

PERMIT REQUIREMENTS FOR DEVELOPMENT OF ENERGY  
AND OTHER SELECTED NATURAL RESOURCES FOR THE  
STATE OF UTAH

PREPARED FOR  
FOUR CORNERS REGIONAL COMMISSION  
AND THE  
U.S. GEOLOGICAL SURVEY

BY CAMP DRESSER AND MCKEE, INC.

Statements of opinion and/or recommendations are those of the authors and do not necessarily reflect the official opinion of the Four Corners Regional Commission, any of its members States, or the U.S. Geological Survey.

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Request for information on this publication should be directed to the following locations:

Resource Development Coordinating Council 124 State Capitol Salt Lake City, Utah 84114	or	U.S. Geological Survey Environmental Affairs Office 760 National Center Reston, Virginia 22092
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## INTRODUCTION

This guidebook is one of a series prepared for every State. The purpose of the guidebook is to summarize environmental and land-use permits issued by the State for the development of energy and other natural resources. The guidebook is intended not only for private developers and interest groups, but also for regulatory officials of Federal, State, and local government as well.

All State agencies having jurisdiction over the permits, licenses, and approvals described in this guidebook helped to prepare it, and they reviewed the final draft of each summary for accuracy and completeness. Users of this guidebook should be aware, however, that changes in the laws, rules and regulations, or regulatory personnel since the guidebook was published may cause significant changes in permit requirements.

The guidebook should not be construed as a legal document or a final authority on permits for the State of Utah, it is not intended to be a comprehensive reference to the specific requirements of each permit, but to provide concise, easy-to-use information on the State regulations that govern the development of such resources. Before attempting to obtain a permit or begin any activity that might require a permit, you should contact the appropriate State agency for further details.

The guidebook is divided into seven sections. Sections 1.0, 2.0 and 7.0 discuss introductory information, consolidated permit programs for the State of Utah, and local regulatory policies, respectively. The remaining sections discuss permits that apply to Resource Extraction, Land Use Regulation, Environmental Quality Management, and Social/Ecological Preservation. Each section is divided into chapters; each chapter summarizes one permit, license, or approval. Permits administered by a single agency are generally grouped together in each section.

Each permit is discussed in the standard format shown on pages 2 and 3:

## STANDARD FORMAT FOR PERMIT SUMMARY

### CHAPTER 0.0

#### TITLE OF ACTIVITY ADDRESSED BY PERMIT, LICENSE OR APPROVAL

#### INTRODUCTION

Description of administering agency and its role.

A. NAME OF PERMIT OR APPROVAL:

Complete name of permit or approval with notation indicating mandate by state (S) or federal (F) government.

B. STATUTORY AUTHORITY:

Title of state statutes authorizing permit and the legal citations of each with notation indicating pending changes (P) to the statute(s).

C. TITLE OF REGULATION:

Title of state regulation(s) which apply to permit with notation indicating pending changes (P) to the regulation(s).

D. SUMMARY OF PERMIT/APPROVAL PROCESS:

Summary of major steps involved in the permit/approval process.

1. Applicability

Describes all types of activities which require this permit.

2. General Requirements

Conditions which must be met by the project sponsor before a permit can be acquired; excluding Submissions or Operations Requirements.

3. Submission Requirements

Types of information which the project sponsor must include in the application for the permit.

## CHAPTER 0.0 (continued)

### 4. Procedures for Obtaining Permit or Approval

Includes information on items such as submittal procedures, completeness and technical review, public notice, comment and hearing periods, preliminary and final decisions, inspections, and processing times.

### 5. Operations Requirements

Conditions which are established by the regulatory agency following permit approval and which must be met by the project sponsor in order to continue operations.

### 6. Fees

Costs incurred for obtaining and maintaining the permit.

### 7. Appeal Process

Process whereby decisions concerning permit approval/denial that are made by a regulatory agency can be appealed.

## E. ADMINISTERING AGENCY:

Name of the administering agency and its director, address, and telephone number.

Name of the counterpart federal agency and its director, address, and telephone number.

