

## READING THE ENTRAILS: AN ALBERTA ECOHISTORY

by Norman C. Conrad

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# ROADKILLS ON THE HIGHWAY TO PROGRESS

## TAKING THE LAND



od promised Canaan to Moses' people if they followed his command. Exodus 23:20-33 outlines the steps in taking Canaan—drive out the Canaanites and progressively kill its wildlife. The taking of western Canada roughly paralleled the Mosaic model.

Two centuries of fur trade eliminated furbearers. In the 10 years following HBC's sale of Rupert's Land (1869) the new emperors imposed their authority, government, law and culture.<sup>1</sup> The Red River Rebellion of 1869/70 set the scene. The "inhabitants of the land" were driven or stripped from it. Native people ended up on reserves and most Metis found themselves, as a descriptive epithet later characterized them, "road allowance" people.

## IDYLIC ISLES - NATIONAL PARKING LOTS

But there were hesitations in the taking. It was back then that the seeds for another kind of reserve germinated. This evolved into the idea of "reserves for nature" but that was certainly not the initial conception. It had more to do with demographic, commercial and recreational ambitions of the new people:

The year 1885 was a momentous one for Canadians. Its annals recorded the fulfilment of a long-cherished national dream—the linking of eastern Canada with the Pacific coast by a transcontinental railway. It witnessed the early settlement of the Prairies and the suppression of the armed rebellion by Indians and half-breed residents of the Northwest Territories

against the Government of Canada. The closing months of the year also chronicled the reservation for public use of mineral hot springs in the Rocky Mountains near the railway station of Banff, the first step in the development of Canada's unique and widespread system of national parks.<sup>2</sup>

William Cornelius Van Horne knew there was little use in building railways if you could not fill the trains. In bold strokes he solved the problem of what to do with empty trains and vacant mountainous wilderness. Tourism! It used available infrastructure, lured in international currency, made use of the otherwise useless expanses of land and looked enlightened—parks were good business. The railway mothered Canada's first national park and commercial tourism fathered it. Later a reluctant form of conservation appeared.

First settlers nearly eliminated the wildlife missed by market hunters. Lothian's *A Brief History of Canada's National Parks* comments:

On August 15, 1903, W. H. Cooper, the Territorial Game Warden for the Northwest Territories at Edmonton, called to the attention of his Member of Parliament, Frank Oliver, the need for preserving a small herd of elk known to exist in the Beaver Hills near Island Lake east of Edmonton. Cooper believed that these elk, numbering about 75, comprised the largest existing herd in Canada outside what he termed "the unexplored forests of the north" . . . During the winter of 1903-04, at least 20 elk were killed by hunters in the Beaver Hills region . . . Large hunting parties were being organized for a "shoot" during the following winter, and the complete destruction of the elk appeared probable.<sup>3</sup>

A National Park, Elk Island Park, was established to aid these elk (wapiti). Of these animals, 24 were saved, enclosed within the park.

Over following years more national parks were established by the federal government to reintroduce the plains bison, leading ultimately to the formation of Wood Buffalo National Park, a magnificent home for such ravaged animals as the whooping crane and wood bison. Nothing in Canadian history compares with the national parks system when it comes to maintaining the land and its native life forms. In the face of overwhelming assault on most things natural, a few precious parcels, these national parks, became retreating defensive ramparts. But even within them things were not well.



National parks are islands of refuge plucked from out of larger natural systems, in swelling seas of intensive human activity. At their biggest and best they provide some ecological buffering for a frail core, but still remain mere pieces. Outside parks, resource and commercial uses increasingly encroach their boundaries, further isolating the park as a disconnected piece of land. Islands of nature in rivers of development inevitably degrade and diminish. Traffic and development increases inside parks and internal rot grabs hold, growing with its popular success.

And a lot happens in Banff . . . . Canada's main transcontinental railway and transcontinental highway roll side by side down the length of Banff's main valley. On the busiest weekends the road is clotted with cars, RVs, and tour buses, and a gauzy brown haze of exhaust fumes veils the celebrated vistas. Within the park lie three ski resorts and the town of Banff—home to 7,000 permanent residents. On a typical summer day the townies may see 25,000 tourists streaming through their streets.<sup>4</sup>

From approximately 500,000 in 1950, visitors to Banff shot to five million in 1995 and, based on current growth rates, are anticipated to reach 19 million by 2020, the Banff-Bow Valley Task Force estimated.<sup>5</sup> The Task Force recommended a Human Use Management Plan to stem the increasing crush.

