

MINUTES of the regular **City Council** meeting of Wellsville City held **February 2, 2022**, at the Wellsville City Offices at 75 East Main. City officials present were Mayor Thomas G. Bailey; Councilwoman Denise Lindsay; Councilmen Bob Lindley, Chad Poulsen, and Austin Wood. Also present were City Treasurer Leesa Cooper and City Planner Jay Nielson. A copy of the Notice and Agenda was mailed to the Mayor and Council members and emailed and faxed to the Herald Journal on January 28, 2022. The meeting was called to order at 6:00 p.m. by Mayor Thomas G. Bailey.

City Manager Scott Wells was excused from this meeting.

Others Present:	Glenn Ames	Justin Bailey	Troy Hawker
	Troy Justensen	Kirt Lindley	Jayden Maughan
	Matt Maughan	Cassie McBride	Mason McBride
	Traven McBride	Travis McBride	Travis Mouritsen
	Ben Nadolski	Devin Neves	Dixie Neves
	Kevin Norman	Kelly Parkinson	Megan Petersen
	Art Smith	Steve Sorensen	Brandi Surrage Thompson
	Gina Thompson	Mark Thompson	Scott Thompson

Opening Ceremony: Mayor Thomas G. Bailey

The Council reviewed the agenda. **Austin Wood made a motion, seconded by Bob Lindley, to approve the agenda as presented.**

<u>YEA</u> 4	<u>NAY</u> 0
Bob Lindley	
Denise Lindsay	
Chad Poulsen	
Austin Wood	

The Council reviewed the minutes of the January 19, 2022 regular City Council meeting. **Denise Lindsay made a motion, seconded by Chad Poulsen, to approve the minutes of the January 19, 2022 regular City Council meeting.**

<u>YEA</u> 4	<u>NAY</u> 0
Bob Lindley	
Denise Lindsay	
Chad Poulsen	
Austin Wood	

Payroll is approved through the budget, therefore, the checks approved in the City Council minutes are not in numerical order from City Council meeting to City Council meeting as the city uses the same checking account for payroll and accounts payable. After review and discussion, **Bob Lindley made a motion, seconded by Denise Lindsay, to approve the City's account payables bills for payment, represented by check number 26684 through 26719.**

<u>YEA</u> 4	<u>NAY</u> 0
Bob Lindley	
Denise Lindsay	
Chad Poulsen	
Austin Wood	

At 6:08 p.m., Mayor Thomas G. Bailey opened the meeting for citizen input. Art Smith asked the Council about the status of the Castle Country RV project. City Planner Jay Nielson answered that the road has been conceptually approved. No further applications have been submitted to the City.

At 6:09 p.m., citizen input was closed.

Mayor Thomas G. Bailey suggested a continuance for the discussion regarding amending **Title 10, Chapter 15, Table 10-15, "Residential Site Development Standards,"** since the Planning Commission continued the discussion and did not forward a recommendation. The public hearing will be readvertised for the upcoming Council meeting. **Chad Poulsen made a motion, seconded by Bob Lindley, to continue the discussion regarding amending Title 10, Chapter 15, Table 10-15, "Residential Site Development Standards," setback standards for accessory buildings with a height greater than twelve feet.**

YEA 4

NAY 0

Bob Lindley
Denise Lindsay
Chad Poulsen
Austin Wood

Mayor Thomas G. Bailey suggested a continuance for the discussion regarding amending **Title 10, Chapter 44-2, "Fences, Walls, and Retaining Walls"** since the Planning Commission continued the discussion and did not forward a recommendation. The public hearing will be readvertised for the upcoming Council meeting. **Chad Poulsen made a motion, seconded by Austin Wood, to continue the discussion regarding amending Title 10, Chapter 44-2, "Fences, Walls, and Retaining Walls".**

YEA 4

NAY 0

Bob Lindley
Denise Lindsay
Chad Poulsen
Austin Wood

City Planner Jay Nielson opened the discussion regarding granting exceptions for unbuildable lots in Wellsville City. He reported that on rare occasions lots are subdivided illegally with a *metes and bounds description* submitted to the County Recorder's Office, which the Recorder's Office is obligated to accept according to State Code. However, Wellsville City is also mandated by State Code to regulate the subdivision of land. He presented the scenario of a landowner splitting a lot at the Recorder's Office (without City input) and then selling the lot(s) to new owners. Unbeknownst to the new owner, they just purchased an illegal lot. Building is not permitted on illegal lots. Mr. Nielson is presenting this exception as a remedy to help nonparticipatory misled buyers overcome hardship circumstances as suggested by the Office of the Property Rights Ombudsman. The proposed exceptions allow lots to go through the subdivision process and have a final plat recorded as buildable. This will *not* circumvent the Code- the parcel still must have a buildable lot and adhere to all Subdivision Codes. Bob Lindley asked what size parcels this exception would apply to. Mr. Nielson replied any buildable lot, meeting area and space requirements. He stated the proposed exception is for misinformed property purchasers, not for sub-standard lot appeals. Denise Lindsay noted that title companies should detect and apprise buyers of illegal parcels. Mr. Nielson reported an incidence in which the City was able to add a *notice of violation* upon an illegal lot which should alert title companies and protect an innocent buyer in the future. Austin Wood ask how many illegal parcels have been sold represented as buildable lots in Wellsville City. Mr. Nielson answered only one that he is aware of. Mr. Lindley clarified that exceptions do not circumvent the Code; if a lot is unbuildable, it will remain an unbuildable lot. Mr. Nielson explained that if lot does not meet Code, it is a restricted or non-conforming lot. **Denise Lindsay made a motion, seconded by Chad Poulsen, to continue the discussion regarding a process to grant exceptions for unbuildable lots in Wellsville City.**