**SECTION 2.0**  
**STATE POLICY AND PROCEDURES**  
**FOR CONSOLIDATED PERMIT PROGRAM**

## CHAPTER 2.1

### STATE CLEARING HOUSE OR ONE-STOP PERMIT AGENCIES

The State of Utah Planning and Coordinating Office has developed a Resource Development Coordinating Council as an initial contact point for project proponents to assist in the coordination and direction of permitting information. This Council, comprised of representatives from each of the state agencies, has no permitting authority but does attend permit review meetings in which decisions are rendered for many of the major permits described in this guidebook.

State Planning Coordinating Office  
Resource Development Coordinating Council  
124 State Capitol  
Salt Lake City, Utah 84114  
(801) 533-5245

SECTION 3.0  
RESOURCE EXTRACTION

## CHAPTER 3.1

### PERMIT TO COMMENCE EXPLORATION ACTIVITIES (Non-coal minerals excluding sand and gravel)

#### INTRODUCTION

The Utah Division of Oil, Gas, and Mining (UDOGM), within the Department of Natural Resources and Energy has responsibility for issuance of permits or approval letters for exploration drilling activities for noncoal minerals, excluding sand and gravel, under the authority of the Utah Mined Land Reclamation Act, 1975. The purpose of this permit is to protect the environment disturbed by drilling activities including plugging, stabilizing, and reclaiming drill holes.

#### A. NAME OF PERMIT OR APPROVAL:

- o Permit to Commence Exploration Activities or "Approved Letter of Intent to Conduct Exploration" for non-coal minerals excluding sand and gravel (S)

#### B. STATUTORY AUTHORITY:

- o Utah Mined Land Reclamation Act of 1975
- o Utah Code Annotated, 1953, as amended, 40-8-1, et seq.

#### C. TITLE OF REGULATION:

- o General Rules and Regulations Rule M-3(5)

#### D. SUMMARY OF PERMIT/APPROVAL PROCESS:

- o Applicant submits a letter of intent to conduct exploration activities to UDOGM
- o Final review and approval by UDOGM
- 1. Applicability
  - o Exploration drilling activities for non-coal minerals excluding sand and gravel
- 2. General Requirements
  - o This permit must be obtained prior to commencement of any exploration activities

## Chapter 3.1 (continued)

### 3. Submission Requirements

- o A letter containing
  - Specific locations
  - Depths
  - Ownerships
  - Hole diameters
  - Affirmative statement of commitment

### 4. Procedures for Obtaining Permit or Approval

- o Applicant submits letter to UDOGM
- o Final review and approval by UDOGM

### 5. Operations Requirements

- o Post-completion plugging reports
- o Post-completion abandonment reports

### 6. Fees

- o None

### 7. Appeal Process

- o Division decisions may be appealed to the Board of Oil, Gas and Mining, a quasi-judicial body

## E. ADMINISTERING AGENCY:

Coordinator of Mined Land Development  
Utah Division of Oil, Gas and Mining  
1588 West North Temple  
Salt Lake City, Utah 84116  
(801) 533-5771

## CHAPTER 3.2

### NOTICE OF INTENTION TO COMMENCE MINING OPERATIONS APPROVAL (Noncoal minerals excluding sand, and gravel)

#### INTRODUCTION

The Utah Division of Oil, Gas, and Mining (UDGOM), within the Department of Natural Resources and Energy, has responsibility for issuance of permits or approval letters for intention to commence mining operations for noncoal minerals excluding sand and gravel operations, under the authority of the Utah Mined Land Reclamation Act, 1975. The purpose of this permit is to insure protection of the environment prior, during and following mining activities.

#### A. NAME OF PERMIT OR APPROVAL

- o Non-coal Permit – "Approved Notice of Intention to Commence Mining Operations" for all non-coal minerals excluding sand and gravel (S)

#### B. STATUTORY AUTHORITY:

- o Utah Mined Land Reclamation Act of 1975
- o Utah Code Annotated, 1953, as amended, 40-8-1, et seq.