Alberta's government owns much of the land surrounding its resident national parks. Stalking the margins closely, it looks for opportunities or waits for federal authorities to falter and transfer lands or jurisdictions to the province.<sup>6</sup> Conservation-minded people tremble to think what national parks would look like if operated by the province. Others shudder at the catastrophes capital might well inflict on parks as business is permitted to invade them further, despite the gentle, loving and respectful terms their commercial ambitions are invariably couched in.

Every day more people come, more exotics dig in and encroach on declining native species. Contexts change and degrade. They suffer from external rot—summer birds diminish each year because of global effects; every year more campgrounds and water slides encroach their boundaries. They suffer from internal rot—the trauma of traffic and development—in these qualitatively shrinking islands. Tourism consumes ecology in the century-old Canadian eco-tourism business. While the rot is deep, still some parks look nearly wild and almost virgin. This is ecotheatre as much as ecosystem. What remains next century will be much different.



## REGULATING THE TAKING

Early on there was another hesitation in seizing the land, one that did not play out nearly so well as national parks. This one involved the plains bison and its last free and wild days. On March 22, 1877, the Northwest Territories Council passed an *Ordinance for the Protection of the Buffalo* regulating hunting of bison. For a short time the bison received some protection. Then, in what is a legislative instant, the blink of a parliamentarian's eye, on August 2, 1878 they repealed it. In these 17 months, the Crown's mind reversed from bison salvation to permitting their elimination. What altered the "directing mind and will" in such short time? This legislative reversal appears consistent with the more fundamental laws—to take and exploit, not to care for nor conserve:

If a single lesson can be drawn from the early history of conservation, it is that states will act to prevent environmental degradation only when their economic interests are shown to be directly threatened. Philosophical ideas, science, indigenous knowledge and people and species are, unfortunately, not enough to precipitate such decisions.<sup>7</sup>

Years later, in 1891, the Crown amended the wildlife ordinance to again regulate the taking of bison. By then, it was too late.

Nineteenth century "market hunters" blasted and bludgeoned egret and herons into milliner's plumes. Anything the market coveted launched a biocidal business. Seas roiled bloody from the slaughter of seal, auk and otter. Whales died so that lamps might burn and corsets not burst. The prairies blotted up the blood of bison because of the want of their hides, their homes or merely their tongues. The market blasted billions of passenger pigeons to kingdom come, some in Alberta. Vendors hawked dead songbirds by the barrelful. Effective regulation came to hunting only just before large-life's end, motivated more by conservation of resources than by conservation of nature. Devastation slowed, but enforcement was rare, and the fines were small, while rewards in the breach were great. By the end of the first waves of settlement most of Alberta was barren of large wildlife.

Early sessions of the Northwest Territories Council enacted ordinances controlling use of poisons and chemicals; establishing watershed management, quarantines and pest eradication programs; and conserving certain important resources. Environmental legislation enjoyed more success than



conservation or preservation legislation. The protection of property and human health and safety trumped ecology and non-human life. That was so for regulation of pioneer agriculture but later, also with hesitations, for the pioneer oil patch.

Alberta's first experiences with oil and gas were gluttonous. Hasty wells shadowing property lines were produced with open bores and greedy abandon. Operators took all they could as fast as they could, leaving their slower or more responsible neighbour as little as possible. Lascivious exploitation resulted in wells on every few acres in each oilfield's hot spots. In this lustiness, enormous quantities of gas were flared destroying reservoirs, polluting the atmosphere and leaving a needy future without. Oil's rule of capture translated to quick cash and entropy, at least until government and industry both realized their interests would be better served by more careful practices.

