



**DIVISION OF OUTDOOR RECREATION
DEPARTMENT OF NATURAL RESOURCES**

Off-Highway Vehicle Advisory Council

DRAFT

*Minutes Of The Meeting Held on June 17, 2026 5:00 PM to 7:00 PM
Virtual*

HOST: Utah Department of Natural Resources

Division of Outdoor Recreation

1594 W. North Temple

Salt Lake City, Utah 84116

Trailhead Conference Room

(Virtual meeting)

ATTENDEES:

Wade Allinson, Evan Beitsch, Maureen Casper, Jason Curry, Deirdre Miller, Patrick Morrison, India Nielsen, Rachel Toker, Jorge Vazquez, Jacob Hinton, Nicole Hanna, Jason Blankenagel (Chair), Cheryl Butler, Russ Cazier, Mike Cook, Sheriff Curtis, Brett Davis, Dave Jacobson, Brody Johnson, Nicole Nielson, Scott Wheeler, Brett Stewart.

MEETING MINUTES:

(0:00) The meeting was officially called to order by Chairman Jason Blankenagel. The Chairman welcomed attendees to the June 17, 2026 session, outlined the expectations for the virtual meeting space, and prepared the council to transition directly into administrative protocols.

(0:07) A roll call was conducted to establish a physical and virtual quorum for the record. Council members representing various interests (including ATV, BLM, Trust Lands, and Off-Road Motorcycles) introduced themselves, followed by staff from the Division of Outdoor Recreation (DOR) and public advocates.

(3:28) Review and Approval of March 6, 2026, Meeting Minutes: The council reviewed the minutes from the March 6 session. Scott Wheeler identified an error

that identified him as "Scott Walker" or "Wheeler" interchangeably throughout the text.

Motion: Brody Johnson approved the minutes subject to correcting the name. Seconded by Mike Cook. Minutes approved unanimously.

(5:07) Review and Approval of March 26, 2026, Meeting Minutes: Hearing no objections, typographical corrections, or requests for amendments from the council members, the document was put forward for an immediate vote.

Motion: Mike Cook made the motion to approve the minutes. Sheriff Curtis seconded the motion. The minutes approved the minutes as written.

(6:00) Nicole Hannah, acting as division legal counsel, provided a detailed statutory briefing on the pre-scoring eligibility requirements for the Off-Highway Vehicle Recreation (OHVR) grant program. It is the applicants responsibility to demonstrate eligibility. She emphasized that eligibility is a strict, non-discretionary legal gateway determined by DOR staff on the backend; if an applicant fails to meet statutory thresholds, the application cannot legally proceed to the advisory council for scoring, regardless of the project's quality.

(11:43) Counsel began discussion into the specific provisions governing eligible entities. The presentation outlined the dual-prong necessity for non-state applicants to be legally registered under Utah Chapter 6A corporate code (or registered as a foreign corporation with a valid Utah DBA) and to possess clear, foundational organizational bylaws and articles of incorporation that explicitly state a corporate purpose supporting OHV recreation interests.

(24:48) The council held a discussion regarding the legal boundaries of vetting an applicant's true organizational "intent." Board members raised concerns about groups whose bylaws claim to support OHV recreation, but whose public actions or social media footprints advocate for motorized trail closures. Counsel clarified that DOR can legally evaluate an organization's public corporate footprint to verify alignment of intent, though staff does not monitor private member pages. Additionally, the division emphasized that grant recipients must maintain compliance with state vehicle registration laws, as funding is derived directly from those public fees.

(32:14) Discussion of Division of Duties: The division possesses non-discretionary authority over statutory compliance and legal eligibility (whether an applicant *shall* or *shall not* be funded based on law). In contrast, the Advisory Council possesses

discretionary authority over project merits, evaluating applications based on rules and public benefit to provide funding recommendations that the division heavily weighs and honors.

(35:01) The division reviewed the structural modification of the Foundation for America's Public Lands (the BLM's charitable arm). To satisfy state grant criteria, the Washington D.C.-incorporated 501(c)(3) agreed to establish a valid Utah corporate entity. Furthermore, a thorough background review confirmed that while the foundation funds both motorized and non-motorized public lands projects, none of its historical work or advocacy is detrimental to motorized OHV recreation.