#### C. TITLE OF REGULATION:

- o Mined Land Reclamation General Rules and Regulations M-1 through M-10

#### D. SUMMARY OF PERMIT/APPROVAL PROCESS:

- o Applicant submits form as described in "4"
- o Public notice is given
- o Surety to cover reclamation is posted
- o Final approval by the DOGM

##### 1. Applicability

- o Mining operations which disturb over 2 acres of surface area and move over 500 total tons of material in 12 consecutive months

## CHAPTER 3.2 (continued)

### 2. General Requirements

- o All environmental permits must be obtained prior to approval of commencement of mining operations

### 3. Submission Requirements

- o Numerous, including but not limited to mining, reclamation, hydrology, and the environment surrounding the mine

### 4. Procedures for Obtaining Permit or Approval

- o Applicant submits Forms MR-1 (Notice of Intent to Commence Mining Operations), MR-2 (Mining and Reclamation Plan), and MR-8 (Commitment to Rule M-10, Reclamation Standards) in conjunction with a map drawn per the standards in Rule M-3 to UDOGM
- o UDOGM performs a completeness and technical adequacy review along with a field examination
- o Applicant files a complete and adequate Notice of Intent and reclamation plan
- o UDOGM publishes notice of approval in the local and statewide newspapers
- o Operator posts surety to cover reclamation costs if no objection of substance to the mining and reclamation plan is voiced within 30 days
- o Final approval by the UDOGM

### 5. Operations Requirements

- o Mine development and reclamation must proceed in accordance with the approved plan
- o An annual report (Form MR-3) is filed every year

### 6. Fees

- o None

### 7. Appeal Process

- o Applicant may appeal the decisions of the UDOGM to the Board of Oil, Gas and Mining, a quasi-judicial body

CHAPTER 3.2 (concluded)

E. ADMINISTERING AGENCY:

Coordinator of Mined Land Development  
Utah Division of Oil, Gas and Mining  
1588 West North Temple  
Salt Lake City, Utah 84116  
(801) 533-5771

## CHAPTER 3.3

### COAL MINING AND RECLAMATION PLAN PERMIT

#### INTRODUCTION

The Utah Division of Oil, Gas, and Mining (UDOGM), within the Department of Natural Resources and Energy, has responsibility for approval of the Coal Mining and Reclamation Permit/Approval, under the authority of Utah Code Annotated, 1953, as amended. The purpose of this permit is to protect the environment by requiring environmental background information, reclamation plans, and mining plans prior to initiation of mining activities.

A. NAME OF PERMIT OR APPROVAL:

- o Coal Mining and Reclamation Plan Permit (F & S)

B. STATUTORY AUTHORITY:

- o Regulations for Coal Mining and Reclamation Operations of 1979
- o Utah Code Annotated, 1953, as amended, 40-10-1, et seq.

C. TITLE OF REGULATION:

- o UMC and SMC Regulations

D. SUMMARY OF PERMIT/APPROVAL PROCESS:

- o Applicant submits application to UDOGM
- o Final review and approval by UDOGM
- 1. Applicability
  - o Surface or underground coal mining, coal processing, coal loading at or near the mine site, and coal exploration
- 2. General Requirements
  - o All applicable environmental studies, reclamation plans, and mining plan must be completed prior to approval
- 3. Submission Requirements
  - o Mining and reclamation plan
  - o Maps

## CHAPTER 3.3 (continued)

- o Hydrologic monitoring plans
- o Other environmental background information, as applicable
- 4. Procedures for Obtaining Permit or Approval
  - o Applicant submits application to UDOGM in multiple copies (7-nonfederal land; 13-federal lands)
  - o UDOGM performs completeness and technical review
  - o Applicant files application notice and it is published for four consecutive weeks in a newspaper local to the area of the proposed mine
  - o UDOGM reviews application within 6 months of submission
  - o Applicant obtains an adequate surety to cover reclamation costs
  - o Final approval by UDOGM
- 5. Operations Requirements
  - o Operations should be conducted in compliance with the performance standards and in accordance with the mining and reclamation plan
- 6. Fees
  - o \$5 application fee
- 7. Appeal Process
  - o Appeals are made to the Board of Oil, Gas, and Mining, a quasi-judicial body

