

RESOLUTION NO. R- 48 -2024

**A RESOLUTION OF EAGLE MOUNTAIN CITY, UTAH, APPROVING
A COOPERATIVE AGREEMENT BETWEEN EAGLE MOUNTAIN CITY AND THE
UTAH DEPARTMENT OF NATURAL RESOURCES, DIVISION OF WILDLIFE RESOURCES
FOR THE COMPLETION OF THE EAGLE MOUNTAIN WILDLIFE MIGRATION
CORRIDOR PRESERVATION FY25 PROJECT**

PREAMBLE

WHEREAS, the City Council of Eagle Mountain City, Utah, finds that it is in the public interest to approve a cooperative agreement between Eagle Mountain City and Utah Department of Natural Resources, Division of Wildlife Resources for the completion of the Eagle Mountain Wildlife Migration Corridor Preservation FY25 Project, as set forth in Exhibit A.

NOW, THEREFORE, be it resolved by the City Council of Eagle Mountain City, Utah:

1. The cooperative agreement between Eagle Mountain City and Utah Department of Natural Resources, Division of Wildlife Resources for the completion of the Eagle Mountain Wildlife Migration Corridor Preservation FY25 Project, attached hereto as Exhibit A, is hereby approved.
2. This Resolution shall take effect upon its first publication or posting.

ADOPTED by the City Council of Eagle Mountain City, Utah, this 6th day of August 2024.

EAGLE MOUNTAIN CITY, UTAH


Tom Westmoreland, Mayor

ATTEST:


Fionnuala B. Kofoed, MMC
City Recorder



CERTIFICATION

The above Resolution was adopted by the City Council of Eagle Mountain City, Utah on the 6th day of August, 2024.

Those voting yes:

☒ Donna Burnham

☒ Melissa Clark

☒ Jared Gray

☒ Rich Wood

☒ Brett Wright

Those voting no:

☐ Donna Burnham

☐ Melissa Clark

☐ Jared Gray

☐ Rich Wood

☐ Brett Wright

Those excused:

☐ Donna Burnham

☐ Melissa Clark

☐ Jared Gray

☐ Rich Wood

☐ Brett Wright

Those abstaining:

☐ Donna Burnham

☐ Melissa Clark

☐ Jared Gray

☐ Rich Wood

☐ Brett Wright



Fionnuala B. Kofoed, MMC
City Recorder



Exhibit A

Cooperative Agreement

BETWEEN
EAGLE MOUNTAIN CITY
AND
UTAH DEPARTMENT OF NATURAL RESOURCES,
DIVISION OF WILDLIFE RESOURCES

Pursuant to Utah Code §23A-2-401, this COOPERATIVE AGREEMENT is made and entered into upon the date of 07/01/2024, between the State of Utah, Department of Natural Resources, Division of Wildlife Resources (UDWR) and Eagle Mountain City for completion of the *Eagle Mountain Wildlife Migration Corridor Preservation FY25 (WRI # 6991)* proposed through the Watershed Restoration Initiative (WRI).

The term of this Agreement will be from July 1, 2024 through June 30, 2025.

The Parties agree as follows:

1. UDWR will:

- a. Reimburse Eagle Mountain City actual cost up to \$104,500 for completion of the *Eagle Mountain Wildlife Migration Corridor Preservation FY25 (WRI # 6991)*.
- b. UDWR will assist with entering of project completion reports as needed.
- c. The contract monitor(s) at UDWR will be:

Daniel Eddington
danieleddington@utah.gov
435 820-6024

Josee Seamons
jseamons@utah.gov
385 421-1277

2. Eagle Mountain City will:

- a. Install an 8-foot wildlife fence along roads, improve watershed health, and improve habitat for migrating deer and other wildlife.
- b. Plant ~5000 shrub seedlings with browsing cages within the corridor to provide cover and resources for migration wildlife.
- c. Install 25 BDAs in West Wash to control erosion, trap sediment, and reduce channel incising.
- d. Oversee project work and ensure that project managers submit completion reports in the WRI online database within 3 months of completion of project or by August 31, 2025.

All provisions of Attachment A and Attachment B are incorporated into and become a part of this Cooperative Agreement. If provisions of the Cooperative Agreement conflict, the order of precedence shall be (i) Attachment A; (ii) Cooperative Agreement signature page; and (iii) Attachment B.

