



U.S. Department of the Interior
Bureau of Land Management

Record of Decision

Resource Management Plan Amendments/Environmental Impact Statement

Wyoming Pipeline Corridor Initiative

DOI-BLM-WY-0000-2020-0001-RMP EIS

Bureau of Land Management
Wyoming State Office
5353 Yellowstone Road
Cheyenne, Wyoming 82009
Telephone: (307) 775-6256

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RECORD OF DECISION FOR THE WYOMING PIPELINE CORRIDOR INITIATIVE

LEAD FEDERAL AGENCY: Bureau of Land Management

APPLICANT: State of Wyoming Governor's Office

APPLICATION REFERENCE NUMBER: DOI-BLM-WY-0000-2020-0001-RMP-EIS

RESPONSIBLE OFFICIALS: Kimber Liebhauser, Acting State Director
BLM Wyoming State Office
5353 Yellowstone Road
Cheyenne, Wyoming 82009

FOR INFORMATION CONTACT: Mike Valle, Branch Chief, Minerals and Lands
BLM Wyoming State Office
5353 Yellowstone Road
Cheyenne, Wyoming 82009

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SUMMARY

This document constitutes the record of decision (ROD) of the U.S. Department of the Interior, Bureau of Land Management (BLM) for the Wyoming Pipeline Corridor Initiative (WPCI) proposed by the State of Wyoming Governor's Office (applicant). This ROD outlines the BLM's decision, under the National Environmental Policy Act (NEPA) in the October 2020 *Final Resource Management Plan Amendments/Environmental Impact Statement Wyoming Pipeline Corridor Initiative* (final EIS) (BLM 2020) and subject to specific mitigation measures described in this ROD. The BLM's authorities are limited to the components of the WPCI that occur on BLM-managed lands.

The findings in the final EIS are based on an open, collaborative, and robust process among the scientists, resource specialists, and regulatory staff of the BLM and cooperating agencies; the NEPA contractor; and the participating public. This process resulted in a final EIS that, consistent with NEPA, provides an adequate, detailed analysis of the environmental impacts of the applicant's proposal and a reasonable range of alternatives (including the No Action) to inform and support federal review and authorizations of the BLM for the WPCI.

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BACKGROUND

The Wyoming Pipeline Corridor Initiative (WPCI) is a proposal from the State of Wyoming Governor's Office (applicant) to designate approximately 1,958 miles of pipeline corridors across private, state, and Bureau of Land Management (BLM)-managed lands throughout the central and western portions of the state that are essential to the future production and distribution of oil and carbon dioxide (CO₂) and other compatible infrastructure viable to the state's economy. Approximately 1,104 miles of the proposed corridors are located on BLM-managed lands under the jurisdiction of nine field offices: Buffalo, Casper, Cody, Kemmerer, Lander, Pinedale, Rawlins, Rock Springs, and Worland. The WPCI as proposed by the State of Wyoming would designate a statewide corridor network dedicated to 1) pipelines and facilities associated with carbon capture, utilization, and storage; 2) pipelines and facilities associated with enhanced oil recovery (EOR); and 3) other compatible uses. The WPCI would not authorize any new infrastructure projects or rights-of-way (ROWs) but would amend several BLM resource management plans (RMPs) across the state.

The BLM Wyoming State Office prepared an environmental impact statement (EIS) pursuant to the National Environmental Policy Act (NEPA) to analyze the potential direct, indirect, and cumulative effects of designating the corridors included in the proposed WPCI. The formal public scoping process for the WPCI began on November 15, 2019, with the publication of a notice of intent (NOI) in the *Federal Register* communicating the BLM's intent to prepare an EIS for the project. The notice of availability for the draft EIS was published in the *Federal Register* on April 17, 2020. The 90-day public comment period extended through July 16, 2020. After reviewing and responding to public comments and making corresponding edits to the EIS, the BLM released the final EIS October 23, 2020, for a 30-day protest period and a 60-day Governor's Consistency Review. This record of decision (ROD) concludes the NEPA process.

