

**From:** Hills, Gerald FLNR:EX  
**To:** Crombie, Sheila J FLNR:EX  
**Subject:** 2016-05-26 309 FW: LOC?  
**Date:** May 26, 2016 3:08:00 PM

---

Just took a quick gander at the website and see that he advertises McRae as well (I believe McRae trail is closed to bikes (but that could have changed)).

Gerald Hills, RFT  
Regional Manager, Compliance and Enforcement  
Kootenay Boundary Region  
Ministry of Forests, Lands and Natural Resource Operations  
Office : (250) 837-7622  
Cell: (250) 814-4267

**To Report a Natural Resource Violation:**

Telephone: 1-877-952-7277 or #7277 on cell

Webpage: <https://www.for.gov.bc.ca/hen/nrv/report.htm>

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**From:** Hills, Gerald FLNR:EX  
**Sent:** Thursday, 26 May 2016 2:53 PM  
**To:** Crombie, Sheila J FLNR:EX  
**Subject:** FW: LOC?

Can you enter this into NRIS and assign.

I believe the Frisby trail was approved on the basis that there would not be any commercially guided operations on it. I could be wrong but that would be worth looking into.

Land Act ;-)

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s.15,s.22

Hi Gerald. Just wondering. Does Wandering Wheels really have tenure to offer commercial guided rides on Eagle Pass Mountain, Frisby, Cartier, Standard Peak, and Joss Pass?

<https://wanderingwheels.ca/gallery.htm>



## COMPLAINT REPORT

Confidential for Internal Use



RECORD ID: 034256

IDIR\CKOVACS

12:12 Jun 29, 2018

Medium Sensitive

**Natural Resource Officer:**

Sheila Crombie

**Region:** Kootenay Boundary

**Field Unit:** Columbia

**Date Received:**

May 26, 2016

### Complainant Information

**Last Name:**

s.15,s.  
22

**First Name:**

s.15,s.22

**Privacy Requested?:**

Yes: ☒

No: ☐

**Email:**

**Telephone:**

s.15,s.22

**Latitude:**

51.0023

**Additional Contact Information:**

**Longitude:**

-118.2192

**Location Description:**

Eagle Pass, Frisby, Standard Peak, Joss Pass, McRae

**Violation Narrative:**

McRae may be closed to bikes and Individual may not have tenure for guiding.

**ALLEGED CONTRAVENER:**

Wandering Wheels

**Function:**

Land Management

**Activity:**

Tenures

**Action Taken**

Recommend for Inspection

**Date Action Taken:**

2016-06-13

**Lead Agency:**

FLNRO

**Assigned To:**

Craig Kovacs

**Rationale:**

Worth looking into Wandering Wheels current tenures for guiding. See attached emails for more info.

**Description and Comments:**

**Natural Resource Officer:** [Sheila Crombie]

Signature: X

I certify that this inspection conforms to Ministry compliance

**Attachments and Comments:**

**Sent to:**

**Delivered via:**

Email: ☐

Fax: ☐

Mail: ☐

Registered Mail: ☐

Hand Delivery: ☐

**From:** [Hills, Gerald FLNR:EX](#)  
**To:** [Legebokow, Cory FLNR:EX](#)  
**Cc:** [Knapik, Mike B FLNR:EX](#); [Ritchie, Chris FLNR:EX](#); [Dailey, Sharon H FLNR:EX](#); [Peel, Darcy E FLNR:EX](#)  
**Subject:** 2016-06-09 927 RE: Illegal Commercial Rec Operation in Section 16 MR for Mountain Caribou  
**Date:** June 9, 2016 9:26:00 AM  
**Attachments:** [image001.png](#)

---

Thanks Cory, we did receive a separate complaint (in the last week or two) regarding this commercial operation allegedly outside of the tenured area. A NRO is investigating this matter. I will keep you posted.

Gerald Hills, RFT  
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**From:** Legebokow, Cory FLNR:EX  
**Sent:** Tuesday, 7 June 2016 4:02 PM  
**To:** Hills, Gerald FLNR:EX  
**Cc:** Knapik, Mike B FLNR:EX; Ritchie, Chris FLNR:EX; Dailey, Sharon H FLNR:EX; Peel, Darcy E FLNR:EX  
**Subject:** Illegal Commercial Rec Operation in Section 16 MR for Mountain Caribou  
**Importance:** High

Hi Gerald,

It has come to my attention that theres an operating commercial recreation mountain biking tenure within high value mountain caribou habitat areas currently protected under Section 16 Map Reserve. I've attached a screen capture from their website <https://wanderingwheels.ca/tours.htm> and have highlighted some of the areas of concern. The website suggests that he's been in operation since last summer. The specific areas within the MR for which he advertises tours are Keystone/Standard Basin, Frisby Ridge and Eagle Pass but I've also heard of tours at Sale Mtn. The site also advertises heli drops which could occur anywhere within the MR.

History: The operator, Matt Yaki, first approached myself and Ken Gibson (Rec & Trails BC) to operate a comm rec tenure at Keystone/Standard Basin several years ago (I believe in spring 2013 but unfortunately most of my emails prior to 2014 are not accessible). Early in 2014 Ken and I informed him of the Section 16 MR (see attached "Adventure Tourism Policy" email) and I met with him explaining that it would not be supported due to the mountain caribou recovery objectives. s.22 s.22

I believe this to be a high priority for action by NROs, not only because of FLNROs high priority to recover MC but also because Mr Yaki was not only informed of the risks to MC recovery but also



knows the legal process for obtaining such tenures which he evidently chose to ignore. As such, it would be appreciated if you could forward this to your staff for follow-up. The most important thing to me is that he immediately cease operations, especially within the Section 16 MRs, and submit application via FCBC if he wishes to operate elsewhere.

Sharon, I was also forwarded a link to an application submitted to FCBC (4405671) that I had not seen before (attached). It also proposes comm mountain biking within the Section 16 MR on Frisby Ridge. I assume the referral is yet to come to me (?). When I do get it I will be recommending it be rejected for all areas within the MR. Unfortunately their wildlife impact assessment doesn't even mention MC or the MR.

Thanks for you help .

**Cory S. Legebokow**

Habitat Officer

Resource Management Division - Kootenay-Boundary Region

Ministry of Forests, Lands, and Natural Resource Operations

1761 Big Eddy Road; PO Box 9158 RPO #3; Revelstoke BC V0E 3K0

Ph 250 837-7711 Fax 250 837-7626

email: [Cory.Legbokow@gov.bc.ca](mailto:Cory.Legbokow@gov.bc.ca)



**From:** [Hills, Gerald FLNR:EX](#)  
**To:** [Kovacs, Craig FLNR:EX](#)  
**Cc:** [Crombie, Sheila J FLNR:EX](#); [Turner, Mark FLNR:EX](#)  
**Subject:** 2016-06-09 930 FW: Illegal Commercial Rec Operation in Section 16 MR for Mountain Caribou  
**Date:** June 9, 2016 9:30:00 AM  
**Attachments:** [image001.png](#)  
[Adventure Tourism Policy.msg](#)  
[Wandering Wheels.JPG](#)  
[4405671.pdf](#)  
**Importance:** High

---

This will be important information for your investigation. We should also ensure that no other commercial operators are active outside of their tenured areas (especially in the reserve areas (eg Frisby)).

Gerald Hills, RFT  
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Kootenay Boundary Region  
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**Cc:** Knapik, Mike B FLNR:EX; Ritchie, Chris FLNR:EX; Dailey, Sharon H FLNR:EX; Peel, Darcy E FLNR:EX  
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s.22

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Thanks for you help .

**Cory S. Legebokow**

Habitat Officer

Resource Management Division - Kootenay-Boundary Region

Ministry of Forests, Lands, and Natural Resource Operations

1761 Big Eddy Road; PO Box 9158 RPO #3; Revelstoke BC V0E 3K0

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email: [Cory.Legebokow@gov.bc.ca](mailto:Cory.Legebokow@gov.bc.ca)





Page 009 to/à Page 031

Withheld pursuant to/removed as

NR

**From:** Gibson, Ken R FLNR:EX  
**To:** s.22  
**Cc:** Donald, Jo-Ann FLNR:EX; s.22 Legebokow, Cory FLNR:EX  
**Subject:** 2016-06-09 930 att3 Adventure Tourism Policy  
**Date:** March 29, 2014 8:49:12 AM  
**Attachments:** Ken R FLNR EX Gibson.vcf  
image001.png  
Section 16 Map Reserve - Caribou.kmz

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Hi All

I have received a number of questions on Adventure Tourism items over the last month. Adventure Tourism stuff is not in my business. However, I have done some homework based on the questions that I have received. If you have questions on Adventure Tourism the best person to talk to is Jo-Ann Donald in Cranbrook (250 426 1775)

Currently government is reviewing the Adventure Tourism Policy. Changes may or may not be coming. One model being reviewed would make things allot easier with less work.

There is currently a Section 16 Map reserve in place to 2018 that puts a moratorium on commercial use in the area identified to help address the recovery of Mountain Caribou. Of note this moratorium would apply to the Eagle Pass Hiking trail, Keystone Standard Basin Trail, Martha Creek trail and the Frisby ridge trail. I have attached a kmz file showing where these reserves are located. I have also asked the biologist to reconsider the need of this moratorium on summer commercial non motorized use operations (guided hiking and biking) especially on the above noted areas that are heavily used by the public.

I have attached a link to the current Adventure Tourism Policy.

[http://www.for.gov.bc.ca/Land\\_Tenures/documents/policies/adventure\\_tourism.pdf](http://www.for.gov.bc.ca/Land_Tenures/documents/policies/adventure_tourism.pdf)

One item that was drawn to may attention was the conditions around incidental use. Please see the definition of incidental use on page 8 of this document; also refer to section 1.2 on page 6. Section 8.7.8 (page 23) speaks to the Recreation Officers approval required on provincial recreation sites and trails under Section 16 of the Forest Recreation Regulations. In general I feel I could give you approval for use on provincial recreation sites and trails not in the section 16 map reserve in my district if you met the conditions of incidental use. (From my discussion I think most of you would meet these conditions.). The only thing I would request in addition is that you make contact and address any concerns of the partnership agreement holder which is the Revelstoke Cycling Association.

Ken Gibson, RPF

Recreation Officer

Columbia Shuswap District

Mailing Address:

Ministry of Forests,Lands & Natural Resource Operations

Recreation Sites & Trails BC

1761 Big Eddy Road PO Box 9158 RPO #3

Revelstoke B.C. V0E 3K0

Driving Directions: <http://g.co/maps/2tr2>

Link to Office (DCO) FTP Site: <http://www.for.gov.bc.ca/ftp/dco/>

Phone: (250) 837-7610

Toll Free: 1-866-837-7611 (Office hours only)

Blackberry: (250) 814 8470

Fax: (250) 837-7626

Email: [Mailto:Ken.gibson@gov.bc.ca](mailto:Ken.gibson@gov.bc.ca)

**Ministry of Forests, Lands and  
Natural Resource Operations**  
*Recreation Sites  
and Trails BC*



Find us on [Facebook](#), or on  
the web: [www.sitesandtrailsbc.ca](http://www.sitesandtrailsbc.ca)



## INSPECTION REPORT



RECORD ID: 035108

IDIR\CKOVACS

11:12 Jun 29, 2018

**Natural Resource Officer:**

Craig Kovacs

**Region:** Kootenay Boundary

**Field Unit:** Columbia

**Date of Inspection:**

June 13, 2016

**Client:**

Wandering Wheels

**In Attendance:**

**Compliance Status:**

Alleged Non-Compliance

**Client Contact Information:**

Box 1526 Revelstoke BC, V0E 2S0

**Latitude:**

51.0023

**Location Description:**

Eagle Pass, Frisby, Standard Peak, Joss Pass, McRae

**Longitude:**

-118.2192

**Primary Tenure/Authorization:**

TENURE REQUIRED/NRIS

**Secondary Tenure/Authorization:**

1) 405081

### Alleged Non-Compliance Summary:

aNC#	Estimated Incident Date	Parent Act	Act/Regulation	Section	Description	Action Taken
3513	Jul 15, 2015	Land Act	Land Act	60 (b)	Use Crown Land Without Authority	Enforcement Action

**Warning Ticket #:**

**ERA Case #:**

34545

### Description and Comments:

Review of Wandering Wheels website included advertising of guiding services on Joss Mtn, Standard Basin, Frisbey Ridge, Blanket Creek, Mt. McCrae, Eagle Pass Mtn, and Mt Cartier. These sites were not included in Wandering Wheels License of Occupation.

NRO KOVACS confirmed this with GIS analyst Robyn BEGLEY.

KOVACS contacted Matt YAKI (owner of Wandering Wheels) who advised KOVACS that he had guided in these locations last year, and knew that those areas were not in under his License of Occupation.

**Natural Resource Officer:** [Craig Kovacs]

Signature: X

I certify that this inspection conforms to Ministry compliance

**Sent to:**

Box 1526 Revelstoke BC, V0E 2S0



<b>Attachments and Comments:</b> 1) 2016-06-16.JPG      Advertisement of Wandering Wheels taken from https://wanderingwheels.ca/tours.htm on 2016-06-16 2) 2016-06-16 (2).JPG      Advertisement of Wandering Wheels taken from https://wanderingwheels.ca/tours.htm on 2016-06-16	<b>Delivered via:</b> Email: <input type="checkbox"/> Fax: <input type="checkbox"/> Mail: <input type="checkbox"/> Registered Mail: <input type="checkbox"/> Hand Delivery: <input type="checkbox"/>
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Img : 2016-06-16.JPG

Img : 2016-06-16 (2).JPG



## TRESPASS NOTICE

### Notice under Section 59 of the *Land Act*

- (1) This notice is given to: Wandering Wheels
- (2) Address of person to whom this notice is given: Box 1526 Revelstoke British Columbia, V0E 2S0.
- (3) Date that this notice is given: June 15, 2016
- (4) Date of the contravention(s) of Section 60 of the *Land Act*: August 2015
- (5) Place of the contravention(s) of Section 60 of the *Land Act*: Frisby Ridge, Keystone Standard Basin, Joss Mountain, Mt. McCrae, Eagle Pass Mountain, Mt. Cartier, and Blanket Creek.
- (6) On the date and at the place described in paragraphs 4 and 5 above, you contravened Section 60 of the *Land Act* by:
  - (a) using Crown land without lawful authority,
- (7) The details of the contravention(s) are the following: Illegally mountain bike guiding on Crown land.
- (8) By authority of Section 59 of the *Land Act*, you are required to do the following:
  - (a) cease all guiding on all crown land not held under Wandering Wheels license of Occupation for guided mountain biking.
- (9) Section 59 of the *Land Act* provides that:
  - (a) where a person fails to comply with the notice, a penalty of up to \$1,000 may be imposed upon that person.
- (10) A contravention of Section 60 of the *Land Act* is an offence and upon conviction, a person is liable to a fine of not more than \$20,000, or to imprisonment for a term of not longer than 60 days, or to both a fine and imprisonment.
- (11) If you wish to dispute the alleged contravention(s) described in this notice or object to a requirement of this notice, you should immediately provide written reasons for your dispute, including your telephone number to Gerald Hills, Regional Manager of Compliance and Enforcement, Kootney Boundary Region, Ministry of Forests Lands and Natural Resource Operations, 1761 Big Eddy Road Revelstoke BC, PO Box 9158 V0E 3K0. Your dispute or objection will be considered and you will be notified of the outcome of that consideration.
- (12) Your disputing or objecting to anything in this notice will not act as a stay or suspend the requirement imposed upon you to comply with the terms of this notice.

- (13) You may obtain further information about this notice by contacting Natural Resource Officer Craig Kovacs

---

Natural Resource Officer Craig Kovacs

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Withheld pursuant to/removed as

NR



# INSPECTION REPORT



RECORD ID: 040574

IDIR\CKOVACS

11:13 Jun 29, 2018

**Natural Resource Officer:**

Craig Kovacs

**Region:** Kootenay Boundary

**Field Unit:** Columbia

**Date of Inspection:**

July 11, 2016

**Client:**

Wandering Wheels

**In Attendance:**

**Compliance Status:**

Compliant

**Client Contact Information:**

Box 1526 Revelstoke BC, V0E 2S0

**Latitude:**

51.0023

**Location Description:**

Section 16 Map Reserve for Caribou

**Longitude:**

-118.2192

**Primary Tenure/Authorization:**

NO TENURE REQUIRED/NRIS

**Secondary Tenure/Authorization:**

**Alleged Non-Compliance Summary:**

aNC#	Estimated Incident Date	Parent Act	Act/Regulation	Section	Description	Action Taken

**Warning Ticket #:**

**ERA Case #:**

**Description and Comments:**

This is another complaint of the advertising of Wandering Wheels for commercial guiding on Frisby Ridge and Standard/Keystone. NRO KOVACS issued Wandering Wheels a Trespass Notice on June 21, 2016 and ordered YAKI to cease all guiding on Frisby Ridge. Patrols have been conducted in order to deter illegal activity at trail heads.

**Natural Resource Officer:** [Craig Kovacs]

Signature: X

I certify that this inspection conforms to Ministry compliance

**Attachments and Comments:**

**Sent to:**

Box 1526 Revelstoke BC, V0E 2S0

**Delivered via:**

Email: ☐

Fax: ☐

Mail: ☐

Registered Mail: ☐

Hand Delivery: ☐

Page 042 to/à Page 045

Withheld pursuant to/removed as

NR



**From:** [Bennett, Marcia FLNR:EX](#)  
**To:** [Kovacs, Craig FLNR:EX](#)  
**Subject:** FW: McCrae Trail / Pink Bike Article  
**Date:** Monday, January 23, 2017 2:14:12 PM

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FYI

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**From:** Bennett, Marcia FLNR:EX  
**Sent:** Thursday, January 19, 2017 4:19 PM  
**To:** Legebokow, Cory FLNR:EX  
**Subject:** FW: McCrae Trail / Pink Bike Article

FYI

**Marcia Bennett**

Recreation Officer

Columbia Shuswap

Ph: 250-837-7610

Fax: 250-837-7626

Email: [marcia.bennett@gov.bc.ca](mailto:marcia.bennett@gov.bc.ca)

[www.sitesandtrailsbc.ca](http://www.sitesandtrailsbc.ca)

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**From:** Matt Yaki [<mailto:matt@wanderingwheels.ca>]  
**Sent:** Thursday, January 12, 2017 9:03 AM  
**To:** Bennett, Marcia FLNR:EX  
**Cc:** Eskelin, Kevin FLNR:EX; McLellan, Ian FLNR:EX; Dornik, Danielle FLNR:EX; McDonald, Terry FLNR:EX; s.22  
**Subject:** Re: McCrae Trail / Pink Bike Article

Hi Marcia,

Thanks for the clarification and for your insight. You make some great points here and I have definitely absorbed lots of valuable information throughout this process, as well as during our recent meeting regarding Joss.

My apologies again for the confusion.