SIGNATURES ON FOLLOWING PAGE

Agreed to by:

Tommy [Signature]

Eagle Mountain City

August 7, 2024

Date

Michael Canning

Michael Canning (Aug 27, 2024 14:19 MDT)

Division of Wildlife Resources/Deputy Director

08/27/2024

Date

Sarah Scott

Sarah Scott (Aug 27, 2024 08:13 MDT)

Division of Wildlife Resources/Financial Manager

08/27/2024

Date

RECEIVED AND PROCESSED
BY DIVISION OF FINANCE

8/27/24

State of Utah/Division of Finance

Date

ATTEST:

BY:

[Signature]
CITY RECORDER



Agreed to by:

Tommy [Signature]
Eagle Mountain City

August 7, 2024
Date

Division of Wildlife Resources/Deputy Director

Date

Division of Wildlife Resources/Financial Manager

Date

State of Utah/Division of Finance

Date

ATTEST:

BY:

[Signature]
CITY RECORDER 19



ATTACHMENT A – STANDARD TERMS AND CONDITIONS

1. **INVOICING:** The Parties agree to share records with one another detailing expenditures pursuant to the Cooperative Agreement on a quarterly basis, and to reconcile all accounts no later than June 30 annually. The Cooperative Agreement number shall be listed on all invoices, freight tickets, and correspondence.
2. **LAWS AND REGULATIONS:** Each Party shall be responsible for ensuring their individual compliance with all applicable federal and state constitutions, laws, rules, codes, orders, and regulations, including applicable licensure, certification, and permitting requirements.
3. **CONFLICT OF INTEREST:** PARTNER represents that none of its officers or employees are officers or employees of UDWR or the State of Utah, unless prior written disclosure has been made to UDWR.
4. **RECORDS ADMINISTRATION:** PARTNER shall maintain all records necessary to properly account for PARTNER's performance and the payments it receives from UDWR pursuant to this Cooperative Agreement. These records shall be retained by PARTNER for at least six (6) years after final payment, or until all audits initiated within the six (6) years have been completed, whichever is later. PARTNER agrees to allow, at no additional cost, the State of Utah, federal auditors, and UDWR staff, access to all such records.
5. **TERMINATION:** This Cooperative Agreement may be terminated with cause by UDWR in advance of the specified expiration date by providing prior written notice to PARTNER. PARTNER will be given ten (10) days after written notification to correct and cease the violations, after which this Cooperative Agreement may be terminated for cause immediately. This Cooperative Agreement may also be terminated without cause (for convenience), in advance of the specified expiration date, by either party, upon sixty (60) days written termination notice being given to the other party. UDWR and PARTNER may terminate this Cooperative Agreement, in whole or in part, at any time, by mutual agreement in writing. Upon termination of the Cooperative Agreement, PARTNER shall be compensated for eligible services properly performed up to the effective date of the notice of termination. In no circumstance shall UDWR be responsible for any costs for services unsatisfactorily performed, outside of the scope of the project proposal, performed after the effective date of the notice of termination, or for costs exceeding the reimbursable total identified herein.
6. **GOVERNING LAW AND VENUE:** This Cooperative Agreement shall be governed by the laws, rules, and regulations of the State of Utah. Any action or proceeding arising from this Cooperative Agreement shall be brought in a court of competent jurisdiction in the State of Utah. Venue shall be in Salt Lake City, in the Third Judicial District Court for Salt Lake County.

7. **DEBARMENT:** PARTNER certifies that it is not presently nor has ever been debarred, suspended, or proposed for debarment by any governmental department or agency, whether international, national, state, or local. PARTNER must notify the UDWR within thirty (30) days if debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in any contract by any governmental entity during the Cooperative Agreement term.
8. **LIABILITY:** Each Party shall be responsible for any claims, losses, suits, actions, damages, and costs of every name and description arising out of their own performance under this Cooperative Agreement. If one or more parties are found negligent, they each shall bear their proportionate share of any allocated fault or responsibility. Nothing herein shall be construed as waiving any immunity, the monetary damage limitations, or any other provision set forth in the Utah Governmental Immunity Act, Utah Code §§ 63G-7-101 through 63G-7-904.