YEA 4

NAY 0

Bob Lindley
Denise Lindsay
Chad Poulsen
Austin Wood

Mark Thompson opened the discussion regarding the Division of Wildlife Resources Wildlife Letter dated December 3, 2021 (see Attachment 1). The letter from Redge B. Johnson, Executive Director of the Office of the Governor, Public Lands Policy Coordinating Office (PLPCO); was in response to Wellsville City's

request for the Utah Division of Wildlife Resources (DWR) to review the Bridle Path Estates Subdivision proposal that includes 131 residential lots along both sides of Highway 89/91 in Sardine Canyon. Mr. Thompson introduced Todd Black. Mr. Black is an Ecologist with the Rangelands for Wildlife Foundation. He has worked for 25-years with USU as a wildlife range researcher. He worked four-years with Deseret as a natural resource manager on ten ranches from Nebraska to Utah. He has also worked as a wildlife range consultant for private landowners and municipalities throughout the West. Mr. Thompson introduced Troy Justensen, President of Sportsmen for Fish and Wildlife (SFW) a non-profit conservation organization. SFW has raised millions of dollars for wildlife habitat projects in Utah. SFW has worked with UDOT in identifying key wildlife underpasses in San Juan. The organization also played a key role in preserving Cinnamon Creek for critical winter range for wildlife. Kevin Norman, fundraising leader of SFW was also present. Mr. Thompson lastly introduced Steve Sorensen a predator control expert.

Mr. Black gave a PowerPoint presentation titled "*Wildlife Concerns, Bridal Path Development; a Review of PLPCO Letter to Mayor Bailey; 3 December 2021*" (see attachment 2). Mr. Black noted the PLPCO is not allowed to make an opinion and must remain a neutral party. Ben Nadolski, Regional Supervision of DWR's Northern Utah region, explained further. He stated DWR shares their opinion in the form of a recommendation. PLPCO coordinates statewide policies.

Councilwoman Kaylene Ames arrived at 6:27 p.m.

Mr. Black continued his presentation. He addressed six main wildlife concerns listed in Mr. Johnson's letter and Mr. Black added a seventh. Mr. Black provided his recommendations for each of these concerns. The first concern regarded existing and new wildlife exclusion. "*Exclusions exist to exclude wildlife and or provide means for escape if they get in.*" Mr. Black suggested fencing off the development with a seven-to-eight-foot fence despite Bridle Path Estate Subdivision's principle engineer Nate Reeve's distaste of "compound-looking fencing." Mr. Black also suggested providing escape ramps outside of the fenced area. He recommended locked gates with access codes to gain access to trails. The second concern regards Bridle Path Estates Subdivision's preliminary plan, which shows a proposed trail system connecting the east and west portions of the development through the wildlife underpass at MP 14. USU ecologist Patricia Cramer researched this wildlife underpass through 2016. Mr. Black reported Ms. Cramer has video footage of deer, moose, cougar, fox, coyote, badger, marmot, and skunk use of this particular wildlife underpass. Her data reports on average three deer use the underpass per day. Mr. Black emphasized that the underpass is a critical migration route for wildlife. He suggested using fencing to act as a funnel to bring wildlife to the underpass. He strongly recommended no private or public human recreational use of the Wellsville City property on the west side of the underpass. He pointed out that area is owned by Wellsville City and that it is within the City's jurisdiction to disallow Bridle Path Estates proposed trail system through that area, eliminating access to the tunnel from the west side. Mr. Black then showed some of Ms. Cramer's video footage of a cow moose and calf passing through the MP 14 underpass as well as a doe and fawn mule deer. PLPCO's third concern is the potential of nuisance wildlife. Mr. Black pointed out the urban interface attracts wildlife. There will undoubtedly be human wildlife interactions and impacts. He listed nuisance species such as fox, coyote, skunk, raccoons, and voles which "...become fearless of humans as they acclimate to an urban environment thus becoming an increasing threat to human wildlife interactions/conflict." Mr. Black predicted nuisance issues with garbage, haystacks, gardens, shrubs, lawns, etc. Other nuisance issues noted were property damage in deer-vehicle collisions; missing and injured pets such as dogs and cats; and disease/parasite transmission to humans. Mr. Black listed PLPCO's fourth concern as fostering new attitudes towards wildlife. He noted fostering new attitudes towards wildlife sounds warm and fuzzy until the wildlife becomes a problem. He gave voles tearing up lawns as an example. Mr. Black recommended specific wildlife friendly language in the CC&Rs on how wildlife is dealt with and tolerated by those in the HOA, as well as signage outreach education information on site. The fifth concern was in regard to night sky pollution. "*Migratory birds particularly waterfowl and shore birds often have problems navigating at night because of lighting.*" Mr. Black provided a link for fact sheets and recommendation on addressing night sky pollution from a wildlife standpoint. The sixth concern Mr. Black noted from the letter was DWR's suggestion for an undeveloped 100-foot buffer surrounding the wetlands and springs located on the west side of the development. "*The open space would help support wildlife species that rely on riparian and marsh vegetation.*" The seventh suggestion, which Mr. Black added himself, involves critical winter range for elk and mule deer. He stressed that Mr. Johnson should

