



**OFF-HIGHWAY VEHICLE ADVISORY COUNCIL
DIVISION OF OUTDOOR RECREATION
DEPARTMENT OF NATURAL RESOURCES**

*Minutes Of The Meeting Held on October 27, 2023, at 3:00 p.m.
Department of Natural Resources
Post Site Visit - Eureka Town Hall*

ATTENDEES

Council Members Present:

Jason Blankenagel (Chair)
Eric Nelson (Vice Chair)
Brody Johnson
Scott Wheeler
Fred Christensen
Kirk Chester
Bonnie McCallister
Cheryl Butler
Laura Ault
Nathan Curtis

Host:

Department of Natural
Resources

Division of Outdoor Recreation:

Chase Pili
Rachel Toker
Jorge Vazquez

Attorney General's Office Representative:

Shane Stroud

Visitors:

Shanna Memmot

Excused:

Brett Davis

Audio/video recording of this meeting is located at:

[Off-highway Vehicle Advisory Council 10/27/2023](#)

TIME AGENDA ITEM AND SUMMARY

0:15

1. WELCOME

1.1. Call to Order

The Off-highway Vehicle Advisory Council Chair, Jason Blankenagel called the meeting to order, and Off-highway Vehicle (OHV) Grant Administrator Rachel Toker recorded the minutes. Ms. Toker also took attendance of the council members present. With a quorum of council members in attendance, the meeting proceeded with its agenda.

1.2. Attendance and Introductions

Chair Blankenagel introduced himself to the council and everyone in attendance he then asked everyone in attendance to introduce themselves. Council members provided their names and affiliations for the record.

1.3. Welcome New Council Members

Chair Blankenagel began by formally introducing Bonnie McCallister, a new council member based in Salt Lake City. Expressing gratitude for her commitment to joining the council, he also acknowledged the valuable contributions of her predecessor, Tyson Todd.

Continuing the welcoming spirit, Chair Blankenagel then turned his attention to returning members, Kirk Chester and Scott Wheeler. Both had served on the council the previous year. Scott Wheeler, who reapplied for the Motorcycle Representative position, was successfully voted in during the previous meeting. Similarly, Kirk Chester, reapplying for the Snowmobile Representative position, was also welcomed back by the council.

The Chair took a moment to acknowledge Brett Davis, the 4-Wheel Drive Representative, expressing gratitude for his ongoing commitment, even though he couldn't attend the current meeting due to leading a Jamboree, as mentioned by Ms Toker.

04:00 **3. ELECT COUNCIL SECRETARY**

3.1. Secretary

Chair Blankenagel proceeded to the next agenda item, the election of a council secretary. Ms. Toker reminded the council that Tyson, who was elected previously, had stepped down. Providing a brief description of the role, Ms. Toker explained that the council secretary would primarily work alongside her and coordinate with the council.

Opening the floor for nominations, Chair Blankenagel invited members to put forward candidates. Scott Wheeler nominated Mrs. McCallister, noting her assumption of responsibilities from Mr. Tyson. In response, Kirk Chester nominated Mr. Wheeler for the secretary position. With no additional nominations, Chair Blankenagel called for a motion to close the nominations. The council members unanimously agreed to close the floor for nominations.

CHAIR BLANKENAGEL OPENED THE FLOOR FOR A VOTE FOR BONNIE MCCALLISTER FOR THE POSITION OF SECRETARY. WITH UNANIMOUS SUPPORT AND NO OPPOSITION, BONNIE MCCALLISTER WAS VOTED IN AS THE OFFICIAL SECRETARY OF THE COUNCIL.

9:28 **4. MOAB TRAIL CLOSURES**

Chair Blankenagel initiated a discussion on the impending trail closures in Moab, emphasizing the urgency due to the imminent decision-making by the Bureau of Land Management (BLM). Acknowledging the significance of the matter, he noted that the agenda item had been prioritized and moved up as per the council's request.

