

**TOWN OF APPLE VALLEY**

**RESOLUTION NO. R-2022-36**

**A RESOLUTION TO ADOPT A COOPERATIVE AGREEMENT WITH WASHINGTON COUNTY  
HABITAT CONSERVATION PLAN**

**WHEREAS**, the Mojave desert tortoise was listed as threatened and protected under the U.S. Endangered Species Act in 1990 and is administered by the Washington County Habitat Conservation Plan (HCP); and

**WHEREAS**, the Town Council of Apple Valley resolved on April 21, 2022 to not participate in the HCP, or to collect the impact fee, and to place the liability upon applicants; and

**WHEREAS**, the Town of Apple Valley agrees to support the HCP through a cooperative agreement to provide the option to applicants.

**NOW, THEREFORE**, at a meeting of the legislative body of the Town of Apple Valley, Utah, duly called, noticed and held on the 15th day of June 2022, and upon motion duly made and seconded,

**BE IT RESOLVED AS FOLLOWS:**

1. It is the Town of Apple Valley’s desire to provide the option to applicants to comply with the Endangered Species Act.
2. The Town will provide a Form of Participation Agreement/Certificate of Inclusion with all building permit applications for applicants to enroll their project with the Administrator of the Washington County Habitat Conservation Plan (HCP) for this option if desired.

PASSED by the Town Council of Apple Valley, Utah, this 15<sup>th</sup> day of June, 2022.

\_\_\_\_\_  
Frank Lindhardt, Mayor

ATTEST:

\_\_\_\_\_  
Jenna Vizcardo, Town Recorder

Mayor Frank Lindhardt Voted \_\_\_\_\_  
 Councilmember Kevin Sair Voted \_\_\_\_\_  
 Councilmember Robin Whitmore Voted \_\_\_\_\_  
 Councilmember Marshal McGinnis Voted \_\_\_\_\_  
 Councilmember Barratt Nielson Voted \_\_\_\_\_