have included the State's crucial GPS migration initiative in his letter. Mr. Black declared the area east of Hwy 89/91 as critical big game winter range. He pointed out winter is the limiting factor for wildlife. He said that in human wildlife interactions the wildlife loses. Mr. Black recommended the landowner not develop the east side of Hwy 89/91 and eliminate any overpass/underpass of the highway. He also suggested the HOA seek opportunities to enroll into a conservation easement and join with adjacent landowners in limiting their wildlife impact in winter. Mr. Black offered to gather more of Ms. Cramer's research of the area to present to the Council. Kaylene Ames stated that data would be very appreciated.

Ms. Lindsay asked Mr. Nadolski for more information about the PLPCO letter. She stated Mr. Reeve called the letter a standard form which the developer sees frequently, and the letter gave conservation of this area no particular significance. Mr. Black said the State must remain a neutral party. Mr. Nadolski confirmed the PLPCO must respect Wellsville City and the property owner's land-use authority. He answered the correspondence is not a form letter; however, the PLPCO letters do follow a similar format. He declared the recommendations are site specific. He stated the letter is intended to be an offer of top-level expertise (at no cost) to help the Council make informed decisions. He believes the Utah Migration Initiative, established in 2016, is the best in the nation. Mr. Nadolski added he serves as a Councilman in his home city and appreciates the complex position the Wellsville Council is in concerning this development. Austin Wood asked Mr. Nadolski if he thought it was possible to legally limit housing on the east side on Hwy 89/91, and questioned if elimination of critical winter range on the east side of Hwy 89/91 be used as a legal finding. Mr. Nadolski & Mr. Black answered that was a question for the City Attorney. He replied conditions are not always all-or-nothing, and to try to mitigate conflicts. He stated an issue DWR hopes to eliminate, not just mitigate, are wildlife-vehicle collisions on Hwy 89/91. Mr. Nadolski informed the Council that research reveals that wildlife will not use an underpass if humans are using it. If the wildlife will not use the wildlife underpass at MP 14, they *will* cross Hwy 89/91 regardless of fencing. To mitigate the wildlife impact, he asserted we must steer human uses away from the underpass. Mr. Nadolski stated the west side of Hwy 89/91 is summer range and the east side is winter range. The underpass was placed in that spot for a reason. Chad Poulsen said he worries that residents will tire of human-wildlife conflicts over time despite CC&R conditions. Mr. Black said human-wildlife conflicts will invariably become a nuisance over time. Animal control practices are generally lethal or trap and relocate. He stressed that the *best* option is fencing off the development to keep human-wildlife conflicts to a minimum. He acknowledged there is no way to keep a vole away or a raccoon from climbing over the fence; there is no way to eliminate all human-wildlife conflicts. City Planner Jay Nielson asked for a synopsis of what has happened with nuisance animals in Hyde Park. Steve Sorensen, predator control expert, said that deer have been declared a nuisance and can be shot in city limits prior to October 1st. October 1st is set as the timetable to help winter deer which are already limited by the weather. He stated deer tracked all the way from Idaho to Causey Reservoir are known to migrate to winter over in the Hyde Park area. Mr. Nadolski confirmed human-wildlife conflicts get worse and worse over time. He listed Park City as an example of human-wildlife conflicts in winter range on a much bigger scale. He told of a situation of a cow moose and calf within Park City limits. The cow moose was very protective of her calf. He stated the interest of DWR was public safety and safety of the moose. For the safety of each party, they would prefer to dart and relocate the moose to a safer area. Often however DWR is pinned between neighbors; one of which wants the moose to remain in that habitat, the other fears for their child's safety as they walk past the moose to and from the bus stop. Mr. Nadolski mentioned human-mountain lion conflicts in the foothills of Bountiful along with instances of devoured pets.