Although the Council on Environmental Quality issued new NEPA rules (40 Code of Federal Regulations [CFR] 1500 et seq.), effective September 14, 2020, the rule's effective date generally applies to new projects begun on or after September 14, 2020. See 40 CFR 1506.13. See also 85 *Federal Register* 43340: "For NEPA reviews in process that agencies began before the final rule's effective date, agencies may choose whether to apply the revised regulations or proceed under the 1978 regulations and their existing agency NEPA procedures. Agencies should clearly indicate to interested and affected parties which procedures it is applying for each proposed action."

For the WPCI, the BLM is using the agency's previous NEPA procedures that were in place at the time the final EIS was prepared and posted for public review.

PROJECT PURPOSE AND NEED

The WPCI would result in a system of corridors that is integrated with the BLM's existing corridor network for the construction of pipelines for the transport of CO₂ and EOR products and for other compatible uses on federal lands throughout the State of Wyoming. The purpose for the BLM action is to designate corridors for the preferred location of future pipelines associated with the transport of CO₂ and EOR products and other compatible uses and to amend the various BLM RMPs for lands within the State of Wyoming to incorporate the corridors. The need for the BLM action is to respond to the State of Wyoming Governor's Office Proposal and to support future development of carbon capture, utilization, and storage and EOR through the development of infrastructure connecting to existing oil fields within the State of Wyoming. This need is based on Section 503 of the Federal Land Policy and Management Act of 1976 (FLPMA), which provides for consideration and designation of ROW corridors.

The BLM will limit its amendments of these RMPs solely to changes indicated by the selected alternative and will not address other uses or the management of other resources, although the BLM will consider and analyze effects from increased use on other managed resources. The BLM will continue to manage other resources in the affected field office planning areas under the preexisting terms, conditions, and decisions in the applicable RMPs for those other resources. The approved RMP amendments will not include planning and management decisions for lands or minerals administered by other federal agencies, lands that are privately owned or lands owned by the State of Wyoming or local governments.

AUTHORITIES

This ROD is prepared in accordance with the BLM's authority under the FLPMA (Public Law [P.L.] 94-579, 43 United States Code 1701 et seq.), NEPA regulations (40 CFR 1500–1508), 43 CFR 2800, 18 CFR 380.14 for Section 106 of the National Historic Preservation Act (NHPA), and 18 CFR 380.13 for compliance with the Endangered Species Act.

AGENCY DECISION

Changes Between the Draft RMPA/EIS and Proposed RMPA/Final EIS for the Wyoming Pipeline Corridor Initiative

As a result of public comments, best science, cooperating agency coordination, and internal review of the draft RMPA/draft EIS, the BLM has developed the proposed RMPA/final EIS for managing BLM-managed public lands in the State of Wyoming. The proposed RMPA/final EIS focuses on addressing public comments while continuing to meet the BLM's legal and regulatory mandates. The BLM updated the final EIS based on public comments received on the draft EIS (see Appendix K, Public Comment Report). The proposed RMPA/final EIS is a combination of Alternatives B and D and is within the range of alternatives analyzed in the draft EIS. NEPA requires agencies to prepare a supplement to the draft EIS if 1) the agency makes substantial changes in the proposed action that are relevant to environmental concerns; or 2) if there are significant new circumstances or information relevant to environmental concerns. Supplemental NEPA is not needed for the blended Alternative E in the final EIS. The BLM has confirmed that the combination of alternatives was adequately analyzed to support Preferred Alternative E. A supplement is not necessary if a newly formulated alternative is a minor variation of one of the alternatives and is qualitatively within the spectrum of alternatives analyzed in the draft EIS. The proposed RMPA includes components of the alternatives analyzed in the draft EIS. Taken together, these components present a suite of management decisions that present a minor variation of the Preferred Alternative identified in the draft RMPA/draft EIS and are qualitatively within the spectrum of alternatives analyzed. As such, the BLM has determined that the proposed RMPA is a minor variation of the Preferred Alternative and that the impacts of the proposed RMPA would not affect the human environment in a substantial manner or to a significant extent not already considered in the EIS. The impacts disclosed in the proposed RMPA/final EIS are similar or identical to those described in the draft RMPA/draft EIS.

In accordance with BLM planning regulations at 43 CFR 1610.4–7 and based on the analysis completed, the BLM approves Alternative E considered in the final EIS and designates corridors for the construction of pipelines for the transport of CO₂ and EOR products and for other compatible uses on federal lands throughout the State of Wyoming (Figure 1). Any change to this designated use would require an analysis through a new NEPA process.