Thank you,

--

**Matt Yaki**

*Wandering Wheels, Revelstoke BC*

cell: 1-250-814-7609

[www.wanderingwheels.ca/](http://www.wanderingwheels.ca/)

[Twitter](#) / [Facebook](#) / [Instagram](#) / [Google+](#)

Hi Matt,

Great to open up communication about this. You have demonstrated yourself as an excellent steward for mountain biking in Revelstoke and I appreciate your energy. The intention is not to tell you what you can or cannot write, but rather to share information and support you as a leader navigating the future of mountain biking in alpine areas. I am adamant that you and the RCA, as leaders in the mountain bike community, ultimately set the example to be followed. So, it is not about what the rules say you should and should not do – but instead you decide - what do you think is best for the future of mountain biking:

- How do you think mountain bike users should approach sharing alpine trails with other groups, who have expressed concern about this?
- Riding on trails that are designed for hiking, that we know mountain bike use will result in significant negative impact (side note: soil erosion is the #1 most significant environmental impact from mountain biking)?
- Off trail alpine responsibility?
- Is stewardship from the mtb community really that important?
- Positive/negative outcomes with particular choices?

Not allowing mountain bike use of Fred Laing and Mt McCrae is consistent with past management decisions – which I believe continues to be the best approach. More active management (ie installing the trailhead maps) has been taken on alpine trails that have never been indicated as OK for mountain biking – Fred Laing, McCrae. I have received input from other users groups, community members, industry, internal gov... with concerns about negative impacts of mountain biking on trails where it has been decided in the past to allow – eg Cartier, Martha. It is wise to consider input from those other interests as we do rely on their support, and not having it can absolutely be a reason to stop future use or trail construction.

I installed a new trailhead map at Mt McCrae in the Fall, with wording that explains the trail was built for hiking only and asking mountain bikers to use other nearby trails designed for mountain biking. I also have a sign ready to install at Fred Laing and Eagle Pass Lookout Trail. They are not written using strong rule-based language, instead encourage social responsibility from the mountain bike community. Keystone, Cartier, Martha Creek will have different messaging that indicates shared use and asks all users to respect each other. –ie mtb slow down and yield to hikers. Regulatory signage is also an option but not my preference, as it will likely not have buy in from the community, and the message is more likely to be successful if it comes from leaders like yourself and the RCA.

I do agree that messaging on our website, trailhead signs, etc is inconsistent and needs improvement – thank you. Danielle has been helping organize our website information for all Recreation Sites and Trails in the entire Columbia Shuswap Recreation District - helpful to identify this specifically as an opportunity for improvement. Trail Forks staff as a practice require land manager approval for all trails posted in their app/website. Only trails in the Revelstoke area open for mtb are shown: Keystone - trail to lake only, Martha, Cartier. They will remove any trail at my request.

I have to carefully prioritize my time, as I manage multiple user groups, and can only dedicate so much time and effort to this one issue. I do support your efforts, and am asking for your support in return – as I do believe we share the best intentions for mountain biking.

Marcy

**Marcia Bennett**

Recreation Officer

Columbia Shuswap

Ph: 250-837-7610

Fax: 250-837-7626

Email: [marcia.bennett@gov.bc.ca](mailto:marcia.bennett@gov.bc.ca)

[www.sitesandtrailsbc.ca](http://www.sitesandtrailsbc.ca)

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**From:** Matt Yaki [<mailto:matt@wanderingwheels.ca>]

**Sent:** Wednesday, January 11, 2017 10:59 AM

**To:** McDonald, Terry FLNR:EX; Bennett, Marcia FLNR:EX

**Subject:** Re: McCrae Trail / Pink Bike Article

Hi Terry,

Hi Marcia,

My apologies for the confusion here. I was not aware that mountain biking was not allowed on the Mt. McCrae trail and in all honesty I don't know how you would expect me, or anyone else for that matter to know that?

This is not the first time that mountain biking has been publicized on the McCrae trail and there is no signage at the trail head indicating that mountain biking is not allowed. Yes, the link that you provided me with does state "Summer motorized access and access by bikes is strictly prohibited" however that is the only website which shows any kind of wording. There are dozens of other trail information sources out there online and not everyone finds this information on your official Sites and Trails website.

On that note, your website describes McCrae as "hiking" under the "Activities" heading. Here is more information and questions that I have on other so-called "hiking" trails in the area:

Mt. Cartier trail - <http://www.sitesandtrailsbc.ca/search/search-result.aspx?site=REC5119&type=Site> - is also described as "hiking" yet lower in the description paragraph it states: "Up to this point it is good for Mountain Bike riding and Horse Riding..." Which tell me that yes, I can bike on it. Re-reading this description paragraph I believe it is meaning that biking and horse riding is good only up until the first bridge? So does that mean that biking is only allowed on the lower section of trail? - Yet Selkirk Tangier was allowed a commercial mtb tenure over the trail. It also states "currently the upper section is impassable..." this is simply not the case. Perhaps it's time for an update on this one?

Joss Mountain Trail - <http://www.sitesandtrailsbc.ca/search/search-result.aspx?>

[site=REC4732&type=Trail](#) - States "none" under "Activities," yet, as we discovered in our meeting yesterday Marcia, it is a vacant crown land trail which is technically open to anyone.

Keystone Standard Basin trail - <http://www.sitesandtrailsbc.ca/search/search-result.aspx?site=REC2459&type=Trail> - States "hiking and biking" under "Activities" and in the description it states: "The trail is popular for hiking and mountain biking. Bikes must be kept on the trail and should not proceed past the cabin." - What does "should not" mean? That doesn't say "strictly enforced" or anything like that. It's not very definitive. And then regarding my article, why is this one not an issue but McCrae is?

You should know also that I had an earlier version of this article which also included the Fred Laing Ridge Trail (<http://www.sitesandtrailsbc.ca/search/search-result.aspx?site=REC2452&type=Trail>) and the Eagle Pass Mountain Trail (<http://www.sitesandtrailsbc.ca/search/search-result.aspx?site=REC98321&type=Trail>) both of which state "Hiking" again under "Activities" (same as the Mt. Cartier trail), but do not mention anything at all about biking in the description. I was given a tip from someone in your office that I should not include these two trails in my article because they are "non-sanctioned" trails, so I removed them from the article, however, if they are not sanctioned, wouldn't that make them the same as Joss? Vacant crown land trails - open to anyone? So is biking on these trails allowed or not? Are these two trails sanctioned or not?

I'm sure you can understand my confusion here!

All I am saying is that if you expect me and the general public to be aware of the status of these trails - (what's legal, what's not? - what's sanctioned, what's not? - what's designated for what?) then you yourselves should at least know it! I would also argue that the descriptions on your website should be more clear and definitive.

As an active member of the community and as a representative of our local bike club I would like to have some clarification here so I can make sure I am not out of line on anything here going forward. As you know Marcia, I do have best intentions in mind.

Again, I apologize for using the Mt. McCrae trail in my article. It has already been removed from the Pinkbike site.

--

**Matt Yaki**

*Wandering Wheels, Revelstoke BC*

cell: 1-250-814-7609

[www.wanderingwheels.ca/](http://www.wanderingwheels.ca/)

[Twitter](#) / [Facebook](#) / [Instagram](#) / [Google+](#)

---

McDonald, Terry FLNR:EX

January 11, 2017 8:04 AM

A recent article posted by Wandering Wheels advertises McCrae Trail for biking  
<http://www.pinkbike.com/news/top-5-adventure-rides-in-revelstoke-bc-2017.html>  
This recreational trail is not currently authorized for mountain biking as is stated  
here. [http://www.sitesandtrailsbc.ca/search/search-result.aspx?  
site=REC5628&type=Trail](http://www.sitesandtrailsbc.ca/search/search-result.aspx?site=REC5628&type=Trail)

I have forwarded the article to Recreation Officer Marcia Bennett.

*Terry McDonald,*

Natural Resource Officer

Columbia Field Unit / Kootenay Boundary Region

Compliance and Enforcement Branch

Ministry of Forests Lands and Natural Resource Operations

Office: 250-837-7655

Cell: 778-252-0144

To report a Natural Resource Violation:

Telephone 1-877-952-7277 or #7277 from cellphone.

Web: <https://www.for.gov.bc.ca/hen/nrv/report.htm>



## INSPECTION REPORT



RECORD ID: 047736

IDIR\CKOVACS

11:14 Jun 29, 2018

**Natural Resource Officer:**

Craig Kovacs

**Region:** Kootenay Boundary

**Field Unit:** Columbia

**Date of Inspection:**

January 23, 2017

**Client:**

Wandering Wheels

**In Attendance:**

**Compliance Status:**

Alleged Non-Compliance

**Client Contact Information:**

Box 1526 Revelstoke BC, V0E 2S0

**Latitude:**

50.99805

**Location Description:**

Revelstoke

**Longitude:**

-118.19555

**Primary Tenure/Authorization:**

405081/TANTALIS

**Secondary Tenure/Authorization:**

### Alleged Non-Compliance Summary:

aNC#	Estimated Incident Date	Parent Act	Act/Regulation	Section	Description	Action Taken
3513	Jan 23, 2017	Land Act	Land Act	60 (b)	Use Crown Land Without Authority	Enforcement Action

**Warning Ticket #:**

**ERA Case #:**

35300

### Description and Comments:

KOVACS inspected <https://wanderingwheels.ca/index.htm>, website owned and operated by Wandering Wheels. Under the Vacations tab located on the website various trips were listed:

- Smooth Operator – July 17-21, 2017 and August 3-7, 2017
  1. Frisbey Ridge XC on day 4.
- Cross Country Crusher – July 17-21, 2017 and August 3-7, 2017
  1. Keystone Standard Basin on day 3;
  2. Frisbey Ridge XC on day 4.
- Big Mountain Supreme – July 17-21, 2017 and August 3-7, 2017
  1. Frisbey Ridge XC on day 1;
  2. Keystone Standard Basin on day 4;
  3. Mt Cartier on day 4.
- Enduro Extravaganza – July 25-31, 2017 and August 21-27, 2017
  1. Frisbey Ridge XC on day 3;
  2. Box Lake on day 4;
  3. Mt Cartier on day 5.
- Ultimate Kootenanny - August 27 - Sept 3, 2017
  1. Frisbey Ridge XC on day 1;
  2. Box Lake trail on day 2;
  3. Seven Summits Trail on day 3;
  4. Keystone Standard Basin on day 7.

See ERA File

<b>Natural Resource Officer:</b> [Craig Kovacs]  Signature: X <hr/> I certify that this inspection conforms to Ministry compliance	<b>Sent to:</b> Box 1526 Revelstoke BC, V0E 2S0
<b>Attachments and Comments:</b>	<b>Delivered via:</b> Email: <input type="checkbox"/> Fax: <input type="checkbox"/> Mail: <input type="checkbox"/> Registered Mail: <input type="checkbox"/> Hand Delivery: <input type="checkbox"/>

**From:** [Kovacs, Craig FLNR:EX](#)  
**To:** [Legebokow, Cory FLNR:EX](#)  
**Cc:** [Knapik, Mike B FLNR:EX](#); [Bennett, Marcia FLNR:EX](#); [McLellan, Ian FLNR:EX](#)  
**Subject:** RE: Wandering Wheels - apparent continued violations by Matt Yaki  
**Date:** Monday, January 23, 2017 3:05:00 PM

---

Hey Cory, Wandering Wheels is still under investigation. I agree that he is still advertising with the intention of guiding in the areas that were excluded in the application phase from his License of Occupation which I had specified in the Trespass Notice I issued in 2016. I saw that he was still advertising for the Frisbey XC among other areas within the Section 16 reserve.

I checked ATS and TANTALIS and found no applications for amendments to Wandering Wheels License of Occupation to include more areas.

They do have some areas outside of Revelstoke included in their License of Occupation.

We are continuing to monitor this with intention of enforcement actions if found in noncompliance.

Craig Kovacs  
Natural Resource Officer  
Columbia Field Unit / Kootenay Boundary Region  
Compliance and Enforcement Branch  
Ministry of Forests, Lands and Natural Resource Operations  
Office:250.837.7619 Cell: 250.837.8611

To report a Natural Resource Violation:  
Telephone 1-844 NRO-TIPS (676-8477)  
Web: <https://www.for.gov.bc.ca/hen/nrv/report.htm>

---

**From:** Legebokow, Cory FLNR:EX  
**Sent:** Thursday, January 19, 2017 9:51 AM  
**To:** Kovacs, Craig FLNR:EX  
**Cc:** Knapik, Mike B FLNR:EX; Bennett, Marcia FLNR:EX; McLellan, Ian FLNR:EX  
**Subject:** RE: Wandering Wheels - apparent continued violations by Matt Yaki  
**Importance:** High

Hi Craig,

Nothing appears to have changed with Wandering Wheels. The web site is still offering tours on Frisby Ridge including 2 specific "2017 Vacations": the "Ultimate Kootenanny" and "Smooth Operator". He also offers "Day Tours" and Frisby is still highlighted in the "Revelstoke Downhill Shuttle Tour" package. I also noticed he offers several other packages that include areas like Nakusp, Slocan Lake, New Denver, Sol Mtn Lodge, Golden & other local areas such as Mt McKenzie & Cartier Mtn (based on website photo) and I question if any of these are within his Lands tenure. As you likely recall, Frisby Ridge is within the Section 16 Map Reserve for mountain caribou. Non-



compliances related to adverse impacts on Species at Risk are of utmost concern to Habitat staff.

s.13

Thanks,  
Cory

---

**From:** Legebokow, Cory FLNR:EX  
**Sent:** Friday, August 12, 2016 7:53 AM  
**To:** Kovacs, Craig FLNR:EX  
**Cc:** Knapik, Mike B FLNR:EX  
**Subject:** Re: Sacred Wheels

Awesome, thanks Craig!

---

**From:** Kovacs, Craig FLNR:EX  
**Sent:** August-11-16 5:38 PM  
**To:** Legebokow, Cory FLNR:EX  
**Cc:** Knapik, Mike B FLNR:EX  
**Subject:** RE: Sacred Wheels

Sorry I replied to the other email you had sent so I will just copy it in here for Mike as well.

Wandering Wheels:

Hey Cory, I did catch this one before the season started for Mountain Biking. I had a meeting with Matt and issued him a Trespass Notice for all the areas he was advertising including Frisbey Ridge and Standard Basin. I spoke to him about the violation and what can occur if we spotted him guiding in any of these areas.

I will contact tenures and maybe ask them why is he advertising for areas outside of his tenure so they can maybe contact him for a bit more of a push with the reminder that guiding outside of his tenure could result in the cancelation of his tenure.

s.13

NROS in Revelstoke have been patrolling the trailhead to ensure that no guiding is occurring. So far we have not seen anything but I will speak to the others again to keep a presence in that area to detour any guiding.

Craig Kovacs  
Natural Resource Officer  
Columbia Field Unit / Kootenay Boundary Region  
Compliance and Enforcement Branch  
Ministry of Forests, Lands and Natural Resource Operations  
Office:250.837.7619 Cell: 250.837.8611

To report a Natural Resource Violation:  
Telephone 1-844 NRO-TIPS (676-8477)  
Web: <https://www.for.gov.bc.ca/hen/nrv/report.htm>

---

**From:** Legebokow, Cory FLNR:EX  
**Sent:** Thursday, August 11, 2016 10:18 AM  
**To:** Kovacs, Craig FLNR:EX  
**Cc:** Knapik, Mike B FLNR:EX  
**Subject:** Re: Sacred Wheels

Doesn't sound like you were provided with my original email to Gerald 5 weeks ago (I just fwd'd it to you). It explains it all (**Wandering Wheels** - not "Sacred Wheels") offers guided trips on his website after he was told the areas are a no-go due to bou).<sup>s.15,s.22</sup> initially made me aware of this illegal tenure. The website has all of the contact info.

s.22 am taking the time to reply as this is a very high priority item cus mountain caribou are Red Listed. Every day he continues to provide tours in the Sect 16 MR is an impact on bou. Hopefully a simple call can shut them down.

---

**From:** Kovacs, Craig FLNR:EX  
**Sent:** August-11-16 8:43 AM  
**To:** Legebokow, Cory FLNR:EX  
**Subject:** RE: Sacred Wheels

Do you have information on that. Did you witness him up there? Did someone report that he was up there to you? If so then do you have their contact information? Do you know which dates he was up there or an approximate time? Were they with a group? Which areas were they riding?

Basically the who, what, where, when.

Craig Kovacs  
Natural Resource Officer  
Columbia Field Unit / Kootenay Boundary Region  
Compliance and Enforcement Branch  
Ministry of Forests, Lands and Natural Resource Operations  
Office:250.837.7619 Cell: 250.837.8611

To report a Natural Resource Violation:  
Telephone 1-844 NRO-TIPS (676-8477)  
Web: <https://www.for.gov.bc.ca/hen/nrv/report.htm>

---

**From:** Legebokow, Cory FLNR:EX  
**Sent:** Wednesday, August 10, 2016 10:11 PM  
**To:** Kovacs, Craig FLNR:EX  
**Subject:** Re: Sacred Wheels

He's operating within several areas that are within the Section 16 Map Reserve for mountain caribou. Areas within the reserve are critical habitat and no new comm rec tenures are permitted, whether under application or not.

---

**From:** Kovacs, Craig FLNR:EX  
**Sent:** August-10-16 2:54 PM  
**To:** Legebokow, Cory FLNR:EX  
**Subject:** Sacred Wheels

Hey Cory, I just received your complaint about Sacred Wheels and was wondering if you could provide more information. I reviewed their application for Tenure and noticed Frisby Ridge was included so I will be contacting the Natural Resource Specialist about that. I am unsure what else you were referring to though.

Craig Kovacs  
Natural Resource Officer  
Columbia Field Unit / Kootenay Boundary Region  
Compliance and Enforcement Branch  
Ministry of Forests, Lands and Natural Resource Operations  
Office:250.837.7619 Cell: 250.837.8611

To report a Natural Resource Violation:  
Telephone 1-844 NRO-TIPS (676-8477)  
Web: <https://www.for.gov.bc.ca/hen/nrv/report.htm>

## Case Summary

**Case ID:** DSE-35300 **Type:** Incident **Status:** Closed  
**Opened Date:** 2017-01-30 **Admin Org Unit:** Selkirk Natural Resource District **Geo Org Unit:** Selkirk Natural Resource District

### Details

**Case ID:** DSE-35300 **Opened Date:** 2017-01-30  
**Type:** Incident **Discovery Date:** 2017-01-23  
**Status:** Closed **Admin Org Unit:** Selkirk Natural Resource District  
**Opened By:** Craig Kovacs **Geo Org Unit:** Selkirk Natural Resource District  
**Lead Investigator:** Craig Kovacs **Source:** BC Forest Service  
**FPB File #:** **Source Ref #:**  
**Inspection ID:** **Other Source Agency:**  
**Regional Review of Prosecution Test?:** No **Date of Prosecution Test Review:**  
**Case Description:** Wandering Wheels bicycle guiding on Frisby Xcountry trail.