In 1938, Alberta established the Petroleum and Natural Gas Conservation Board to stop the flaring of Turner Valley gas and to more prudently exploit the resource. David Breen observed that the meaning of conservation changed with time:

For early conservationists, preservation for the future was the essence of their concern, but the related idea of efficient production to eliminate waste emerged more slowly.<sup>8</sup>

For the board, since called the Energy Resources Conservation Board and now called the Alberta Energy and Utilities Board (EUB), conservation's new meaning seemed not to mean that at all:

Economists have their own notion of conservation. They argue that conservation involves maximizing the present value of a resource: in other words, getting the most petroleum in the present for the least investment.

The economist's "conservation" urges depletion of the non-renewable resource in its fastest, efficient, economic way. With modest exceptions, that has been the credo of the oil patch ever since.

## BACK TO THE LAND

Postwar peace, prosperity, and science gave many people greater concern for the land, even in Alberta. Responding to these concerns, in 1959 Alberta's Crown protected from development about 4,600 km<sup>2</sup> of land in

the Willmore area, on the north shoulders of Jasper National Park. But there were larger problems brewing. Rachel Carsen's 1962 alarm, *Silent Spring*, accused agriculture's deadly chemicals of silencing America's songbirds. Persistent toxic chemicals that decimated faraway weeds or insects last year might poison the nearby meadowlark this year and kill humans a decade hence. Ecology claimed all things to be interconnected, all parts in a dynamic, complex whole. Unfortunately, this whole was degrading. Civilized man, long thinking himself the spider, embarrassingly found himself ensnared in the web of life, subject to all of the sticky strings, stings and poisons of the undone fly.

This "ecological awakening" rustled some Albertans to action. With his 1966 boding, *Entrusted to My Care*<sup>9</sup>, Grant MacEwan entreated the public to better care for their land. Referring in closing to Robert Louis Stevenson's "sooner or later, everybody sits down to a banquet of consequences," MacEwan prayed his readers would find "a new dedication to stewardship of the earth and its riches, a new emphasis upon the responsibilities of good guardianship." To address this newfound grief, Alberta's Social Credit government passed several bills. Premiere among these was *The Environment Conservation Act*, assented to on April 15, 1970. It established a public body called the Environment Conservation Authority (ECA), and charged it to conduct reviews of government policies and programs to determine their environmental effects.<sup>10</sup> In matters other than budgets and appointments of members, ECA enjoyed some autonomy.

ECA might "inquire into any matter pertaining to environment conservation and make its recommendations and report" to the legislature.<sup>11</sup> Its core power was simply to publicly advise the people's representatives, the legislature. With all its limitations—government control over appointments, budgeting, limited statutory definitions and only scarce powers to report and recommend—this bill represented the zenith in Alberta's environmental protection legislation. That is so because ECA had relative independence to select which issues to address, its reports and recommendations went directly to the legislature as public reports, it could prospectively examine resource and environment issues and it had the power to require the Crown to produce information.

In 1971, a suite of environmental bills, the *Department of the Environment Act*, the *Alberta Environmental Research Trust Act* and the *Wilderness Areas Act* passed into law. These Social Credit Party deathbed pronouncements established Canada's earliest Department of the Environment, created a research trust fund and promised to protect wilderness places by preserving, "their natural beauty and primeval character and influence and safeguarding them from impairment and industrial development



and from occupation by man other than as a visitor who does not remain."<sup>12</sup>

The late '60s and early '70s were heady times for land lovers. With a new, sexy issue, the media swarmed, academics published, public opinion swelled and politicians pronounced. The Americans took to it like the flag and Manifest Destiny. They legislated important and innovative processes and protections, initiatives that still embarrass other less patriotic lands. For a few moments in history Alberta lagged not terribly far behind.

The Club of Rome's 1972 dark predictions about man's future, *Limits to Growth*,<sup>13</sup> reengaged public debate on Earth's limits and human prospects. That year the United Nation's Stockholm Conference acknowledged that environmental and resource problems were not just local, but global, while proclaiming the right of all to a quality environment.<sup>14</sup> The people responded to these leaps to environmental quasi-consciousness in powerful new ways, ways that caught government and industry unawares. It would take time for these leaders to understand the issues and their implications for development. It would take them longer to hone the skills necessary to ensure that ecology not stand in the way of economics, growth, development, aggrandizement, power and empire. For the moment, in disarray, they confusedly went with the flow.