Alternative E is a combination of segments from Alternatives B and D and reflects public comments made in the review of the draft EIS; it combines the uniqueness of each of the 25 segments with the current RMPs as well as specific siting, resource conflicts, restrictions, etc. identified in the robust WPCI analysis. Alternative E maximizes development opportunities and minimizes resource conflicts by utilizing existing designated corridors and collocating with existing infrastructure to minimize impacts across the landscape. Existing stipulations for each respective RMP would apply to any new corridors within each BLM field office.

Alternative E consists of 1,970 miles of corridors that, if developed, would connect oil fields that are candidates for EOR and sources of CO₂. Of this total, 1,111 miles cross BLM lands managed by the Buffalo, Casper, Cody, Kemmerer, Lander, Pinedale, Rawlins, Rock Springs, and Worland BLM Field Offices. Approximately 73% of the corridors are located in existing designated BLM utility corridors. Approximately 595 miles are within 0.5 mile of existing pipeline ROWs. The corridor width is 300 feet for trunk lines and 200 feet for lateral lines.

Under Alternative E, the BLM amends the current RMPs by designating new corridors both within and outside existing corridors on BLM-managed lands only. These amendments designate new corridors reserved for the transportation of CO₂, EOR products, or other compatible uses and also reserve a portion of the existing designated corridors exclusively for CO₂ and EOR product pipelines or other compatible uses.

Management of the corridors under Alternative E permit uses determined by the appropriate BLM field office as compatible with the transport of CO₂ and EOR products on a case-by-case basis upon receipt of project applications. Compatible uses could include projects with small disturbance footprints such as range improvements, fencing projects, or projects that can avoid conflicts with pipelines such as broadband infrastructure or roads.