ATTACHMENT B – PROJECT PROPOSAL

Eagle Mountain Wildlife Migration Corridor Preservation FY25

Project ID: 6991

Status: Proposed

Fiscal Year: 2025

Submitted By: N/A

Project Manager: Josee Seamons

PM Agency: Utah Division of Wildlife Resources

PM Office: Central Region

Lead: Utah Division of Wildlife Resources

WRI Region: Central

Description:

Using data collected by the UDWR, BLM, Eagle Mountain City, and other partners a mule deer (*Odocoileus hemionus*) migration corridor was identified running through the middle of an undeveloped area within the City of Eagle Mountain. The objectives of this phase of effort are to install fencing along roads, improve watershed health, and improve habitat for migrating deer and other wildlife.

Location:

The City of Eagle Mountain is located in the western portion of Utah County surrounded by the Oquirrh Mountains to the west, Traverse Mountains and Camp Williams Military Installation to the north and the Lake Mountains to the southeast. This project stretches for approximately one mile between the Lake Mountains and Camp Williams through the northeastern portion of the city. The land use within the area is a mix of urban development, paved and dirt roads and fallow agricultural fields.

Project Need

Need For Project:

Wildlife fencing to facilitate mule deer migration through the corridor. Preserve open space and functionality of the corridor from development and recreation. Between now and 2030, 20+ miles of fence will be needed to accomplish the goal of preserving the corridor.

Objectives:

- Preserve open space and the functionality of the wildlife migration corridor.
- Limit impacts of development and recreation in and adjacent to this migration corridor.
- Place fencing in key areas to better assist with the funneling of wildlife into this corridor allowing them to move through the city with the least amount of human-wildlife conflict.
- Fence the entire migration corridor in key areas.
- Continue to look for opportunities to improve habitat within the migration corridor and in open spaces adjacent to

the corridor to provide necessary resources for wildlife to continue to use the corridor and reduce their need to move into developed areas for resources.

Project Location/Timing Justification (Why Here? Why Now?):

Eagle Mountain City is one of the fastest-growing cities in Utah. It currently has an estimated population of 65,000 and is projected to be over 120,000 by 2050. Currently, there are over 30 square miles of agriculture open space, and undeveloped lands within the City boundary BUT with approved development plans, much of this will be developed within the next 20 years. Eagle Mountain is working hard with partners to conserve a portion of the open space for wildlife and ensure the mule deer migration route through the city is maintained into the future. We must work to plan and implement conservation measures now thus ensuring these areas into the future. One of the priorities within the next 5 years is to fence the mule deer migration route and provide overpasses, underpasses, and at-grade crossings to ensure human-wildlife conflict is reduced. The city has passed code and hired a full-time wildlife biologist to work closely with partners to implement these and other conservation projects. Approximately 1,500 mule deer use this corridor to travel between summer and winter ranges. If no corridor is preserved in this area the existing route used by migrating deer and the space used by other species will be cut off by homes, businesses, and roads. The loss of space and connectivity to habitats will result in the loss of native and genetic biodiversity, increased human-wildlife conflicts, and increased direct wildlife mortality on roads. Once this area is developed it would be extremely cost prohibitive to restore the historical migration paths of wildlife in the area. Strong partnerships have been created between Eagle Mountain City, DWR, UDOT, BLM, SITLA, Camp Williams, private landowners, and sportsmen groups to preserve this corridor. These groups have and are willing to continue to provide monetary and in-kind services toward completing this project. Over \$600,000 in actual and in-kind dollars have already been invested in this project. This WRI project is only a portion of the big picture of this project. DWR and Eagle Mountain City are also pursuing federal grants such as the "America the Beautiful" challenge through the National Fish and Wildlife Foundation (NFWF). One goal of this grant is: "Connecting and reconnecting wildlife corridors, large landscapes, watersheds, and seascapes". If awarded, this would be used to plan crossing structures within the city that are not on UDOT-managed roads. With multiple current and potential new funding sources, if we don't continue with this project now, it will be nearly impossible down the road.