Peter Lougheed's Progressive Conservatives took power from the SoCreds in August 1971 just as the market price of Alberta's petroleum motherlode rose a notch. Petro-politics replaced agriculture's. His team's credo was management and control in directing Alberta's growth to a petrodollar empire. The SoCred's environmental legislation would be harnessed appropriately for the new political-economy.

## ROGUE REGULATORS

The life and death of the Environmental Conservation Authority is illuminating in this regard. ECA was best at birth, April 15, 1970. By June 2, 1972, less than a year into its new government, the Lougheed team demoted the authority from reporting to the legislature to reporting to a minister, and from considering what it wished, to considering what the Minister wished. Amendments placed ECA firmly under the control of the Minister of the Environment. Politically captured, it slid from substantial authority to reluctant underling, from duty to the public to political bidding, but it did not slip happily into subservience.

During 1973 the Crown implemented a separate, "project-based" Environmental Impact Assessment (EIA).<sup>15</sup> The *Land Surface Conservation and Reclamation Act*, s 8,<sup>16</sup> permitted the Minister of the Environment to require an EIA if an operation or activity was proposed that, in his opinion,





was likely to, result in “surface disturbance.” This established a basis for limited, manageable, discretionary and manipulable review on a project basis<sup>17</sup> and it smothered some of ECA’s robustness. By 1977 legislative amendments, it was renamed the Environmental Council of Alberta (still referred to as ECA), and demoted from “authority” to “council” status, giving advice when requested, hearing appeals under specified legislation and performing such functions as the Lougheed team might find appropriate.

In its early days the ECA reviewed some projects, publicly commenting on their environmental effects. The people participated, the media reported and Albertans started to feel a larger sense of responsibility for the land. When ECA cautioned against provincial construction of the Dickson Dam in 1974 and some of Alberta’s forestry practices<sup>18</sup>, Lougheed’s government fussed. By the time of the ECA’s recommendation against the Oldman River Dam in 1979, they were angry.

The Conservative government’s ambitions to multiply and subdue, to drill wells and build dams required the damming of the ECA if it continued to oppose. It was not that government lacked power over ECA. Government appointed its members, directed its activities and funded it. It was just that ECA persevered in doing what it was supposed to do. Few sycophants there, it told government its likes and dislikes, publicly and credibly.

Killing the ECA outright must have been politically unattractive. Clever attrition works better and the public will hardly notice a malingering death. Over time ECA’s more vital members were eased or forced out, new appointments were more cautiously and slowly made, important functions disappeared, budgets were redirected, and credibility ebbed. Under Lougheed’s management, environment and resource conservation issues lost their lustre, priority, and political punch. The earlier alarm had dulled. Together now, business and government managed environment and land issues to ensure that they would not interfere with growth, development and aggrandizement, commercial or political. Finally in 1995 Alberta dispatched the ECA. Euthanized, it gave up the ghost to the business-adoring Alberta Research Council.

During the time of the ECA’s robustness, the Mackenzie Valley Pipeline Inquiry was commissioned to determine the need for and consequences of a multi-billion dollar pipeline proposed to carry arctic natural gas down to southern markets. Mr. Justice Thomas R. Berger of the Supreme Court of British Columbia was appointed Commissioner March 21, 1974 and held community hearings throughout the north so that all might come and have their say in their native tongue aided by simultaneous translation. Recognizing that Canadians generally had an interest and right to be heard, Berger also held meetings in the south. Native claims were considered seri-



ously. He pioneered cumulative social, economic and environmental impact assessment in Canada.

Berger recommended against constructing the pipeline for at least 10 years and until native claims were settled. In accepting his conclusions, Canada saved both industry and the country billions of dollars because there was no market for that gas. For nearly two decades after Berger's appointment, the problem was excess gas. Only now is the gas bubble seriously deflating.<sup>19</sup> Government and industry recoiled from Berger's model, as if he had shone a light down an aisle that Crown and capital feared to tread—the way of the public interest. They chose a different course, capture and control of processes and regulators, the path of active inaction, a theatre for love of land.

