jenkins Ranche across the river from Garner’s new development. He vigorously opposed the plan which he believes will be “extremely disruptive to the visual landscape.” He has little doubt this approval has opened the door for more applications. Ironically, Jenkins spent several years as a councillor in the MD of Pincher Creek (where his ranch is located), helping to draft the municipal development plan and land use bylaws. “I’m a believer in common sense and progression. People need to think long-term, 100 years, not just 10 or 15. Across the river in Cardston County, it’s been

muddied by the whole property rights issue.”

Jenkins understands the pressures ranchers face when the prospect of big money creeps into the community. When he was recently forced to confront the possibility of selling out, he thought he had two options: “subdivide and sell for as much money as possible, rape the country and run” or “sell to somebody else in ranching and leave.” Neither suited him much. But he was able to negotiate a deal with the Nature Conservancy to buy his land with a 50-year leaseback. It was an unusual transaction but one that allowed him to stay on the land and maintain the integrity of the open spaces, even though it has cost his family big time in cash.

Since the formation of SALTS, other ranchers in Jenkins’s predicament have a third option in the society’s voluntary, incentive-based tools to assist in conservation of the land and its ecosystems. Executive director Guy Greenaway describes SALTS as “a rancher-driven organization that focuses on the values—environmental, productive, cultural and scenic—that are important to the prairie and foothills regions of southern Alberta.” To do this, SALTS offers a well-organized outreach program aimed at getting the message to the public, as well as their free “Passing it On” program, directed at helping ranch families tackle the thorny issue of estate planning. The program helps integrate long-term conservation options with a plan that doesn’t involve breaking up the land.

“The wind might just blow these guys out of here, but we shouldn’t count on it.” —Charlie Russell, writer and conservationist

Another important tool is the conservation easement (CE). As Greenaway explains it, owning land entitles you to a certain “bundle of rights” which contribute to the value of the land. These rights might include, for example, the right to subdivide or to take timber. Under a CE, the owner voluntarily agrees to give up a portion of these rights, normally in perpetuity. Since the rights have a value attached to them, the owner can actually sell them for cash or donate them to an eligible entity. Although SALTS doesn’t have the cash resources to buy CEs, as a registered charity it is able to issue charitable receipts to the donor for the fair market value of the rights relinquished. The rancher remains the owner of the land and is free to sell it. But the CE is registered on title and limits the type of development that can occur on the property.

There can be problems with CEs, not least of which is getting past what Greenaway describes as “the psychological barrier that you are making a donation and paying tax on it at the same time.” This is because the value of the donated rights is considered a sale of a property. And

Partners in Preservation Environmental Stewardship in Alberta

The Alberta Ecotrust Foundation was born out of an unlikely alliance in 1991, when two men from opposite sides of the environmental debate recognized the need for co-operation between their respective sectors. Michael Robertson of Petro-Canada and Rob Macintosh of the Pembina Institute for Appropriate Development joined forces to look for a solution to the environmental issues that were dividing the province into two distinct camps.

“Rob shared my view...that having the environmental movement on one side and an industry group on the other kind of shouting at each other in the traditional fashion really wasn't a very effective way to do things,” says Robertson. “To get these communities working together in a more constructive way—if we could build some type of process or project that would bring them together—we could improve things.”

The process they developed was the Alberta Ecotrust Foundation: a partnership of concerned corporations and environmental groups seeking workable solutions to environmental issues. In 1991, the foundation awarded its first 16 grants to support grassroots environmental projects. Since then, the group has given \$2.7-million in awards to preserve Alberta's natural heritage.

Today the Ecotrust funds a broad base of environmental initiatives. According to Jill Kirker, the foundation's project co-ordinator, grants are distributed to non-profit, non-governmental groups with a public interest mandate. Past beneficiaries of Ecotrust endowments include the Alberta Environmental Network, the Cochrane Wildlife Reserve, the Castle-Crown Wilderness Coalition and the Weaselhead/Glenmore Park Preservation Society. Visit www.albertaecotrust.com, or phone 209-2245

Other groups working toward preservation:

The Alberta Wilderness Association (AWA)

Their Roots: In 1965, a group of disquieted ranchers and backcountry enthusiasts founded the AWA in response to growing concern over environmental degradation.

Their Reach: Throughout the province from the Chinchaga River to K-Country.

