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Two Blanding men fined \$35,000 for creating ATV trail on BLM land

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Two Blanding men on Friday were fined \$35,000 and placed on years of probation after pleading guilty to creating an ATV trail through archaeological sites in Recapture Canyon.

On Jan. 11, Kenneth James Brown, 67, and Daniel Lee Felstead, 38, were charged with the misdemeanor of damaging the property that the Bureau of Land Management administrates by creating the trail in 2005. The potential penalty for such a crime is up to one year in prison and a fine of \$100,000.

Friday, U.S. Magistrate Judge Samuel Alba sentenced Brown to one year of probation and a fine of \$27,000. He will pay \$22,000 by Jan. 31, and pay the remaining \$5,000 during his probation. Felstead was ordered to pay \$8,000 over two years of probation.

“The probation and restitution ordered in this case today represents a just outcome in this matter. These defendants have been held criminally responsible for their wrongful actions and required to pay thousands of dollars in restitution to repair the damage attributable to their conduct,” U.S. Attorney Carlie Christensen said Friday.

Brown and Felstead admitted in court Friday that they used picks, shovels and other tools to construct the trail through the canyon east of Blanding. But, Christensen said, it was not possible to attribute all the damage in the canyon to the two men.

“I understand many Utahns have strong feelings on both sides of the debate when it comes to Recapture Canyon,” Christensen said. “However, we must balance many factors when we pursue a criminal prosecution.”

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