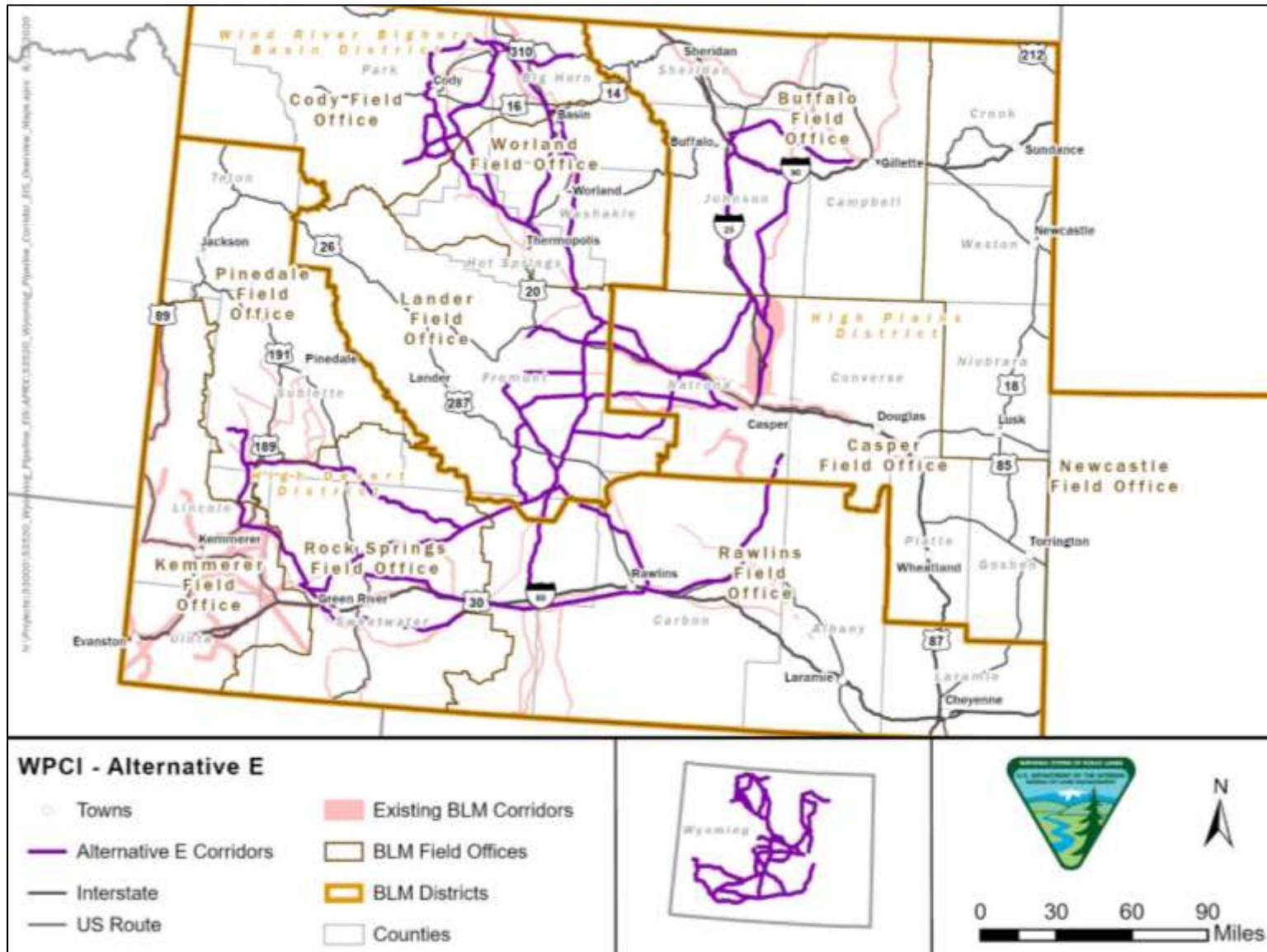


Figure 1. Wyoming Pipeline Corridor Initiative overview.

Mitigation

Application of various mitigation measures and best management practices (BMPs) as provided in the nine RMPs (see Appendix E of the final EIS) were included in the final EIS analysis (BLM 2020). The BLM expects that future project applicants implement these measures as well as other mitigation measures determined through site-specific NEPA processes. Application of BLM resource mitigation measures and BMPs would reduce the impact of potential future projects.

ALTERNATIVES

Of the various alternatives developed and evaluated for the WPCI, five alternatives were carried forward for detailed analysis in the EIS. The rationale for carrying these alternatives forward for detailed analysis is described in Chapter 2 of the final EIS. The BLM's selected alternative is Alternative E.

The BLM would only designate corridors on BLM-managed lands and existing stipulations for each respective RMP would apply to any new corridors within each BLM field office. All corridors, either new or within existing designated corridors on BLM-managed lands, would be dedicated for transportation of CO₂, EOR products, or other compatible uses, and any change to this designated use would require an analysis through a new NEPA process.

Management of the corridors under all alternatives would permit uses determined by the BLM field office as compatible with the transport of CO₂ and EOR products on a case-by-case basis upon receipt of project applications. Compatible uses could include projects with small disturbance footprints such as range improvements, fencing projects, or projects that can avoid conflicts with pipelines such as broadband infrastructure or roads.

The alternatives presented in the WPCI final EIS address the public's concerns, particularly those comments expressed during the formal scoping period and draft EIS comment period as well as those raised through consultation with cooperating agencies. The range of alternatives presented in Chapter 2 of the final EIS were developed by the BLM Wyoming State Office, in coordination with the cooperating agencies. The alternatives respond to the purpose and need for action, including existing statutory direction and Secretarial Order 3349, directing the development of a schedule to "effectuate the lawful review and development of the WPCI that strikes an appropriate balance of designating corridors while protecting surface resources." The alternatives have benefitted from the insights and expertise of the cooperating agencies, although those agencies are not responsible for the range of alternatives examined in the environmental analysis (see Appendix C, Section 3 for a list of the cooperating agencies); the BLM as the lead agency is solely responsible for the alternatives. Alternative E (Preferred Alternative) was developed based on public input on the draft EIS. It contains features from the alternatives analyzed in the draft EIS and minor variations resulting from stakeholder consultation. The BLM has analyzed this range of alternatives to ensure that a wide spectrum of management options is considered, consistent with applicable law, and that the options address public suggestions and agency concerns for protecting resources and uses.