### E. ADMINISTERING AGENCY:

#### State Agency:

Coordinator of Mined Land Reclamation  
Utah Division of Oil, Gas, and Mining  
1588 West North Temple  
Salt Lake City, Utah 84116  
(801) 533-5771

## CHAPTER 3.3 (concluded)

### Federal Agency:

Regional Director  
Office of Surface Mining  
Brooks Towers  
1020 15th St.  
Denver, CO 80202

SECTION 4.0  
LAND USE REGULATIONS

## CHAPTER 4.1

### CERTIFICATE OF CONVENIENCE AND NECESSITY

#### INTRODUCTION

The Utah Public Service Commission (UPSC) has responsibility for issuance of Certificates of Convenience and Necessity, under the authority of Utah Code Annotated, 1953, Title 54. The purpose of this certificate is to assure proper operation and construction of public utility facilities.

A. NAME OF PERMIT OR APPROVAL:

- o Certificate of Convenience and Necessity (S)

B. STATUTORY AUTHORITY:

- o Utah Code Annotated, 1953, 54-4-25, 54-6-5, and 54-7-6

C. TITLE OF REGULATION:

- o None

D. SUMMARY OF PERMIT/APPROVAL PROCESS:

- o Applicant submits application for certificate to UPSC
- o Application appointment is set for hearing before the UPSC, or approval is summarily given upon review of application by UPSC and a positive recommendation of Division of Public Utilities
- o Final order is issued for denial or approval by the UPSC

1. Applicability

- o Operation of public utility or construction of similar facilities

2. General Requirements

- o Certificate of Convenience and Necessity is granted upon proof that the applicant can offer and successfully maintain a public utility service

## CHAPTER 4.1 (continued)

### 3. Submission Requirements

- o Financial information indicating
  - Capability
  - Proposed service
  - Service area
  - Need for service

### 4. Procedures for Obtaining Permit or Approval

- o Applicant submits application and \$100 fee to UPSC
- o Hearing is set (see "D" above) and technical review is conducted by Division of Public Utilities staff
- o A prefiling of testimony may be necessary
- o The hearing, usually within a month of application, allows time for public witnesses
- o Notice of hearing dates is mailed to all interested parties and published in newspaper
- o Final order is issued by UPSC

### 5. Operations Requirements

- o Utilities must comply with tariffs, statutes of Utah, and rules of UPSC
- o Anyone may file complaint against utility and UPSC makes decision on the complaint

### 6. Fees

- o \$100 filing fee

### 7. Appeal Process

- o Appeal to Supreme Court of Utah after petition for rehearing to Commission

CHAPTER 4.1 (concluded)

E. ADMINISTERING AGENCY:

None, information may be acquired by contacting:

Utah Public Service Commission  
330 East 400 South  
Salt Lake City, Utah 84111  
(801) 533-5511

CHAPTER 4.2  
MINERAL LEASE

INTRODUCTION

The Utah Division of State Lands and Forestry (UDSLF), within the Department of Natural Resources and Energy, has responsibility for issuance of Mineral Leases under the authority of Utah Code Annotated, 1953, Title 65. The purpose of this permit is to prevent confusion of ownership rights to minerals and protect the environment by requiring compliance with reclamation acts, rules, and regulations.

A. NAME OF PERMIT OR APPROVAL:

- o Mineral Lease (S)

B. STATUTORY AUTHORITY:

- o Utah Code Annotated, 1953, 65-1-18, State Lands

C. TITLE OF REGULATION:

- o State of Utah, Rules and Regulations Governing the Issuance of Mineral Leases (P)

D. SUMMARY OF PERMIT/APPROVAL PROCESS:

- o Applicant submits standard form application and associated fees to UDSLFL
- o Formal action on the application is taken by the Director of UDSLFL, usually within one week of receipt

1. Applicability

- o Prospecting, exploring, developing and producing minerals

2. General Requirements

- o A mineral lease must be obtained prior to any activities involving prospecting, exploring, developing, and/or producing minerals

