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Tragedy on a mountain

Dispute rages over report critical of actions taken on day avalanche killed seven in B.C.

George Koch

National Post

Saturday, December 11, 2004

Two years ago next month, an avalanche packing the weight of 400 heavily laden trucks crashed down on to 13 skiers and snowboarders following the world-renowned mountain guide Ruedi Beglinger and seven others up a steep gully, or couloir, near Durrand Glacier in B.C.'s Selkirk Mountains. Eight of the 13 struck by the 21,000-tonne slab avalanche were completely buried, and seven died at the scene. The dead included the famous snowboarder Craig Kelly, three other

Americans and three Canadians. Despite the fearsome toll, authorities in nearby Revelstoke were quick to pronounce the event a "tragic accident."

Were they too quick? A technical report prepared by an independent snow-safety expert for one victim's family and recently obtained by the National Post severely criticizes Mr. Beglinger's decision-making and guiding practices on the fateful day of Jan. 20, 2003. The report, which was not peer-reviewed

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and has no legal status, calls for further investigations, including a coroner's inquest. It is critical of local authorities and Canada's mountain guides for failing to investigate the tragedy more thoroughly.

"I have had a clear, unambiguous goal in this from the start: to reduce avalanche deaths," said Frank Baumann, P.Eng., the Squamish, B.C.-based author of the 41-page document, in an interview. In his report, Mr. Baumann compares the known and apparent facts of the accident day, including Mr. Beglinger's guiding decisions, to "textbook advice on how to travel safely in avalanche terrain" drawn from industry sources. The resulting comparison, if accurate, would be devastating to Mr. Beglinger, who declined to comment on the report when contacted by the National Post two weeks ago.

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A keen backcountry skier and qualified skiing guide, Mr. Baumann is director of avalanche hazard management for a hydroelectric company, and has authored scientific papers on snow safety. This fall, he presented a condensed version of his report to an audience of professionals at the prestigious International Snow Science Workshop at Jackson Hole, Wyoming.

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His conclusions are considered provocative in Canada's close-knit, tight-lipped mountain guiding community. Mr. Baumann states in his report that the 500-member Association of Canadian Mountain Guides (ACMG) is "not following its own code of ethics." This code lists the safety of clients as the "prime concern" and states the ACMG's "duty" to discipline any member who breaches it.

In interviews, the ACMG's executive director and other avalanche officials declined to discuss the conduct of Mr. Beglinger, often described as an "icon" among mountain guides, and said they have no plans for any public probe. Still, for nearly two years, in backcountry lodges, in bars, on ski lifts and out on the slopes, private debates have raged among guides and recreationalists alike about the Durrand disaster and Mr. Beglinger's role in it. Opinions span the spectrum from those who say it was simply terrible luck and that Mr. Beglinger himself is a victim, to the other extreme.

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It was the industry's and the authorities' seeming reluctance to delve deeper that prompted one victim's relatives to commission an independent investigation. "The papers were full of quotes the very next day from a police sergeant that this was just an accident," says Peter Millar, a Reno, Nevada-based engineer who was brother-in-law to Kathleen Kessler, who died at Durrand.

But to Mr. Millar, 50, who has climbed and skied with guides worldwide, the slowly emerging facts contradicted this. "The basics you first learn have to do with where you put people, especially not putting people on top of each other in risky circumstances," he says. "And the Durrand avalanche was exactly that."

Millar and his wife, Annie, encountered Mr. Baumann on an Internet forum not long after the accident and within a month, Mr. Millar says, they engaged Mr. Baumann to find out everything he could about what happened and why. The Millars, who paid \$2,500 for Mr. Baumann's work, were considering suing Mr. Beglinger, but have since decided against doing so. However, sources say litigation by other victims' relatives may still commence.

When Kathleen Kessler signed up to visit the chalet near the foot of Durrand Glacier where Mr. Beglinger's operation, Selkirk Mountain Experience Ltd., is based, she undoubtedly thought she was booking a week in paradise. The 14 other experienced alpinists who visited during the same week probably shared similar sentiments. Backcountry skiing and snowboarding are small

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but growing segments of each sport. Visitors to Durrand are helicoptered to the remote site, then spend seven nights in rustic but comfortable surroundings and, most important, hours each day climbing and skiing with one of the world's foremost guides.