(40:24) The board reviewed risk-mitigation strategies regarding post-award compliance, contract breaches, and the prevention of overlapping or duplicate project funding. A discussion ensued regarding scenarios where a federal field office and its non-profit "Friends" group might apply for funds on the same trail system. The division noted that applications are strictly audited pre-scoring to prevent dual funding; the current material-and-labor division at the Cricket Mountains trail system was cited as a model partnership, where the foundation purchases materials via the grant and the BLM coordinates the physical labor.

(50:54) The council discussed the fiscal limits of funding an applicant's administrative overhead. Legal counsel clarified that while indirect overhead costs are legally non-reimbursable under the grant program, direct administrative project management fees are permissible. However, these fees are heavily scrutinized by the board on a case-by-case basis to maximize the amount of money hitting the ground, with the council noting that direct administrative fees should ideally remain at or below 5%, while any request approaching 10% triggers strict documentation requirements.

(55:35) The segment concluded with a request to invite David Zang, the outreach and legal counsel for the Foundation for America's Public Lands, to a future council session to give a formal presentation. Wade Allinson noted that the foundation is heavily backed by Polaris and is currently collaborating with the division on a highly beneficial joint project in Cedar City.

Action Item: Nicole Hannah and Wade Allinson to contact David Zang to coordinate a formal presentation for the council at an upcoming meeting.

(59:13) Trail Cameras and DWR Code: Legal Counsel Nicole Hannah briefed the council on a \$6,900 grant request from Sevier County, which included \$600 for trail cameras to monitor trail usage. She explained that to deploy year-round trail

cameras on public lands legally, the division must comply with Utah Code Annotated UCA 23A-5-307, a Department of Wildlife Resources (DWR) statute enacted because the state owns and regulates all native wildlife.

(1:01:44) Counsel clarified that because the cameras are placed in open public spaces, there is no legal expectation of privacy. Failure to secure the MOU would legally restrict camera usage for six months out of the year.

(1:03:05) Chairman Jason Blankenagel opened the floor to fill the vacant Dealership Representative position. Grant Manager Rachel Toker presented the qualifications and regions for five distinct applicants under strict new state data privacy guidelines.

(1:10:32) Scott Wheeler commented regarding the suspected use of Generative AI tools in writing application narratives, advocating for shorter, personal paragraphs over highly polished, AI-assisted text.

Action Item: For future application cycles, Rachel Toker will integrate a formal AI disclosure question into the Qualtrics application portal and look into practical word limits.

(1:21:08) As council discussion began touching upon candidate character and professional standing, Legal Counsel Nicole Hannah brought up the Open and Public Meetings Act (OPMA). She advised that specific character judgments must strictly occur in a noticed, closed executive session. To prevent legal exposure or scheduling delays, the board elected to stay in open session and evaluate candidates based entirely on their submitted materials, personal land manager relationships, and public histories.

(1:29:56) Motion: Scott Wheeler moved to initiate a roll-call vote where each member votes their chosen candidate from the floor. The motion was seconded by Brody Johnson. The motion was carried unanimously via Roll Call (with Russ Cazier abstaining and Dave Jacobson designated as non-voting).

(1:32:45) Roll-Call Tally: A vote-by-name call resulted in Laci Werner receiving 3 votes, William Chambers receiving 2 votes, and Charlie Stevenson receiving 2 votes.

(1:34:57) Motion: Sheriff Nathan Curtis moved to formally accept the vote tallies and nominate Laci Werner as the incoming Dealership Representative. The motion was seconded by Brody Johnson. The motion passed unanimously via roll call.

(1:36:07) The council evaluated the applications for the vacant Snowmobile Representative seat. The two candidates were Alton “Dean” Harris (Mendon / Top of Utah Snowmobile Association) and Michael Fogg (Mountain Green / Weber County Search and Rescue). Scott Wheeler and division staff highlighted Mr. Harris's extensive history solving single-track fuel issues in Logan Canyon and successfully executing a recent state parking grant at Franklin Basin.

(1:40:20) Motion: Scott Wheeler moved to initiate the identical open roll-call voting procedure used in the previous appointment. The motion was seconded by Brody Johnson. The motion was carried unanimously via roll call.