## CHAPTER 4.2 (continued)

### 3. Submission Requirements

- o Name, address, and telephone number
- o County
- o Legal description and acres
- o Purpose

### 4. Procedures for Obtaining Permit or Approval

- o Applicant submits standard form application and associated fees to UDSL
- o Staff checks completeness of application and availability of land
- o Final approval by UDSL
- o Estimated processing time, 7-10 days

### 5. Operations Requirements

- o All lessees and operators shall comply with the following:
  - Oil and Gas Commission Act of 1955
  - The Mined Land Reclamation Act of 1975
  - The Surface Mining Control and Reclamation Act of 1977
  - All rules, regulations, and orders issued thereunder as shall be applicable, and all stipulations of the lease issued by the Division.

### 6. Fees

- o Application fee ranges from \$10 to \$35 depending on ownership of land
- o Rental rate is \$1.00 per acre, minimum of 40 acres

### 7. Appeal Process

- o Applicant may appear before the Board of State Lands to make an appeal

CHAPTER 4.2 (continued)

E. ADMINISTERING AGENCY:

Assistant Director  
Utah Division of State Lands and Forestry  
411 Empire Bldg.  
231 East 400 South  
Salt Lake City, Utah 84111  
(801) 533-5381

CHAPTER 4.3  
SPECIAL USE LEASE

INTRODUCTION

The Utah Division of State Lands and Forestry (UDSLF), within the Department of Natural Resources, and Energy has responsibility for issuance of Special Use Leases, under the authority of Utah Code Annotated, 1953, Title 65. The purpose of this permit is to protect the environment disturbed by activities such as building commercial, industrial, residential, agricultural, and recreational structures, etc. A Resource Development Coordinating Council (comprised of representatives from all agencies) was devised to review applications and make recommendations to the administering agency for further understanding and coordination of each permit.

A. NAME OF PERMIT OR APPROVAL:

- o Special Use Lease (S)

B. STATUTORY AUTHORITY:

- o Utah Code Annotated, 1953, State Lands, 65-1-108

C. TITLE OF REGULATION:

- o State of Utah, Rules and Regulations Governing the Issuance of Rights of Way and Special Use Leases

D. SUMMARY OF PERMIT/APPROVAL PROCESS:

- o Applicant submits standard form application with associated fees to UDSLFF
- o Program manager performs negotiation of fee structure and lease provisions
- o Final approval by the Board of State Lands at one of its monthly meetings
- 1. Applicability
  - o Special Uses may be classified as commercial, industrial, residential, agricultural, and recreational
- 2. General Requirements
  - o Varies with type and complexity of lease

## CHAPTER 4.3 (continued)

### 3. Submission Requirements

- o Varies with type and complexity of lease

### 4. Procedures for Obtaining Permit or Approval

- o Applicant submits standard form application with associated fees to Regional or State office of the UDSLFL
- o Applicant may be required to conduct environmental analyses
- o Staff checks for completeness of application, availability of land, and conducts appraisals and public hearings as appropriate
- o Staff submits environmental evaluation to Resource Development Coordinating Committee
- o Staff presents application with recommendations to the Board of State Lands
- o Final approval by UDSLFL
- o Processing time varies

### 5. Operations Requirements

- o All Special Use Leases are conditioned upon
  - Performance by the lessee of the terms therein contained
  - Compliance with rules and regulations of the Board
  - Compliance with the law

### 6. Fees

- o Varies with type and complexity of lease

### 7. Appeal Process

- o Applicant may request a meeting with the Board of State Lands to make an appeal

## CHAPTER 4.3 (concluded)

### E. ADMINISTERING AGENCY:

#### State Agency:

Surface Management Supervisor  
Utah Division of State Lands and Forestry  
411 Empire Bldg.  
231 East 400 South  
Salt Lake City, UT 84111  
(801) 533-5381

Federal Agency: Many federal agencies in Utah have similar programs.