Since immigrating to Canada from his native Switzerland in the early '70s, Mr. Beglinger has become a legend among hard-core backcountry skiers and snowboarders who eschew helicopters, snowcats or snowmobiles and walk uphill. Their rewards are not merely untracked powder snow and amazing scenery, but the camaraderie and satisfaction that come from "earning your turns." Mr. Beglinger has climbed some of Canada's most famous mountains, including Mount Logan, and continues to lead ski tours on to the Alps' fabled 4,000-metre peaks.

"I have the greatest respect for Ruedi, having brought the traditional way of guiding to Canada from the Alps," said John Hogg, 56, a mountain guide based in Cranbrook, B.C. "As a mountaineer, he's almost on a level by himself in Canada. Ruedi's hut-based touring model is the most economical, efficient and environmentally friendly use of terrain in Canada."

But Mr. Baumann found deficiencies in a number of aspects of Mr. Beglinger's conduct on the accident day. Mr. Baumann's investigation included visiting the accident scene, using the B.C. freedom of information law to obtain and review the confidential expert study performed for the coroner, and consulting respected technical sources, which are cited in a bibliography. His report included a detailed factual description of the accident site, the weather and hazard conditions, a summary of generally accepted travel and other safety-related procedures, and the known facts surrounding the events on the day in question, as well as a number of opinions concerning Mr. Beglinger's decision-making, plus a section containing overall conclusions and recommendations.

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Mr. Baumann did not find evidence that Mr. Beglinger, now 50, a member of the ACMG and the Canadian Avalanche Association (CAA), performed the standard tests of modern snow science on that day. Mr. Beglinger did not subscribe to InfoEx, a CAA-operated service by which subscribing industry operators exchange detailed weather and avalanche-related data as well as personal observations.

However, the CAA's public avalanche bulletin was reiterating weeks-long warnings about a "widespread persistent weak layer" caused by an old rain crust lying deep in the snowpack. It is not known whether Mr. Beglinger read this bulletin, which is available via the Internet, e-mail subscription, telephone or public written postings.

Combined with recent heavy winds and natural avalanches, the day's avalanche hazard was rated at 3 (Considerable) out of a possible 5. Backcountry travel routinely takes place at this hazard level. However, the CAA's hazard scale offers the following advice for 3: "Natural avalanches possible, human triggered avalanches probable; be increasingly cautious in steeper terrain." The more detailed descriptors attached to the same scale in Switzerland (where Mr. Beglinger was trained) add further details, including (translated from German): "Avalanche release is possible even under small additional load, especially on indicated steep slopes." The scale defines small additional load as the weight of a single person.



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After a morning approach that led across the valley from the lodge and which, Mr. Baumann concluded, entailed "crossing potentially high risk ... avalanche terrain," Mr. Beglinger veered from his original goal, a gentle slope that was now in fog, according to the report of the expert retained by the coroner following the accident, for a much steeper couloir known as La Traviata.

By this time, Mr. Baumann writes, "... The dangerous (potentially life threatening) avalanche conditions in the Durrand glacier area should have been detected in standard snow profiles, and by doing stability tests." These tests, which are used to study the snow- pack and test its stability, are normally done at an operator's permanent base as well as during travel. They are described in the industry's technical literature, such as the CAA's Observation Guidelines and Recording Standards for Weather, Snowpack and Avalanches (2002) as well as in books aimed at recreationalists.

After the accident, three experts dug nine snow pits at the scene, according to the coroner's expert's report; all revealed the warned-of rain crust. Mr. Beglinger apparently did not dig a snow pit at the couloir. He told the coroner's expert that he probed the snow "with the handle of his ski pole 'to see if there was any unsure layer, I couldn't find anything.' " Mr. Millar told the National Post that Mr. Beglinger told the Millars that he did not dig a snow-pit.

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Then Mr. Beglinger made what Mr. Baumann in an interview called a "mistake." Although the CAA's bulletin had noted the risks of loading wind-affected or otherwise problematic steep slopes with the weight of groups, and although Mr. Baumann believes a safer indirect ascent route to the couloir was available, Mr. Beglinger scaled it directly, in two tightly packed groups totalling 21 people, which consisted of himself, an assistant guide, two

apprentices, two other employees and 15 guests. Writes Mr. Baumann: "By taking his entire party up the La Traviata couloir at the same time, the guide was unnecessarily exposing his group to a higher avalanche risk, and not following generally accepted safety procedures."