Corridor Locations

Trunk corridors would be 300 feet wide and lateral corridors would be 200 feet wide. The corridors for each alternative are divided into 25 segments based on their corridor type and the regions they would service within the state. Table 2.4-1 of the final EIS (BLM 2020) provides a description of the location and status of each of the 25 segments. Appendix G of the final EIS (BLM 2020) provides a graphical depiction of the corridors.

Future Potential Corridor Development

Development, NEPA permitting, construction, and operation of potential projects within the corridors would be conducted by individual project proponents inside the corridors, and the BLM and State of Wyoming would require the proponents to obtain all federal, state, and local permits before constructing within the corridors. Site-specific NEPA would also be required for any potential projects, and all potential projects within the corridors would be subject to all applicable RMP decisions mandated for corridors in the RMP for the corresponding BLM field office (BLM 2020:Appendix E). A brief description of future potential project elements and activities can be found in Appendix D of the final EIS (BLM 2020).

Alternatives Analyzed in Detail

No Federal Action

Alternative A (referred to hereafter as the No Action) consists of the continued management of BLM lands under current RMPs without designating new statewide corridors reserved for the transport of CO₂ and EOR products and for other compatible uses. Potential project ROW applications and the specific routes for infrastructure would continue to be evaluated on a case-by-case basis.

Proposed Action

Alternative B (referred to hereafter as the Proposed Action) is the WPCI as developed by the State of Wyoming. Alternative B would create a network of new corridors through nine BLM planning areas in the State of Wyoming (BLM 2020:Table 2.4-1).

Alternative B consists of 1,958 miles of corridors that would facilitate potential projects that would connect oil fields that are candidates for EOR and producing CO₂. Of this total, 1,104 miles cross BLM lands managed by the Buffalo, Casper, Cody, Kemmerer, Lander, Pinedale, Rawlins, Rock Springs, and Worland BLM Field Offices. Of the 1,104 miles on BLM lands, approximately 64% of the corridors are located in currently BLM-designated utility corridors, and the remainder are within 0.5 mile of existing pipeline ROW to the extent possible.

Corridors on BLM lands that are not within a current BLM-designated utility corridor would require an amendment to the BLM RMPs. These amendments designate a new pipeline corridor reserved for transportation of CO₂, EOR products, or other compatible uses. The amendments also reserve a portion of the existing designated corridors exclusively for CO₂ and EOR product pipelines or other compatible uses.

Alternative C: Resource Conflict Avoidance and Maximize Use of Existing Corridors

Alternative C minimizes the miles of new corridors designated, maximizes the use of existing designated corridors by providing connecting segments to existing designated corridors, addresses conflicts with valid existing rights (e.g., transmission substations or active mines), and collocates infrastructure to minimize impacts across the landscape (BLM 2020:Table 2.4-1).

Alternative C consists of 237 miles of corridors that would facilitate potential projects that would connect oil fields that are candidates for EOR and sources of CO₂. Of this total, 151 miles cross BLM lands managed by the Casper, Cody, Lander, Pinedale, Rawlins, Rock Springs, and Worland BLM Field Offices. Of the 151 miles on BLM lands, none of the routes are located in currently BLM-designated BLM utility corridors. Approximately 179 miles are within 0.5 mile of existing pipeline ROWs.

These amendments designate a new pipeline corridor reserved for transportation of CO₂ and EOR products and for other compatible uses.

Alternative D: Resource Conflict Minimization and Dedicated Carbon Capture, Utilization, and Storage; Enhanced Oil Recovery; and Other Compatible Use

Alternative D maximizes the use of existing designated corridors and adjusts corridor routes as needed to reduce resource impacts, addresses conflicts with valid existing rights (e.g., transmission substations, active mines), and collocates infrastructure to minimize impacts across the landscape (BLM 2020:Table 2.4-1).

Alternative D consists of 1,860 miles of corridors that would connect oil fields that are candidates for EOR and sources of CO₂. Of this total, 968 miles cross BLM lands managed by the Buffalo, Casper, Cody, Kemmerer, Lander, Pinedale, Rawlins, Rock Springs, and Worland BLM Field Offices. Of the 968 miles on BLM lands, approximately 82% of the corridors are located in currently BLM-designated utility corridors. Approximately 230 miles are within 0.5 mile of existing pipeline ROWs.