Relation To Management Plan:

Utah Mule Deer Statewide Management Plan- "To address deer/vehicle collisions, DWR and our partners have worked to identify deer migration routes and locations where deer are commonly hit on roadways. This information has allowed us to know where to place underpasses and fences to increase deer survival. These studies have also provided data on the types of underpasses and structures these animals will use (Cramer 2014). Although costly, these efforts are helping to prevent future collisions, increase public safety, and minimize deer mortalities." Additionally, they will "Conserve, improve, and restore mule deer habitat throughout the state with emphasis on crucial ranges." "Work with county, state, and federal agencies to limit the negative effects of roads by reclaiming unused roads, properly planning new roads, and installing fencing and highway passage structures where roads disrupt normal mule deer migration patterns." Utah's Wildlife Migration Initiative -- specifically states that we are to "...identify and preserve wildlife migration corridors" DOI Secretarial Order 3362 - "... improve the quality of big-game winter range and migration corridor habitat on Federal lands under the management jurisdiction of this Department in a way that recognizes state authority to

conserve and manage big-game species and respects private property rights. Utah Wildlife Action Plan (WAP) - The project area includes multiple key terrestrial habitats identified in the WAP including Lowland Sagebrush, Mountain Sagebrush, and Mountain Shrub. Sentential Landscape Bill (2018) - there is further recognition from the state on the importance of open lands and the preservation of these open lands. See also Camp Williams INRMP, Private lands/conservation easements <https://ut.ng.mil/Resources/Environmental-Resources-Management/Natural-Resources/>. The Eagle Mountain City Plan- The city of Eagle Mountain and its leadership have expressed great interest in preserving the natural setting of the area wherever possible. This project has been explicitly endorsed by the Mayor and City Planner of Eagle Mountain City. Eagle Mountain also passed city code 17.49 to specifically protect this migration corridor. See <https://www.codepublishing.com/UT/EagleMountain/html/EagleMountain17/EagleMountain1749.html>

Fire / Fuels:

We developed a seed mix to improve forage for mule deer within the corridor but to also serve as a green strip to act as a firebreak and lower fire risk to nearby structures. Shrub, forb, and perennial grasses are more drought tolerant and will stay greener longer into the season. Cheatgrass increases the frequency of fire and threatens homes and infrastructure in this area. Cheatgrass dries out earlier in the summer and is a continuous fuel load where fire can easily carry through quickly. This corridor can act as both a natural and enhanced fuel break. Eagle Mountain City is already planting a wildlife, 'green' friendly rangeland seed mix in these areas. This seed mix is designed to compete with non-native invasives such as Russian thistle and cheatgrass and provide flowering species to benefit pollinators. Invasives such as Russian thistle and cheatgrass threaten homes and infrastructure in this area. (EM City Seed mix, see attached) Additionally, Eagle Mountain works each year with the Unified Fire Authority to reduce fuel loads in key areas in this corridor.

Water Quality/Quantity:

By reducing the threat of fire from cheatgrass we will be protecting the crucial water supply to the City of Eagle Mountain. Shrub/seed planting prevents mudslides and erosion from damaging homes and infrastructure. This project will also improve a drainage ditch with seasonal flow within the corridor used by wildlife, preventing erosion along the drainage ditch. BDAs will be installed in West Wash to control erosion, trap sediment, and reduce channel incising.

Compliance:

Cultural clearances will be conducted in-house with UDWR archaeologists before implementation. Any actions taken on federal and state lands will be assessed by appropriate agencies and completed before actions occur.

Methods:

Installation of \$100,000ish of 8' wildlife fence. Habitat improvement will be done by planting ~5000 shrub seedlings with browsing cages within the corridor to provide cover and resources for migration wildlife. Greenstrip/forb mix will be drill-seeded within the fenced corridor. ~25 BDAs will be installed in West Wash to control erosion, trap sediment, and reduce channel incising.

Monitoring:

Eagle Mountain City will conduct regular inspections of permanent fences as part of an ongoing maintenance program that ensures the proper function of the fence for the lifespan of the practice. To include the following: 1-conduct inspections of fences after storms and other disturbance events, 2-repair or replacement of loose or broken material, gates, and other forms of ingress and egress, 3-removal of trees or shrubs that are encroaching into the fence, 4-repair of eroded areas as necessary, 5-repair or replacement of markers or other safety and control features as required, 6-maintain flagry or signage as necessary. The migration routes in and around Eagle Mountain were identified by data gathered using GPS collars. The success of this project would be able to continue to be monitored using the same collars and collars placed on additional individual deer and other species, such as pronghorn. The success of this project will also be monitored through analysis of roadkill data observed on the Utah Roadkill Reporter app.

