



July 30, 2024

Maura Bradshaw  
Rock Springs Field Office  
Bureau of Land Management  
280 HWY 191 North  
Rock Springs, WY 82901

Docket # DOI-BLM-WY-D090-2023-0010-EA

Dear Ms. Bradshaw

The Wyoming Wildlife Federation (WWF) appreciates the opportunity to provide comments on the environmental assessment (EA) in response to the request by Moxa Carbon Storage, LLC (Moxa Carbon) to use the subsurface federal pore space for carbon dioxide storage purposes. WWF is Wyoming's oldest sportsmen's conservation organization in Wyoming and works everyday to conserve wildlife, habitat and outdoor opportunities. Thank you for considering our comments on this matter.

**1) The BLM should consider cumulative impacts of future development when analyzing this ROW**

We recognize that, if approved, this ROW will not include any surface disturbing activities. We are, however, concerned that subsequent applications to develop carbon storage infrastructure on BLM managed surface land could negatively impact wildlife species. The EA recognizes that the agency cannot predict if there will be future development on BLM surface acres in the proposed area or the extent of that development. While there are no proposals currently for surface infrastructure development, it would be prudent for the BLM to assume that Moxa Carbon Storage LLC (Moxa Carbon) will propose carbon storage infrastructure if a subsurface ROW, and other necessary Wyoming state permits, are granted. The EA admits that if the BLM authorizes surface development and injection permits were to be granted, that there would be potential impacts to natural resources, including big game species and Greater Sage-Grouse.

**2) Reasonably Foreseeable Future Actions (RFFAs)**

While we realize that the BLM cannot predict when, where or if surface occupancy and disturbing activities will take place, we are concerned that the BLM has not reasonably

considered the future actions of Moxa Carbon in the Environmental Assessment. According to the EA, Moxa Carbon, in a letter to the BLM, admits that obtaining a subsurface ROW is the first step in the process and that they will seek to use federal surface lands within the planning area through a separate ROW application at a later date. Given this admission, the BLM should view surface disturbing activities as highly probable within their RFFA framework.

### **3) The BLM should protect important big game habitat**

The proposed project area overlays Wyoming Game and Fish Department (WGFD) mapped crucial winter range (CWR) habitat for big game species including elk, mule deer, pronghorn antelope and moose. Additionally, important elk parturition areas lie within the project area. According to the EA, all species would see direct impacts from surface disturbance. For elk, antelope and moose, the BLM projects that there would be a high level of impact, meaning that it would be, "... more difficult or at times impossible to effectively mitigate within the project area. The impact can be reduced, but probably not eliminated through seasonal use restrictions and more intensive management (WGFD 2010b)." While seasonal use restrictions will apply to any construction project, these will very likely not be adequate to mitigate impacts to crucial winter range, according to the EA.

Crucial winter range is an extremely important component of ungulate habitat that is generally considered to be a limiting factor in population maintenance and growth. Further, any surface development will directly impact habitat availability and could have population level impacts. Some of these herds that would be impacted have been under the desired population objective as defined by the WGFD.

In addition to crucial winter habitat, mapped parturition areas conflict with the proposed project surface area for the Uinta elk herd, which is below objective according to the WGFD. Any surface development and associated human disturbance could have detrimental impacts on this herd, especially if development also occurs within CWR.

### **4) The BLM must conserve Greater Sage-Grouse Habitat**

Consistent with the 2015 Approved Resource Management Plan Amendment for Greater Sage-Grouse (ARMPA), the BLM should avoid impacts to general habitat management areas (GHMA), protect priority habitat management areas (PHMA) and prioritize habitat outside of PHMA and GHMA. Additionally, the BLM must utilize a 0.25 mile buffer around occupied leks, 51 of which exist within the project area. As the BLM detailed in the Greater Sage-Grouse Draft Resource Management Plan Amendment and Environmental Impact Statement, development within 3.1 miles of a lek can still negatively impact sage grouse.

If any surface disturbance were to be permitted, it would have detrimental impacts to Greater Sage-Grouse. We urge the BLM to work with the project proponent and the state of Wyoming to avoid development in these sensitive areas.

## **Conclusion**

We recognize that this proposal does not contemplate any surface disturbing activities and that surface disturbance mitigation is outside the scope of this EA. We also recognize that if a subsurface ROW were to be granted, the NEPA process will still apply at the project level. We urge the BLM to consider any future surface disturbing activities and their impacts to wildlife species when contemplating Moxa Carbon's request for a subsurface ROW. Thank you for considering our request.

Sincerely,

Nat Paterson  
Policy Coordinator  
Wyoming Wildlife Federation