

Baggs Mule Deer Migration Corridor Working Group

Report to Governor Gordon

August 3, 2021

Respectfully submitted by the following Working Group members:

Carbon County Commissioner John Espy -- *representing Local Government and Working Group Chair*

Meghan Lally and John Hansen -- *representing Agriculture*

Clay Evans and Oscar Paulson -- *representing Industry*

Chris Herold and Fred Lindzey -- *representing Wildlife/Conservation/Hunting*

Justin Carrico -- *representing Motorized Recreation*

Introduction

In summer 2021, Governor Gordon appointed eight members to the Baggs Mule Deer Local Area Working Group. The charge for this group was to review the effectiveness of the existing designation of the Baggs Mule Deer Migration Corridor pursuant to the process outlined under Appendix B of Governor Gordon's Wyoming Mule Deer and Antelope Migration Corridor Protection Executive Order (EO) 2020-1.

The Baggs Mule Deer Local Area Working Group was a limited-duration working group that met two times. These meetings were in-person public meetings in Baggs as well as online. Each meeting included opportunities for the public to comment at various points throughout the process and the Working Group considered this input when crafting its recommendations for the governor.

This report encapsulates the Working Group's findings relative to Governor Gordon's charge to the Working Group. These recommendations stemmed from the group's discussion of the following specific asks from Governor Gordon:

1. Considerations for local issues that will help further refine the corridor designation (i.e.- do boundaries need to be adjusted?).
2. Provide recommendations for the Wyoming Game and Fish Department's consideration when drafting the Baggs Mule Deer Migration Corridor Risk Assessment report.
3. Craft recommendations for additional opportunities for conservation.
4. Examine the impacts of all restrictions on development and use of lands encompassed in the Baggs Mule Deer designated corridor, including impacts to:
 - County revenues
 - Jobs
 - Proposed and current projects
 - Other topics as identified.

The following recommendations were reached through collective agreement. Each statement reflects the Working Group's overall agreement to move them forward as priorities for the governor's consideration. Any topic that entailed a clear division on the matter was not carried forward; some topics that the group moved forward were done so with detailed further discussion, where merited.

Section 1: Recommendations for further refinement of the designation

The Working Group recognizes that Executive Order 2020-1 is a living document and designations should be revisited as new information and opportunities to refine the designation(s) arise. In this context, the Group agreed that EO 2020-1 should define a process for evaluating changes to the migration corridor designation and that process should include stakeholder involvement.

The Baggs Working Group emphasized that:

- It is paramount to continue to use the best and all available data when conducting migration corridor analysis and designation, specifically for the Baggs Mule Deer Migration Corridor.
- Migration Corridor designations should be revisited using analysis of new data and best available science at specified time intervals every five years.
 - Research purpose and data quality must be considered when delineating migration corridor boundaries.
 - For the Baggs Corridor, efforts should be made to identify where data gaps might exist to characterize deer movement in the Baggs area.
 - Data should be collected from other areas outside of the corridor where deer movement is known.

The Working Group also recognized that important role that private landowners play in mule deer conservation within the Corridor. There are opportunities for financial support from various sources in the form of short or long term agreements that should be leveraged to enhance landowner participation in conservation.

Section 2: Issues identified as risks and/or threats to the functionality of the Baggs Migration Corridor

The Working Group's recommendations are as follows for consideration of the greatest risks or threats to the functionality of the Baggs Migration Corridor, in no particular order of priority. The Working Group recommends that the Wyoming Game and Fish Department (WGFD) consider these topics when drafting the Baggs Risk Assessment:

1. *Conflicting ungulate impacts on important mule deer habitat* -- The Working Group acknowledges that conflicts occur as a result of habitat use by multiple big game species.
2. *Recreational motorized activity in corridor habitat during migration periods on public lands* – Motorized activity is driving deer out of stopover areas. Excessive motorized vehicle use in this area is a potential threat. Efforts should be made to work with land management agencies and resource users to minimize and reduce potential disturbance due to motorized activity.
3. *Wild/feral horses* – Wild/feral horses encroach into mule deer habitat more every year. Excessive wild/feral horse populations west of Highway 789 threaten the functionality of the corridor due to adverse impacts on mule deer habitat within the corridor. Any newly constructed water sources to assist mule deer should be constructed in such a way as to exclude feral horses.
4. *Fire* – Wildfire results in habitat loss and forage impacts within the corridor. Juniper and cheatgrass encroachment represent a main fire threat within the corridor; increased fuel loads in Medicine Bow-Route National Forest outside of the migration corridor augment the overall risk of fire.
5. *Energy development, construction of transmission lines, and potential for associated energy producing facilities* -- With increased access to transmission, commercial scale energy development, electrical facilities, and related activities may be proposed in the region that could impact the corridor's functionality. Various industries that operate on public lands have a long history of working with State and Federal agencies to avoid and minimize impacts.
6. *Drought* – Water availability impacts mule deer movement in the corridor.
7. *Colorado's wildlife management and policies impact Wyoming's ability to manage the mule deer herd* – The Working Group acknowledged the interstate nature of the Baggs Migration Corridor mule deer herd that travels across state lines from Wyoming into Colorado, and vice versa. Mule deer management policies in Colorado (i.e.- hunting seasons) differ from Wyoming's policies and may have a detrimental effect on Wyoming's ability to manage the herd.
8. *Highway 789 permeability* – Existing underpass tunnels and high fences have been effective in reducing deer mortality within the corridor. However, deer are moving around the fences and wildlife-vehicle collisions still occur. There is an additional crossing area issue with wildlife-vehicle collisions at Dad.