Troy Justensen, President of Sportsmen for Fish and Wildlife (SFW) a non-profit conservation organization then addressed the Council. He has been part of the SFW organization for thirty-years. SFW has several thousand members throughout Utah. He stated the SFW has raised over \$200-million for wildlife habitat projects. One of SFW's biggest projects used fencing and existing washes to funnel deer across Hwy 89 near Kanab and Big Water. Mr. Justensen pointed out migration is a learned process from mother to young. It took several years of baiting before that migration was a learned route. He asserted that mother and young wildlife will not use the underpass at MP 14 if humans use the tunnel. He stated he guaranteed there will be human-wildlife conflicts in this wilderness area especially with haystacks in the area. The SFW used to have an urban deer project in which they would trap and relocate deer in Bountiful and Herriman. Risk of transmitting Chronic Wasting Disease (CWD) ended the relocation program. He said deer which once would have been relocated are now killed. He also mentioned deer like the safety of urban areas due

to a large predator population in Utah. He asked the Council to give the wildlife a break and to do everything they can do to mitigate for the animals. Mr. Justensen noted how costly property will be in the proposed subdivision and stated wildlife is "cute" until it starts eating expensive landscaping.

Kevin Norman, fundraising leader of SFW shared a thought he had following a previous Wellsville City Council meeting. He spoke to Justin M. Shannon, the UDWR Big Game Program Coordinator. Together, they were able to find an ordinance from Blaine County, Idaho which excludes animals from ever becoming a nuisance. Mr. Norman stated he doesn't believe the ordinance is perfect. Nevertheless, he suggested it is a good start and could act as a template for Wellsville City. He presented a copy of the ordinance to Mr. Nielson and will email a copy to City Manager Scott Wells. Mr. Nielson thanked him for the copy of the ordinance. Mr. Norman also agreed that wildlife will lose if human access is allowed in the wildlife underpass at MP 14.

Mr. Sorensen stated elk could easily push down the fence along Hwy 89/91 if they are unable to use the underpass which could result in deaths in wildlife-vehicle collisions. He said that elk migrate from Powder Mountain to winter on the east side of Hwy 89/91. Mr. Sorensen added citizens should be worried about horse corrals located above Leatham Springs.

Mark Thompson concluded that the underpass is three-quarters surrounded by proposed housing. He asked how wildlife can possibly be funneled to the underpass when it is three-quarters closed off? He emphasized no dual-use of the tunnel and not allowing Bridle Path Estate's proposed trail system connect to the underpass. Mr. Thompson said homeowners should be made aware that big game will eat landscaping and livestock feed. He asserted that 7.5-foot fencing is what it will take to keep big game out of yards despite Mr. Reeve's distaste of "compound-looking fencing". Mr. Thompson said CC&Rs are not always honored. Policing CC&Rs is very difficult. Mr. Thompson stated he, the Dixie Neves family, the Marilyn Walker family, and the Clair Cooper family are owners of the adjoining properties and know the value of that winter range. Each of them restricts motorized vehicle and foot traffic to that area to prevent adding undue stress to the wildlife. Mr. Thompson thanked the Council for their time and asked they do everything they can to protect the wildlife.

Mayor Bailey thanked those who presented. He stated the City will contact Mr. Black and Mr. Nadolski for additional support and expertise to help the wildlife. Mayor Bailey stated UDOT has told the proposed development that the wildlife underpass at MP 14 can *only* be used for wildlife. Mayor Bailey said unfortunately that won't stop a hiker who has the option to use the tunnel rather than cross over the highway and median barrier. Enforcement would be extremely difficult. Mayor Bailey said another difficulty will be educating homeowners as ownership changes. He agreed CC&Rs will be more and more challenging to enforce over time. Mayor Bailey brought up the six-month water moratorium disallowing building above 4,650-foot elevation. He stated the moratorium will need to be extended until Wellsville City has another operational well. Mayor Bailey acknowledged the recommendations to not allow development on the east side of Hwy 89/91. He recognized that that area is critical winter range. He explained the conflict is that Wellsville City also does not want additional building on the west side of Hwy 89/91 which sits above the City's well recharge area. Austin Wood stated it would be very beneficial to have a City Attorney present at City Council meetings. Mayor Bailey explained that would be very expensive and added how lucky the Council is to have Mr. Nielson as a resource. Mr. Nielson stated he is glad for the additional information gathered at this meeting. The suggested Conditions of Approval for the Preliminary Plan of Bridle Path Estates can be improved and refined with this information.