Their Approach: Through lobbying the provincial and national governments, letter-writing campaigns and educational initiatives, the AWA advocates on behalf of Alberta's natural heritage.

Project Bite: In early 2002, the AWA initiated a public forum on the preservation of the Bighorn Wildlands east of Banff and Jasper national parks; the area is threatened by drilling, exploration and forestry.

In Their Words: “The threat of industrial development in the Bighorn Wildland is immediate. We need to take action now before the biodiversity, watershed, wildlife and recreation values are destroyed.”—AWA Action Alert, February 25, 2002.
Getting Involved: To find out about the Bighorn Wildlands and the AWA's other preservation projects, visit www.albertawilderness.ca or call the provincial office in Calgary at (403) 283-2025 or the Edmonton office at (780) 988-5487.

Castle-Crown Wilderness Coalition (CCWC)

Their Roots: In 1990 a small but determined group of southern Albertans formed the CCWC to establish, restore and maintain the viability of the Castle wilderness region.

Their Reach: An area that stretches from the Crowsnest Pass in Alberta and B.C. to the Bob Marshall Wilderness area south of Glacier National Park in Montana.

Their Approach: Volunteers monitor the area for inappropriate use, pick up litter and observe wildlife patterns. The coalition holds monthly meetings, publishes written materials and acquaints people with the area through organized hikes.

Project Bite: The coalition took a hard line against would-be developers in August 2000 by adopting a “Zero Tolerance” policy regarding all new developments within the proposed 1,000 km² area. The group will vigorously oppose all new oil and gas, forestry, recreational and agricultural developments.

In Their Words: “The cumulative impact of past development has seriously compromised the ecological integrity of the Castle and, in turn, Waterton Lakes National Park. In the absence of any indication that the Alberta government or industry are prepared to take the steps necessary to protect the Castle, the CCWC has no choice but to adopt a tough “Zero Tolerance” policy on any new threats to the region.”—Mike Sawyer, campaign co-ordinator for the CCWC, addressing the media in 2000.
Getting Involved: To volunteer with the coalition or to sign up for a Castle hiking tour, call the Pincher Creek office at (403) 627-5059, or visit www.ccwc.ab.ca.

The Pembina Institute for Appropriate Development (PIAD)

Their Roots: Incorporated in 1985, the Institute is a citizen-based think tank with three main areas of focus: energy and the environment, environmental economics, and sustainable resource management.

Their Reach: Head office is in Drayton Valley, Alberta, but campaigns reach from Ottawa to Victoria.

Their Approach: The Institute systematically draws on the knowledge of industry experts and academic and private consultants to provide well-informed analysis and honest, evocative communications to concerned Albertans.

Project Bite: Last year, in response to overwhelming concern among Alberta farmers and land owners, PIAD published a 174-page handbook entitled *When the Oilpatch Comes to Your Backyard: A Citizen's Guide to Protecting Your Rights*.

In Their Words: “We get dozens of calls each month, and many more people must have questions about energy developments on their land. That's why we wrote this guide—to provide some answers and save time for individual citizens across the province.”—Tim Marr-Laing.

Getting Involved: The PIAD website offers up-to-date news coverage of environmental issues and contact information for representatives across Canada. Visit them at www.pembina.org or call (780) 542-6272.

Paskapoo Slopes Preservation Society (PSPS)

Their Roots: They started 10 years ago when the community of Patterson Heights was being erected on the hillside not far from the Slopes.

Their Reach: Solely the Paskapoo Slopes but with far-reaching effect. The slopes are a wildlife corridor in Calgary and the site of an ancient buffalo jump.

Their Approach: Tireless volunteer work. They conduct continuous letter-writing campaigns.

Project Bite: The preservation of Calgary's Paskapoo Slopes, aiming for designation as a World Heritage site, much like Head-Smashed-In Buffalo Jump.

In Their Words: “Although we recognize the natural beauty and value of an area, there are those who will only relate to what can be translated into dollar terms.”—Hugh Magill, PSPS founder and president.

Getting Involved: Visit www.paskapoo.com to find out about the letter-writing campaign. A list of MLAs will point you in the right direction.

—Amber Bowerman, *AlbertaViews*

although the tax credit that flows from the donation receipt normally ensures no tax is payable on the transaction, the idea still rankles. In fact, because of the economics of ranching these days, the full value of the tax receipt can be lost if the taxable income of the operation isn't high enough to use the credit within the five-year period allowed under the current tax laws. As Gardner points out, “Ranchers already do a lot of environmental services they don't get paid for, but they are in business too. They need some motivation; the CE idea is not easy to sell if there is no benefit.”