### Contraventions :

#### Contravention 1. Land Act 60 (b)

**Contravention Status:** Determined  
**Est. Incident Date:** 2016-06-15  
**Site:** 01  
**Client:** WANDERING WHEELS; 00175622; 00

#### Determination Numbers:

#### Appeal Numbers:

#### CIMS Inspection ID:

**Client Address:** SUITE 2 - 512 3RD STREET WEST,  
PO BOX 1526, REVELSTOKE, BC,  
V0E2S0

#### Joint Clients:

**Investigation Cost:** \$ 0.00  
**Search Warrent** No  
**Date Transferred:**  
**Transferred To:**  
**Transfer Office**  
**Transfer Contact:**  
**Transfer Phone:**

#### Date Sent for OTBH:

#### SDM:

#### Prosecution Agency:

#### Prosecution Contact:

#### Prosecution Phone:

#### Date Sent to Prosecution:

#### Prosecution Date:

#### Prosecution Successful?:

### Enforcement Actions:

#### Enforcement Action 1.

**Type:** Order to Vacate  
**Latest Decision:**  
**Outcome Status:**

**EA Status:** Valid

#### Outstanding Decision:

**Comments:** Trespass Notice Issued for operating  
business on crown land without  
approval.

**Can Be Processed?:** Yes

**Activity Complete:** Yes

**Service Date:** 2016-06-15

**Location:** Revelstoke Office

Land Act 60 (b)

### Compliance Actions:

### Clients:

Name	Address	Client Number	Location Code	Joint Clients
WANDERING WHEELS	SUITE 2 - 512 3RD STREET WEST, PO00175622 BOX 1526, REVELSTOKE, BC, V0E2S0		00	

**Date Printed:** 2018-06-29  
**User ID:** IDIR\CKOVACS  
**Environment:** PROD

1 of 2  
Report ID: ERA-012

---

<b>Case ID:</b>	DSE-35300	<b>Type:</b>	Incident	<b>Status:</b>	Closed
<b>Opened Date:</b>	2017-01-30	<b>Admin Org Unit:</b>	Selkirk Natural Resource District	<b>Geo Org Unit:</b>	Selkirk Natural Resource District

---

**Sites:**

Bus Area	Site	Latitude	Longitude	Description
General	01	0/ 00/ 51	0/ 00/###	Frisby Ridge Bicycle Trails

**Notes:**

Date	Name	Comment
2018-03-29	Craig Kovacs	Wandering Wheels has been in contact with the FLNRO Lands. NRO monitored high priority sights over the 2017 summer/fall, no contravention was found. Lands spoke to YAKI about removing advertisement off of website. Wandering Wheels has applied for an amendment to land tenured area.

---

Date Printed: 2018-06-29  
User ID: IDIR\CKOVACS  
Environment: PROD

2 of 2  
Report ID: ERA-012

Page 059 to/à Page 074

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**From:** [Crombie, Sheila J FLNR:EX](#)  
**To:** [Kovacs, Craig FLNR:EX](#)  
**Subject:** 2017-06-05 950 FW: Referral Review Request - Wandering Wheels at Joss  
**Date:** June 5, 2017 9:49:00 AM  
**Attachments:** [image001.png](#)  
[Wandering Wheels Cartier & Joss.pdf](#)  
[Wandering Wheels Tenure Amendment.kmz](#)  
**Importance:** High

---

---

**From:** Legebokow, Cory FLNR:EX  
**Sent:** Monday, June 5, 2017 9:46 AM  
**To:** Reudink, Robyn FLNR:EX  
**Cc:** Crombie, Sheila J FLNR:EX; Belliveau, Phil FLNR:EX; Knapik, Mike B FLNR:EX; Lunan, Jessie FLNR:EX  
**Subject:** Referral Review Request - Wandering Wheels at Joss  
**Importance:** High

Hi Robyn,

Attached is supporting information for an amendment to Wandering Wheels tenure for mountain biking. The proposed new trails include 1 in Region 3 at Joss Mtn (the same trail used for the Enduro event). **s.13**

**s.13**

**s.13** This has been occurring for several years. Mr Yaki also currently advertises and operates riding on Mt Cartier without a tenure. **s.13**  
**s.13**

The referral response is due June 30<sup>th</sup>. It would be appreciated if you could provide comments on the Joss Mtn portion.

Jessie, I don't know who the Lands Officer is that's processing this application. If its not you can you please forward to the appropriate person?

Thanks!

**Cory S. Legebokow**  
Habitat Officer  
Resource Management Division - Kootenay-Boundary Region  
Ministry of Forests, Lands, and Natural Resource Operations  
1761 Big Eddy Road; PO Box 9158 RPO #3; Revelstoke BC V0E 3K0  
Ph 250 837-7711 Fax 250 837-7626  
email: [Cory.Legebokow@gov.bc.ca](mailto:Cory.Legebokow@gov.bc.ca)





## Amendment Request for a Crown Land Tenure

INFORMATION REGARDING APPLYING FOR CROWN LAND AVAILABLE AT  
<http://www.frontcounterbc.ca/guides/crown-land/crown-land-tenure/>

### PART 1. NAME(S) AND MAILING ADDRESS

Name on Tenure Document:

Your File: 405081

Contact Name: Matt Yaki

s.22

Applicant Contact Numbers: Phone: \_\_\_\_\_

Applicant Email Address:

matt@wanderingwheels.ca

Are you an Agent submitting this application on behalf of your client?

☐ Yes ☒ No

Letter of Agency attached ☐ Yes ☐ No

Agent Name & Mailing Address:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ postal code \_\_\_\_\_

Agent Contact Numbers:

Phone: \_\_\_\_\_

Agent Email Address:

**Is the Amendment of a minor nature:** (please tick the box that applies)

No - See Management Plan

☐ change to insurance amount or type – please describe request

☐ change to security or bond amounts or types – please describe request

☐ minor extension to the term of the tenure to meet survey requirements – please describe request

☐ other changes of a minor nature. If you selected other changes of a minor nature, please provide details.

**Please note** if the requested amendment is not of a minor nature as described in the [Crown Land Fees Regulation Table 2, item 5](#) a new application will be required. To make a new application please visit <http://www.frontcounterbc.ca/guides/crown-land/crown-land-tenure/>.

### FOR OFFICE USE ONLY

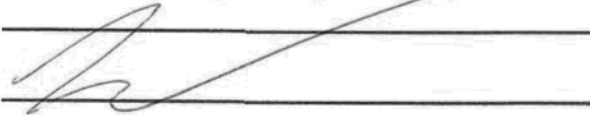
(date/time received)	File Number:	Project Number:
	Disposition ID:	Client Number:



If you selected other changes of a minor nature above, please provide details:

N/A

Applicant or Agent signature(s):



Date: March 9, 2017

**PLEASE RETAIN A COPY OF THIS FORM FOR YOUR RECORDS**

**NOTE:** The information you provide will be subject to the Freedom of Information and Protection of Privacy Act. If you have any questions regarding the treatment of your personal information, please contact the Manager, Privacy, Information Access and Records Management.

The submission of this form does not in any manner convey any rights to use or occupy Crown land.

# Tenure Management Plan

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Wandering Wheels

## **Amendment Application** **Updated - May 2017**



---

**Matt Yaki**  
Owner

May 12, 2017

---

**Date**

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# **Wandering Wheels - Management Plan**

## **Amendment Application**

Wandering Wheels shall hereinafter be referred to as WW.

### **Section A - Project Overview**

WW is a small, sole proprietorship Adventure Tourism company based in Revelstoke, BC.

WW has been in business for 4 year and has successfully enhanced the local mountain biking community and the mountain bike tourism market in Revelstoke by offering guided mountain bike trips and tours, lessons and skills clinics, kids camps, and shuttle services for riders of all abilities.

WW has established a positive reputation as an industry leader in the mountain bike guiding and instruction sector in British Columbia.

WW is currently requesting a tenure amendment to bring 2 additional trails into our License of Occupation.

### **Section B - Project Description**

#### **I. Background**

WW is operated by owner, Matt Yaki. WW has a small team of 1 office staff and 3-5 guides and instructor who are certified and insured to the highest of industry standards, holding all legal documentation. WW has a maximum client to guide/instructor ratio of 6 to 1.

WW operating season is April 1 to November 1, with the majority of business taking place in June through September. The 2 additionally requested trails would only be used in July, August and September.

WW currently holds a Licence of Occupation for many trails in the areas of Revelstoke, Golden, South Canoe, and New Denver BC, and also holds relationships in good standing with all overlapping tenure holders as well as all cycling clubs and trail associations in the abovementioned areas.

It is projected that by adding these 2 trails to our tenured inventory we will add an additional 50 to 80 client days annually.

Both of these additionally requested trails were a part of WW's original tenure application, but were requested to be removed during the initial stages of the application by the Columbia-Shuswap District Rec. Officer, who at the time was Ken Gibson, because they were "hiking trails." Ken has since retired and Marcia Bennett is now in that role.

In actual fact these trails are not hiking trails, they are shared use non-motorized trails, which are open to mountain bikes. In fact a commercial mountain biking precedence has been set by FrontCounterBC when heli-ski operator Selkirk Tangiers applied for and was awarded a commercial tenure of the Mt. Cartier Trail (trail #1 in this application) for the purposes of guided mountain biking in 2015.

WW has worked as a subcontractor of Selkirk Tangiers in the past in order to operate commercially on this trail, however, we have been notified that Selkirk Tangiers will no longer be running their summer program. We therefore believe that we should have every right to be awarded the addition of this particular trail into our License of Occupation.

Aside from the abovementioned, there are no other businesses in Revelstoke offering services similar to those of WW.

WW also makes every effort to not displace the public when it comes to parking areas at trailheads. On busy days, or when parking areas are getting full, WW finds suitable parking in areas further away from trailheads, that do not interfere with traffic on public roads or commercial vehicles on forestry roads, and pedal in.

## **II. Location**

WW is proposing to add 2 trails into our currently tenured trails inventory.

Trail #1 - Mt. Cartier Trail - is located immediately to the South of Mt. Mackenzie and Revelstoke Mountain Resort, just outside of Revelstoke City Limits. This is an established Rec. Trail under S56 of the FRPA. Other notable stakeholders include BCTS and Selkirk Tangiers Heli-Skiing.

Trail #2 - Joss Mountain NE Trail - is located to the South of Three Valley Gap, off of the Wap Creek FSR. This is an old dominion fire lookout trail which is not currently established under S56 of the FRPA. There are no known stakeholders of this trail. Both the Revelstoke Cycling Association and the Shuswap Trail Alliance claim to have some form of stake in the trail but there is nothing that is actually legally established. It is noted that this trail may be located within Splotsin First Nations land.

The services that WW would offer on these trails will help to continue the growth of the adventure tourism market in Revelstoke and surrounding areas and contribute to the growth of area economy as well as providing a much needed service to help accommodate education and safety for backcountry trail users.

### **III. Utilities**

No utilities other than already established and maintained roadways and trails are needed. All drinking water will be packed and brought into locations. All garbage will be packed out.

Both trails in this application will undergo regular trail maintenance and improvements by WW and our partnering businesses as well as local community volunteers. WW already works closely with Rec. Officer Marcia Bennett to promote sustainable trail use including maintenance and improvements.

WW has a proven track record of organizing trail maintenance days and successful fundraising events which go towards trail maintenance and improvements.

## **Section C - Additional information**

### **I. Environmental**

#### **a. Land Impacts**

WW will have little to no negative land impacts.

WW will encourage and instruct all riders to abide by the following International Mountain Biking Association (IMBA) Rules of the Trail:

1. Ride open trails only
2. Leave no trace
3. Control your bicycle
4. Yield appropriately
5. Never scare animals
6. Plan ahead

WW will undertake the following trail stewardship tasks:

1. Encourage good riding habits by educating all riders about trail usage policies and proper trail riding etiquette
2. Assist other trail users in a courteous manner
3. Collect left behind litter
4. Report safety hazards and maintenance issues to the appropriate authorities
5. Perform on the spot minor trail maintenance (clearing branches/debris)
6. Have a plan for emergency situations
7. Encourage all trail users to put safety first

WW will make every reasonable effort to stop at appropriate locations for rests/regroups/lunch stops etc. Appropriate locations include:

1. Obvious, hardened areas and rest spots off trail
2. Cabins, benches or other manmade structures in hardened areas
3. Trail crossings at logging roads or other crossings such as ATV trails
4. Never off trail in sensitive alpine environments or forested areas

By holding a maximum group size of six plus guide and by riding open trails only which are already heavily used and established mountain biking trails as well as the above stated guidelines, there should be no adverse impacts to the environment surrounding the proposed areas of use.

**b. Atmospheric Impacts**

None to speak of.

**c. Aquatic Impacts**

There should be no adverse impacts to any stream, lake, or any other body of water by WW or its clients. All drinking water will be tap water or bottled water brought into riding areas and then appropriately removed. All stream or river crossings will be on bridges or other raised crossings which are already built and in place.

**d. Fish and Wildlife Habitat**

There will be very little impact to fish or wildlife habitat as WW will obey all seasonal wildlife closures and only use trails which are already used by the public. However, each trail and access route for proposed use by WW has the potential for wildlife sightings. Black bears, grizzly bears, elk, deer, caribou, and other wildlife are known to inhabit some areas nearby the mountain biking trails for proposed use by WW.

It is noted that trail #2 - Joss Mountain NE Trail - may run through an area of Grizzly Bear habitat. To our knowledge, Grizzly Bear are most active in this area during the springtime and early summer months. Generally this trail is not accessible until late July or early August due to snow melt, which will lessen the potential disturbance of sensitive Grizzly Bear habitat.

WW has read and understood, and will continue to adhere to the following desired behaviours as described in the Wildlife Guidelines for Backcountry Recreation/Tourism BC:

1. Record wildlife encounters, actions taken, and responses of animals.
2. Remain on established trails where they exist.
3. Obey all signs and area closures.
4. Do not harass wildlife.
5. Do not feed wildlife.
6. Do not handle wildlife.
7. Do not allow dogs to be at large and harass wildlife.
8. Pack out all garbage.
9. Yield to wildlife on trails and roads.

10. Focus activities in areas and at times of the year when wildlife are least likely to be disturbed (seasonal closures might be necessary).
11. Remain still or retreat when animals are encountered and react to your presence.
12. Stay at distances sufficient to prevent changes to the behaviour of animals (at least 100m in open areas is the default for large mammals).

#### **e. General Wildlife Measures**

Some of the trail networks in our plan may overlap with Ungulate Winter Ranges, home to Mountain Caribou, Mule Deer, Elk, Moose, and White-Tailed Deer. We understand that the protection and conservation of these animals is a priority, especially the endangered Mountain Caribou.

Objectives: Promote healthy and diverse wildlife populations and their habitats. Protect and conserve UWR areas and the species within.

WW meets these objectives by the following measures:

1. Minimize disturbance during critical periods (birthing, etc)
2. Manage the risk of interaction with wildlife
3. Maintain plant community of all seral stages
4. Remove all litter
5. No construction of new trails or roads in UWR areas

#### **f. Invasive Plants**

There are several known invasive plant species in the proposed tenure area. WW does its part to prevent the spread of these plants by:

1. Cleaning all bicycles between each ride and trail system
2. Staying on the trail to avoid disturbing vegetation and soil
3. Reporting all sightings of invasive plant infestations to the Columbia Shuswap Invasive Species Society (CSISS)

We have images and best practices for each invasive species in this region, which every guide and employee must familiarize themselves with. The full list of species:

- Blueweed (*Echium vulgare*)
- Burdock (*Arctium* spp.)
- Common Tansy (*Tanacetum vulgare*)
- Hoary Cress (*Cardaria* spp.)
- Meadow Knapweed (*Centaurea pratensis*)
- Orange Hawkweed (*Hieracium aurantiacum*)
- Sulphur Cinquefoil (*Potentilla recta*)
- Baby's Breath (*Gypsophila paniculata*)



- Himalayan Blackberry (*Rubus armeniacus* (also: *Rubus discolor*))
- Himalayan Balsam (*Impatiens glandulifera*)
- Leafy Spurge (*Euphorbia esula*)
- Knotweeds (*Polygonum* spp.)
- Yellow Flag Iris (*Iris pseudacorus*)
- Scotch Broom (*Cytisus scoparius*)
- Dalmation Toadflax (*Linaria dalmatica*)

## II. Socio-Community

### a. Land Use

No adverse effects of shared land use are expected in the trails proposed for use by WW. All trails, access routes, and parking areas are already in place and used by the public, for the activity of mountain biking.

Both trails in the application are open to the public but continue to see very minimal use in comparison to the vast majority of trails in the area. WW will never displace access or experience of public recreation use in any way.

WW acknowledges the fact that other resource tenures may overlap the proposed areas of interest and that coordinating access and activities with other tenure holders may be required.

Overlapping stakeholders include, but may not be limited to:

#### Trail #1 - Mt. Cartier Trail

- BCTS - There are currently no developed FSR access points to this trail and it is mostly located in an area of little value for harvesting, including tight valleys and steep terrain, which is not likely to be of interest for BCTS harvesting.
- Selkirk Tangiers Heli-Skiing (STHS) - As previously stated, STHS was awarded a commercial tenure for this trail in 2015, setting a precedence for commercial mountain biking on a trail that WW was previously denied due to Ken Gibson's misinterpretation of the trail. STHS has attempted to run a program on this trail for 2 seasons but has decided to give up on it due to a lack of revenue. WW believes there is room for both companies to be allowed tenure and to co-operate on this trail, however, it appears that STHS is no longer planning on using the trail anyways.
- Any winter tenure holders for this area, such as Revelstoke Mountain Resort, will not be affected whatsoever.

#### Trail #2 - Joss Mtn NE Trail

- No known stakeholders aside from Splatins First Nations Band

- Both the Revelstoke Cycling Association and the Shuswap Trail Alliance claim to have some form of stake in the trail but there is nothing that is actually legally established.
- Any winter tenure holders for this area such as Eagle Pass Heli-Skiing, will not be affected whatsoever.

#### **b. Socio-Community Conditions**

The services offered by WW will have no negative affect or influence on existing community services or infrastructure. There are currently no community services offered which are similar to that of WW's offerings.

In fact, WW has a positive effect on community based programs such as the annual Revelstoke Bike-Fest, and Revelstoke Cycling Association community events through donated use of WW shuttle services and/or guiding services.

Infrastructure will not be affected as WW only uses already established trails, roadways and parking areas.

The public recreational experience and public use of these trails will not be affected whatsoever. Wandering Wheels runs only small guided groups and is always friendly and courteous to public trail users.

#### **c. Public Health**

WW will have no negative effect on public health. WW will always pack out what we pack in, as well as removing any other litter found in the area. WW will not pollute nor affect any water source in any way. The fact that WW offers only day trips from town, there will be no need to remove sewage or human waste from any area proposed for use by WW.

#### **d. First Nations**

No contact with First Nations officials has been made regarding this application.

### **III. Risk Management Plan**

A Risk Management Plan has been prepared by WW and is available for review upon agency request.

WW Risk Management Plan includes client pre-screening, evacuation procedures with maps for potential incidents and accidents as well as information on the nearest and most relevantly equipped evacuation destinations such as clinics, hospitals, or first aid stations as well as their hours of operation and complete list of medical services offered.

WW will use two way radios and cell phones for communications between guides and drivers. Spare cell phones will be carried as well as a satellite phone for emergency calls in areas with no cellular coverage.