Corridors on BLM lands that are not within a currently BLM-designated utility corridor require an amendment to the BLM RMPs. These amendments designate new corridors reserved for transportation of CO₂ and EOR products and for other compatible uses and also reserve a portion of the existing designated corridors exclusively for CO₂ and EOR product pipelines or other compatible uses.

Alternative E: Enhanced Development Opportunity with Resource Conflict Minimization and Dedicated Carbon Capture, Utilization, and Storage; Enhanced Oil Recovery; and Other Compatible Use

Alternative E is a combination of segments from Alternative B and Alternative D to maximize development opportunities and minimize resource conflicts by utilizing existing designated corridors and collocating with existing infrastructure to minimize impacts across the landscape.

Alternative E consists of 1,970 miles of corridors that would connect oil fields that are candidates for EOR and sources of CO₂. Of this total, 1,111 miles cross BLM lands managed by the Buffalo, Casper, Cody, Kemmerer, Lander, Pinedale, Rawlins, Rock Springs, and Worland BLM Field Offices.

Approximately 73% of the corridors are located in existing designated BLM utility corridors. Approximately 595 miles are within 0.5 mile of existing pipeline ROWs.

Corridors on BLM lands that are not within a currently BLM-designated utility corridor require an amendment to the BLM RMPs. These amendments designate new corridors reserved for the transportation of CO₂ and EOR products and for other compatible uses and also reserve a portion of the existing designated corridors exclusively for CO₂ and EOR product pipelines or other compatible uses.

Alternatives Considered But Not Carried Forward for Detailed Analysis

Alternatives considered but eliminated from detailed analysis included alternatives that modified the corridor widths, varied management requirements within new corridors, or incorporated additional stipulations beyond current RMP stipulations (Table 2).

Table 1. Alternatives Considered But Eliminated from Detailed Analysis

Alternative	Description
Consistent mitigation within corridors	This alternative would include the routes as described in the Proposed Action, and stipulations and design features would be consistently applied; however, the stipulations and design features would be modified and refined. Corridor segments would be dedicated for ROWs associated with the transportation of CO ₂ and EOR products and other compatible uses as determined on a case-by-case basis.
Only include corridors that do not have conflicts with existing uses or critical resource values	This alternative would only include those corridors that do not have conflicts with existing uses or resource values. Management stipulations and design features would be the same as the existing RMPs. Corridors that intersect incompatible existing uses or critical resource values would be removed. Examples of existing uses or resources that would be potentially incompatible include active mine operations, wilderness areas, improved recreation sites, within Priority Habitat Management Area (PHMA) and outside existing designated corridors, or authorized ROWs that are incompatible for collocation with a pipeline.
Modify routes to include additions to avoid incompatible uses	Instead of eliminating corridors that intersect with existing uses or resource values, this alternative would reroute corridors to avoid incompatible uses or resources. Corridors would be dedicated for ROWs associated with the transportation of CO ₂ and EOR products and other compatible uses as determined on a case-by-case basis.
Update corridors for all types of linear ROW projects	This alternative would update corridors in all the RMPs to create an updated corridor network; however, corridors would not be dedicated for ROWs associated with the transportation of CO ₂ and EOR products and other compatible uses, and applications for any type of use could be authorized.
Change in corridor widths	This alternative would include corridors from the Proposed Action, except corridor widths would vary and could be wider than 200 feet or 300 feet. Corridors would be dedicated for ROWs associated with the transportation of CO ₂ and EOR products and other compatible uses as determined on a case-by-case basis.

The alternatives analyzed in detail include pieces of those alternatives that were dismissed and address impacts through rerouting around sensitive resources and/or use existing designated corridors and RMP stipulations.

Environmentally Preferred Alternative

Alternative C was determined to be the most environmentally sound alternative that causes the least impact to the biological and physical environment. This alternative best protects, preserves, and enhances historical, cultural, and natural resources as expressed in NEPA's Section 101. However, this alternative does not best meet the purpose and need for the project and would not provide for an efficient network of

pipelines across the state. The BLM did not select Alternative C as Alternative E best allows for development opportunities while at the same time minimizes resource conflicts.