Chair Blankenagel then yielded the floor to Laura Ault from the Public Lands Policy Coordinating Office and Chase Pili, OHV Program Manager at the Division of Outdoor Recreation, to provide insights and updates on the situation. This collaborative approach aimed to ensure a comprehensive understanding of the issues surrounding the Moab trail closures and to facilitate an informed discussion among council members.

Mrs. Ault commenced the discussion by presenting a map detailing the roads currently at risk of closures, specifically focusing on the 114 miles of R.S 2477 roads—a matter of current state concern, as highlighted by Mrs. Ault. These roads are currently subject to state litigation for state right of way.

Mrs. Ault informed the council that a petition has been filed with the IBLA (Internal Board of Land Appeals), an administrative law body with jurisdiction over state matters. This petition aims to prevent the implementation of the proposed closure plan. In response to these developments, the governor has issued a request for a consistency review, marking the ongoing status of the situation.

Kirk Chester inquired about the anticipated next steps in the process. Mrs. Ault responded, stating that the progression hinges on the decisions made by the IBLA. Mr. Chester then posed the question, "How can this body assist in the preservation of that trail?"

Mrs. Ault stated that the deadline for filing anything additional with the IBLA is set for Monday, the 30th. She indicated that groups such as Ride With Respect and Blue Ribbon Coalition are actively engaged in similar efforts to address the situation.

Highlighting the ongoing collaboration, Mrs. Ault expressed that as time progresses, additional sources of information may become available. These sources could include details on which groups are utilizing the routes, the identification of alternative routes, and any other pertinent information essential for gaining a better understanding of the situation.

Mr. Wheeler acknowledged the presence of other organizations fighting appeals and sought clarification from Mrs. Ault on whether there were plans to collaborate with these groups. In response, Mrs. Ault conveyed that the course of action would depend on the unfolding events and the specific angle of the situation. She emphasized that from the state's perspective, the focus is on the R.S 2477 routes, as they hold the highest interest in presenting a compelling case.

Mr. Wheeler expressed his deep concerns about the continuous loss of trails, emphasizing the potential consequence of losing access to essential routes. He articulated, "Our concern is that we keep losing one after another, and if this keeps up, we won't have any trails to ride on, especially the best ones. I have seen that happen in the Price office, and they're going to be doing the same thing in the Moab office. My concern is, how are we going to stop all of these route closures?"

Mrs. Ault acknowledged the existence of potential legislation that could potentially prevent some trail closures. However, she expressed uncertainty about the likelihood of such legislation passing in Congress given the current circumstances. Nevertheless, she emphasized that these legislative avenues are a step in the right direction.

Offering a proactive approach, Mrs. Ault suggested ways in which the OHV community can actively contribute to the cause. She highlighted the significance of attending Travel Management Plan (TMP) meetings, where discussions about routes take place. These meetings are open to the public, providing a valuable platform for community members to voice their concerns and emphasize the importance of specific routes. Mrs. Ault stressed the impact of community engagement in these meetings as a key means of making a positive difference in the ongoing efforts to address and prevent trail closures.

Mr. Wheeler expressed disagreement with the effectiveness of attending Travel Management Plan (TMP) meetings, particularly at the current administrative level. He emphasized that decisions are coming from Washington and not originating at the ground level. He voiced concerns about the potential loss of trails due to ongoing litigation.

In response, Mrs. Ault clarified her office's commitment to public access and acknowledged the influence of administrative decisions on the effectiveness of certain approaches. She suggested an alternative strategy, emphasizing the importance of making the OHV community's voice heard directly with the BLM. Mrs. Ault proposed engaging in activities such as taking BLM representatives on rides to showcase the significance of specific routes. She acknowledged the uncertainties and mentioned the commitment to pursue the cause as far as possible but what needs to be understood is that there are no guarantees.

Mr. Pili provided insight from the Division of Outdoor Recreation, emphasizing the collaborative efforts with PLICO and the team-oriented approach being taken to address the situation. He reminded the council of the constraints posed by the government entity, highlighting the importance of adhering to established rules and regulations. Mr. Pili assured the council that every trail is being evaluated and valued, even those currently deemed beyond discussion.