9. *Invasive plant species* – The Baggs area has the potential to be one of the worst areas in the state for invasive plant species infestation. Any disturbance on public lands creates an increased risk for invasive species establishment.

Section 3: Recommendations for conservation enhancement opportunities

The Working Group's recommendations for opportunities to enhance conservation within the Baggs corridor are, in no particular order of priority:

1. Vegetation/invasive species treatments

- **Recommendation:** Support habitat improvements and enhancements within the migration corridor that improve the corridor's functionality.
- **Recommendation:** Emphasize follow-up treatment(s) and control in subsequent years and brush vegetation thinning in select areas to reduce fire risk.
- **Recommendation:** The Working Group supports the use of new, effective herbicides on federal lands (i.e.- Indaziflam).

2. Fence conversions

- **Recommendation:** Conversions to wildlife-friendly fences should occur in coordination with landowners/permittees. Conversions should be made in larger increments where possible (i.e.- ¼ mile increments) within the migration corridor. Fences should be monitored and maintained in coordination with landowners and permittees.
- **Recommendation:** The Working Group recommends using innovative fence design (i.e.- removable metal pipe, laydown fence) at strategic crossing locations.

3. Water development

- **Recommendation:** Water development for wildlife use within the migration corridor can benefit wildlife and it can be used as a tool to shift livestock out of stopover habitat and reduce livestock use of areas of importance to mule deer during the migration period.
- **Recommendation:** Water developments need to be managed in the migration corridor area to preclude wild horses.

4. Wildlife crossings on Highway 789

- **Recommendation:** In general, more highway crossings should be added along the highway. There should also be emphasis to expand highway permeability by improving underpass protections.
- **Recommendation:** Protect existing crossing structure locations as bottlenecks. The WGFD should include this consideration in the Baggs Risk Assessment and determine if/where there should be protected areas surrounding the bottleneck.
- **Recommendation:** The WGFD and Wyoming Department of Transportation (WYDOT) should conduct ongoing crossing structure maintenance to make sure crossing structures are functional.
- **Recommendation:** Add more wildlife friendly fencing along Highway 789 where deer can cross the highway effectively without an underpass.
- **Recommendation:** Support the addition of more wildlife crossing structures on Highway 789 in general.

- **Recommendation:** The Working Group supports the addition of two more miles of high fence and another underpass tunnel at the north end of the highway.
- **Recommendation:** WGFD/WYDOT should evaluate mule deer crossing issues specifically at Dad.

5. Habitat protections

- **Recommendation:** The Working Group supports habitat treatments outside of the migration corridor to improve vegetation, water availability, and forage (i.e.- aspen regeneration).
- **Recommendation:** Any mitigation for disturbed habitat should be tailored to benefit migrating mule deer.
- **Recommendation:** The Working Group supports building professional habitat biologist capacity (i.e.- WGFD, Bureau of Land Management (BLM)) to focus on migration corridors in the Baggs area.

6. Motorized Recreation

- **Recommendation:** Recreational access in the migration corridor should be walk-in or consist of restricted motorized use in some areas during specific times of the year without restricting grazing permittee or other permitted industrial activities.
- **Recommendation:** Any existing maintenance, industrial or grazing permit-associated activities should be recognized and allowed to continue under federal management policy.
- **Recommendation:** Changes to access should allow flexibility for existing permitted uses including industrial uses to avoid the need to file exception requests with the BLM.
- **Recommendation:** Location and timing specifications in travel management plans of state and federal agency-managed lands within the corridor should be emphasized. Proper signage and maintaining location and timing of closures from one year to the next will help the public comply with the stipulations.