Mr. Beglinger and seven climbers crested the couloir, then heard a distinct "whumpf" sound. Three avalanches followed in rapid succession, the last of which fractured to a depth of 260 centimetre -- down to the rain crust -- and scoured the entire 37-degree, 310-metre-long couloir, taking the remaining 13 people in both groups along with it.

The eight lucky ones and, eventually, a number of those not fully buried searched with avalanche transceivers, which everyone in the group was wearing, and dug frantically for an hour, saving one of those fully buried. Mr. Baumann's report notes some guests had only small plastic shovels to dig as far as 280 cm into what one survivor described as "concrete-hard snow." Some backcountry travellers make a point of carrying larger, steel-bladed



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After the accident, Mr. Beglinger attributed the avalanche to a "natural settlement" and was quoted saying, "I know I did everything right that day." He compared the event to a "bomb" and a "missile going off."

"I stand behind these statements, very much so," Mr. Beglinger said in a brief conversation from his chalet two weeks ago. "I have had 5,300 accident-free days of ski-mountaineering and guiding all over the world." However, he said, "I cannot really give comment on [the Baumann] report because it involves me." Mr. Beglinger referred such questions to Chris Stetham and Scott Flavelle, avalanche experts his lawyer retained soon after the accident to gather facts in anticipation of potential lawsuits.

Mr. Beglinger had much the same message in his communications with survivors and victims' relatives. His wife, Nicoline, penned a letter of condolence in which she reportedly referred to the natural event. Mr. Beglinger held a series of meetings with victims' relatives to explain the tragic events from his point of view. Mr. Millar recalls throwing some pointed questions: "Beglinger said to me, 'You don't know anything about snow.' I nearly throttled him."

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The local RCMP and coroner seemed inclined to agree with Mr. Beglinger. After misstating the time, location and size of the avalanche, the RCMP told the news media that discussing causes was "pure speculation" -- but also stated there was no negligence and termed the event a "tragic accident" even as the coroner's experts were only beginning their investigation.

Nearly nine months later, Chuck Purse, the B.C. coroner responsible for Revelstoke at the time, ruled the event an accident although the avalanche expert Mr. Purse retained concluded the physical cause was not natural settlement, but the weight of people on the slope. Mr. Baumann believes there were "numerous errors and omissions" in Mr. Purse's brief report and concluded it "does not establish the full body of facts that led up to this accident."

Despite his personal admiration for Mr. Beglinger, independent guide Mr. Hogg terms the coroner's finding "ludicrous." Says Mr. Hogg: "Accidents are caused, they are a result of actions and decisions. Ruedi made the decision to ski that slope on that day. The people he took there assumed he was making a qualified, professional decision." Mr. Hogg was guiding on that day and recalls being aware of the rain crust.

Mr. Baumann's report calls for a provincial coroner's inquest (more comprehensive than a coroner's inquiry). Mr. Baumann also wants the ACMG to investigate the accident "and determine whether action should be taken

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against the guide." He wants provincial legislation to transform the ACMG into a fully-fledged professional organization, with a mandate to discipline its members' conduct, "so guides can be fully accountable," as he put it in an interview. And he wants mandatory, immediate public reporting of any avalanche accident. Perhaps surprisingly, this is not currently required in B.C., and accident information often leaks out informally. Mr. Baumann has shared his report with several of the victims' families, but he says he has not been approached to be an expert witness in any possible lawsuits.

Judging by their reaction in interviews, senior figures in Canada's guiding community consider Mr. Baumann's efforts deeply presumptuous. Mountain guides require broad discretion, they all say, and shouldn't be judged with hindsight, particularly not by non-professionals. Yet at the same time, several senior guides interviewed all seemed to oppose any publicly accessible investigation aimed at establishing all the facts and assessing responsibility -- including one run by themselves. How then are those Durrand relatives still seeking answers ever to obtain closure?

Scott Flavelle, the Whistler-based ACMG member who was sent by Mr. Beglinger's lawyer to gather facts, notes, "It's a simple fact that most people who put a week aside to hire a guide and ski the backcountry tend to like to ski terrain that is somewhere between 30 and 40 degrees, which is your prime skiing range for your typical good skier." Such slopes, he says, are also the source of most killer avalanches. Says Mr. Flavelle, who is safety reviewer for the B.C. Helicopter and Snowcat Skiing Operators Association, bluntly: "People have to understand that risk. It's not a guaranteed safe experience. Close calls are somewhat regular in the industry."