Partners:

The Utah Division of Wildlife Resources has been working closely with leadership and city planners of the City of Eagle Mountain to plan a route to preserve. Also, collaborations with the BLM, Utah National Guard (Camp Williams and West Traverse Sentinel Landscape), UDOT, Sportsman Groups, and other partners of the Utah Wildlife Migration Initiative. Eagle Mountain and UDWR representatives have met with landowners within the proposed corridor and signed a memorandum of understanding to work together to accomplish the goal of preserving a migration corridor through the city. Much of this work will be done and coordinated by the UDWR with support from the other partners that will provide sportsmen groups public volunteers and technical advice throughout the process. UDWR will monitor the success of the fencing and habitat projects.

Future Management:

The preservation of this area is a multi-year project. Once the entire project is complete the corridor will be preserved for the benefit and use of wildlife. Maintenance of highway fencing will be UDOT's responsibility. Other management responsibility in the area will go to the city of Eagle Mountain with support from the UDWR.

Sustainable Uses of Natural Resources:

The main purpose of this project is to protect the functionality of the wildlife migration corridor through Eagle Mountain by restricting development within the proposed corridor, keeping recreational impacts to a minimum, and ensuring wildlife have a relatively safe passage through the city. The project will support wildlife populations indefinitely if the corridor is sustained. This project will also protect lands from development that can also be used for livestock grazing.

Budget	WRI/DWR	Other	Budget Total	In-Kind	Grand Total
	\$104,500.00	\$90,000.00	\$194,500.00	\$60,000.00	\$254,500.00

Item	Description	WRI	Other	In-Kind	Year
Materials and Supplies	2000 shrub seedlings @\$1.50/plant.	\$3,000.00	\$0.00	\$0.00	2025
Materials and Supplies	8' field wire fence. 2 3/8" drill pipe. 10' x 7" treated wood posts	\$100,000.00	\$90,000.00	\$60,000.00	2025
Materials and Supplies	BDA materials 250 posts @ \$6/post	\$1,500.00	\$0.00	\$0.00	2025

Funding

WRI/DWR	Other	Funding Total	In-Kind	Grand Total
\$104,500.00	\$90,000.00	\$194,500.00	\$60,000.00	\$254,500.00

Source	Phase	Description	Amount	Other	In-Kind	Year
Utah's Watershed Restoration Initiative (UWRI)			\$104,500.00	\$0.00	\$0.00	2025
Other		West Traverse Sentinel Landscape (Camp Williams)	\$0.00	\$90,000.00	\$0.00	2025
Eagle Mountain City		Equipment and time for fence installation. Seed, revegetate, and grow and plant ~300 shrubs. BDA installation.	\$0.00	\$0.00	\$60,000.00	2025

Species

Species	"N" Rank	HIG/F Rank
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Mule Deer