City Treasurer Leesa Cooper conducted the Hiring an Independent Auditor Training for Municipal Officials Open Meeting Training 2022. The training addressed governing bodies being responsible to hire independent auditors. The governing body audit committee produces a comprehensive request for proposal RFP. Fees should not be the only, or primary reason, to select a firm. Multiyear contracts may decrease costs and should not extend beyond five years these contracts should include a termination clause. The training concluded by declaring that audit findings are not a valid reason to terminate an independent auditor contract.

Department Reports:

Denise Lindsay-

- 1) State law requires preschool and daycare facilities to have a fire inspection in order to obtain a business license.

Chad Poulsen-

- 1) No business or concerns at this time.

Mayor Thomas G. Bailey-

- 1) The State is in the process of selecting a new judge for Wellsville City.

Kaylene Ames-

- 1) The Miss Wellsville Pageant program begins February 24th.

Bob Lindley-

- 1) No business or concerns at this time.

Austin Wood-

- 1) Presented a fifty-year-old workbook to the Council titled, *The Environmental Implications of Urbanization of Wellsville's Sardine Canyon, Cache County, Utah* written by the Cache Defenders of the Environment.

City Manager/Recorder's Report:

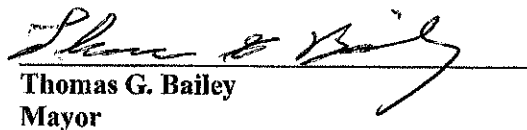
- 1) City Treasurer Leesa Cooper reviewed the *Notice of Annual Meeting Schedule* with the Council.

At 7:51 p.m., Bob Lindley made a motion, seconded by Chad Poulsen, to adjourn the meeting.

YEA 5

Kaylene Ames
Bob Lindley
Denise Lindsay
Chad Poulsen
Austin Wood

NAY 0


Thomas G. Bailey
Mayor


Scott Wells
City Manager



State of Utah

SPENCER J. COX
Governor

DEIDRE
HENDERSON
Lieutenant
Governor

Office of the Governor
PUBLIC LANDS POLICY COORDINATING OFFICE

REDGE B. JOHNSON
Executive Director

Attachment #1

December 3, 2021

Submitted via electronic mail: swells@wellsvillecity.com

Mayor Thomas Bailey
75 E. Main
P.O. Box 6
Wellsville, UT 84339

Subject: Bridle Path Estates – Wellsville City

Dear Mayor Bailey:

Wellsville City in Cache County recently contacted the Utah Division of Wildlife Resources (DWR) and requested DWR review the Bridle Path Estates subdivision proposal that includes 130 residential lots along both sides of Highway 89/91 in Sardine Canyon. The State provides DWR's concerns and recommendations for Bridle Path Estates for your consideration.

Wildlife exclusion fencing and escape ramps, which help decrease wildlife-vehicle collisions, are installed in Sardine Canyon. Wildlife crossing structures are strategically placed in locations where high numbers of animals cross busy roads. Crossing structures significantly reduce wildlife mortality, while also decreasing vehicle damage and personal injuries that result from wildlife-vehicle collisions. A wildlife crossing structure exists (see crossing 42 <https://wildlifemigration.utah.gov/land-animals/crossing-structures/>) at Milepost 14. This structure is used regularly by big game, turkey, cougar, and a host of other species.

DWR is concerned that the proposal includes a trail system that uses the wildlife underpass. The wildlife underpass was designed specifically for wildlife; dual use of

Bridle Path Estates – Wellsville City

December 3, 2021

Page 2

wildlife crossing has been found to make them less effective than those used solely by wildlife.

DWR recommends that the development consider the investment made by the Utah Department of Transportation and DWR, as well as the importance of the area to migrating wildlife, and considering lot configuration that meaningfully incorporates open space migratory pathways near the wildlife underpass to protect critical wildlife movements. Contact DWR for information to assist with designations of open space.

The development has the potential for nuisance of wildlife. Ranging from coyotes, foxes, skunks, and raccoons getting into garbage and pet food, to conflicts with domestic pets. To help keep wildlife wild and decrease dangerous encounters, DWR encourages the developer to share the Wild Aware Utah website (wildawareutah.org/) with the people who purchase homes in the subdivision.

In addition, homeowners should be made aware that big game animals will consume landscaping and livestock feed. To help address these issues homeowners may want to consider installing wildlife exclusion fencing, which is generally 7.5 feet high, to exclude big game animals from areas like gardens and haystacks. In general, fencing should allow wildlife to move safely; this can be achieved by fence heights of less than 42 inches. A copy of the Western Association of Fish and Wildlife Agencies' fencing fact sheet is attached. More information about friendly fencing is available from the DWR.

Since a wide variety of wildlife are found in, and migrate through the area, DWR recommends including a statement to the plat for the development that recognizes the developer has been notified of the potential impacts associated with building in wildlife habitat, such as wildlife encounters, landscaping being browsed, migrating wildlife, conflicts with pets, and wildlife vehicle collisions on roadways. DWR also recommends that the statement recognize that neither the DWR, state, city, nor the county are responsible for any damages caused by wildlife. DWR recommends including this information in any "Covenants, Conditions and Restrictions" documents, and that the information be posted around the development to notify homeowners about the potential wildlife interactions.