The ecological consciousness of the '70s taught both Crown and capital that issues relating to environment and resources must be tightly managed from above. None of this direct democratic or populist stuff. Manage appearances while maintaining firm control. Independent authorities are dangerous. They might do the right thing, as the early ECA and that other rogue tribunal of the day, the Mackenzie Valley Pipeline Commission, demonstrated.

Critical to their strategy, Crown appearances of love of land must be ubiquitous and the flow of glossy misleading material never ending. Control of information is key. Suppression, misinformation and disinformation are as important as information itself. When questioned, government must boast that Alberta is the best cared for land on the planet ("second-to-none") and then pull out swollen numbers ostensibly spent to protect the environment.<sup>20</sup> Numbers do not lie. Albertans love their land. But a wary few looked to the land to see whether it was being loved. Each year they found more and more of it ripped, chewed, and ploughed, cut to bits by agriculture, oil and gas, forestry, industry or urban infrastructure. Less and less wilderness survived, all of it at one point of deterioration or another. Clearly, something was amiss. Could the Crown be misleading the people?

## USE THE RUSE!

The late '80s revived popular concern for the land and for the future. By now Crown and capital understood how to manage the issues. Rational planning and hierarchy replaced local, democratic or popular action. International organizations played leadership roles. Government, industry and international elites crafted sophisticated plans, projects and strategies. Now salvation would come from above.

The United Nations Conference on the Human Environment held in Stockholm in 1972 led to the World Conservation Strategy in 1980.



Commissioned by the United Nations Environment Program, the global strategy was to be an aggregate of local strategies. By 1981 Canada had endorsed the idea and recommended the preparation of Provincial Conservation Strategies. Early in 1985 the Public Advisory Committees (PAC) to the ECA launched the Alberta Conservation Strategy project to prepare Alberta's local contribution for this global strategy.

Well-meaning people lined up to help devise a plan for global salvation. Later many became disillusioned with the manipulation and procrastination, coming to doubt the sincerity and conviction of the organizers. Some felt government's "conservation" strategy was similar to that Breen claimed for the Alberta Energy and Utility Board, that it "involves maximizing the present value of a resource: in other words, getting the most...in the present for the least investment."<sup>21</sup> When the Alberta Conservation Strategy failed to appear for its 1992 debut some thought it had died along the way. Others mused that it would miraculously appear at the millennium. Most lamented the waste of their positive efforts and good intentions.


The United Nations World Commission on Environment and Development (WCED) issued their report on the plight of the planet, *Our Common Future*, in 1987. It considered anthropogenic threats like acid rain from fossil fuel and industrial emissions, ozone depletion from chloroflourocarbons and the greenhouse effect from fossil fuel emissions. Alongside, it dwelt on the destruction of rainforests, the prospects of resource depletion and pollution devastation and, in quieter tones, the Siamese twin menace of overconsumption and overpopulation. These concerns harmonized with high-level government activities—protocols, treaties and accords—to sound an alarm and rejoice in a solution. Their report provided a panacea. The path that led the world away from disaster was "sustainable development":

Sustainable development is development that meets the needs of the present without compromising the ability of future generations to meet their own needs. It contains within it two key concepts:

- the concept of "needs", in particular the essential needs of the world's poor, to which overriding priority should be given; and
- the idea of limitations imposed by the state of technology and social organization on the environment's ability to meet present and future needs.<sup>22</sup>



The masses pounced on this cleanly packaged, mightily proclaimed, and globally promoted bobbing lifeboat as if they were the last passengers on the Titanic.

Sustainable Development promised much and asked little. Most but not all species could be saved. Natural systems could be protected; a cap on human population (10 or 12 billion) would be wise. For all that, mankind's real salvation lay in greater consumption through higher technology, more growth in productive activities and better sharing in consumptive activities. Governments and business endorsed the scheme. The masses dammed the Jeremiads even though WCED seems to have favoured only the few. Business fervently embraced it because it gave them nearly everything they wanted. They threw themselves on the green bandwagon. Polluting companies might establish an office paper-recycling project, thereby becoming models of Sustainable Development. No matter how vile in the big things, some small thing might always be done to support a claim to green and clean, Sustainable Development. At the last moment, a happy future for all mankind had been ensured, paradise regained. Alberta joined in this crusade festooned in green. 

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