In acknowledging Scott's frustrations, Mr. Pili expressed a commitment to finding solutions within the legal framework. He conveyed the understanding of the challenges and the determination to navigate them responsibly. Following up on this, Mrs. Ault empathetically acknowledged the frustrations expressed by Scott and other members. She urged continued advocacy, emphasizing the impact of the community's consistent presence, voice, and pressure. Mrs. Ault reinforced the message that actively making the case known will contribute to making a positive difference in the ongoing efforts to address trail closures.

Chair Blankenagel inquired about the possibility of the council sending a letter of support on behalf of advocacy groups to agencies responsible for making the final decisions on trail closures. The question was directed to Attorney General's Office Representative, Shane Stroud.

Mr. Stroud responded, stating that he would need to review the statutory language defining the council's mandate. He clarified that while the council's primary role is to advise the division on OHV recreation, endorsing letters of support for advocacy groups addressed to agencies making final decisions might require a closer examination of the law for a definitive answer. Taking a specific position on other state agencies' matters could potentially deviate from the council's envisioned role under the statute.

Mr. Pili enthusiastically joined the discussion to address Vice Chair Eric Nelson's question. Acknowledging the significance of the inquiry, Mr. Pili affirmed that they are actively collaborating with PLICO to compile an inventory of grants recommended by the council. This inventory serves as a crucial reference point, providing detailed insights into the funding allocated to specific trails that are now facing closure.

Mr. Pili emphasized the importance of this inventory in building a comprehensive case. By showcasing the substantial grant dollars invested in these trails, it adds significant value to the overall argument against closure. This strategic approach aims to highlight the financial commitment and contributions made by the Division of Outdoor Recreation,

reinforcing the case for preserving trails funded through grants recommended by the council.

Mr. Stroud provided a clarification regarding the previous question on sending letters of support to prevent trail closures. Referring to statute 41-22-10, he explained that it outlines the advisory role of the council, appointed by the division, to provide advice on various highway vehicle conservation and related interests. Mr. Stroud emphasized that the council's primary function is to advise the division, and any action taken should align with this advisory role.

His overall advice was that the council should serve solely as an advisor to the division, refraining from acting as an independent political or executive branch body. If there is a need for any letters of support to be sent to external entities, it should come from the division itself, maintaining the council's role within the scope defined by statute 41-22-10.

Vice Chair Nelson expressed his hope that the Division of Outdoor Recreation (DOR) understands the stance of the council. In response, Mr. Pili affirmed that it is exceedingly clear where the council stands. He emphasized the passion of council members for the sport of OHVs and assured that the DOR would actively serve as a voice for the council. This exchange underscored the alignment between the council's position and the commitment of the Division of Outdoor Recreation to advocate for the interests and concerns of the OHV community.

Mrs. Ault emphasized that addressing concerns about trail closures aligned with their core responsibilities. While no promises could be made, she assured the council that they had top-notch attorneys dedicated to working on these matters.

Mr. Wheeler candidly expressed his deep frustrations with the ongoing situation, highlighting the concern that continued trail closures might render the council unnecessary if a significant number of trails are lost. In response, Mrs. Ault empathized with Mr. Wheeler, reassuring him that PLICO is aligned with the council's objectives. She emphasized that the work they do is on behalf of the OHV community, underscoring a shared commitment to addressing the challenges and advocating for the preservation of trails.

Mrs. Ault continued by acknowledging the frustrations within the OHV community, emphasizing the importance of following a structured process. Mr. Wheeler interjected, expressing a shift in approach: "We have always been reactive; we need to be proactive and get ahead of the ball." He stressed the need to demonstrate what actions can be taken to prevent future trail closures, advocating for a more anticipatory and preventative strategy.

Mrs. Ault affirmed Mr. Wheeler's call for proactivity, emphasizing the importance of taking BLM representatives on rides. She urged the council to showcase the value of their activities, emphasizing that this firsthand experience is crucial for generating support and catalyzing change. Mrs. Ault highlighted the need for collective efforts and educational initiatives to champion the cause and bring about positive transformations in the approach toward trail closures.

