



Cougar Creek Deregulation and Land Sale in Bow Valley Wildland Provincial Park

Frequently Asked Questions

1. What is being proposed?

Alberta Environment and Parks (AEP) is proposing to deregulate and sell a small portion of land within Bow Valley Wildland Provincial Park (Proposal) to support the public safety and long-term flood mitigation for the Town of Canmore. If the AEP deregulation and land sale is approved, and public, stakeholder and indigenous consultation is completed, the Land Use Secretariat will amend the boundary of the South Saskatchewan Regional Plan (SSRP) [map](#) to ensure the change in land use aligns with those indicated in the SSRP.

Heavy rains in the Bow Valley in 2013 caused a debris flood on Cougar Creek that resulted in widespread damage. As a result of the risk assessment, the Town of Canmore is proposing to construct and operate the Cougar Creek Debris Flood Retention Structure Project (Project).

The Project is currently located within Bow Valley Wildland Provincial Park. As part of the designation of wildland provincial parks, the construction of roads is prohibited unless in connection with freehold mineral interests. In order to accommodate the Project, AEP proposes to deregulate and sell approximately 2.87 hectares of land where the related infrastructure will be located in Cougar Creek, to the Town of Canmore. This will allow for the construction and operation of the Project, which supports public safety and flood mitigation objectives for the area. As part of the Proposal, LUS is conducting public, stakeholder and First Nation consultation on the SSRP boundary amendment.

2. What are the steps of the Proposal?

As part of the Proposal, the process will include:

- Surveying the minimal amount of land necessary for the construction and operation of the Project.
- Deregulating the surveyed land from Bow Valley Wildland Provincial Park.
- Co-ordinating the sale of land to the Town of Canmore for a nominal fee. The sale will contain conditions to address wildlife movement, recreational access, and provide the long-term assurance that the lands sold will be for the sole purpose of the construction and operation of the Project. The existing licence of occupation with Town of Canmore for flood mitigation will be amended at the time of sale.

If the AEP deregulation and land sale is approved, and public, stakeholder and indigenous consultation is completed, the Land Use Secretariat will amend the boundary of the SSRP [map](#) to ensure the change in land use aligns with those indicated in the SSRP. This amendment will be initiated by the Stewardship Minister, who will seek approval from Executive Council and the Legislative Assembly. The Stewardship Minister must ensure appropriate consultation and produce a report of the findings of that consultation to Executive Council. The Land Use Secretariat will collaborate with AEP on consultation to meet the requirements of Section 5 of the Alberta Land Stewardship Act.

3. What is the timeline for the Proposal?

The Town of Canmore is scheduling the Environmental Impact Assessment submission on the Cougar Creek Debris Flood Retention Structure Project for July 2016. The EIA process may take 6 to 18 months. The Proposal is conditional on the approval of the Project through the EIA process, and the First Nation and Public consultation processes. AEP anticipates the results of the processes and decision on the Proposal to occur in mid-2017.

4. Why is AEP deregulating and selling park land to the Town of Canmore?

Bow Valley Wildland Provincial Park was initially designated in 1998 and expanded in 2001 covering an approximate area of 37,346 ha. The intent of a wildland provincial park is to retain large areas of high quality, natural landscape where opportunities for backcountry recreation and tourism activities are provided that ensure the retention of the land in a natural state and reduces interference with natural processes. Under the current legislation, the access road as part of the debris flood retention structure is not permissible. AEP explored other options to reclassify the lands from Bow Valley Wildland Provincial Park and add to lands identified under Bow Valley Provincial Park. However AEP determined the deregulation and land sale is the preferred option as it requires the least amount of land taken out of Bow Valley Wildland Provincial Park.

5. What if the Town of Canmore uses the land for something else other than flood mitigation?

The land sale to the Town of Canmore will contain conditions that the lands sold will be used for the sole purpose of construction and operation of the Cougar Creek Debris Flood Retention Structure Project. AEP will attach conditions to the land sale that will require the Town of Canmore to return the land back to the Government of Alberta in the event that it is no longer necessary to support the Cougar Creek Debris Flood Retention Structure Project.

6. What about potential effects of the Proposal on First Nation Treaty Rights?

Hunting and trapping is allowed in Bow Valley Wildland Provincial Park with some exceptions. The Proposal is also located within the Town of Canmore boundaries. Under Town of Canmore Bylaw 33-91, hunting and trapping is prohibited within the Town of Canmore boundary. AEP submits the Proposal will not cause potential effects to hunting and trapping.

