



## COMPLAINT REPORT

Confidential for Internal Use



RECORD ID: 217820

IDIR **s. 15, s. 22**

08:41 Nov 29, 2023

Medium Sensitive

**Natural Resource Officer:**

Gerald Hills

**Region:** Kootenay Boundary

**Field Unit:**

**Date Received:**

November 28, 2023

### Complainant Information

**Last Name:**

Dexter

**First Name:**

Justin

**Email:**

justin.dexter@gov.bc.ca

**Telephone:**

778-671-9090

**Latitude:**

**Additional Contact Information:**

Name

Justin Dexter

Phone

(778) 671-9090

Email

justin.dexter@gov.bc.ca

**Longitude:**

**Location Description:**

Nearest City/Town

Kaslo BC

**Violation Narrative:**

Details of the violation

**s. 22**

has asked to remain anonymous with this report so I am doing it on their behalf.

Rumor's were swirling a month ago that Retallack (who has a license of occupation for both cat skiing and mountain biking) was planning on cutting down trees to block access and use of the mountain bike trails that they built and use. These trails are on Crown Land and as a condition of license are open and available for public use.

I met with Tracy Ronmark (director of Lands) a few weeks ago and brought this to her attention and asked her to look into it (she did not).

Last week someone felled many trees blocking access to many of the trees under license to Retallack including large diameter merch trees. Obviously the local community suspects that Retallack was behind this and is asking for a investigation and remediation.

Description of alleged person(s), parties

Alleged agency is Retallack (cat ski operation).

**ALLEGED CONTRAVENER:**

Retallack Cat Ski Operation

**Function:**

**Activity:**

**Action Taken**

**Date Action Taken:**

**Lead Agency:**  
MOF

**Assigned To:**

**Rationale:**

**Description and Comments:**  
Attachment of report

**Natural Resource Officer:** [Gerald Hills]  
  
Signature: X  

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I certify that this inspection conforms to Ministry compliance

**Sent to:**  
s. 15, s. 22

**Attachments and Comments:**

**Delivered via:**  
Email: ☒ Fax: ☐  
Mail: ☐ Registered Mail: ☐  
Hand Delivery: ☐



## COMPLAINT REPORT

Confidential for Internal Use



RECORD ID: 218108

IDIR s. 15, s. 22

12:02 Dec 14, 2023

Medium Sensitive

**Natural Resource Officer:**

Colwyn Sleep

**Region:** Kootenay Boundary

**Field Unit:** Castlegar

**Date Received:**

December 04, 2023

### Complainant Information

**Last Name:**

WAHN

**First Name:**

Eric

**Email:**

eric.wahn@gov.bc.ca

**Telephone:**

778-671-9079

**Latitude:**

50.038264

**Additional Contact Information:**

1907 Ridgewood Road  
Nelson, BC V1L6K1

**Longitude:**

-117.160316

### Location Description:

Nearest City/Town: New Denver  
Location Description: Retallack / Stenson FSR  
Latitude and Longitude: 50.038264, -117.160316

### Violation Narrative:

Is this a follow-up report? No  
Did you observe the violation? Yes  
Is the violation in progress? No  
Details of the violation

Retallack appears to have felled trees in contravention of Schedule A of their Occupant License to Cut.

I heard through the grapevine that Retallack had felled hundred of trees, including some old growth, to block access to the mountain bike trails on Stenson FSR. I went to check it out and I found about 40-50 recently felled trees blocking several of the bike trails. I noted one high value old growth Cedar snag (80cm DBH) that had been felled and a mix of live & dead non-merchantable and merchantable stems ranging between 12.5cm-40cm.

I had a look into their OLTC License document (L51456), and under 3.00 Timber Harvest Limitations it states "The Licensee must comply with the forestry legislation and the conditions and requirements set out in Schedule A to this Licence."

Schedule A of the license states that the Licensee must prepare, sign, and submit an Annual Plan for the OLTC Exhibit A area, and that this plan must be approved.

I looked at the L51456 Annual Plan, and there was no reference to the felling of trees to restrict access to the mountain bike trails. Therefore, this tree felling does not appear to be consistent with their OLTC.

Also 6.00 of the Schedule A states that the licensee must leave areas "in an orderly and sanitary condition". The areas where tree felling has occurred, are not orderly or sanitary.