Given the proximity of the development to sensitive wildlife habitats, along with migrating birds, DWR encourages the developer to consider outdoor lighting that reduces nighttime light pollution. Information about lighting that reduces light pollution for wildlife can be found at <https://www.darksky.org/light-pollution/wildlife/>.

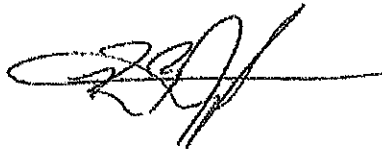
DWR suggests an undeveloped 100-foot buffer be considered surrounding the wetlands and springs located on the west side of the development. This open space would help support wildlife species that rely on riparian and marsh vegetation.

The development is in a beautiful area of the state, but as the human/wildlife interface expands through housing and other developments, it is important for DWR to foster new attitudes towards wildlife and motivate behavior changes in people. With that in mind, DWR encourages the city and developer to coordinate with DWR to ensure homeowners have the information they need to enjoy their new homes. For example, DWR has great resources on how to build fencing with wildlife in mind, how to respond if you encounter an animal, ways to keep pets from creating problems for wildlife, and other proactive education materials with ways to minimize conflicts with wildlife.

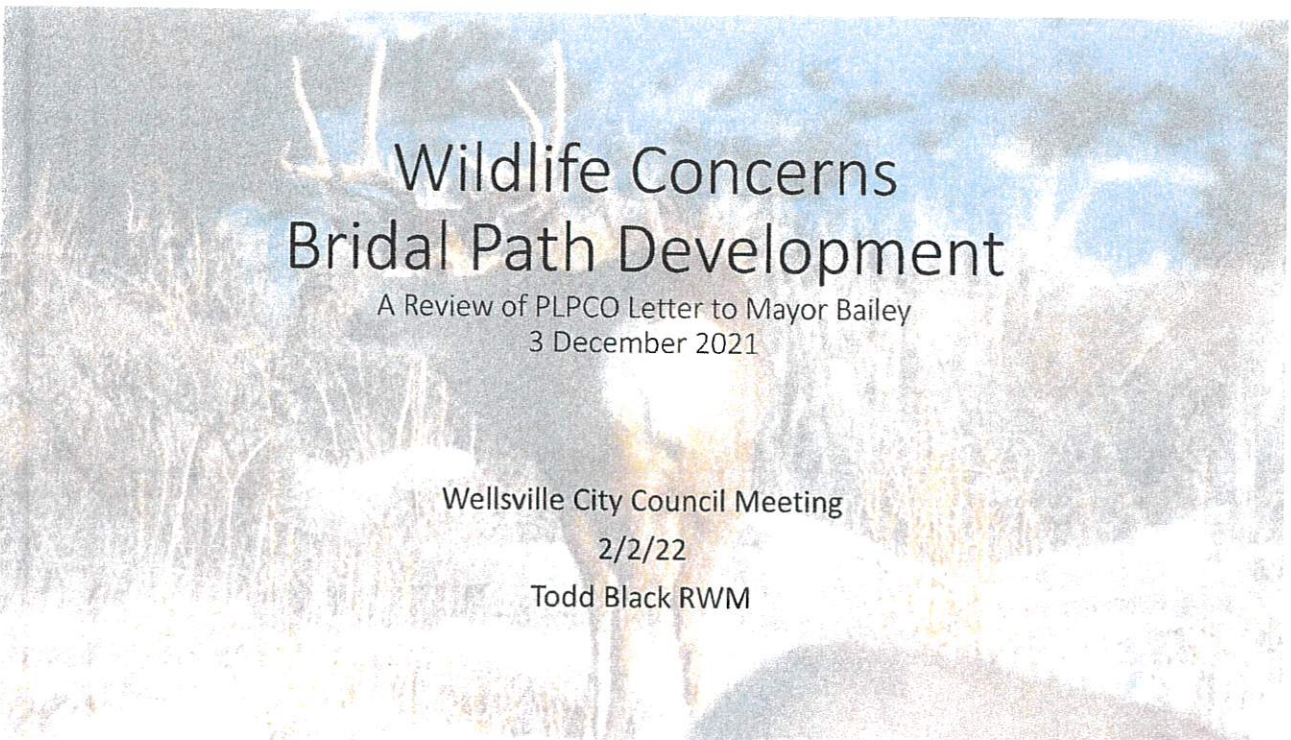
DWR appreciates this opportunity to review the proposed action. If you have questions, contact the Assistant Habitat Manager in our Northern Region Office, Kent Sorenson, at 801-476-2740.