Charlie Russell has put a CE on his ranch, but he admits that “giving up rights to your own land is a tricky concept; it's not something you do lightly.” For Russell, the most important thing was not the tax incentive but the crucial need to preserve the open spaces and stop the fragmentation. Gardner is still in the process of talking through it with his family. “The whole family has to be involved in the decision making; it takes time to gel. It's hard to justify in an economic sense. If the income isn't there, it doesn't make sense.”

SALTS has been investigating other tools that would help balance the economic equation. One popular U.S. program which has received strong support from the public is “purchase of development rights” or PDR. PDRs involve the use of a long-term funding base provided by various levels of government to purchase the development rights from the rancher for cash. Lotteries are a common source of funds. Since these rights commonly represent between 30 and 60 per cent of the value of the property, the rancher actually gets some cash

compensation for what he has given up—an economic incentive that makes business sense. He isn't expected to enter into a transaction that devalues his land just because it's the “right thing to do.” The cash can help his operation or assist in funding estate plans. But in a province with no formal land use strategy, the possibility of establishing PDRs here anytime soon is remote.

Harvey Buckley ranches near Cochrane, just west of Calgary. He is president of Action for Agriculture, a group he helped found in 1990 when farmers and ranchers in the area realized they were losing their representation at the municipal level as acreage owners continued to snap up land. The problem was aggravated by the fact that, in the mid-90s, the provincial government revised the Municipal Government Act, putting the responsibility for development issues in the hands of municipal authorities.

As Buckley explains, “The Alberta Advantage brings more people, but with no provincial land use strategy and no consistency between municipalities, it means we are just fighting brush fire after brush fire. We want to raise the public's awareness that they are sprawling on the very land that supports them.” In fact, studies completed by the American Farmland Trust indicate that, at the present rate of farmland conversion to other uses (farmland is lost at the rate of 0.8 hectares per minute in the U.S.), Canada and the U.S. will become net importers of food in 50 to 60 years.

Buckley believes Alberta is 10 years behind the U.S. in developing programs to help farmers and ranchers stay

on the land. Polls consistently show that Americans support the use of government legislation and funding to preserve farmland. And they put their money where their mouth is. According to the American Farmland Trust, voters approved more than \$300-million in new funding for farm and ranchland protection through “ballot measures” (initiatives included on ballots and voted on directly) at the state and federal levels during the November 2000 elections. They have also created agriculture protection zones and differential tax assessments, recognizing that farm- and ranchlands use fewer public services. Buckley admits it’s a slow process, but the group remains committed to getting the word out to the public and all levels of government. Their message: workable solutions exist, but they won’t happen without public support.

Gardner summed it up in a recent speech at the historic Bar U Ranch. “The land of the Eastern Slopes is a relic, a portion of which was once the great native grasslands of North America. We live on a fringe, a non-plowed ancient island of biodiversity that has resulted from that interaction of topography, wind, buffalo and fires. I marvel at that, and how much of these hills have survived to the present day.” In the end, it is

up to all of us to decide how much of that ancient island will still exist 100 years from now.

Lorraine Andrews, a freelance journalist based in High River, writes for Alberta, national and international magazines. She recently won the Dateline Hong Kong Fellowship awarded by the Canadian Association of Journalists and the Hong Kong Economic and Trade Office.

Check out these websites for more on ranchland fragmentation and what you can do about it.

Action for Agriculture: www.action-for-agriculture.8m.com
Southern Alberta Land Trust Society: www.salts-landtrust.org
The Prairie Conservation Forum: www.AlbertaPCFab.ca
The Nature Conservancy of Canada: www.natureconservancy.ca
The Canadian Parks and Wilderness Society: www.cpawscalgary.org
The Alberta Ecotrust Foundation: www.albertaecotrust.com
American Farmland Trust: www.farmland.org
Trust for Public Land: www.tpl.org
Sprawl Watch Clearinghouse: www.sprawlwatch.org
Sierra Club Sprawl Page: www.sierraclub.org/sprawl
Sprawl Guide: www.plannersweb.com/sprawl/home.html
Congress for the New Urbanism: www.cnu.org
Urban Land Institute: www.uli.org