Fishing is allowed in Bow Valley Wildland Provincial Park; however Cougar Creek is non-fish bearing. AEP submits the Proposal will not cause potential effects to fishing.

Gathering is allowed in Bow Valley Wildland Provincial Park. Approximately 2 ha of the 2.87 ha proposed for deregulation and sale has vegetation cover. First Nations may conduct gathering activities in the Proposal area after the land sale. AEP submits the Proposal will not cause potential effects to gathering.

7. Are there any known historic resource sites in the Proposal area?

The Government of Alberta Historic Resources Management Branch confirmed there are no HRV4c sites overlapping with the Proposal area.

8. What about the impacts of this Cougar Creek Debris Flood Retention Structure Project on the environment?

The Town of Canmore is conducting an Environmental Impact Assessment (EIA) on the Cougar Creek Debris Flood Retention Structure Project which will inform AEP's decision-making on the proposed deregulation and land sale. The scope of the EIA includes identifying potential effects, mitigation measures and assessing potential residual effects on environmental topics such as atmospheric environment; soils and terrain; hydrogeology and hydrology; aquatic ecology; wildlife; and vegetation. The EIA will also include identifying potential effects, mitigation measures and assessing potential residual effects on social and economic topics as well as historic resources. In addition, the Project's contribution

to cumulative effects will be evaluated for environmental and social topics. Comments relating to the Project will be referred to the Town of Canmore and the Natural Resources Conservation Board. More information on the EIA process can be found on this [website](#).

9. What about the design of the Cougar Creek Debris Flood Retention Structure Project?

The Town of Canmore is conducting an Environmental Impact Assessment (EIA) on the Cougar Creek Debris Flood Retention Structure Project which will inform AEP's decision-making on the proposed deregulation and land sale. As part of the EIA, the report will include information on the management of air emissions, water, waste and debris. In addition the report will provide information on the detailed Project design as well as conservation and reclamation related to the Project.

10. Can climbers and hikers still access Cougar Creek?

AEP will attach conditions to the land sale that will require the Town of Canmore to implement mitigation measures to facilitate recreational access along Cougar Creek in this area.

11. What about the wildlife corridor?

AEP will attach conditions to the land sale that will require the Town of Canmore to implement mitigation measures to facilitate wildlife movement through the corridor in this area.

12. What about the potential precedent-setting of a boundary amendment to the SSRP?

Regional plans are living documents that can be amended if necessary to adapt to different environmental, economic and social factors within each region. Public, stakeholder and indigenous consultation will be completed prior to the approval of any amendments to a regional plan.

13. When does construction of the structure start?

This project has not yet been approved. Please refer to the [EIA process for Cougar Creek Debris Flood Retention Structure Project details and construction schedule](#).

14. How do I comment on this Proposal?

AEP encourages public input on this. Send in your comments, suggestions and concerns by clicking on the online comment link below, or by emailing or mailing in your feedback to the appropriate address outlined below. Feedback will be collected until August 28, 2016.

Online: www.albertaparks.ca/consult

By Email: ParkNews@gov.ab.ca

By Mail:

For deregulation and sale related topics:

Thea Mitchell,
Flood Recovery Planner
Alberta Environment and Parks
Canmore Provincial Building,
Suite 201, 800 Railway Avenue,
Canmore, AB T1W 1P1

For SSRP map amendment related topics:
Scott Duguid
Director, Consultations, Land Use Secretariat
9th Floor Centre West Building
10035 108th Street
Edmonton AB T5J 3E1

What happens after the public comment period?

AEP will make a decision regarding the Proposal after the 60-day public comment period is over. AEP will consider public, stakeholder and indigenous feedback along with the outcome of the Environment Impact Assessment before making a final decision on this Proposal.

A summary of public comments and the proposed actions and responses will be posted on www.albertaparks.ca/consult and <https://www.landuse.alberta.ca> once a decision has been reached.

Who can I contact for further information on this proposal?

If you would like further information on the Cougar Creek Deregulation and Land Sale in Bow Valley Wildland Provincial Park Proposal, please call Thea Mitchell, Flood Recovery Planner for Alberta Environment and Parks at 403-678-5500 ext. 286.