Thank you for the opportunity to comment on the mitigation for this project.

Sincerely,

A handwritten signature in black ink, appearing to read 'Redge B. Johnson', with a long horizontal line extending to the right.

Redge B. Johnson
Executive Director



Wildlife Concerns Bridal Path Development

A Review of PLPCO Letter to Mayor Bailey
3 December 2021

Wellsville City Council Meeting

2/2/22

Todd Black RWM

Six main wildlife concerns from the State of Utah

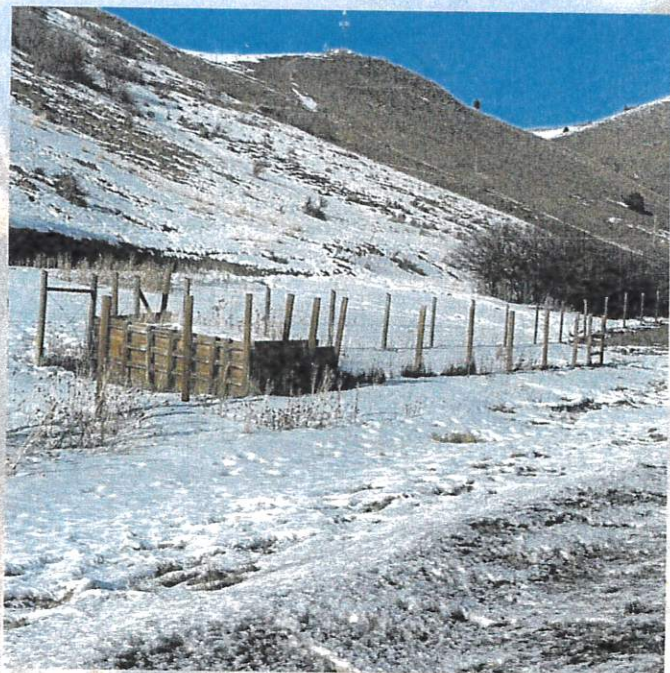
1. Concerns over existing and new wildlife exclusions
 - i. Fencing
 - ii. Underpass see #2
 - iii. Escape ramps
2. Trail system use of the underpass at MP 14
3. Potential of nuisance wildlife
 - i. Refuse/trash concerns
 - ii. Herbivory of plants and livestock feed
 - iii. Migration routes
4. Fostering new attitudes towards wildlife
 - i. HOA CCRs
5. Night sky pollution—lighting
 - i. <https://www.darksky.org/light-pollution/wildlife>
6. Buffer around wetlands springs
7. ***Critical Winter Range for elk and mule deer**

Wildlife Exclusions

Exclusions exist to exclude wildlife and or **provide means for escape** if they get in
UDOT/UDWR (taxpayer funded) \$\$\$
fencing/underpass/escape ramps along
Sardine/SR 89-191

Recommendations

fence it all off 7-8' fence (UDWR)
provide escape ramps outside of
fenced area
Ensure fencing is maintained
around the development
Controlled (Locked gate) off
development to access trails.



High fence exclusion and escape ramp Mantua, UT

Use of the underpass MP 14

UDWR is concerned about the trail system and the use of the underpass at MP 14

UDOT/UDWR (taxpayer funded) \$\$\$ Wellsville City Corp owns it (west side)

Deer, moose, cougar, fox, coyote, badger, marmot, skunk all use the underpass (picture/video).

USU 3 deer per day/year average.

Critical migration route to critical winter range.

Recommendations

fence it out (BP) 7-8' chain link/hog wire fence

no public/private recreational uses of Wellsville City property at underpass.



Source BaseMap © 2022





<https://www.youtube.com/watch?v=5BjDXifl0Cw> Courtesy USU Cramer/Hamblin

Potential of nuisance wildlife

The urban interface attracts wildlife. There will be human wildlife interactions and impacts. Volumes of literature to support nuisance wildlife/urban development.

Garbage issues, winter feed issues, gardens, shrubs, lawns etc.

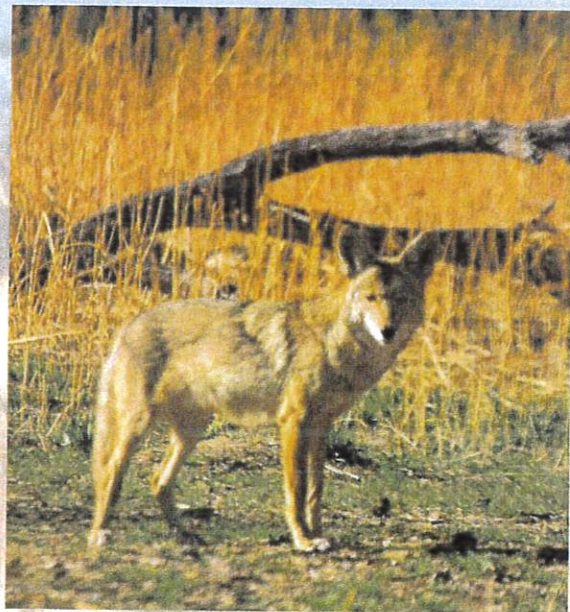
Physical property damage (DVCs)

Missing/injured pets.