#### **IV. Contingency Plan**

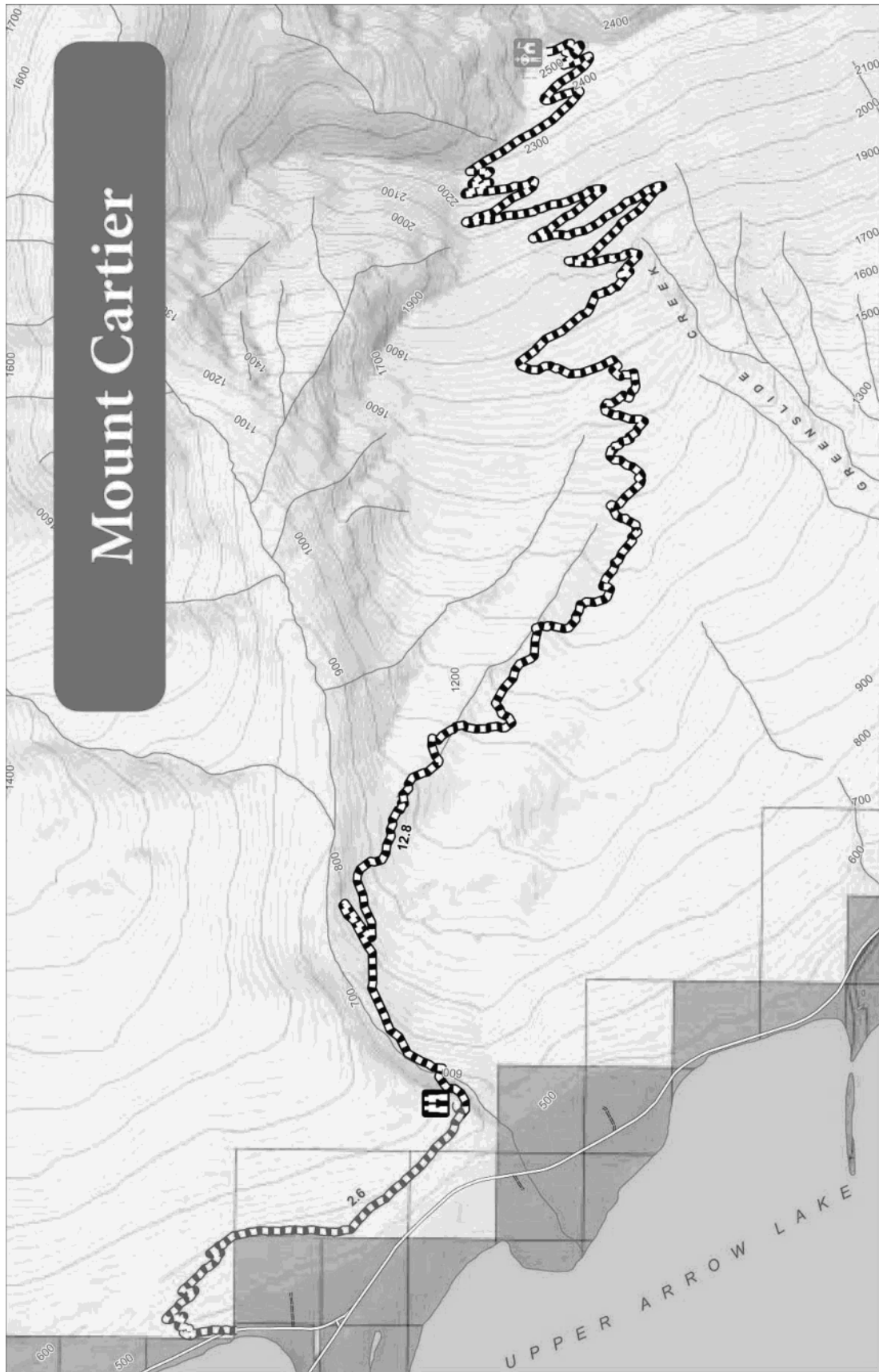
WW acknowledges the fact that other types of resource-based activities may overlap with the proposed areas of use by WW. WW will always be courteous to other land users and will always obey trail closures for any other activities, such as club use for group rides or sanctioned races, trail maintenance or trail building, logging activities, etc. WW has a solid history of supporting such events and will continue to do so.

#### **Section D - Maps**



Copyright





# Joss Pass & Joss Mountain Hiking Trail – NE Route

**Rating:** Difficult

**Distance:** 4.5km through Joss Pass;  
8.5km to Summit Lookout with option to continue  
down NW route an additional 4.5km

**Time:** 3 hr through Pass

5-7 hr to Summit; add 3 hr down NW route

Copyright

## GPS Waypoints:

### NE Trail Sign:

4370' (1332m)  
N50° 50' 20.16"  
W118° 24' 48.1"

### NW Trail Sign:

5223' (1592m)  
N50° 50' 21.36"  
W118° 29' 55.26"

### Summit:

7800' (2380m)  
N50° 49' 50"  
W118° 27' 16"

### South End of Pass

3816' (1163m)  
N50° 48' 47.46"  
W118° 23' 22.4"

### Summit Lookout

Copyright

PLEASE DO NOT REMOVE

## Section E

### Appendix A

**Subject** RE: Support for Tenure Amendment Application  
**From** Bennett, Marcia FLNR:EX <Marcia.Bennett@gov.bc.ca>  
**To** 'Matt Yaki' <matt@wanderingwheels.ca>  
**Date** 2017-05-03 12:22



Hi Matt,

Based on the precedence of Selkirk Tangiers commercial use, I support your application to use Mount Cartier Recreation Trail as well. Eventually I intend to issue a Section 16 authorization to all commercial recreation licensees using established Recreation Trails, although this is low priority for now. The basic requirements will be to not displace public, remove all litter, and not damage recreation infrastructure. In the case of a trail, I would ask for financial or labour contribution to maintain/repair the trail in an amount that is consistent with your business use. This will be the same for all other commercial operators of a particular trail, and in relation to the public use – intent is to be fair and consistent for everyone. Your contribution at Martha Creek proves you are an excellent steward and I am confident this will continue.

The very old hiking trail going up Joss Mountain, now also used for mountain biking, is not an established Recreation Trail and therefore I do not have authority to provide Section 16 authorization (this is mostly for Lands Officer info). I can provide some informal input on existing public use and recreation standards, and planning processes in the works. Applying to use this area will stir up similar issues that Ted Morton with BC Enduro Series experienced when he looked into holding a special event on this trail. This area is a hot spot for recreation planning, and habitat and First Nations interests have expressed concern – this is up to Lands to coordinate for your application. I do agree more organized use in the area would be beneficial to recreation and if those other concerns can be mitigated, I am certainly able to offer recreation specific support.

Good luck,  
Marcy

**Marcia Bennett**  
Recreation Officer  
Columbia Shuswap  
Ph: 250-837-7610  
Fax: 250-837-7626  
Email: [marcia.bennett@gov.bc.ca](mailto:marcia.bennett@gov.bc.ca)  
[www.sitesandtrailsbc.ca](http://www.sitesandtrailsbc.ca)

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**From:** Matt Yaki [mailto:[matt@wanderingwheels.ca](mailto:matt@wanderingwheels.ca)]  
**Sent:** Tuesday, May 2, 2017 10:54 AM  
**To:** Bennett, Marcia FLNR:EX  
**Subject:** Support for Tenure Amendment Application  
**Importance:** High

Hi Marcy,

I know you're busy this time of year, I definitely am too, but the following is quite important to me and has a deadline only 14 days from now.

I've submitted a tenure amendment application a while back in hopes of adding both the Mt. Cartier Trail and the Joss Mtn. Trail to my current tenure.

I have attached my TMP amendment and application for your review if needed.

I am in need of a letter of support from yourself for my application and was hoping that you could provide that

## Appendix B



May-3-17

To whom it may concern,

I am writing on behalf of the BC Enduro Series Inc. in support of the Tenure Amendment Application submitted by Matt Yaki dba Wandering Wheels (file #405081) for commercial use of the Joss Mountain NE Trail for the purpose of guided mountain bike tours.

Wandering Wheels uses industry best practices for emergency response planning, guide certification and is an active tenure holder for other recreational assets in the region..

I have been working closely with Matt Yaki and Wandering Wheels for the past 4 years and I am in support of this application because Wandering Wheels is an exemplary steward in the local community and the mountain bike tourism industry. Wandering Wheels is an advocate of trail stewardship, rider safety/education (including Mountain Biking Code of Responsibility) and is an active industry key stakeholder sharing knowledge and promoting the appropriate land use protocols.

If required, I can be reached at s.22

Sincerely,

**Ted Morton | B. Tourism Management Adventure Studies**  
**Principal | Operations Manager**  
**BC ENDURO SERIES INC.**



## Appendix C



Shred Sisters Ltd  
Audrey Duval  
Box 8829 Canmore AB  
T1W0C1  
403-686-1055

**Attn: Lands Officer – Front Counter BC**

To Whom It May Concern:

Shred Sisters LTD. has decided to submit the following letter of support for the addition of the Mount Cartier trail to Wandering Wheels existing tenure.

I believe that the impact of the trails as well as any impact to my own business will be minimal.

I support Wandering wheels application for the addition of the Mount Cartier trail to their current tenure for the purpose of mountain bike guiding and instructing.

Kind regards,

Audrey Duval  
Owner/Operator, Shred Sisters

## Appendix D



May 3<sup>rd</sup>, 2017

To whom it may concern,

Re: File #405081 Tenure Amendment

I am writing on behalf of Eagle Pass Heliskiing in support of the Tenure Amendment Application submitted by Matt Yaki dba Wandering Wheels (file #405081) for commercial use of the Joss Mountain NE Trail for the purpose of guided mountain bike tours.

I strongly believe that the products and services offered by Wandering Wheels are valued and in demand in the Revelstoke area and are fundamental in promoting fun, safe, and certified recreational adventure tourism opportunities in British Columbia.

I have witnessed Wandering Wheels become instrumental in both the local community as well as the provincial mountain bike tourism industry, helping to set standards and even raise the bar in terms of safety and education, trail stewardship and advocacy, and commercial land use regulations.

Eagle Pass has been in support of Wandering Wheels since their inception and are quite confident in offering support for this application which overlaps our winter tenure for the Joss Mountain Area.

A handwritten signature in black ink, appearing to read "Scott Newsome".

Scott Newsome  
VP/Lead Guide  
Eagle Pass Heliski

Phone: +1.250.837.3734    Toll Free: 1.877.WAY.DEEP    Fax: +1.250.837.3706  
Post: Box 2555, Revelstoke BC, V0E 2S0 Canada    Office: 309 MacKenzie Avenue, Revelstoke BC  
www.eaglepassheliskiing.com    info@eaglepassheliskiing.com

## Appendix E

May 9, 2017



To whom it may concern,

I am writing on behalf of The Revelstoke Cycling Association in support of the Tenure Amendment Application submitted by Matt Yaki dba Wandering Wheels (file #405081) for commercial use of the Mt. Cartier Trail and the Joss Mtn. NE Trail for the purposes of guided mountain bike tours.

The Revelstoke Cycling Association (RCA) is an advocate for cycling and promotes an active lifestyle in the Revelstoke area. Founded in 1994, the RCA has developed numerous cycling trails and infrastructure for the surrounding community, and has organized several successful mountain bike race and events.

Let it be noted that the RCA is not a formal stakeholder of neither the Mt. Cartier Trail nor the Joss Mountain NE Trail, however the RCA is the leading stewardship group for mtb trails in the Revelstoke area working closely with Recreation Sites and Trails BC.

The RCA strongly believes that the products and services offered by Wandering Wheels are valued and in demand in the Revelstoke area and are fundamental in promoting fun, safe, and certified recreational adventure tourism opportunities within British Columbia.

The RCA has witnessed Wandering Wheels become instrumental in both the local community as well as the provincial mountain bike tourism industry, helping to set standards and even raise the bar in terms of safety and education, trail stewardship and advocacy, and commercial land use regulations.

The RCA has been working closely with Wandering Wheels since their inception and are quite confident in offering support for this tenure amendment application for the Mt. Cartier Trail and the Joss Mountain NE Trail.

Sincerely,



Keith McNab  
President - Revelstoke Cycling Association

## Appendix F

# The Shuswap TRAIL ALLIANCE

The Shuswap Trail Alliance  
PO Box 1531, Salmon Arm, BC V1E 4P6  
Phone: 250-832-0102, Email: [info@shuswaptrails.com](mailto:info@shuswaptrails.com)  
[www.shuswaptrailalliance.com](http://www.shuswaptrailalliance.com)

May 3, 2017

Attn: Matt Yaki

Re: Joss Pass and Mountain Trails

Dear Matt,

As promised, this letter is a formal acknowledgement of our conversation regarding the Joss Pass and Mountain Trail and your proposed tenure amendment to include the trail within your current mountain bike trail guide tenure.

As discussed, there is a formal community level recreational access management process currently in development through the Shuswap Regional Trails Roundtable Working Group. The area has been acknowledged as a high priority planning hot spot with the Shuswap Regional Trail Strategy (2016), and was more recently identified as an urgent priority within the 2017 work plan.

Significant Secwepemc First Nations values have been identified in the area, and sensitive habitat concerns. (See the Joss Pass Environmental Screening Report, 2011, prepared jointly for the Splatins Title & Rights Department and the Shuswap Trail Alliance by Jeremy Ayotte and John Coffey ) The dramatic increase in unmanaged recreational use of the area, including growing interest for commercial backcountry guide and event tenure, has resulted in a preliminary conversation with Splatins Natural Resource Staff, Provincial Wildlife Biologists, Recreational Managers, Tenure applicants, and other participating Shuswap Trails Roundtable leadership.

At this point, the Shuswap Trail Alliance is refraining to take a position on final recreational access management outcomes until an appropriate level of research, consultation, and planning takes place. If required to offer opinion on any particular activity in the area prior to that, we defer to a cautionary approach and recommend not endorsing it until appropriate adaptive planning steps are taken.

Thanks for your understanding. We certainly value the excellence in leadership you have taken with your existing tenures and your accompanying support for the management and care of those trails, including those with ourselves and other organizations.

Sincerely,



Phil McIntyre-Paul, for the Shuswap Trail Alliance  
Phone: 250-804-1964 /email: [phil@shuswaptrails.com](mailto:phil@shuswaptrails.com)



## Appendix G

Subject **RE: Letter of Support for Wandering Wheels Tenure  
Amendment Application - Mt. Cartier Trail**  
From Mike Verwey <MVerwey@revelstokemountainresort.com>  
To Matt Yaki <matt@wanderingwheels.ca>  
Date 2017-05-10 14:49



Hi Matt,

Sorry for the tardy reply, this has been more involved than anticipated. Unfortunately I have to let STHS take the lead on this application. RMR cannot offer it's support at this time either.

I hope there's potential for a partnership in the future.

Sincerely hope you have a great summer of biking and Wandering Wheels has continued success.

Regards,

Mike Verwey | Operations Manager



2950 Camozzi Road  
Revelstoke, B.C.  
Canada V0E2S0

C: 1.250.837.1615  
mverwey@  
revelstokemtn.com  
[RevelstokeMtn.com](http://RevelstokeMtn.com)

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From: Matt Yaki [mailto:matt@wanderingwheels.ca]  
Sent: May-10-17 11:22 AM  
To: Mike Verwey  
Subject: Re: Letter of Support for Wandering Wheels Tenure Amendment Application - Mt. Cartier Trail

Hey Mike,

Sorry to keep hassling you about this, but I just wanted to check that you got the below email.

Do you think that you could provide me with a letter or at least some kind of statement from RMR that I could forward off to the land officer looking after my file?

Thanks again,

-

**Matt Yaki**  
*Wandering Wheels, Revelstoke BC*  
cell: 1-250-814-7609  
[www.wanderingwheels.ca/](http://www.wanderingwheels.ca/)  
[Twitter](#) / [Facebook](#) / [Instagram](#) / [Google+](#)

## Appendix H

Subject: **RE: Cartier Trail**  
From: Jeff Honig <jeff@selkirk-tangiers.com>  
To: Matt Yaki <matt@wanderingwheels.ca>  
Date: 2017-05-08 15:10



Hi Matt,

The Cartier trail is a bit of a tricky subject for us. We have decided to not run operations this summer for a variety of reasons. We will continue to run operations at some point in the future but no specific plans or decisions have been made at this point. When we do, we will certainly be looking for bike guides to work for us.

STHS is not currently interested in entering a joint use agreement, or submitting a letter of support for your application.

Typically when a competing tenure application is made, we receive an operator input form from MFLNRO, but we have not yet in this case. As a well-established commercial backcountry adventure tourism tenure holder, (40 years), we are very intimate with the process, the strength, and the weaknesses of the tenure system. While the summer mountain biking tenure concept differs from winter heli ski tenure in some ways, it is mostly quite similar. We have not, and do not support overlapping tenures, shared use areas, or commercial competition on the same land. There are many reasons for this which mostly focus around safety and guest experience. We also have taken issue with the fact that Aarow and Glacier are running regular, advertised trips there without an AT tenure. This contradicts the AT policy for incidental use, and we will be following up with MFLNRO on the subject.

Heli biking tenures are a new thing, and there will be a period of learning and adaptation for all involved, but in the end it needs to be fair, safe, and in the best interest of the BC public. Currently I don't think we are all hitting the mark with this on the Cartier Trail.

I understand that this news is not ideal for you, however we need to protect our business interests and long term viability of our products and services.

Thanks

Jeff

Jeff Honig | Operations Manager

2100 Oak Drive  
Revelstoke, B.C.  
Canada V0E2S0  
T: 1.800.663.7080 #7902  
C: (250) 837-1333  
jeffh@selkirk-tangiers.com  
Selkirk-Tangiers.com



---

From: Matt Yaki [mailto:matt@wanderingwheels.ca]  
Sent: May-02-17 10:22 AM  
To: Jeff Honig <jeff@selkirk-tangiers.com>  
Subject: Cartier Trail

Hi Jeff,

Thanks again for getting back at me this morning.

From: Crombie, Sheila J FLNR:EX  
To: Kowacs, Cory FLNR:EX  
Subject: 2017-06-05 12:56 PM: Wandering Wheels - Blatant Non-compliance with Section 16 Map Reserve  
Date: June 5, 2017 12:55:00 PM  
Attachments: [Re: Wandering Wheels - apparent continued violations by Mark Yaki.mpeg](#)  
Importance: High

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From: Legebokow, Cory FLNR:EX  
Sent: Monday, June 5, 2017 12:53 PM  
To: Murphy, Kristen E FLNR:EX  
Cc: Knapik, Mike B FLNR:EX; Crombie, Sheila J FLNR:EX  
Subject: FW: Wandering Wheels - Blatant Non-compliance with Section 16 Map Reserve  
Importance: High

s.15

From: Ritchie, Chris FLNR:EX  
Sent: Monday, June 5, 2017 12:07 PM  
To: Gordon, Steve M FLNR:EX; Legebokow, Cory FLNR:EX  
Subject: FW: Wandering Wheels - Blatant Non-compliance with Section 16 Map Reserve  
Importance: High

Thank Cory, s. 15  
I assume you are plugged into the Lands via Jesse. This is a serious and emerging issue (caribou, env damage, lost revenue, impacts to other tenured users). Is Lands concerned?

From: Legebokow, Cory FLNR:EX  
Sent: Monday, June 5, 2017 11:52 AM  
To: Knapik, Mike B FLNR:EX; Crombie, Sheila J FLNR:EX; Lunan, Jessie FLNR:EX; Peel, Darcy E FLNR:EX; Ritchie, Chris FLNR:EX  
Cc: Belliveau, Phil FLNR:EX; Reudink, Robyn FLNR:EX  
Subject: Wandering Wheels - Blatant Non-compliance with Section 16 Map Reserve  
Importance: High

Hi folks, some further information.

Heres a link to his site <https://wanderingwheels.ca/> including screen captures of the many offered tours within Section 16 Map Reserve Areas (Frisby XC Trail, Keystone/Standard Basin & Martha Creek) as well as the Mt Carlier trail that he continues to operate in contrary to the Land Act. Since the "Ultimate Kootenanny" on Frisby and Keystone/Standard Basin is sold out for Aug 27 – Sep 3<sup>rd</sup> it should be an easy exercise to catch him operating illegally. s.15

s 15

Cory

Darcy/Chris, Coles Notes – ongoing advertised non-compliance within Sect 16 MR and is now applying for tenure expansion for 2 non MR areas. He does not have tenure for any of the MR areas he blatantly operates in. This should be a simple exercise to protect caribou but apparently action cannot be taken without catching him in the act. I'm not sure why the tenure cannot be canceled. Besides the bou issues, the province is missing out on tenure revenue.