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Mr. Flavelle terms Mr. Baumann's report "inconclusive, speculative and opinionated. To come out and say, '[Beglinger] shouldn't have been there,' is pure opinion." Mr. Flavelle could not, however, point to any mistakes in Mr. Baumann's report and said it "made some good points." Mr. Flavelle also confirmed that his site work included snow pits that identified the rain crust on which the Durrand avalanche slid. And he did not dispute the coroner's expert's competence in concluding the triggering mechanism was the weight of skiers on the slope, not natural settlement.

Clair Israelson, the CAA's executive director and one of the deans of Canada's avalanche safety community, won't comment on Mr. Baumann's report. Mr. Israelson says his organization is working with the B.C. government on a "protocol" for immediate public broadcast of future avalanche accidents, which was also one of Mr. Baumann's recommendations. This could help warn amateurs and professionals alike of dangerous conditions before they venture out. But Mr. Israelson won't say whether the process surrounding the Durrand accident was deficient.

Karl Klassen, the ACMG's executive director, complains his group has been "damned by the court of public opinion and by Mr. Baumann." Mr. Klassen says key facts "are still pretty grey." But he opposes any investigative process "done by non-professionals" -- like Mr. Baumann. Mr. Beglinger should be "judged by a jury of [his] peers." But Mr. Klassen also rejects Mr.



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Baumann's demand the ACMG investigate. "We have neither the authority in law nor the resources to do that kind of thing," he says.

Mr. Klassen won't discuss the ACMG's internal report on the accident, though he maintains the backcountry skiing public remains safe with ACMG-certified guides. The debate, in his view, "comes down to a difference of opinion between a recreational skier with a bone to pick with the ACMG and Mr. Beglinger's peers."

"When you look at the decades of literature on avalanche safety, there's a number of long-standing, well-recognized guidelines given in avalanche books and courses," shoots back Mr. Baumann, who was an ACMG member for many years. "And Ruedi broke many of them. I say that without reservation."

In Mr. Baumann's view, the ACMG's reluctance to investigate accidents (beyond its undisclosed internal report) involving its members may be endangering others. Normally, most backcountry skiers and snowboarders think of themselves as being far safer while under the direction of a guide than when travelling alone, and the industry certainly encourages them to think this way. Mr. Baumann, however, notes there were two more fatal avalanche accidents involving guided groups last season.

This issue could also have ramifications for B.C.'s multi-billion-dollar tourism industry. One of B.C.'s senior-most heli-skiing operators, who asked not to be identified, says he suffered \$600,000 in cancelled bookings in the aftermath of Durrand and the avalanche disaster less than two weeks later that killed seven students from Calgary's Strathcona-Tweedsmuir school. He says his clients continue to voice heightened anxiety about avalanche risk. "The ACMG needs to investigate and discipline its members," says Mr. Hogg, who considers the organization to be reluctant in that regard. "This has got to be about protecting innocent people from future avalanche accidents."

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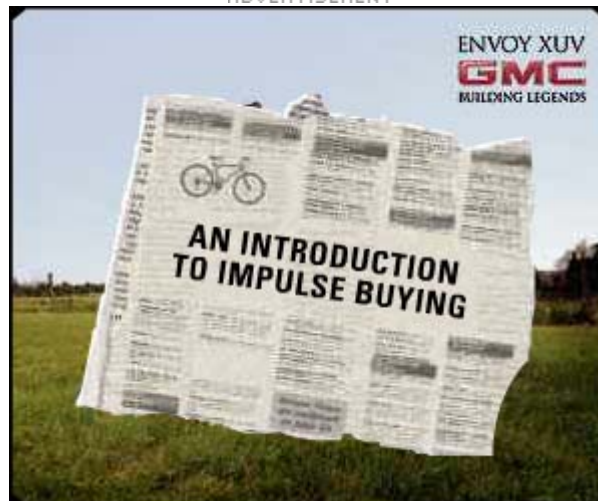
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Tragedy on a mountain

...Continued

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That day can't come soon enough for Mr. Millar. "The only reason for these things is human habit, the error of pride," says Mr. Millar. "People should have a reasonable expectation that the guides they hire will take the professional steps needed to keep them as safe as possible. I think people have to be very careful of who they hire when they go to Canada."

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