Management Considerations

Rationale for the Decision

The BLM considers and designates ROW corridors under FLPMA, including sections 503 and 202 of the Act. Here, the corridors would support future development of carbon capture, utilization, and storage and EOR through the development of infrastructure connecting to existing oil fields within the State of Wyoming as well as allow for other compatible uses. Upon review of the draft and final EISs, Alternative E would allow for development opportunities and minimize resource conflicts by utilizing existing designated corridors and collocating with existing infrastructure to minimize impacts across the landscape. Alternative E provides for a contiguous network of corridors for CO₂ and EOR across BLM lands within the State of Wyoming.

The draft and final EISs adequately disclose the impacts to the human environment of the Proposed Action and the alternatives considered in detail provide a sound basis for this decision. All practicable means to avoid or minimize environmental harm have been adopted, and creation of the corridors would not cause unnecessary or undue degradation of the public lands under Section 302 of FLPMA or be contrary to the public interest.

PUBLIC INVOLVEMENT

The BLM involved the public and coordinated with interested parties during the development of the EIS. These efforts included public scoping; identifying and designating cooperating agencies; consulting with applicable federal agencies and state, local, and tribal governments; and accepting comments on the EIS. In addition, several cooperator meetings were held (both before and after the draft EIS). The Wyoming State Governor's Office was also provided an opportunity for a consistency review.

Letters to initiate tribal consultation were sent to tribes on December 10, 2019. The letters notified the tribes of the project and requested government-to-government consultation between the BLM and the tribes. Federal, state, and local agencies were invited to serve as cooperating agencies. To serve as a cooperating agency, the potential agency or government must have either jurisdiction by law or special expertise relevant to the environmental analysis. A full list of tribes and cooperating agencies can be found in Appendix A of the final EIS (BLM 2020).

The formal public scoping process for the project began on November 15, 2019, with the publication of the NOI in the *Federal Register*. The NOI initiated the public scoping process and served to notify the public of the BLM's intent to prepare an EIS. The BLM also issued media releases and emails that announced the external scoping period to the mailing list. The mailing list was developed from the BLM's mailing list, tribal contacts, and other cooperating agencies. The public comment period concluded on December 27, 2019.

The BLM received a total of 33 submissions from members of the public and the cooperating agencies during the scoping period. In all, 283 unique comments were identified from all 33 submissions. Issue statements were developed from similar comments. All comments received equal consideration, regardless of method of submittal.

The notice of availability for the draft EIS was published in the *Federal Register* on April 17, 2020. The 90-day public comment period extended through July 16, 2020. Two virtual public meetings were held on May 28, 2020, one from 11:00 a.m. to 1:00 p.m. Mountain Daylight Time, and the other from 5:00 p.m. to 7:00 p.m. Mountain Daylight Time. SWCA Environmental Consultants identified 544 individual comments among the public comment submissions. The public comment summary report is included as Appendix K of the final EIS (BLM 2020).

PROPOSED RMP AMENDMENT PROTEST AND REVIEWS PROTEST RESOLUTION

Upon release of the final EIS and proposed RMPA, a 30-day protest period began on October 23, 2020, at which time any person who previously participated in the planning process and had an interest that is or may be adversely affected by the proposed plan could submit a protest on the proposed plan. A protest could raise only those issues which were submitted for the record during the planning process.

All protests had to be in writing and filed with the BLM, either as a hard copy or electronically via the ePlanning website, by the close of the protest period, which was November 23, 2020. All protest letters sent to the BLM via fax or e-mail were considered invalid unless a properly filed protest was also submitted.

The ePlanning page for each planning project contained a tool for submitting a valid protest electronically. The link to the respective ePlanning project page where a protest could be filed was included in the Notice of Availability for the final EIS and proposed RMPA, and in related news releases and “Dear Reader” letters.

All protests had to be filed within the 30-day protest period, which began on the date that the notice of receipt of the proposed RMPA/final EIS was published in the *Federal Register*, October 23, 2020.