Description of alleged person(s), parties

Retallack Cat Ski

Transport involved

Unknown

Known hazards

Trees felled on to recreation trails on crown land

### ALLEGED CONTRAVENER:

Retallack Cat Ski

**Function:**

Forest Management

**Activity:**

Harvesting

<b>Action Taken</b> Recommend for Inspection		<b>Date Action Taken:</b> 2023-12-14	
<b>Lead Agency:</b> MOF		<b>Assigned To:</b> Karli Ferrell	
<b>Rationale:</b> 2023-12-14 08:50 - Second complaint received, different COM. Complaint priority: 6.4. FWD to NRO Supervisor Colwyn SLEEP for further assessment - CM Assigned to NRO FERRELL 2023-12-14 -CS			
<b>Description and Comments:</b>     			
<b>Natural Resource Officer:</b> [Colwyn Sleep]		<b>Sent to:</b>	
Signature: X			
I certify that this inspection conforms to Ministry compliance			
<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"/>	



## COMPLAINT REPORT

Confidential for Internal Use



RECORD ID: 218121

IDIR s. 15, s. 22

12:03 Dec 14, 2023

Medium Sensitive

**Natural Resource Officer:**

Colwyn Sleep

**Region:** Kootenay Boundary

**Field Unit:** Castlegar

**Date Received:**

December 04, 2023

### Complainant Information

**Last Name:**

WAHN

**First Name:**

Eric

**Email:**

eric.wahn@gov.bc.ca

**Telephone:**

778-671-9079

**Latitude:**

50.038264

**Additional Contact Information:**

1907 Ridgewood Road  
Nelson, BC V1L6K1

**Longitude:**

-117.160316

### Location Description:

Nearest City/Town: New Denver / Kaslo

Location Description: Retallack / Stenson FSR

Latitude and Longitude: 50.038264, -117.160316; 50.033125, -117.153828; 50.036896, -117.158424

### Violation Narrative:

Retallack appears to have felled trees in contravention of Schedule A & B of the Occupant License to Cut L51456.

I heard through the grapevine that Retallack had felled hundred of trees, including some old growth, to block access to the mountain bike trails on Stenson FSR. I went to check it out on November 27, 2023, and I found about 50-60 recently felled trees blocking several of the bike trails. I noted one high value old growth Cedar snag (80cm DBH) that had been felled and a mix of live & dead non-merchantable and merchantable stems ranging between 12.5cm-40cm.

I had a look into their OLTC License document (L51456), and under 3.00 Timber Harvest Limitations it states "The Licensee must comply with the forestry legislation and the conditions and requirements set out in Schedule A to this Licence."

Schedule A of the license states that the Licensee must prepare, sign, and submit an Annual Plan for the OLTC Exhibit A area, and that this plan must be approved. I looked at the L51456 2023 Annual Plan, and there was no reference to the felling of trees to restrict access to the mountain bike trails. Therefore, this tree felling does not appear to be consistent with the OLTC.

Also 6.00 of the Schedule A states that the licensee must leave areas "in an orderly and sanitary condition". The areas where tree felling has occurred, are not orderly.

Schedule B states: "1.00 The Licensee must not cut any timber unless authorized to do so in this License, and the Annual Plan". Given that cutting trees to restrict access to trails was not identified in the 2023 Annual Plan, the felling that took place does not appear to be consistent with the Schedule B.

It also seems somewhat problematic to fall trees (green, merchantable, high value wildlife snags, etc) as a means to limit public access to crown lands.

Known hazards

### ALLEGED CONTRAVENER:

Retallack Cat Ski

**Function:**

Forest Management

**Activity:**

Harvesting

**Action Taken**  
Recommend for Inspection

**Date Action Taken:**  
2023-12-14

**Lead Agency:**  
MOF

**Assigned To:**  
Karli Ferrell

**Rationale:**  
2023-12-14 09:30 - Third NRVF received seems to provide update/more info on #218108 which also relates to #217820.  
Complaint priority: 6.4. FWD to NRO Supervisor Colwyn SLEEP for further assessment - CM  
Assigned to NRO FERRELL 2023-12-14 -CS

**Description and Comments:**

**Natural Resource Officer:** [Colwyn Sleep]  
  
Signature: X

**Sent to:**

I certify that this inspection conforms to Ministry compliance

**Attachments and Comments:**

**Delivered via:**  
Email: ☐ Fax: ☐  
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