Copyright







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From: Legebokow, Cory FLNR:EX  
Sent: Monday, June 5, 2017 9:46 AM  
To: Reudink, Robyn FLNR:EX  
Cc: Crombie, Sheila J FLNR:EX; Belliveau, Phil FLNR:EX; Knapik, Mike B FLNR:EX; Lunan, Jessie FLNR:EX  
Subject: Referral Review Request - Wandering Wheels at Joss  
Importance: High

Hi Robyn,

Attached is supporting information for an amendment to Wandering Wheels tenure for mountain biking. The proposed new trails include 1 in Region 3 at Joss Mtn (the same trail used for the Enduro event). s.13

s.13 This has been occurring for several years. Mr Yaki also currently advertises and operates riding on Mt Cartier without a tenure. s.13  
s.13

The referral response is due June 30<sup>th</sup>. It would be appreciated if you could provide comments on the Joss Mtn portion.

Jessie, I don't know who the Lands Officer is that's processing this application. If its not you can you please forward to the appropriate person?

Thanks!

**Cory S. Legebokow**  
Habitat Officer  
Resource Management Division - Kootenay-Boundary Region  
Ministry of Forests, Lands, and Natural Resource Operations  
1761 Big Eddy Road, PO Box 9158 RPO #3, Revelstoke BC V0E 3K0  
Ph 250 837-7711 Fax 250 837-7626  
email: [Cory.Legbokow@gov.bc.ca](mailto:Cory.Legbokow@gov.bc.ca)



**From:** [Kovacs, Craig FLNR:EX](#)  
**To:** [Legebokow, Cory FLNR:EX](#)  
**Cc:** [Knapik, Mike B FLNR:EX](#); [Bennett, Marcia FLNR:EX](#); [McLellan, Ian FLNR:EX](#)  
**Subject:** 2017-06-05 1256 att RE: Wandering Wheels - apparent continued violations by Matt Yaki  
**Date:** January 23, 2017 3:05:24 PM

---

Hey Cory, Wandering Wheels is still under investigation. I agree that he is still advertising with the intention of guiding in the areas that were excluded in the application phase from his License of Occupation which I had specified in the Trespass Notice I issued in 2016. I saw that he was still advertising for the Frisbey XC among other areas within the Section 16 reserve.

I checked ATS and TANTALIS and found no applications for amendments to Wandering Wheels License of Occupation to include more areas.

They do have some areas outside of Revelstoke included in their License of Occupation.

We are continuing to monitor this with intention of enforcement actions if found in noncompliance.

Craig Kovacs

Natural Resource Officer

Columbia Field Unit / Kootenay Boundary Region

Compliance and Enforcement Branch

Ministry of Forests, Lands and Natural Resource Operations

Office:250.837.7619 Cell: 250.837.8611

To report a Natural Resource Violation:

Telephone 1-844 NRO-TIPS (676-8477)

Web: <https://www.for.gov.bc.ca/hen/nrv/report.htm>

---

**From:** Legebokow, Cory FLNR:EX  
**Sent:** Thursday, January 19, 2017 9:51 AM  
**To:** Kovacs, Craig FLNR:EX  
**Cc:** Knapik, Mike B FLNR:EX; Bennett, Marcia FLNR:EX; McLellan, Ian FLNR:EX  
**Subject:** RE: Wandering Wheels - apparent continued violations by Matt Yaki  
**Importance:** High

Hi Craig,

Nothing appears to have changed with Wandering Wheels. The web site is still offering tours on Frisby Ridge including 2 specific "2017 Vacations": the "Ultimate Kootenanny" and "Smooth Operator". He also offers "Day Tours" and Frisby is still highlighted in the "Revelstoke Downhill Shuttle Tour" package. I also noticed he offers several other packages that include areas like Nakusp, Slocan Lake, New Denver, Sol Mtn Lodge, Golden & other local areas such as Mt McKenzie & Cartier Mtn (based on website photo) and I question if any of these are within his Lands tenure. As you likely recall, Frisby Ridge is within the Section 16 Map Reserve for mountain caribou. Non-compliances related to adverse impacts on Species at Risk are of utmost concern to Habitat staff.

s.13

Thanks,  
Cory

---

**From:** Legebokow, Cory FLNR:EX  
**Sent:** Friday, August 12, 2016 7:53 AM  
**To:** Kovacs, Craig FLNR:EX  
**Cc:** Knapik, Mike B FLNR:EX  
**Subject:** Re: Sacred Wheels  
Awesome, thanks Craig!

---

**From:** Kovacs, Craig FLNR:EX  
**Sent:** August-11-16 5:38 PM  
**To:** Legebokow, Cory FLNR:EX  
**Cc:** Knapik, Mike B FLNR:EX  
**Subject:** RE: Sacred Wheels

Sorry I replied to the other email you had sent so I will just copy it in here for Mike as well.

Wandering Wheels:

Hey Cory, I did catch this one before the season started for Mountain Biking. I had a meeting with Matt and issued him a Trespass Notice for all the areas he was advertising including Frisbey Ridge and Standard Basin. I spoke to him about the violation and what can occur if we spotted him guiding in any of these areas.

I will contact tenures and maybe ask them why is he advertising for areas outside of his tenure so they can maybe contact him for a bit more of a push with the reminder that guiding outside of his tenure could result in the cancelation of his tenure.

Sacred Wheels:

I took a look through ATS on Sacred Wheels to see what their proposal was for guiding in Revelstoke. I was able to see that Keystone/Standard and a couple other areas within the Sec 16 were instructed by the Natural Resource Specialist to be removed from their management plan. I have contacted the Natural Resource Specialist to inform them that Frisbey Ridge is also part of that area to ensure they do not get mixed up with Frisbey Downhill and the Ridge trail.

NROS in Revelstoke have been patrolling the trailhead to ensure that no guiding is occurring. So far we have not seen anything but I will speak to the others again to keep a presence in that area to detour any guiding.

Craig Kovacs  
Natural Resource Officer  
Columbia Field Unit / Kootenay Boundary Region  
Compliance and Enforcement Branch  
Ministry of Forests, Lands and Natural Resource Operations  
Office:250.837.7619 Cell: 250.837.8611

To report a Natural Resource Violation:  
Telephone 1-844 NRO-TIPS (676-8477)  
Web: <https://www.for.gov.bc.ca/hen/nrv/report.htm>

---

**From:** Legebokow, Cory FLNR:EX  
**Sent:** Thursday, August 11, 2016 10:18 AM  
**To:** Kovacs, Craig FLNR:EX  
**Cc:** Knapik, Mike B FLNR:EX  
**Subject:** Re: Sacred Wheels

Doesn't sound like you were provided with my original email to Gerald 5 weeks ago (I just fwd'd it to you). It explains it all (**Wandering Wheels** - not "Sacred Wheels") offers guided trips

on his website after he was told the areas are a no-go due to bou).<sup>s.15,s.22</sup> initially made me aware of this illegal tenure. The website has all of the contact info.

s.22 am taking the time to reply as this is a very high priority item cus mountain caribou are Red Listed. Every day he continues to provide tours in the Sect 16 MR is an impact on bou. Hopefully a simple call can shut them down.

---

**From:** Kovacs, Craig FLNR:EX

**Sent:** August-11-16 8:43 AM

**To:** Legebokow, Cory FLNR:EX

**Subject:** RE: Sacred Wheels

Do you have information on that. Did you witness him up there? Did someone report that he was up there to you? If so then do you have their contact information? Do you know which dates he was up there or an approximate time? Were they with a group? Which areas were they riding?

Basically the who, what, where, when.

Craig Kovacs

Natural Resource Officer

Columbia Field Unit / Kootenay Boundary Region

Compliance and Enforcement Branch

Ministry of Forests, Lands and Natural Resource Operations

Office:250.837.7619 Cell: 250.837.8611

To report a Natural Resource Violation:

Telephone 1-844 NRO-TIPS (676-8477)

Web: <https://www.for.gov.bc.ca/hen/nrv/report.htm>

---

**From:** Legebokow, Cory FLNR:EX

**Sent:** Wednesday, August 10, 2016 10:11 PM

**To:** Kovacs, Craig FLNR:EX

**Subject:** Re: Sacred Wheels

He's operating within several areas that are within the Section 16 Map Reserve for mountain caribou. Areas within the resevre are critical habitat and no new comm rec tenures are permitted, whether under application or not.

---

**From:** Kovacs, Craig FLNR:EX

**Sent:** August-10-16 2:54 PM

**To:** Legebokow, Cory FLNR:EX

**Subject:** Sacred Wheels

Hey Cory, I just received your complaint about Sacred Wheels and was wondering if you could provide more information. I reviewed their application for Tenure and noticed Frisby Ridge was included so I will be contacting the Natural Resource Specialist about that. I am unsure what else you were referring to though.

Craig Kovacs

Natural Resource Officer

Columbia Field Unit / Kootenay Boundary Region

Compliance and Enforcement Branch

Ministry of Forests, Lands and Natural Resource Operations

Office:250.837.7619 Cell: 250.837.8611

To report a Natural Resource Violation:  
Telephone 1-844 NRO-TIPS (676-8477)  
Web: <https://www.for.gov.bc.ca/hen/nrv/report.htm>

From: Dailey, Sharon H FLNR-EX  
To: Crombie, Sheila J FLNR-EX  
Cc: Lujan, Jessie FLNR-EX; Housh, Amy FLNR-EX  
Subject: 2017-06-06 12:39 PM: Wandering Wheels - Blatant Non-compliance with Section 16 Map Reserve  
Date: June 6, 2017 12:38:46 PM  
Attachments: [WanderingWheels - Blatant Non-compliance with Section 16 Map Reserve.msg](#)

We could have a call to discuss. Please see attached the email I sent to Mike and Lyle regarding using the tenure as a hammer.

From: Lujan, Jessie FLNR-EX  
Sent: Tuesday, June 6, 2017 10:59 AM  
To: Dailey, Sharon H FLNR-EX  
Subject: FW: Wandering Wheels - Blatant Non-compliance with Section 16 Map Reserve

Sharon – would you be able to take this on.

Jessie Lujan  
Land Officer  
Ministry of Forests, Lands and Natural Resource Operations  
1902 Theatre Rd., Cranbrook, BC V1C 7G1  
Ph: (250)426-1764 Fax (250)426-1767

From: Crombie, Sheila J FLNR-EX  
Sent: Tuesday, June 6, 2017 10:41 AM  
To: Legebokow, Cory FLNR-EX  
Cc: Belliveau, Phil FLNR-EX; Reudink, Robyn FLNR-EX; Knapik, Mike B FLNR-EX; Lujan, Jessie FLNR-EX; Peel, Darcy E FLNR-EX; Ritchie, Chris FLNR-EX; Kovacs, Craig FLNR-EX  
Subject: RE: Wandering Wheels - Blatant Non-compliance with Section 16 Map Reserve

Hello,

I am thinking that maybe we could set up a conference call to discuss this matter. It would be nice to have input from all sides on this.

We do have an ongoing investigation in this matter, but sometimes withholding or revoking tenure is a bigger hammer than penalties under the Land Act, if that's an option.

We could look at all of our options and decide what will work best.

Thanks,

Sheila Crombie, RPF  
Supervisor, Compliance & Enforcement  
Columbia Field Unit, Kootenay Boundary Region  
Ministry of Forests, Lands and Natural Resource Operations  
Office: 250 837-7622  
Cell: 250 814-4584  
[Sheila.crombie@gov.bc.ca](mailto:Sheila.crombie@gov.bc.ca)

To report a Natural Resource Violation:  
Telephone: 1 877 952-7277 or \*7277 on cell  
Webpage: <https://www.for.gov.bc.ca/hen/nrv/report.htm>

From: Legebokow, Cory FLNR-EX  
Sent: Monday, June 5, 2017 11:52 AM  
To: Knapik, Mike B FLNR-EX; Crombie, Sheila J FLNR-EX; Lujan, Jessie FLNR-EX; Peel, Darcy E FLNR-EX; Ritchie, Chris FLNR-EX  
Cc: Belliveau, Phil FLNR-EX; Reudink, Robyn FLNR-EX  
Subject: Wandering Wheels - Blatant Non-compliance with Section 16 Map Reserve  
Importance: High

Hi folks, some further information.

Here's a link to his site <https://wanderingwheels.ca/> including screen captures of the many offered tours within Section 16 Map Reserve Areas (Frisby XC Trail, Keystone/Standard Basin & Martha Creek) as well as the Mt Cartier trail that he continues to operate in contrary to the Land Act. Since the "Ultimate Kootenanny" on Frisby and Keystone/Standard Basin is sold out for Aug 27 – Sep 3<sup>rd</sup> it should be an easy exercise to catch him operating illegally.

s 15

Cory

Darcy/Chris, Coles Notes – ongoing advertised non-compliance within Sect 16 MR and is now applying for tenure expansion for 2 non MR areas. He does not have tenure for any of the MR areas he blatantly operates in. This should be a simple exercise to protect caribou but apparently action cannot be taken without catching him in the act. I'm not sure why the tenure cannot be canceled. Besides the bou issues, the province is missing out on tenure revenue.

Copyright







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To: Reudink, Robyn FLNR:EX  
Cc: Crombie, Sheila J FLNR:EX; Belliveau, Phil FLNR:EX; Knapik, Mike B FLNR:EX; Lunan, Jessie FLNR:EX  
Subject: Referral Review Request - Wandering Wheels at Joss  
Importance: High

Hi Robyn,

Attached is supporting information for an amendment to Wandering Wheels tenure for mountain biking. The proposed new trails include 1 in Region 3 at Joss Mtn (the same trail used for the Enduro event). **s. 12**

**s. 12** This has been occurring for several years. Mr Yaki also currently advertises and operates riding on Mt Cartier without a tenure. **s. 13**  
**s. 13**

The referral response is due June 30<sup>th</sup>. It would be appreciated if you could provide comments on the Joss Mtn portion.

Jessie, I don't know who the Lands Officer is that's processing this application. If its not you can you please forward to the appropriate person?

Thanks!

**Cory S. Legebokow**  
Habitat Officer  
Resource Management Division - Kootenay-Boundary Region  
Ministry of Forests, Lands, and Natural Resource Operations  
1761 Big Eddy Road, PO Box 9158 RPO #3, Revelstoke BC V0E 3K0  
Ph 250 837-7711 Fax 250 837-7626  
email: [Cory.Legbokow@gov.bc.ca](mailto:Cory.Legbokow@gov.bc.ca)



From: Crombie, Sheila J FLNR:EX  
To: Kovacs, Craig FLNR:EX  
Subject: 2017-06-07 12:28 PM: Wandering Wheels - Blatant Non-compliance with Section 16 Map Reserve  
Date: June 7, 2017 12:28:00 PM  
Attachments: image002.png  
RE: Wandering Wheels - Blatant Non-compliance with Section 16 Map Reserve.png

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From: Dailey, Sharon H FLNR:EX  
Sent: Tuesday, June 6, 2017 12:39 PM  
To: Crombie, Sheila J FLNR:EX  
Cc: Lunan, Jessie FLNR:EX; Morello, Ray FLNR:EX  
Subject: FW: Wandering Wheels - Blatant Non-compliance with Section 16 Map Reserve

We could have a call to discuss. Please see attached the email I sent to Mike and Lyle regarding using the tenure as a hammer.

From: Lunan, Jessie FLNR:EX  
Sent: Tuesday, June 6, 2017 10:59 AM  
To: Dailey, Sharon H FLNR:EX  
Subject: FW: Wandering Wheels - Blatant Non-compliance with Section 16 Map Reserve

Sharon – would you be able to take this on.

Jessie Lunan  
Land Officer  
Ministry of Forests, Lands and Natural Resource Operations  
1902 Theatre Rd., Cranbrook, BC V1C 7G1  
Ph: (250)426-1764 Fax (250)426-1767

From: Crombie, Sheila J FLNR:EX  
Sent: Tuesday, June 6, 2017 10:41 AM  
To: Legebokow, Cory FLNR:EX  
Cc: Bellevue, Phil FLNR:EX; Reudink, Robyn FLNR:EX; Knapik, Mike B FLNR:EX; Lunan, Jessie FLNR:EX; Peel, Darcy E FLNR:EX; Ritchie, Chris FLNR:EX; Kovacs, Craig FLNR:EX  
Subject: RE: Wandering Wheels - Blatant Non-compliance with Section 16 Map Reserve

Hello,

I am thinking that maybe we could set up a conference call to discuss this matter. It would be nice to have input from all sides on this.

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We could look at all of our options and decide what will work best.

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From: Legebokow, Cory FLNR:EX  
Sent: Monday, June 5, 2017 11:52 AM  
To: Knapik, Mike B FLNR:EX; Crombie, Sheila J FLNR:EX; Lunan, Jessie FLNR:EX; Peel, Darcy E FLNR:EX; Ritchie, Chris FLNR:EX  
Cc: Bellevue, Phil FLNR:EX; Reudink, Robyn FLNR:EX  
Subject: Wandering Wheels - Blatant Non-compliance with Section 16 Map Reserve  
Importance: High

Hi folks, some further information.

Here's a link to his site <https://wanderingwheels.ca/> including screen captures of the many offered tours within Section 16 Map Reserve Areas (Frisby XC Trail, Keystone/Standard Basin & Martha Creek) as well as the Mt Carlier trail that he continues to operate in contrary to the Land Act. Since the "Ultimate Kootenanny" on Frisby and Keystone/Standard Basin is sold out for Aug 27 – Sep 3<sup>rd</sup> it should be an easy exercise to catch him operating illegally. **s.15**

**s.15**

Cory

Darcy/Chris, Coles Notes – ongoing advertised non-compliance within Sect 16 MR and is now applying for tenure expansion for 2 non MR areas. He does not have tenure for any of the MR areas he blatantly operates in. This should be a simple exercise to protect caribou but apparently action cannot be taken without catching him in the act. I'm not sure why the tenure cannot be canceled. Besides the bou issues, the province is missing out on tenure revenue.

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From: Legebokow, Cory FLNR:EX  
Sent: Monday, June 5, 2017 9:46 AM  
To: Reudink, Robyn FLNR:EX  
Cc: Crombie, Sheila J FLNR:EX; Belliveau, Phil FLNR:EX; Knapik, Mike B FLNR:EX; Lunan, Jessie FLNR:EX  
Subject: Referral Review Request - Wandering Wheels at Joss  
Importance: High

Hi Robyn,

Attached is supporting information for an amendment to Wandering Wheels tenure for mountain biking. The proposed new trails include 1 in Region 3 at Joss Mtn (the same trail used for the Enduro event). **s.13**

**s.13** This has been occurring for several years. Mr Yaki also currently advertises and operates riding on Mt Cartier without a tenure. **s.13**  
**s.13**

The referral response is due June 30<sup>th</sup>. It would be appreciated if you could provide comments on the Joss Mtn portion.

Jessie, I don't know who the Lands Officer is that's processing this application. If its not you can you please forward to the appropriate person?

Thanks!