Fred Christensen posed a question regarding protections for trails and land if grant monies are utilized in areas facing potential closures. Mr. Pili reiterated that utilizing grant funds does offer additional support, making it more challenging for agencies like the BLM to justify closures. The added value from grant-funded OHV projects strengthens the case against closures.

Chair Blankenagel addressed Brody Johnson's leaving the meeting and recapped the discussion, emphasizing the significance of future grants on BLM land. He echoed Mr. Pili and Mrs. Ault's points, highlighting that increased grant awards offer stronger support in the ongoing battle to prevent trail closures.

Mr. Chester proposed a requirement for grant recipients to commit to keeping trails or OHV recreation sites open for a specified duration. Mrs. Ault mentioned the LWCF's approach to such grants. Ms. Toker sought Mr. Stroud's input on applying this concept to OHV grant funds. Mr. Stroud explained LWCF's focus on private lands, making enforcement easier. He noted challenges with land management entities, emphasizing the need for careful consideration to ensure enforceability in future agreements.

Mr. Stroud mentioned existing language in agreements addressing this, although he couldn't pinpoint the specifics. He expressed belief that relevant language is included in the agreements.

Chair Blankenagel expressed gratitude, taking a moment to thank Mrs. Ault's office, Mr. Pili, Mr. Stroud, fellow council members, and other entities. Recognizing the uphill battle, he acknowledged the collective commitment to involvement and efforts to enhance and support the OHV community.

Suggesting potential next steps, Chair Blankenagel proposed the idea of inviting commission members and influential decision-makers on a ride, aiming to make a tangible difference in advocating for OHV interests.

33:30 3. APPROVAL OF SEPTEMBER 25, 2023, MEETING MINUTES

Chair Blankenagel initiated the approval of the September 25th meeting minutes, providing council members an opportunity to review.

CHAIR BLANKENAGEL TO APPROVE THE MINUTES. FRED CHRISTENSEN MOTIONED, SECONDED BY LAURA, AND THE APPROVAL CARRIED UNANIMOUSLY.

35:10 4. PUBLIC COMMENT PERIOD

Chair Blankenagel transitioned to the public comment period. Shana Memmot, a representative from Juab County, expressed gratitude for the day spent with council members. She thanked those who participated, expressing Juab County's strong commitment to becoming responsible OHV users and recreators. Mr. Chester thanked Mrs. Memmot for coordinating the day. Ms. Toker highlighted that the UTV Mrs. Memmot used, purchased with council-awarded grant money, showcased the council's impact. Mrs. Memmot expressed gratitude for the UTV, emphasizing its frequent and effective use, and thanked the council for their ongoing contributions.

Mrs. Memmot acknowledged that the county still has much work ahead but expressed confidence in the ongoing progress, emphasizing the importance of hard work and determination.

Chair Blankenagel took another moment to inquire if there were any additional comments from the public in the room, and with that, Chair Blankenagel moved on to the next item on the agenda.

39:29

5. COORDINATION REQUIREMENT FOR APPLICANTS ON PUBLIC LANDS

Chair Blankenagel initiated the discussion by addressing the issue of individuals not understanding the prerequisites for working with public land managers before submitting an application. He clarified that letters of support from public land managers (e.g., BLM, SITLA) and additional documents like partnership agreements or adopt-a-trail agreements are typically required. He posed a question about defining upfront requirements and effective communication with applicants to avoid issues with grant funding related to public lands.

Ms. Toker explained the existing procedures, mentioning annual program guides and reports. She emphasized the necessity for support letters to come from the heads of organizations overseeing partnerships. For instance, if the support is required from a field office, it should be from the head of that specific office. This approach ensures that decision-makers at the highest level are aware of and supportive of the project, preventing potential issues arising from a lack of awareness or support higher up in the organizational hierarchy.

Chair Blankenagel gave an example from Washington County, where discrepancies emerged during discussions with a BLM representative regarding the Navajo Road Project. Mr. Wheeler added that agencies might provide support letters even if they have concerns about specific aspects of the project. Chair Blankenagel raised the question of whether further clarification is needed for applicants.