## CHAPTER 4.4

### RIGHT OF WAY/RIGHT OF ENTRY PERMIT

#### INTRODUCTION

The Utah Division of State Lands and Forestry (UDSLF), within the Department of Natural Resources and Energy, has responsibility for issuance of Right of Way/Right of Entry permits, under the authority of Utah Code Annotated, 1953, Title 65. The purpose of this permit is to protect the environment and prevent illegal entry to state lands.

A. NAME OF PERMIT OR APPROVAL:

- o Right of Way/Right of Entry (S)

B. STATUTORY AUTHORITY:

- o Utah Code Annotated, 1953, 65-2-1 through 65-2-4, State Lands

C. TITLE OF REGULATION:

- o State of Utah, Rules and Regulations Governing the Issuance of Rights of Way and Special Use Leases

D. SUMMARY OF PERMIT/APPROVAL PROCESS:

- o Applicant submits application (no standard form) and associated fees to UDSL
- o Surety Bond may be required
- o Final approval by UDSL

1. Applicability

- o Transmission lines
- o Canals and ditches
- o Pipelines
- o Tunnels
- o Access roads and trails
- o Seismic surveys

## CHAPTER 4.4 (continued)

- o Temporary access for purposes of conducting other types of land survey
- o Other temporary types of land use
- 2. General Requirements
  - o This permit must be obtained prior to entry for any purpose onto state lands
- 3. Submission Requirements
  - o Name, address, and Attorney-in-Fact (if applicable)
  - o If a firm, association, or corporation, date qualified to do business
  - o Legal description of land
  - o Term of use
  - o Plot indicating location of Right-of-Way
  - o Description including sketches, maps, pictures, etc.
  - o Location of any archaeological or historical sites in area
  - o Alternatives
  - o Procedures to minimize impact
- 4. Procedures for Obtaining Permit or Approval
  - o Applicant submits application to Regional or State office of UDSLIF
  - o Applicant may be required to conduct environmental analyses
  - o Staff checks for completeness of application and availability of land, and conducts appraisals
  - o Staff submits environmental evaluation to Resource Development Coordinating Council for recommendations
  - o Staff presents application and recommendation to Director of Parks and Recreation for action
  - o Final approval by UDSLIF
  - o Minimum processing time, 45 days for rights of way, 7 days for rights of entry

## CHAPTER 4.4 (concluded)

### 5. Operations Requirements

- o Following approval, permittee must fully comply with all stipulations
- o Federal specifications shall apply to the state lands where federal lands are also involved and a federal permit for a right of way has been granted

### 6. Fees

- o Varies with type of lease

### 7. Appeal Process

- o Applicant may appear before the Board of State Lands to appeal Director's decision.

## E. ADMINISTERING AGENCY:

### State Agency:

Surface Management Supervisor  
Utah Division of State Lands and Forestry  
411 Empire Bldg.  
231 East 400 South  
Salt Lake City, UT 84111  
(801) 533-5381

### Counterpart Federal Agencies include:

Department of Defense  
Bureau of Indian Affairs  
Fish and Wildlife Service  
National Park Service  
Bureau of Land Management  
U.S. Forest Service

## CHAPTER 4.5

### BURNING PERMIT - CLOSED FIRE SEASON

#### INTRODUCTION

The Utah Division of State Lands and Forestry (UDSLF), within the Department of Natural Resources and Energy, has responsibility for issuance of Burning permits during closed fire season, under the authority of Utah Code Annotated, 1953, Title 24. The purpose of this permit is to prevent uncontrolled fires in the State.

A. NAME OF PERMIT OR APPROVAL:

- o Burning Permit - Closed Fire Season (S)

B. STATUTORY AUTHORITY:

- o Utah Code Annotated, 1953, 24-2-12, Forestry and Fire Control

C. TITLE OF REGULATION:

- o Closed Fire Season Proclamation

D. SUMMARY OF PERMIT/APPROVAL PROCESS:

- o Applicant contacts State Forester or a designated deputy regarding purpose, time, and location of proposed burn
- o Final review and approval by UDSLFF usually completed same day

1. Applicability

- o Required for any person wishing to set on fire any inflammable material on any forest, brush, range, grass, grain, stubble or hay land throughout the State of Utah during closed fire season, normally June 1 through October 31