Disease/parasite transmission to humans

Recommendations

Specific language in HOA/CCRs on wildlife in general (feeding DVCs etc.). Also, how wildlife is dealt with/tolerated etc. by those in the HOA. These should be very wildlife friendly and tolerant.



Often nuisance wildlife become fearless of humans as they acclimate to an urban environment thus becoming an increasing threat to human wildlife interactions/conflict.

Fostering new attitudes towards wildlife

You will be living in the wilderness deal with it and educate yourself

Recommendations

Specific language in HOA/CCRs on wildlife in general (feeding DVCs etc.). Also, how wildlife is dealt with/tolerated etc.

Signage outreach education information on site



Todd Black first time homeowner in Hyrum next to range land and one winter.....

Night sky pollution—lighting

<https://www.darksky.org/light-pollution/wildlife>

Recommendations

see above under lighting



Migratory birds particularly waterfowl and shore birds often have problems navigating at night because of lighting.

*Critical Big game winter range

Area east side of SR 191-89

Utah's deer populations particularly in the northern latitudes of the state are limited by critical winter-range

During the winter months, deer conserve energy by limiting their movement. They also seek shelter among evergreen trees and shrubs as thermal cover.

South and west facing slopes receive high use for food, often free of snow and good thermal regulation when the sun shines

Recommendations

Don't develop east side of the highway at all... and period eliminate overpass/underpass of highway

seek opportunities to enroll into a conservation easement and join with adjacent landowners.

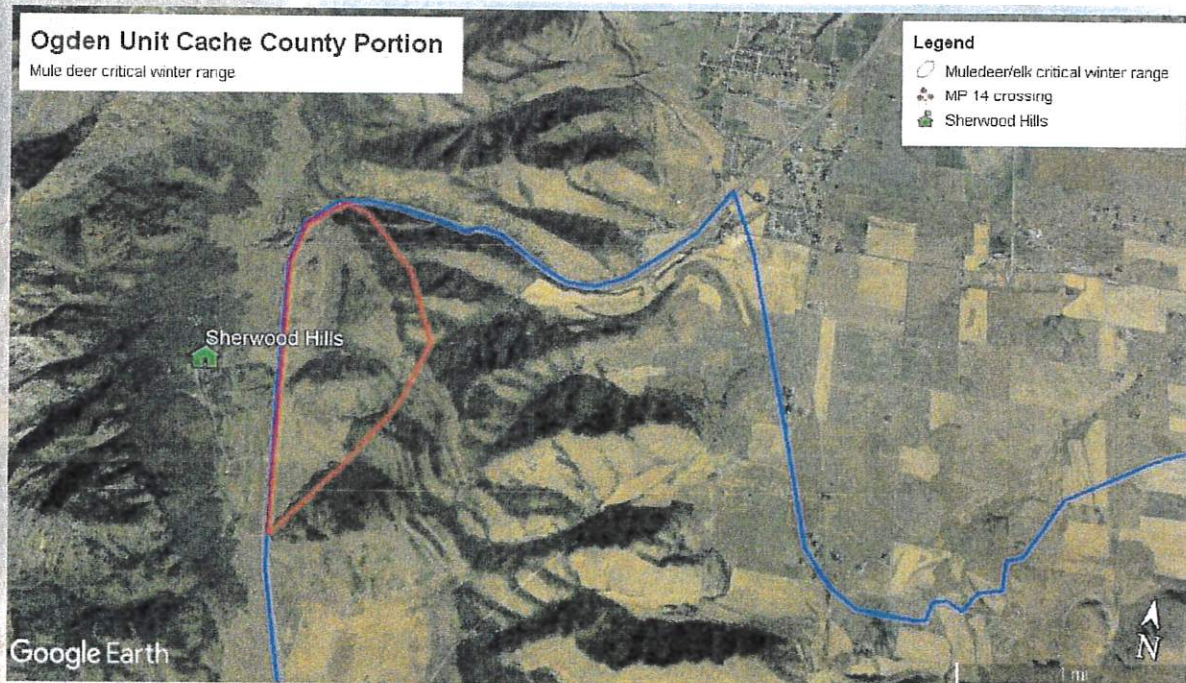


Ogden Unit Cache County Portion

Mule deer critical winter range

Legend

- Muledeer/elk critical winter range
- MP 14 crossing
- Sherwood Hills



Source <https://dwr-data-utahdnr.hub.arcgis.com/datasets/utah-mule-deer-habitat/explore?location=41.579596%2C-111.958369%2C11.51>