**Cory S. Legebokow**  
Habitat Officer  
Resource Management Division - Kootenay-Boundary Region  
Ministry of Forests, Lands, and Natural Resource Operations  
1761 Big Eddy Road, PO Box 9158 RPO #3, Revelstoke BC V0E 3K0  
Ph 250 837-7711 Fax 250 837-7626  
email: [Cory.Legbokow@gov.bc.ca](mailto:Cory.Legbokow@gov.bc.ca)



From: [Daley, Sharon H FLNR:EX](#)  
To: [Knapik, Mike B FLNR:EX](#); [Saigon, Lyle FLNR:EX](#)  
Cc: [Oestreich, Allana FLNR:EX](#); [Legebokow, Cory FLNR:EX](#); [Worrich, Roy FLNR:EX](#)  
Subject: 2017-06-07 12:01 PM RE: Wandering Wheels - Blatant Non-compliance with Section 16 Map Reserve  
Date: June 6, 2017 8:51:00 AM  
Attachments: [image002.jpg](#)

---

Hi Mike and Lyle,  
I know how frustrating the actions of some tenure holders can be when they are trespassing; however, this is a Compliance and Enforcement issue.

**s.13**

Thanks,  
Sharon

---

From: [Knapik, Mike B FLNR:EX](#)  
Sent: Monday, June 5, 2017 2:20 PM  
To: [Saigon, Lyle FLNR:EX](#)  
Cc: [Oestreich, Allana FLNR:EX](#); [Legebokow, Cory FLNR:EX](#)  
Subject: FW: Wandering Wheels - Blatant Non-compliance with Section 16 Map Reserve  
Importance: High

Lyle, I request that this issue be elevated to RMT for consideration of revoking this company's Land Act tenure. There is history of this company being told to remove their operations from areas within the Section 16 (I believe is technically outside of their tenure). NRO has repeatedly approached the company regarding this unauthorized use of Crown land. Given the province's high profile of managing critical caribou habitat, this activity must be met with some consequences.

**s.15**

[Mike Knapik, R.P.#80](#)  
Section Head, Habitat Management  
Kootenay Boundary Region  
Ministry of Forests, Lands and Natural Resource Operations  
phone: (250) 354-6354 fax: (250) 354-6332  
#401 - 313 Victoria Street, Nelson, B.C. V1L 4K3  
[Mailto:Mike.Knapik@gov.bc.ca](mailto:Mike.Knapik@gov.bc.ca)

---

From: [Legebokow, Cory FLNR:EX](#)  
Sent: Monday, June 5, 2017 11:52 AM  
To: [Knapik, Mike B FLNR:EX](#); [Crombie, Sheila J FLNR:EX](#); [Lunan, Jessie FLNR:EX](#); [Peel, Darcy E FLNR:EX](#); [Ritchie, Chris FLNR:EX](#)  
Cc: [Belliveau, Phil FLNR:EX](#); [Reudink, Robyn FLNR:EX](#)  
Subject: Wandering Wheels - Blatant Non-compliance with Section 16 Map Reserve  
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[Cory](#)  
[Darcy/Chris](#), Coles Notes – ongoing advertised non-compliance within Sect 16 MR and is now applying for tenure expansion for 2 non MR areas. He does not have tenure for any of the MR areas he blatantly operates in. This should be a simple exercise to protect caribou but apparently action cannot be taken without catching him in the act. I'm not sure why the tenure cannot be canceled. Besides the bou issues, the province is missing out on tenure revenue.

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To: Reudink, Robyn FLNR:EX  
Cc: Crombie, Sheila J FLNR:EX; Belliveau, Phil FLNR:EX; Knapik, Mike B FLNR:EX; Lunan, Jessie FLNR:EX  
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Hi Robyn,

Attached is supporting information for an amendment to Wandering Wheels tenure for mountain biking. The proposed new trails include 1 in Region 3 at Joss Mtn (the same trail used for the Enduro event) **13**

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The referral response is due June 30<sup>th</sup>. It would be appreciated if you could provide comments on the Joss Mtn portion.  
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Thanks!

**Cory S. Legebokow**  
Habitat Officer  
Resource Management Division - Kootenay-Boundary Region  
Ministry of Forests, Lands, and Natural Resource Operations  
1761 Big Eddy Road; PO Box 9158 RPO #3; Revelstoke BC V0E 3K0  
Ph: 250 837-7711 Fax: 250 837-7626  
email: Cory.Legebokow@bc.ca



From: Darcy, Sharon H FLNR:EX  
To: Knapik, Mike B FLNR:EX; Saigoon, Lyle FLNR:EX  
Cc: Oestreich, Allana FLNR:EX; Legebokow, Cory FLNR:EX; Wierzb, Roy FLNR:EX  
Subject: 2017-06-07 12:28:40 RE: Wandering Wheels - Blatant Non-compliance with Section 16 Map Reserve  
Date: June 6, 2017 8:51:00 AM  
Attachments: stage002.jpg

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s.13

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Cc: Oestreich, Allana FLNR:EX; Legebokow, Cory FLNR:EX  
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Mike Knapik, R.P.Bio  
Section Head, Habitat Management  
Kootenay Boundary Region  
Ministry of Forests, Lands and Natural Resource Operations  
phone: (250) 354-6354 fax: (250) 354-6332  
#401 - 313 Victoria Street, Nelson, B.C. V1L 4K3  
Mailto:Mike.Knapik@gov.bc.ca

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To: Knapik, Mike B FLNR:EX; Crombie, Sheila J FLNR:EX; Lunan, Jessie FLNR:EX; Peel, Darcy E FLNR:EX; Ritchie, Chris FLNR:EX  
Cc: Belliveau, Phil FLNR:EX; Reudink, Robyn FLNR:EX  
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Cc: Crombie, Sheila J FLNR:EX; Belliveau, Phil FLNR:EX; Knapik, Mike B FLNR:EX; Lunan, Jessie FLNR:EX  
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Thanks!

**Cory S. Legebokow**  
Habitat Officer  
Resource Management Division - Kootenay-Boundary Region  
Ministry of Forests, Lands, and Natural Resource Operations  
1761 Big Eddy Road, PO Box 9158 RPO #3, Revelstoke BC V0E 3K0  
Ph: 250 837-7711 Fax: 250 837-7626  
email: Cory.Legbokow@bc.ca



**From:** [Crombie, Sheila J FLNR:EX](#)  
**To:** [Kovacs, Craig FLNR:EX](#)  
**Subject:** 2017-06-12 349 Wandering wheels meeting  
**Date:** June 12, 2017 3:49:00 PM

---

Cory has moved the call to this Friday morning at 0900 hrs.

From: [Legebokow, Cory FLNR:EX](#)  
To: [Crombie, Sheila J FLNR:EX](#); [Kovacs, Craig FLNR:EX](#); [Reudink, Robyn FLNR:EX](#); [Dailey, Sharon H FLNR:EX](#); [Knapik, Mike B FLNR:EX](#)  
Cc: [Ritchie, Chris FLNR:EX](#); [Gordon, Steve M FLNR:EX](#); [Peel, Darcy E FLNR:EX](#)  
Subject: Wandering Wheels Conference Call - Meeting Notes  
Date: Friday, June 16, 2017 4:30:24 PM  
Attachments: [image001.png](#)  
[FW 4405387 Matt Yaki.msg](#)

---

Thanks for participating in today's conference call. Below are some draft notes. Please feel free to add/correct as necessary.

- Sharon provided a brief history on Wandering Wheels tenure and application history (email attached)  
s.13,s.14
  
- Mike explained the SARA s. 80 process and the implications it could have on all land uses if imposed by Canada
- Craig informed us on the on-going investigation. Some specifics will be forwarded to Sharon for inclusion in the pending tenure amendment application.
- A Trespass Notice was issued to Mr. YAKI in June 2016 by Craig Kovacs stating that YAKI was to cease all illegal comm rec activities outside of his tenure area. His website suggests the non-compliances are on-going. Craig informed us of the proposed actions as part of the on-going investigation (details not included in minutes due to sensitivities)
- Recoveries can be levied for missed revenue, application fees and fines up to \$2K if found guilty
- Sheila informed us of her request to get caribou recovery related investigations under the Land Act ranked as a higher priority to allow for more resources
- Craig suggested this case could possibly be dealt with via a Restorative Justice approach
- A recommendation was made by Craig to send a letter to all local tenure holders and land users stating the importance of compliance with all caribou recovery requirements (i.e. consequences of SARA s. 80) and request that they inform us of any known non-compliances such that they can be dealt to help reduce the likelihood of SARA application and adverse effects to all resource users, not just those committing illegal acts. I offered to assist with drafting the letter. This is likely to cause peer pressure on any known violators such as Mr. YAKI. This could be a very effective way to deal with the issue and would form the basis for a Restorative Justice approach.

I hope this covers the gist of our discussions. Thanks to everyone for your keen interest in helping us recover caribou.

**Cory S. Legebokow**  
Ecosystem Specialist  
Regional Operations Division – South Area  
Ministry of Forests, Lands, and Natural Resource Operations  
1761 Big Eddy Road; PO Box 9158 RPO #3; Revelstoke BC V0E 3K0

Ph 250 837-7711 Fax 250 837-7626  
email: [Cory.Legebokow@gov.bc.ca](mailto:Cory.Legebokow@gov.bc.ca)



**From:** [Legebokow, Cory FLNR:EX](#)  
**To:** [Crombie, Sheila J FLNR:EX](#); [Kovacs, Craig FLNR:EX](#); [Reudink, Robyn FLNR:EX](#); [Dailey, Sharon H FLNR:EX](#); [Knapik, Mike B FLNR:EX](#)  
**Cc:** [Ritchie, Chris FLNR:EX](#); [Gordon, Steve M FLNR:EX](#); [Peel, Darcy E FLNR:EX](#)  
**Subject:** 2017-06-16 430 Wandering Wheels Conference Call - Meeting Notes  
**Date:** June 16, 2017 4:30:23 PM  
**Attachments:** [image001.png](#)  
[FW 4405387 Matt Yaki.msg](#)

---

Thanks for participating in today's conference call. Below are some draft notes. Please feel free to add/correct as necessary.

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s.13,s.14

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- Recoveries can be levied for missed revenue, application fees and fines up to \$2K if found guilty
- Sheila informed us of her request to get caribou recovery related investigations under the Land Act ranked as a higher priority to allow for more resources
- Craig suggested this case could possibly be dealt with via a Restorative Justice approach
- A recommendation was made by Craig to send a letter to all local tenure holders and land users stating the importance of compliance with all caribou recovery requirements (i.e. consequences of SARA s. 80) and request that they inform us of any known non-compliances such that they can be dealt to help reduce the likelihood of SARA application and adverse effects to all resource users, not just those committing illegal acts. I offered to assist with drafting the letter. This is likely to cause peer pressure on any known violators such as Mr. YAKI. This could be a very effective way to deal with the issue and would form the basis for a Restorative Justice approach.

I hope this covers the gist of our discussions. Thanks to everyone for your keen interest in helping us recover caribou.

**Cory S. Legebokow**  
Ecosystem Specialist  
Regional Operations Division – South Area  
Ministry of Forests, Lands, and Natural Resource Operations  
1761 Big Eddy Road; PO Box 9158 RPO #3; Revelstoke BC V0E 3K0



Ph 250 837-7711 Fax 250 837-7626  
email: [Cory.Legebokow@gov.bc.ca](mailto:Cory.Legebokow@gov.bc.ca)



**From:** [Dailey, Sharon H FLNR:EX](#)  
**To:** [Legebokow, Cory FLNR:EX](#); [Crombie, Sheila J FLNR:EX](#); [Gordon, Steve M FLNR:EX](#); [Reudink, Robyn FLNR:EX](#); [Knapik, Mike B FLNR:EX](#); [Kovacs, Craig FLNR:EX](#)  
**Subject:** 2017-06-16 848 FW: 4405387 Matt Yaki  
**Date:** June 16, 2017 8:47:56 AM  
**Attachments:** [4405387 Matt Yaki and Revelstoke Caribou Reserve.pdf](#)

---

Info from Jessie with respect to Matt Yaki's tenure for our meeting.

Sharon

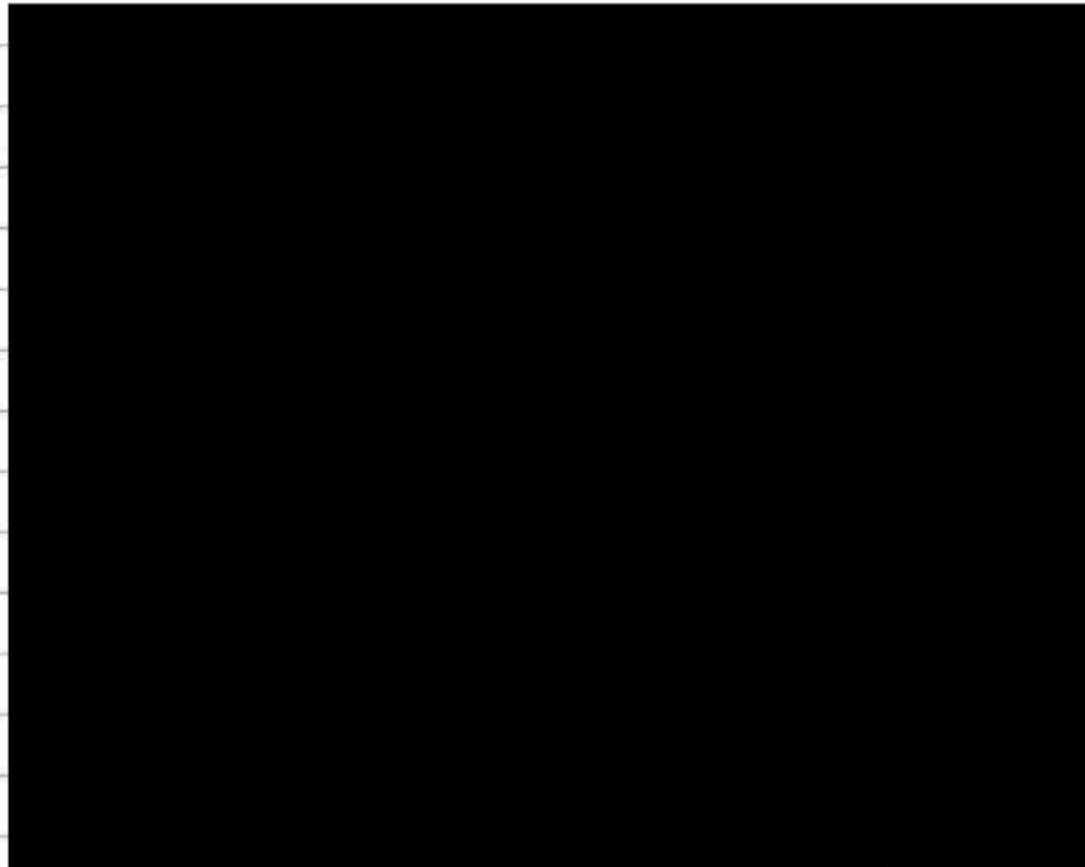
---

**From:** Lunan, Jessie FLNR:EX  
**Sent:** Thursday, June 15, 2017 11:57 AM  
**To:** Dailey, Sharon H FLNR:EX  
**Subject:** 4405387 Matt Yaki

- The application made by Matt Yaki of Wandering Wheels, was accepted on July 31, 2013 and issued on October 14, 2014 for 30 years.
- Wandering Wheels is a mountain bike tour and instruction company based out of Revelstoke and Matt proposed to offer guided tours and day trips for mountain biking in Revelstoke, Golden, Nakusp, New Denver, Kaslo and Canoe
- The clients will be shuttled using one 6 passenger pick up truck or a 15 passenger van and trailer if there are larger groups
- Projected operating season will be from April 1 to November 1.
- The following trails were disallowed because they overlap the Section 16 Map Reserve for Mountain Caribou recovery implementation.
  - No. 4 Martha Creek Trail
  - No.5 Kuskanax Creek Trail
  - No. 6 Kimbol Lake Trail
  - No. 7 Box Lake Trail
- The proponent also deleted the Monster Trail in the vicinity of Kaslo.
- In a recent status it was noticed that the trails in the Boulder area should not have been allowed in this tenure as they also overlap with the Section 16 Map Reserve. They have since been removed (See attached map – the trails are in purple)

Jessie Lunan  
Land Officer  
Ministry of Forests, Lands and Natural Resource Operations  
1902 Theatre Rd., Cranbrook, BC V1C 7G1  
Ph: (250)426-1764 Fax (250)426-1767





JUNE 16/17

- o Book Room
  - X 10 PROJECT PLAN
  - find it up in priority
  - more resources
- SECTION 80

UNDERCOVER Q'S - A NO GO.

TN ISSUED

- INPUT INTO TENURE APP'N

- RESPECT.

↑ DON'T WANT TO SAY NO, COULD  
 ILLEGAL ACTIVITY,  
 ON CAN w/ ROBYN, SHARON, CORY, CRAIG + MYSELF.  
 BIOLOGIST SECTION HEAD OF LANDS

ILLEGAL GUIDING.  
 WANDERING WHEELS -  
 SEC 16 MAP RESERVE  
 MISTAKE WAS MADE ON BOULDER  
 AREA.

s.13, s.14

BOULDER - ISSUE  
KEYSTONE BASIN APPLIED FOR

MIKE-

SARA'S APPLICATION -  
FED JURISDICTION

\* GIVE UPDATE TO GH.

\* PRIORITY - JULY.

PRIORITY - FED - UNDER SARA -  
CRITICAL HABITAT ASSESSMENT  
IMPACT TO INDUSTRY

RESTORATIVE JUSTICE? -

\* BLANKET  
LETTER TO ALL OPERATORS

\$250, \$500  
+ \$2000 PENALTY

OPPOSIN, REST, SEIZURE?, PERMITTES,  
OARL - DETAILS.

o BRENT LUKIS - MANAGER FRONT COUNTER  
CONTRAVENTION OF OAR?



## File Note

From the Desk of  
Craig Kovacs  
Natural Resource Officer

**File No.:** DSE - 34545 / DSE - 35300

**Date:** June 21, 2017

**Subject:** Wandering Wheels Non-compliance

**Remarks:**

Natural Resource Officer (NRO) Craig KOVACS conducted an investigation of Wandering Wheels on June 13, 2016 in response to a complaint from a member of the public. Concerns were brought forward that Wandering Wheels had been guiding on trails that are outside of their License of Occupation.

NRO KOVACS followed up with the complainant who stated that he had seen the Wandering Wheels vehicles at various biking spots which were in the caribou protection area. The complainant also directed NRO KOVACS to the Wandering Wheels website which had advertisements for tours that were outside of the License of Occupation (Frisby Ridge, Keystone Standard Basin, Joss Mountain, Mt. McCrae, Eagle Pass Mountain, Mt. Cartier, and Blanket Creek). NRO KOVACS confirmed the advertisements on the website and the advertisements on StokeFM radio station that offered guided tours of locations outside of the License of Occupation.

NRO KOVACS had a meeting with Matt YAKI, owner of Wandering Wheels, on June 15, 2016. YAKI confirmed that he had been guiding in areas outside of his License of Occupation and was subsequently issued a Trespass Notice for violating the Land Act. NRO KOVACS also brought up the issue of Wandering Wheels advertisements outside of the License of Occupation.

On January 23, 2017 NRO KOVACS conducted a follow up inspection of Wandering Wheels website after being alerted to further advertisements of guiding outside of Wandering Wheels License of Occupation. NRO KOVACS found multiple vacation packages that had dates and locations of trails, many outside of the License of Occupation, which had been identified in the Trespass Notice issued on June 15, 2016. Compliance and



Ministry of  
Forests, Lands and  
Natural Resource Operations



Enforcement is creating a project plan to obtain approval for increased enforcement of this continued non-compliance.