Roll-Call Tally: All seven voting members unanimously cast their floor votes for Alton “Dean” Harris.

(1:42:04) Motion: Brett Davis moved to ratify the election results and appoint Alton “Dean” Harris as the Snowmobile Representative. The motion was seconded by Sheriff Nathan Curtis. The motion passed unanimously via roll call.

(1:43:42) Council Chair and Vice Chair Appointments OHV Program Manager Wade Allinson took over to oversee annual leadership elections for Fiscal Year 2027.

(1:44:27) Motion: Brody Johnson moved to formally open floor nominations for Council Chair and Vice Chair. The motion was seconded by Mike Cook and carried unanimously via roll call.

(1:45:09) Motion: Brody Johnson nominated incumbent Jason Blankenagel to serve a consecutive term as Council Chair. The motion was seconded by Mike Cook. The nomination passed unanimously.

(1:46:36) Motion: Following an initial confirmation roll call, Nicole Nielson moved to formally ratify the nomination. The motion was seconded by Brody Johnson and passed unanimously (with Chair Blankenagel recusing himself).

(1:47:55) Motion: Brody Johnson made a motion to open the voting for Council Vice Chair. Scott Wheeler seconded. Motion passed via roll call.

(1:48:28) Motion/ Nomination: Scott Wheeler nominated Brody Johnson to serve as Council Vice Chair. Brody Johnson accepted the nomination. Seconded by Brett Davis. Sheriff Nathan Curtis moved to close all floor nominations, and Mike Cook seconded. The vote to appoint Brody Johnson as Vice Chair carried unanimously.

(1:50:48) Wade Allinson and Nicole Hannah clarified that federal partners are legally prohibited from serving as council chairs due to structural conflict laws, and state employees are strongly discouraged from doing so.

(1:51:42) Wade Allinson provided an executive update addressing the recent legislative audit and subsequent KSL media coverage regarding agency finances.

- **Audit Findings:** The audit formally demands increased council oversight on specific financial expenditures, points out infrastructural deficiencies within the snowmobile program, and mandates thorough compliance tracking for active grant projects.

(1:57:13) Brett Stewart with Utah OHV Advocates requested advisory council backing for a policy shift to eliminate registration reciprocity for out-of-state street-legal OHVs. He cited an event in Moab where out-of-state users actively registered vehicles in South Dakota or Montana specifically to bypass contributing to the Utah OHV restricted fund account. Nicole Hannah reviewed the controlling statutes and determined that the state code already mandates decal purchases for these vehicles; the inconsistency lies within the administrative rule.

(2:06:21) Wade Allinson outlined upcoming agency initiatives, including an analysis of heavy equipment deployment, the planned hiring of single-track seasonal workers, and the creation of a Volunteer Coordinator position to certify the public on chainsaw operations and tread repair. Wade Allinson urged the board to review Arizona's helmet and seatbelt codes for side-by-sides, expressing deep safety concerns over recent youth fatalities in Parowan.

(2:09:12) Nicole Hannah provided a confidential brief regarding recent Government Records Access and Management Act (GRAMA) discovery requests originating from the Southern Utah Wilderness Alliance (SUWA). Because the requesting entity is actively involved in highly contentious RS2477 litigation against the State of Utah, Nicole Hannah warned the board to maintain extreme caution to avoid violating standing court orders.

(2:11:15) Rachel Toker announced that the Fiscal Year 2026 grant overview summary and annual Advisory Council evaluation surveys would be distributed via email the following morning. Additionally, Todd Royce, Director of the Division of Law Enforcement, requested that a permanent, recurring agenda slot be created for upcoming sessions to allow his team to provide localized updates on statewide enforcement efforts.

(2:13:45) DOR Director Jason Curry informed the council of his recent formal testimony before the Utah State Legislature regarding the council's scheduled 2027 statutory sunset. Jason Curry strongly advocated against the sunset, testifying that the department cannot legally or practically execute its recreation mandates without this advisory body.

(2:16:16) Motion: Brody Johnson moved to formally adjourn the session. The motion was seconded by Mike Cook. The motion passed unanimously, and the meeting was adjourned.