R1

Threat	Impact
--------	--------

Housing and Urban Areas

Medium

Mule Deer

R1

Threat	Impact
--------	--------

Inappropriate Fire Frequency and Intensity

High

Mule Deer

R1

Threat	Impact
--------	--------

Invasive Plant Species – Non-native

High

Mule Deer

R1

Threat	Impact
--------	--------

OHV Motorized Recreation

Medium

Mule Deer

R1

Threat	Impact
--------	--------

Roads – Transportation Network

High

Pronghorn

R3

Species	"N" Rank	HIG/F Rank
---------	----------	------------

Threat	Impact
--------	--------

Droughts

High

Pronghorn

R3

Threat	Impact
--------	--------

Housing and Urban Areas

Low

Pronghorn

R3

Threat	Impact
--------	--------

Roads – Transportation Network

Low

Western bumble bee

N3

Threat	Impact
--------	--------

Droughts

High

Western bumble bee

N3

Threat	Impact
--------	--------

Fire and Fire Suppression

Medium

Habitats

Habitat

Lowland Sagebrush

Threat	Impact
--------	--------

Brush Eradication / Vegetation Treatments

Medium

Lowland Sagebrush

Threat	Impact
--------	--------

Droughts

High

Lowland Sagebrush

Threat	Impact
--------	--------

Housing and Urban Areas

Medium

Lowland Sagebrush

Threat	Impact
--------	--------

Inappropriate Fire Frequency and Intensity

Very High

Lowland Sagebrush

Threat	Impact
--------	--------

Invasive Plant Species – Non-native

Very High

Lowland Sagebrush

Habitat	
Threat	Impact
OHV Motorized Recreation	Low

Project Comments

Comment 02/05/2024 Type: 1 Commenter: Clint Wirick

Perfect example of how the Migration Initiative can lead to management actions in the right place. Great to see ya'll are going after some America the Beautiful dollars, perfect fit. I don't see an associated cost for the shrubs and planting, how is it being funded? Also in all fairness, I have to say the same thing about the plastic protectors here as I have with Robbie and Mark, I HATE them.

Comment 02/05/2024 Type: 1 Commenter: Todd Black

Eagle Mountain has contracted with Darwin Bundy and the CVHS to grow seedlings for us. We collected the seeds locally or at least from Great Basin in the fall and have them grow them for us for a year, planted in D-40 containers. We need to edit the plastic protectors as they are not going to have those, i hate them as well, they are messy and trashy and i've spent more time cleaning them up then they are worth. I don't think we have the densities or populations of mule deer to make it worth it.

Comment 02/05/2024 Type: 1 Commenter: Clint Wirick

Nice, glad you're eliminating unnecessary garbage. Nice work on creatively getting the shrubs grown and planted. I'm sure WRI would appreciate showing it in the finance page as match.

Comment 02/06/2024 Type: 1 Commenter: Kalon Throop

In the fire section of the project details you mention a seed mix and seeding but it isn't outlined anywhere else and there is no seed mix attached. Are you seeding as a part of this project?

Comment 02/06/2024 Type: 1 Commenter: Todd Black

Kalon, we still have a plethora of seed from last year from Kevin, we will be using this seed this spring and fall as we continue with this effort. I will see if I can find the mix and add it to the project.

Comment 02/06/24 Type: 1 Commenter: Kalon Throop

Thanks Todd, that also explains why it isn't in the financials.

Comment 02/07/2024 Type: 1 Commenter: Destiny Allgood

I'd like to echo this and see the seed mix and how it will be beneficial to the Western Bumble Bee. Thanks.

Comment 02/08/2024 Type: 1 Commenter: Josee Seamons

I added a copy of the seed mix from last year to the documents.

Comment 02/06/2024 Type: 1 Commenter: Jacob Hall

There are a few things mentioned in the body of the proposal that are not shown on the map (BDAs/ditch work, seeding footprint). It would be nice to see those on the map to better assess the potential impacts those treatments will have.

Comment 02/08/2024 Type: 1 Commenter: Josee Seamons

Thanks Jacob, I missed adding the BDAs to the map. I will add them. The seeding will mostly be within the disturbed area inside the fence. I could have explained that portion a little better.

Comment 02/07/2024 Type: 1 Commenter: Destiny Allgood

Hey Josee, is there a reason why this and Kyle Cook's project, WRI 7048, were not proposed as one? Combined your projects would strengthen certain sections where singularly they are lacking. They are within the same area and would've been under the financial threshold. Something to consider. I am going to comment the same thing on the other proposal as well. Thanks

Comment 02/08/2024 Type: 1 Commenter: Josee Seamons

That's a great point Destiny. We get so focused on the migration corridor that I hadn't considered putting them together. Given the proximity, I agree that it would strengthen both proposals.

Comment 02/08/2024 Type: 1 Commenter: Sydney Lamb

Very cool to see this proactive work as Eagle Mountain expands. Do you know of any other fenced corridors like this that have been built for ungulates? Also, are there specs on the width of the corridor or on how deer will be funneled to actually use this corridor as they migrate from the Oquirrh to the Lake Mountains?

Completion

Start Date:

End Date:

FY Implemented:

Final Methods:

Project Narrative:

Future Management:

Map Features

ID	Feature Category	Action	Treatement/Type
1249	Fence	Construction	Wildlife Exclusion
13707	Terrestrial Treatment Area	Planting/Transplanting	Bareroot stock
13781	Aquatic/Riparian Treatment Area	Stream Corridor/Channel Improvements	Beaver dam analog

Project Map