Copyright





## INSPECTION REPORT



RECORD ID: 068873

IDIR\CKOVACS

11:15 Jun 29, 2018

**Natural Resource Officer:**

Craig Kovacs

**Region:** Kootenay Boundary

**Field Unit:** Columbia

**Date of Inspection:**

August 23, 2017

**Client:**

Wandering Wheels

**In Attendance:**

Sara DEVITA, NRO

**Compliance Status:**

Compliant

**Client Contact Information:**

Box 1526 Revelstoke BC, V0E 2S0

**Latitude:**

51.0574

**Location Description:**

Frisby Ridge Cross-Country Trail

**Longitude:**

-118.2604

**Primary Tenure/Authorization:**

NO TENURE REQUIRED/NRIS

**Secondary Tenure/Authorization:**

**Alleged Non-Compliance Summary:**

aNC#	Estimated Incident Date	Parent Act	Act/Regulation	Section	Description	Action Taken

**Warning Ticket #:**

**ERA Case #:**

**Description and Comments:**

Natural Resource Officer Craig KOVACS and Sara DEVITA conducted an inspection of Frisby Ridge Cross-Country trail on August 23, 2017. This inspection was triggered due to advertisements of Wandering Wheels offering vacation packages for guided mountain bike tours on Frisby Ridge Cross Country trail. This trail has been identified as highly significant from Biologist Cory Legebokow due to the Caribou Recovery Project.

No Wandering Wheel vehicles were in the parking lot. Officers biked the entirety of the trail and found no members of Wandering Wheels guiding.

**Natural Resource Officer:** [Craig Kovacs]

Signature: X

I certify that this inspection conforms to Ministry compliance

**Sent to:**

Box 1526 Revelstoke BC, V0E 2S0



<b>Attachments and Comments:</b>	<b>Delivered via:</b>	
	Email: <input type="checkbox"/>	Fax: <input type="checkbox"/>
	Mail: <input type="checkbox"/>	Registered Mail: <input type="checkbox"/>
	Hand Delivery: <input type="checkbox"/>	

From: [McDonald, Terry FLNR:EX](#)  
To: [Kovacs, Craig FLNR:EX](#); [DeVita, Sara FLNR:EX](#); [Dixon, Shannon FLNR:EX](#)  
Subject: Wandering Wheels advertised illegal guiding dates  
Date: Friday, August 25, 2017 10:09:57 AM

---

According to the Wandering Wheels website, they will be guiding illegally these dates for Mountain Biking.

August 28<sup>th</sup>, Frisby

August 30<sup>th</sup>, Frisby

September 3<sup>th</sup>, Keystone

*Terry McDonald,*  
Natural Resource Officer  
Columbia Field Unit / Kootenay Boundary Region  
Compliance and Enforcement Branch  
Ministry of F to P  
Office: 250-837-7655  
Cell: 778-252-0144

To report a Natural Resource Violation:  
Telephone 1-877-952-7277 or #7277 from cellphone.  
Web: <https://www.for.gov.bc.ca/hen/nrv/report.htm>

From: [Kovacs, Craig FLNR:EX](#)  
To: [Hills, Gerald FLNR:EX](#)  
Cc: [Crombie, Sheila J FLNR:EX](#)  
Subject: 2017-09-15 904 Fwd: Boulder Mtn Trails and S16 Map Reserves for Caribou Recovery - Wandering Wheels  
Date: September 15, 2017 9:04:15 AM

---

Sent from my iPhone

Begin forwarded message:

**From:** "Keith, Erin FLNR:EX" <[Erin.Keith@gov.bc.ca](mailto:Erin.Keith@gov.bc.ca)>  
**Date:** September 14, 2017 at 3:51:23 PM PDT  
**To:** "Legebokow, Cory FLNR:EX" <[Cory.Legebokow@gov.bc.ca](mailto:Cory.Legebokow@gov.bc.ca)>, "Kovacs, Craig FLNR:EX" <[Craig.Kovacs@gov.bc.ca](mailto:Craig.Kovacs@gov.bc.ca)>  
**Subject:** RE: Boulder Mtn Trails and S16 Map Reserves for Caribou Recovery - Wandering Wheels

Hello Cory,

Thanks for the email, and the chat today... I want to clear up some confusion for you that for sure I have caused, and I apologise! This has been a confusing one.....please see my responses in black below.

Craig, sorry about all of this, I was going to give you a shout but also wanted to provide some response to Cory's email, please feel free to give me a call if you have any further questions.

e



Erin Keith, P.Ag.  
*Authorizations Officer*  
Ministry of Forests, Lands and Natural Resource Operations  
1902 Theatre Road  
Cranbrook, BC V1C 7G1  
Tel: 250-426-1782  
Fax: 250-426-1767  
[erin.Keith@gov.bc.ca](mailto:erin.Keith@gov.bc.ca)

---

**From:** Legebokow, Cory FLNR:EX  
**Sent:** Thursday, September 14, 2017 1:03 PM  
**To:** Keith, Erin FLNR:EX  
**Cc:** Kovacs, Craig FLNR:EX  
**Subject:** FW: Boulder Mtn Trails and S16 Map Reserves for Caribou Recovery - Wandering Wheels  
Hi Erin,

There is definitely some confusion going on that needs to be straightened out:

<!--[if !supportLists]-->•<!--[endif]-->My recollection from our discussion yesterday was that you believed he was not operating contrary to his tenure as Keystone/Std, Frisby and Sale as the areas were issued in error in 2014. This is causing concern for the NRO leading the investigation (Craig Kovacs) as his Trespass Notices were for all 3 areas and were based on him operating outside of his tenure. You are right, I was incorrect on this, I was confused by some wording in a letter to Matt, but Martha Creek was removed from his application right from the get go, so he has never been authorized to operate in this area, similar to Keystone, and Frisby. All of these areas are outside of his tenure

area. The only two areas he is currently tenured for in Revelstoke is MacPherson and Boulder trails. Again, my apologies, im sure I have caused both of you some stress in the last day or so! Feel free to curse me ☺

<!--[if !supportLists]-->•<!--[endif]-->C&E's and my understanding (which formed the basis for the investigation, issued trespass notices and meetings amongst FLNR staff) has always been that Yaki was operating at Keystone/Std, Frisby and Sale contrary to his tenure and the S 16 MR. Correct. You mentioned that in Tantalus it shows that he has Martha Creek/Sale, he does not, not sure why this shows the way it does, I will look into that with our GIS folks.

<!--[if !supportLists]-->•<!--[endif]-->Tantalus currently shows Sale as part of the tenure yet Sharon's email (sent to you a few minutes ago. Craig you already have it) suggests it was removed from his 2013 application. It was removed at application stage, confirmed. He did make application for this area, so maybe that's why the shape got in there somehow? Not sure but will enquire....

<!--[if !supportLists]-->•<!--[endif]-->His Boulder trail only became non-compliant when the S16 was changed to a S17 as some mapping changes were also done. When he applied in 2013 Boulder was not part of the MR so there was no error in issuing it. If K/S, Sale and Frisby were part of the issued tenure (don't believe they were) then those would have been issued in error. You are correct, Boulder was not part of the Section 17 at the time of Approval, same for the Enduro tenure (4405672), it was also approved prior to the shape change. This was very confusing, the shape change was quite recent, and no amendment was done to the file, so currently the mapping on the file, and what is in the system don't jive. Still work to be done here.....

<!--[if !supportLists]-->•<!--[endif]-->For Boulder Mr Yaki may have a point that his tenure there should not be considered "new" as the polygon did not exist when the tenure was issued (it only became part of the MR last year). So Matt will likely be able to keep these Boulder Trails, but as I mentioned on the phone, Sharon isnt ready to respond to him at this moment, but I will keep you posted as we will be back on this next week.

Without a doubt my primary concerns regarding bou impacts are at K/S, Sale and Frisby. My reasoning behind not supporting issuance at Cartier was due to his continued non-compliances at these areas. Hopefully this provides some clarity but its certainly possible that my understanding on the tenure history may be incorrect. No, you are correct, I left you doubting that yesterday, but aside from the Boulder stuffs, all else that has been occurring with C&E has been legitimate.

Cory

---

**From:** Kovacs, Craig FLNR:EX

**Sent:** Thursday, September 14, 2017 9:38 AM

**To:** Legebokow, Cory FLNR:EX

**Subject:** Re: Boulder Mtn Trails and S16 Map Reserves for Caribou Recovery - Wandering Wheels  
Hey Cory, give me a call at <sup>s.22</sup> if you could. I am clearly missing some information.

Sent from my iPhone

On Sep 14, 2017, at 9:12 AM, Legebokow, Cory FLNR:EX

<Cory.Legebokow@gov.bc.ca> wrote:

Hey Craig

Based on the below Mr Yaki's use at Keystone/Std, Sale, and Frisby were

part of his tenure area due to an error by Lands. I thought you looked at his license and found the areas were not authorized and that's why you issued a warning? It would be great to know what actually happened. If it was authorized in error then Mr Yaki did no wrong and your warning should be rescinded. I find it unlikely you would issue one in error.

Cory

---

**From:** Keith, Erin FLNR:EX

**Sent:** Wednesday, September 13, 2017 3:54 PM

**To:** 'Matt Yaki'

**Cc:** Bennett, Marcia FLNR:EX; Legebokow, Cory FLNR:EX

**Subject:** RE: Boulder Mtn Trails and S16 Map Reserves for Caribou Recovery

Hi Matt,

Please see my responses below.

Thanks,

Erin

Erin Keith, P.Ag. <i>Authorizations Officer</i> Ministry of Forests, Lands and Natural Resource Operations 1902 Theatre Road Cranbrook, BC V1C 7G1 Tel: 250-426-1782 Fax: 250-426-1767 <a href="mailto:erin.Keith@gov.bc.ca">erin.Keith@gov.bc.ca</a>
--

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**From:** Matt Yaki [<mailto:matt@wanderingwheels.ca>]

**Sent:** Wednesday, September 13, 2017 10:03 AM

**To:** Keith, Erin FLNR:EX

**Cc:** Bennett, Marcia FLNR:EX; Legebokow, Cory FLNR:EX

**Subject:** Re: Boulder Mtn Trails and S16 Map Reserves for Caribou Recovery

Hi Erin,

I'm a little confused also!

The map that I had attached to my previous email was referred to me as a Section 16 Map Reserves for Mountain Caribou Recovery. You are correct about the purpose for the reserve, Mountain Caribou Recovery, and it was established on behalf of the Fish and Wildlife Branch.

This is the first time I am seeing anything about a Section 17 Fish and Wildlife Reserve area. Why is that? Im sorry for the confusion, originally it was established in 2005 as Section 16 Reserve to suspend issuance of any new commercial recreation tenures. However, in 2016, it was amended to become a Section 17 Conditional Withdrawal. These Conditional Withdrawal types suspend issuance of only certain activities on the land, in this case, commercial recreation. Whereas, a Section 16 Reserve is generally used to suspend issuance of all new Crown land applications, no matter the purpose.

Please provide me with the definition for Section 17 Fish and Wildlife Reserve area and please let me know exactly which part of it I am effecting by riding bikes on designated bike trails.

Section 17 under the Land Act:

**Conditional withdrawal**

**17** (1) The minister may, if the minister considers it advisable in the public interest, designate a portion of Crown land for a particular use or for the conservation of natural or heritage resources.

(1.1) The minister may impose any terms and conditions the minister considers necessary or advisable on the use of land designated under subsection (1).

(2) A portion of Crown land designated under subsection (1) is withdrawn from disposition under this Act for any purpose that is not, in the opinion of the minister, compatible with the purpose for which the land has been designated.

(3) The minister may amend or cancel a designation made under subsection (1).

I'm not exactly sure how to answer your question, but there was clearly a concern in this area about the impact of commercial recreation activities on the Caribou population, both in the disturbed and undisturbed areas.

Please also provide me with an actual map, showing the affected area, not just a photo of a map zoomed into that area. Please provide the .kmz file that I can view on google earth. I think you had a good map of it with your kml files, the ones you had sent to me. Have you have ever been on the Discovery Tool? That might be where those kml's came from.... It is a google earth based tool that shows different tenures and reserves, and some other interests on the land. You can see the layers along the left side, and if you click on the Details (ie: Tenure Application Details or Tenure Details), little bubbles will appear and you can click on those to see information about that authorization. The tricky part is that all the tenures are the same shade, so they can be difficult to distinguish. Please note that it may not be completely up to date, I see that the caribou reserve shows as a Tenure Application, not sure why.

Link to Discovery Tool:

<http://www.frontcounterbc.gov.bc.ca/mapping/> There is a tutorial if you wanted, but you can also just hit the launch button.

Have you ever used iMap BC? It is also a great tool, and has all of these layers as well, easier to distinguish between authorizations.

When was this Section 17 reserve put into place? On what date? It was put into place in September 26, 2005.

What about other tenure holders in that area? I know for a fact that there are other currently active adventure tourism tenure holders in that area. What is happening with them? This Reserve does not impact

tenure holders that were established prior to 2005.

I've had my tenure in place for over 3 years now so why is it that you think you can just take away a major piece of it, which is a major asset to my business, because you made a mistake during the initial process over 3 years ago? I truly apologise that an error was made, however, we must make this adjustment, we can't allow you to continue to operate in these areas.

This is literally my livelihood that you are trying to take away from me.

I would appreciate more information as soon as possible please.

I would also like to arrange a meeting with yourself, Marcia Bennett, and Cory Legebokow to discuss this and several other issues. Please let me know if and when that can be arranged. We could arrange for a meeting, and I could call in, that's not a problem. However, we would please like to know the issues you wish to discuss, so we can be prepared. With respect to this reserve area, I'm not sure how much more I can add, the trails have been removed from your tenure, and you will please need to remove any reference to these trails in your advertising, and on your website, and no longer operate in these areas.

I will check in with Marcy and Cory regarding a meeting time, perhaps the first or second week of October? It is quite busy times, so just want to ensure that everyone is available, would you potentially be available in early October?

Thanks Matt,

Erin

--

**MATT YAKI**

WANDERING WHEELS

---

Office: 1-250-814-7609

/wanderingwheelsrevelstoke

Mobile: 1-250-814-7452

@wanderingwheels

Skype & WhatsApp: 1-250-814-7609

@wanderingwheels

---

Keith, Erin FLNR:EX

September 12, 2017 2:17 PM

Hi Matt,

Sorry that I have not yet responded to this email! I opened the files that you attached here and I am a little confused as I see significant overlap with the Boulder trails and the Section 17 Fish and Wildlife Reserve area, please see attached map. There are

small trail sections in the south end that are outside of the reserve, however, they have been removed because they start or end in the reserve.

Kathy Pasqua let me know that you have not yet signed the modification agreement. I am unable to make any changes to that agreement, the trails that overlap the Reserve must be removed. If you do not wish to sign the agreement, we will have to look at another avenue for this, as per your tenure agreement.

I have received further information that you are advertising biking and heli-biking activities that are outside of your tenure area. And I see currently, on your website, that you are offering tours on the Boulder Creek trails, as well as Mount Cartier. The Boulder Creek trails have been removed from your tenure area, and you are not currently authorized for Mount Cartier. You received an email from the Lands Section Head on July 31, 2017 asking you to cease these unauthorized activities, you are currently under investigation by Compliance and Enforcement for these types of activities, and yet you continue to advertise.

Your amendment application is still under review at this time.

I must ask you again to cease promoting and carrying out these unauthorized activities.

Please let me know if you have any questions.

Erin

Erin

Erin Keith, P.Ag.  
*Authorizations Officer*  
Ministry of Forests, Lands and Natural Resource Operations  
1902 Theatre Road  
Cranbrook, BC V1C 7G1  
Tel: 250-426-1782  
Fax: 250-426-1767  
[erin.keith@gov.bc.ca](mailto:erin.keith@gov.bc.ca)

---

**From:** Matt Yaki [<mailto:matt@wanderingwheels.ca>]

**Sent:** Wednesday, July 5, 2017 4:02 PM

**To:** Keith, Erin FLNR:EX

**Subject:** Boulder Mtn Trails and S16 Map Reserves for Caribou Recovery

Hi Erin,

Thanks for the chat this afternoon!

Attached are the line files for the Boulder Mountain Trails which are within my tenure as well as the Section 16 Map Reserves for Caribou Recovery.

I received this S16 map reserves from Marcia Bennett, Columbia/Shuswap Rec. Officer, this spring. This is also the same map that I had on file when I initially applied for and received my tenure a few years back.

As you can see, there is no overlap whatsoever.

If the S16 Map reserves we're extended recently to now include the area where all the Boulder trails are located, then



should that not be the same as the original policy, which is to allow no NEW commercial tenures? Seeing as how my tenure was in place before this extension (if that is in fact the case) then my tenure should remain active in this area and no NEW commercial tenure should be allowed.

Please advise.

Thanks,

--

**MATT YAKI**  
WANDERING WHEELS

---

Office: 1-250-814-7609

/wanderingwheelsrevelstoke

Mobile: 1-250-814-7452

@wanderingwheels

Skype & WhatsApp: 1-250-814-7609

@wanderingwheels

---

Matt Yaki

July 5, 2017 3:02 PM

Hi Erin,

Thanks for the chat this afternoon!

Attached are the line files for the Boulder Mountain Trails which are within my tenure as well as the Section 16 Map Reserves for Caribou Recovery.

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Thanks,

From: [Kovacs, Craig FLNR:EX](#)  
To: [Hills, Gerald FLNR:EX](#)  
Cc: [Crombie, Sheila J FLNR:EX](#)  
Subject: Fwd: Boulder Mtn Trails and S16 Map Reserves for Caribou Recovery - Wandering Wheels  
Date: Friday, September 15, 2017 9:04:15 AM

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Sent from my iPhone

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**Date:** September 14, 2017 at 3:51:23 PM PDT  
**To:** "Legebokow, Cory FLNR:EX" <[Cory.Legebokow@gov.bc.ca](mailto:Cory.Legebokow@gov.bc.ca)>, "Kovacs, Craig FLNR:EX" <[Craig.Kovacs@gov.bc.ca](mailto:Craig.Kovacs@gov.bc.ca)>  
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e



Erin Keith, P.Ag.  
*Authorizations Officer*  
Ministry of Forests, Lands and Natural Resource Operations  
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Cranbrook, BC V1C 7G1  
Tel: 250-426-1782  
Fax: 250-426-1767  
[erin.Keith@gov.bc.ca](mailto:erin.Keith@gov.bc.ca)

---

**From:** Legebokow, Cory FLNR:EX  
**Sent:** Thursday, September 14, 2017 1:03 PM  
**To:** Keith, Erin FLNR:EX  
**Cc:** Kovacs, Craig FLNR:EX  
**Subject:** FW: Boulder Mtn Trails and S16 Map Reserves for Caribou Recovery - Wandering Wheels

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<!--[if !supportLists]-->• <!--[endif]-->C&E's and my understanding (which formed the basis for the investigation, issued trespass notices and meetings amongst FLNR staff) has always been that Yaki was operating at Keystone/Std, Frisby and Sale contrary to his tenure and the S 16 MR. Correct. You mentioned that in Tantalus it shows that he has Martha Creek/Sale, he does not, not sure why this shows the way it does, I will look into that with our GIS folks.