The following items must have been included to constitute a valid protest (see 43 CFR 1610.5-2):

- The name of the RMP or RMPA and final EIS being protested
- The name, mailing address, telephone number and interest of the person filing the protest (in other words, how the protestor will be adversely affected by the approval or amendment of the plan)
- A statement of the issue or issues being protested
- A statement of the part or parts of the plan or amendment being protested (including chapter, section, page, and/or map)
- A copy of all documents addressing the issue or issues that were submitted during the planning process by the protesting party, or an indication of the date the issue or issues were discussed for the record
- A concise statement explaining why the BLM Wyoming State Director’s decision is believed to be wrong

Protestors were informed that before including their personal identifying information in their protests, their entire protest, including personal identifying information, may be made publicly available at any time. The BLM cannot guarantee that personal identifying information would be withheld upon request.

In order for the issue raised in a protest to be valid, it had to include the following:

- It must be in the record that the protest issue has been raised in the planning process before, or that the issue provides significant new information (in other words, it came to light near the end of the draft RMP or RMPA comment period).
- The protest must relate to a planning issue, not an implementation issue.
- The protest must clearly state what law/regulation/policy the BLM is violating (i.e., names the law/regulation/policy specifically or uses key words that make it clear).
- The protest must clearly explain why the proposed RMP or RMPA violates the stated law/regulation/policy.
- The protest must give a reference in the document where the stated violation occurs.
- The protest must be concise.

If the protest lacked any of the above elements, it was deemed invalid.

The 30-day protest period ended on November 23, 2020. Three protest letters were received during the protest period. All protest issues for the proposed planning decision were reviewed in accordance with 43 CFR 1610.5-2.

The Secretary of the Interior and his staff completed an evaluation of the Protest Resolution Report, and on January 15, 2021, the Secretary approved the Protest Resolution Report. Two of the protests were dismissed and one was denied. A written decision was sent to protesting parties, and this report was posted on the BLM's website. The decision of the Secretary is the final decision of the Department of the Interior.

GOVERNOR'S CONSISTENCY REVIEW

The BLM's planning regulations require that RMPs be "consistent with officially approved or adopted resource-related plans, and the policies and procedures contained therein, of other federal agencies, State and local governments, and Indian tribes, so long as the guidance and RMPs also are consistent with the purposes, policies, and programs of federal laws and regulations applicable to public lands" (43 CFR 1610.3-2(a)).

The 60-day Governor's Consistency Review period ended on December 23, 2020. The Governor of Wyoming submitted a letter to the BLM Wyoming State Director on December 2, 2020, indicating that they found no inconsistencies between the BLM's proposed RMPA/final EIS and the State's or local governments' resource related plans and procedures.

FINAL AGENCY AUTHORIZATION

I hereby select Alternative E and authorize the creation of corridors for the construction of pipelines for the transport of CO₂ and EOR products and for other compatible uses on federal lands throughout the State of Wyoming as described in the WPCI final EIS. Further, this decision amends the Buffalo RMP (as amended), Casper RMP (as amended), Big Horn Basin RMP (as amended), (which covers the Cody and Worland Field Offices), Kemmerer RMP (as amended), Lander Field Office (as amended), Pinedale RMP (as amended), Rawlins RMP (as amended), and Green River RMP (as amended) (which covers the Rock Springs Field Office) to include the Alternative E corridors, new and within existing designated corridors, and management thereof, as described in Section 2.45 and Section 2.5 of the final EIS. The BLM will limit its amendments of these RMPs solely to changes indicated by the decision and will not address other uses or the management of other resources, although the BLM did consider and analyze effects from increased use on other managed resources. The BLM will continue to manage other resources in the affected field office planning areas under the preexisting terms, conditions, and decisions in the applicable RMPs for those other resources. The approved RMP amendments do not include planning and management decisions for lands or minerals administered by other federal agencies, lands that are privately owned, or lands owned by the State of Wyoming or local governments.

It is my decision to select the agency Preferred Alternative (Alternative E) as described in the final EIS. This decision is effective immediately and is not subject to appeal under 43 CFR Part 4.

Signature


David L. Bernhardt
Secretary of the Interior



Date

REFERENCES

Bureau of Land Management (BLM). 2020. *Final Resource Management Plan Amendments/ Environmental Impact Statement: Wyoming Pipeline Corridor Initiative*. Available at: <https://eplanning.blm.gov/eplanning-ui/project/1502028/570>. Accessed January 6, 2021.

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