Mr. Christensen pointed out the importance of agency support, especially if a county or city is requesting equipment. Ms. Toker emphasized the critical nature of agency support when undertaking trail work for a grant. She mentioned that this information is shared during grant tours, where program guides and essential details are presented in 12 different locations.

Ms. Toker explained that, during her review of each application, she takes the initiative to assist and guide applicants in the right direction. She ensures that applicants understand the need for support to come from the appropriate organization or agency, guiding the specific requirements for each case. This proactive approach aims to streamline the application process and enhance the chances of successful outcomes by directing applicants toward the correct channels.

Chair Blankenagel expressed hope that the clarification on the support requirements would address the issue of applicants claiming due diligence without actually fulfilling the necessary steps. Ms. Toker added that explaining and directing applicants in the right direction should be straightforward, and providing contacts for the relevant organizations or agencies would make the process more accessible. This clarity aims to facilitate a smoother application process and ensure that applicants are well-informed about the requirements for successful grant proposals.

Chair Blankenagel expressed gratitude to Ms. Toker for her contributions and acknowledged the appreciation for the efforts of those from the Division of Outdoor Recreation. This recognition underscores the collaborative relationship between the council and the Division, emphasizing the value of their collective work in advancing the interests of the outdoor recreation community.

27:25 **5. OTHER ITEMS**

Chair Blankenagel transitioned to the next agenda item and inquired if there were any additional topics or concerns that required discussion.

Ms. Toker took a moment to promote the Statewide Comprehensive Recreation Plan, emphasizing its importance. She explained that the plan, conducted every 10 years, aims to gather input from Utah residents. Ms. Toker encouraged council members to participate in the survey, which takes approximately 15 minutes. In response, Chair Blankenagel inquired about the survey's duration, to which Ms. Toker mentioned it had been available for about a month, with promotion on various platforms, including social media and the newsletter.

Ms. Toker highlighted previous complaints about the absence of an OHV perspective in conferences. She mentioned efforts to include OHVs in conferences, emphasizing the need for support from the OHV community through active participation in these events.

Ms. Toker made a final push for people to sign up for the Division newsletter, emphasizing that it regularly provides up-to-date information.

51:00 **6. PROGRAM UPDATE**

Chair Blankenagel opened the floor for Mr. Pili to provide an update on the OHV program.

Mr. Pili provided updates on the OHV program, highlighting significant developments. One of the major focuses is the hiring of a trail crew foreman, with offers already extended for positions in the Southern region. The goal is to have the Northern region positions filled in the coming weeks. Mr. Pili emphasized that all necessary equipment is prepared for the new hires, and the team will be geared up for the upcoming snowmobile season, equipped with Snow Cats. The plan is to have the crews ready to address the 13th complexes during the winter season.

Another key focus of the program is a re-evaluation of the education program, particularly the adult course. Mr. Pili noted that approximately 30,000 people have taken the educational course, showcasing the commitment of the OHV community. However, there is a recognition of the need to elevate youth education. Mr. Pili expressed gratitude to individuals such as Dierdre Miller, Mr. Christensen (safety rep), and Bret Stewart for their contributions. Ms. Toker will be traveling to California next month to become an instructor.

In the upcoming year, the program will roll out a new online platform, providing more learning opportunities. The anticipated launch for this online program is set for next spring, generating excitement within the OHV community.

During NOVACC (National Off-Highway Vehicle Conservation Council), Ms. Toker and Chair Blankenagel were speakers, showcasing the significant strides Utah has made in OHV. Feedback from other states expressed amazement at the accomplishments and initiatives undertaken by Utah. The council members extended gratitude to Mr. Pili for his dedicated efforts in advancing the OHV program. The commitment is to continue improving and building upon the success of the program.

38:30

7. ADJOURNMENT

Having no further business, Chair Blankenagel sought a motion to adjourn.

LAURA AULT MOTIONED TO ADJOURN THE MEETING. EVERYONE SECONDED THE MOTION. THE MEETING WAS ADJOURNED.

DRAFT