<!--[if !supportLists]-->• <!--[endif]-->Tantalus currently shows Sale as part of the tenure yet Sharon's email (sent to you a few minutes ago. Craig you already have it) suggests it was removed from his 2013 application. It was removed at application stage, confirmed. He did make application for this area, so maybe that's why the shape got in there somehow? Not sure but will enquire....

<!--[if !supportLists]-->• <!--[endif]-->His Boulder trail only became non-compliant when the S16 was changed to a S17 as some mapping changes were also done. When he applied in 2013 Boulder was not part of the MR so there was no error in issuing it. If K/S, Sale and Frisby were part of the issued tenure (don't believe they were) then those would have been issued in error. You are correct, Boulder was not part of the Section 17 at the time of Approval, same for the Enduro tenure (4405672), it was also approved prior to the shape change. This was very confusing, the shape change was quite recent, and no amendment was done to the file, so currently the mapping on the file, and what is in the system don't jive. Still work to be done here.....

<!--[if !supportLists]-->• <!--[endif]-->For Boulder Mr Yaki may have a point that his tenure there should not be considered "new" as the polygon did not exist when the tenure was issued (it only became part of the MR last year). So Matt will likely be able to keep these Boulder Trails, but as I mentioned on the phone, Sharon isn't ready to respond to him at this moment, but I will keep

you posted as we will be back on this next week.

Without a doubt my primary concerns regarding bou impacts are at K/S, Sale and Frisby. My reasoning behind not supporting issuance at Cartier was due to his continued non-compliances at these areas. Hopefully this provides some clarity but its certainly possible that my understanding on the tenure history may be incorrect. No, you are correct, I left you doubting that yesterday, but aside from the Boulder stuffs, all else that has been occurring with C&E has been legitimate.

Cory

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**From:** Kovacs, Craig FLNR:EX  
**Sent:** Thursday, September 14, 2017 9:38 AM  
**To:** Legebokow, Cory FLNR:EX  
**Subject:** Re: Boulder Mtn Trails and S16 Map Reserves for Caribou Recovery - Wandering Wheels

Hey Cory, give me a call at s.22 if you could. I am clearly missing some information.

Sent from my iPhone

On Sep 14, 2017, at 9:12 AM, Legebokow, Cory FLNR:EX  
<[Cory.Legebokow@gov.bc.ca](mailto:Cory.Legebokow@gov.bc.ca)> wrote:

Hey Craig

Based on the below Mr Yaki's use at Keystone/Std, Sale, and Frisby were part of his tenure area due to an error by Lands. I thought you looked at his license and found the areas were not authorized and that's why you issued a warning? It would be great to know what actually happened. If it was authorized in error then Mr Yaki did no wrong and your warning should be rescinded. I find it unlikely you would issue one in error.

Cory

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**From:** Keith, Erin FLNR:EX  
**Sent:** Wednesday, September 13, 2017 3:54 PM  
**To:** 'Matt Yaki'  
**Cc:** Bennett, Marcia FLNR:EX; Legebokow, Cory FLNR:EX  
**Subject:** RE: Boulder Mtn Trails and S16 Map Reserves for Caribou Recovery

Hi Matt,  
Please see my responses below.  
Thanks,  
Erin

<image001.jpg>

Erin Keith, P.Ag.  
*Authorizations Officer*  
Ministry of Forests, Lands and Natural Resource  
Operations  
1902 Theatre Road  
Cranbrook, BC V1C 7G1  
Tel: 250-426-1782  
Fax: 250-426-1767  
[erin.keith@gov.bc.ca](mailto:erin.keith@gov.bc.ca)

---

**From:** Matt Yaki [<mailto:matt@wanderingwheels.ca>]  
**Sent:** Wednesday, September 13, 2017 10:03 AM  
**To:** Keith, Erin FLNR:EX  
**Cc:** Bennett, Marcia FLNR:EX; Legebokow, Cory FLNR:EX  
**Subject:** Re: Boulder Mtn Trails and S16 Map Reserves for Caribou Recovery

Hi Erin,

I'm a little confused also!

The map that I had attached to my previous email was referred to me as a Section 16 Map Reserves for Mountain Caribou Recovery. You are correct about the purpose for the reserve, Mountain Caribou Recovery, and it was established on behalf of the Fish and Wildlife Branch.

This is the first time I am seeing anything about a Section 17 Fish and Wildlife Reserve area. Why is that? I'm sorry for the confusion, originally it was established in 2005 as Section 16 Reserve to suspend issuance of any new commercial recreation tenures. However, in 2016, it was amended to become a Section 17 Conditional Withdrawal. These Conditional Withdrawal types suspend issuance of only certain activities on the land, in this case, commercial recreation. Whereas, a Section 16 Reserve is generally used to suspend issuance of all new Crown land applications, no matter the purpose.

Please provide me with the definition for Section 17 Fish and Wildlife Reserve area and please let me know exactly which part of it I am effecting by riding bikes on designated bike trails.

Section 17 under the Land Act:

**Conditional withdrawal**

**17 (1)** The minister may, if the minister considers it advisable in the public interest, designate a portion of Crown land for a particular use or for the conservation of natural or heritage resources.

(1.1) The minister may impose any terms and conditions the minister considers necessary or advisable on the use of land designated under subsection (1).

(2) A portion of Crown land designated under subsection (1) is withdrawn from disposition under this Act for any purpose that is not, in the opinion of the minister, compatible with the purpose for which the land has been designated.

(3) The minister may amend or cancel a designation made under subsection (1).

I'm not exactly sure how to answer your question, but there was clearly a concern in this area about the impact of commercial recreation activities on the Caribou population, both in the disturbed and undisturbed areas.

Please also provide me with an actual map, showing the affected area, not just a photo of a map zoomed into that area. Please provide the .kmz file that I can view on google earth. I think you had a good map of it with your kml files, the ones you had sent to me. Have you have ever been on the Discovery Tool? That might be where those kml's came from.... It is a google earth based tool that shows different tenures and reserves, and some other interests on the land. You can see the layers along the left side, and if you click on the Details (ie: Tenure Application Details or Tenure Details), little bubbles will appear and you can click on those to see information about that authorization. The tricky part is that all the tenures are the same shade, so they can be difficult to distinguish. Please note that it may not be completely up to date, I see that the caribou reserve shows as a Tenure Application, not sure why.

Link to Discovery Tool:

<http://www.frontcounterbc.gov.bc.ca/mapping/> There is a tutorial if you wanted, but you can also just hit the launch button.

Have you ever used iMap BC? It is also a great tool, and has all of these layers as well, easier to distinguish between authorizations.

When was this Section 17 reserve put into place? On what date? It was put into place in September 26, 2005.

What about other tenure holders in that area? I know for a fact that there are other currently active adventure tourism tenure holders in that area. What is happening with them? This Reserve does not impact

tenure holders that were established prior to 2005.

I've had my tenure in place for over 3 years now so why is it that you think you can just take away a major piece of it, which is a major asset to my business, because you made a mistake during the initial process over 3 years ago? I truly apologise that an error was made, however, we must make this adjustment, we can't allow you to continue to operate in these areas.

This is literally my livelihood that you are trying to take away from me.

I would appreciate more information as soon as possible please.

I would also like to arrange a meeting with yourself, Marcia Bennett, and Cory Legebokow to discuss this and several other issues. Please let me know if and when that can be arranged. We could arrange for a meeting, and I could call in, that's not a problem. However, we would please like to know the issues you wish to discuss, so we can be prepared. With respect to this reserve area, I'm not sure how much more I can add, the trails have been removed from your tenure, and you will please need to remove any reference to these trails in your advertising, and on your website, and no longer operate in these areas.

I will check in with Marcy and Cory regarding a meeting time, perhaps the first or second week of October? It is quite busy times, so just want to ensure that everyone is available, would you potentially be available in early October?

Thanks Matt,  
Erin  
--

**MATT YAKI**  
WANDERING WHEELS

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Mobile: 1-250-814-7452		@wanderingwheels
Skype & WhatsApp: 1-250-814-7609		@wanderingwheels

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Keith, Erin FLNR:EX

September 12, 2017 2:17 PM

Hi Matt,  
Sorry that I have not yet responded to this email! I opened the files that you attached here and I am a little confused as I see

significant overlap with the Boulder trails and the Section 17 Fish and Wildlife Reserve area, please see attached map. There are small trail sections in the south end that are outside of the reserve, however, they have been removed because they start or end in the reserve.

Kathy Pasqua let me know that you have not yet signed the modification agreement. I am unable to make any changes to that agreement, the trails that overlap the Reserve must be removed. If you do not wish to sign the agreement, we will have to look at another avenue for this, as per your tenure agreement.

I have received further information that you are advertising biking and heli-biking activities that are outside of your tenure area. And I see currently, on your website, that you are offering tours on the Boulder Creek trails, as well as Mount Cartier. The Boulder Creek trails have been removed from your tenure area, and you are not currently authorized for Mount Cartier. You received an email from the Lands Section Head on July 31, 2017 asking you to cease these unauthorized activities, you are currently under investigation by Compliance and Enforcement for these types of activities, and yet you continue to advertise. Your amendment application is still under review at this time. I must ask you again to cease promoting and carrying out these unauthorized activities.

Please let me know if you have any questions.

Erin

Erin

<image008.jpg>

Erin Keith, P.Ag.  
*Authorizations Officer*  
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Tel: 250-426-1782  
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[erin.keith@gov.bc.ca](mailto:erin.keith@gov.bc.ca)

---

**From:** Matt Yaki [<mailto:matt@wanderingwheels.ca>]  
**Sent:** Wednesday, July 5, 2017 4:02 PM  
**To:** Keith, Erin FLNR:EX  
**Subject:** Boulder Mtn Trails and S16 Map Reserves for Caribou Recovery

Hi Erin,



Thanks for the chat this afternoon!

Attached are the line files for the Boulder Mountain Trails which are within my tenure as well as the Section 16 Map Reserves for Caribou Recovery.

I received this S16 map reserves from Marcia Bennett, Columbia/Shuswap Rec. Officer, this spring. This is also the same map that I had on file when I initially applied for and received my tenure a few years back.

As you can see, there is no overlap whatsoever.

If the S16 Map reserves we're extended recently to now include the area where all the Boulder trails are located, then should that not be the same as the original policy, which is to allow no NEW commercial tenures? Seeing as how my tenure was in place before this extension (if that is in fact the case) then my tenure should remain active in this area and no NEW commercial tenure should be allowed.

Please advise.

Thanks,

--

**MATT YAKI**  
WANDERING WHEELS

---

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Mobile: 1-250-814-7452	<a href="#"></a>	@wanderingwheels
Skype & WhatsApp: 1-250-814-7609	<a href="#"></a>	@wanderingwheels

---

Matt Yaki

July 5, 2017 3:02 PM

Hi Erin,

Thanks for the chat this afternoon!

Attached are the line files for the Boulder Mountain Trails which are within my tenure as well as the Section 16 Map Reserves for Caribou Recovery.

I received this S16 map reserves from Marcia Bennett, Columbia/Shuswap Rec. Officer, this spring. This is also the same map that I had on file when I initially applied for and received my tenure a few years back.

As you can see, there is no overlap whatsoever.

If the S16 Map reserves we're extended recently to now include the area where all the Boulder trails are located, then should that not be the same as the original policy, which is to allow no NEW commercial tenures? Seeing as how my tenure was in place before this extension (if that is in fact the case) then my tenure should remain active in this area and no NEW commercial tenure should be allowed.

Please advise.

Thanks,

August 23, 2017

0900 On Duty 28°C

Sunny

1008 Leave for Frisby Ridge

No girding found

1400 Return to Revelstoke

2/5/16

1721 14 contacts no groups  
WW vehicle shuffling

1730 off Duty

August 24, 2017

0844 On Duty Revelstoke

Temp 17°C Sunny

1000 Leave Revelstoke office  
to Gerald Hills

Patrol of Frisby Mountain  
Bills

WW vehicle not in

parking lot

Travel up the

trail 9 km no

signs of anyone  
from WW.

No Compliance issues  
noted.

1638 off duty

Aug 30, 2017

0822 On Duty Reelstalle  
1000 Lower Reelstalle office  
in Shannon DIXON

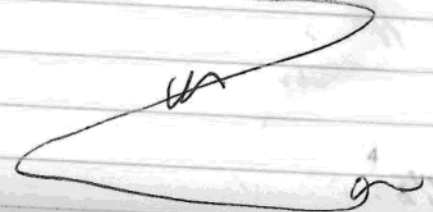
for patrol of Fishbay  
Ridge XC trail

• No ww vehicle  
in parking lot, move  
to Vey stone

1318 Vey stone all sp.s  
Norman

1638 off Duty

CM





## INSPECTION REPORT



RECORD ID: 068874

IDIR\CKOVACS

11:24 Jun 29, 2018

**Natural Resource Officer:**

Craig Kovacs

**Region:** Kootenay Boundary

**Field Unit:** Columbia

**Date of Inspection:**

August 28, 2017

**Client:**

Wandering Wheels

**In Attendance:**

Gerald Hills, NRO

**Compliance Status:**

Compliant

**Client Contact Information:**

Box 1526 Revelstoke BC, V0E 2S0

**Latitude:**

51.055

**Location Description:**

Frisby Ridge Cross-Country Trail

**Longitude:**

-118.2591

**Primary Tenure/Authorization:**

NO TENURE REQUIRED/NRIS

**Secondary Tenure/Authorization:**

**Alleged Non-Compliance Summary:**

aNC#	Estimated Incident Date	Parent Act	Act/Regulation	Section	Description	Action Taken

**Warning Ticket #:**

**ERA Case #:**

**Description and Comments:**

Natural Resource Officer Craig KOVACS and Gerald HILLS conducted an inspection of Frisby Ridge Cross-Country trail on August 28, 2017. This inspection was triggered due to advertisements of Wandering Wheels offering vacation packages for guided mountain bike tours on Frisby Ridge Cross Country trail. This trail has been identified as highly significant from Biologist Cory Legebokow due to the Caribou Recovery Project.

No Wandering Wheel vehicles were in the parking lot. Officers did pass a Wandering Wheels truck that only had a driver of the vehicle in it. Officers biked the entirety of the trail and found no members of Wandering Wheels guiding.

**Natural Resource Officer:** [Craig Kovacs]

Signature: X

I certify that this inspection conforms to Ministry compliance

**Sent to:**

Box 1526 Revelstoke BC, V0E 2S0

<b>Attachments and Comments:</b>	<b>Delivered via:</b>	
	Email: <input type="checkbox"/>	Fax: <input type="checkbox"/>
	Mail: <input type="checkbox"/>	Registered Mail: <input type="checkbox"/>
	Hand Delivery: <input type="checkbox"/>	



## INSPECTION REPORT



RECORD ID: 068877

IDIR\CKOVACS

11:28 Jun 29, 2018

**Natural Resource Officer:**

Craig Kovacs

**Region:** Kootenay Boundary

**Field Unit:** Columbia

**Date of Inspection:**

August 30, 2017

**Client:**

Wandering Wheels

**In Attendance:**

Shannon DIXON, NRO

**Compliance Status:**

Compliant

**Client Contact Information:**

Box 1526 Revelstoke BC, V0E 2S0

**Latitude:**

51.055

**Location Description:**

Frisby Ridge Cross-Country Trail

**Longitude:**

-118.2591

**Primary Tenure/Authorization:**

NO TENURE REQUIRED/NRIS

**Secondary Tenure/Authorization:**

**Alleged Non-Compliance Summary:**

aNC#	Estimated Incident Date	Parent Act	Act/Regulation	Section	Description	Action Taken

**Warning Ticket #:**

**ERA Case #:**

**Description and Comments:**

Natural Resource Officer Craig KOVACS and Shannon DIXON conducted an inspection of Frisby Ridge Cross-Country trail on August 30, 2017. This inspection was triggered due to advertisements of Wandering Wheels offering vacation packages for guided mountain bike tours on Frisby Ridge Cross Country trail. This trail has been identified as highly significant from Biologist Cory Legebokow due to the Caribou Recovery Project.

No Wandering Wheel vehicles were in the parking lot. Officers biked the entirety of the trail and found no members of Wandering Wheels guiding.

**Natural Resource Officer:** [Craig Kovacs]

Signature: X

I certify that this inspection conforms to Ministry compliance

**Sent to:**

Box 1526 Revelstoke BC, V0E 2S0

<b>Attachments and Comments:</b>	<b>Delivered via:</b>	
	Email: <input type="checkbox"/>	Fax: <input type="checkbox"/>
	Mail: <input type="checkbox"/>	Registered Mail: <input type="checkbox"/>
	Hand Delivery: <input type="checkbox"/>	



**From:** [Keith, Erin FLNR:EX](#)  
**To:** [Kovacs, Craig FLNR:EX](#)  
**Subject:** RE: Matt Yaki - Wandering Wheels  
**Date:** Tuesday, January 9, 2018 2:21:02 PM

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Hi Craig,

No problem at all, thanks for the response! We are having a call with Matt on Thursday morning, myself Sharon and Cory, and if you are around and wanted to join us that would be great. This is as little last minute, so no worries if it doesn't work, just wanted to throw it out to you. Basically the call will include a discussion about his amendment and the concerns we have, and how he could mitigate those...we had removed the Boulder trails from his tenure as we thought they were issued in error in the Caribou reserve, but we made the error and so are giving those back....and towards the end I want to address the non-compliance piece, we are not out to cancel his tenure at this point, but should he continue to operate outside his tenure, we do have the right under Section 60 of the Act to cancel (which we likely wouldn't) but it needs to be brought up, and hopefully he takes it seriously.

I wanted to give you a call, but I think you are out in the snow Cory tells me...he and I just chatted so he might come and see you about Thursday as well.

Let me know what you think, no pressure either way ☺

Thanks Craig,

Erin



Erin Keith, P.Ag.  
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**From:** Kovacs, Craig FLNR:EX  
**Sent:** Thursday, January 4, 2018 12:18 PM  
**To:** Keith, Erin FLNR:EX  
**Subject:** RE: Matt Yaki - Wandering Wheels

Hi Erin, sorry for the late response<sup>s.22</sup> . Yes  
C&E is still monitoring Wandering Wheels for the activities outside of the tenured area.

That is great he is no longer advertising for those areas. Give me a call if you have any further questions.

Craig Kovacs  
Natural Resource Officer  
Columbia Field Unit / Kootenay Boundary Region  
Compliance and Enforcement Branch

Ministry of Forests, Lands and Natural Resource Operations  
Office:250.837.7619 Cell: 250.837.8611

To report a Natural Resource Violation:  
Telephone 1-844 NRO-TIPS (676-8477)  
Web: <https://www.for.gov.bc.ca/hen/nrv/report.htm>

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**From:** Keith, Erin FLNR:EX  
**Sent:** Monday, December 18, 2017 8:53 AM  
**To:** Kovacs, Craig FLNR:EX  
**Subject:** Matt Yaki - Wandering Wheels

Hi Craig,

I am still working away on the Wandering Wheels file, and had a question for you...Is there still an active C&E file/investigation going on? Im not sure if I have clarified that with you, I know you had sent me the file notes, which is great, but am not sure if there is still ongoing work happening?

I had a look on their website recently and it looks like they have removed reference to areas they are nor tenured for, or at least I cant seem to find any....

Anyway, just wanted to check in, s.22

but if you could let me know

s.22

I would be happy to chat for a minute.

Thanks Craig,

Erin



Erin Keith, P.Ag.  
*Authorizations Officer*  
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Cranbrook, BC V1C 7G1  
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