2. General Requirements

- o Individual secures a written permit from the State Forester or a designated deputy prior to any burning during closed fire season
- o Full compliance with the terms and conditions prescribed with the permit is required

## CHAPTER 4.5 (continued)

### 3. Submission Requirements

- o Name, address, and phone number of individual applying for permit
- o Legal description of area
- o Period burn will be conducted
- o Purpose of burn
- o Signature of applicant agreeing to follow conditions set on permit

### 4. Procedures for Obtaining Permit or Approval

- o Applicant contacts State Forester or designated deputy
- o State Forester representative may require an inspection of the area
- o Final approval by the State Forester
- o Total estimated processing time, 1 day

### 5. Operations Requirements

- o Applicant signs permit and complies with conditions set forth on approved permit by State

### 6. Fees

- o None

### 7. Appeal Process

- o Applicant may reapply for a permit if it is denied
- o The appeal process is not well-defined at this time

## E. ADMINISTERING AGENCY:

Assistant State Forester/Fire Management  
Utah Division of State Lands and Forestry  
231 East 400 South  
411 Empire Building  
Salt Lake City, Utah 84111  
(801) 533-5381

## CHAPTER 4.6

### UTILITY EASEMENTS ON STATE PARKS' LANDS

#### INTRODUCTION

The Utah Division of Parks and Recreation (UDPR), within the Department of Natural Resources and Energy, has responsibility for issuance of Utility Easements on State Parks Lands, under the authority of Utah Code Annotated, 1953, Title 63. The purpose of this permit is to prevent activities involving surface occupancy from interfering with the recreation of Parks. A Resource Development Coordinating Council (comprised of representatives from each Agency) was devised to review applications and make recommendations to the administering agency for further understanding and coordination of each permit.

#### A. NAME OF PERMIT OR APPROVAL:

- o Utility Easements on State Parks' Lands

#### B. STATUTORY AUTHORITY:

- o Utah Code Annotated, 1953, 63-11-17 (2)

#### C. TITLE OF REGULATION:

- o Utah Code Annotated, 1953, 63-11-17 (2) in conjunction with authority of the Board of Parks and Recreation

#### D. SUMMARY OF PERMIT/APPROVAL PROCESS:

- o Applicant submits a written proposal to the Department of Parks and Recreation UDPR
- o Formal contract drawn up
- o Final approval by UDPR, the Attorney, and the Governor

#### 1. Applicability

- o All activities involving surface occupancy

#### 2. General Requirements

- o Activity must not interfere with the recreation of the Park
- o Damage is repaired with the approval of UDPR

## CHAPTER 4.6 (continued)

### 3. Submission Requirements

- o Proposal:
  - Description of activity
  - Operation time frame
  - Methods for restoring environment
- o Easement Contract:
  - Legal description
  - Right of grantor and grantee
  - Terms
  - Save harmless clause
  - Method of restoration

### 4. Procedures for Obtaining Permit or Approval

- o Applicant submits written proposal to UDPR
- o Following the DPR approval, it is submitted to the Resource Development Coordinating Committee for written recommendations
- o Formal contract for easement is drawn up
- o Final approval by UDPR, the Attorneys, and the Governor

### 5. Operations Requirements

- o Operator complies with the term and conditions of the easement agreement as signed and approved

### 6. Fees

- o Varies with the type and scope of the activity

### 7. Appeal Process

- o No formal appeal process

CHAPTER 4.6 (concluded)

E. ADMINISTERING AGENCY:

Utah Division of Parks and Recreation  
1596 West North Temple 84116  
Salt Lake City, Utah  
(801) 533-6011

SECTION 5.0  
ENVIRONMENTAL QUALITY MANAGEMENT

## CHAPTER 5.1

### APPROVAL OF AIR POLLUTION SOURCES

#### INTRODUCTION

The Utah Division of Environmental Health (UDEH), Bureau of Air Quality, within the Department of Health, has responsibility for approval of air pollution sources, under the authority of the Utah Air Conservation Act. The purpose of this permit is to prevent air pollution by any air pollution source except comfort heating.

A. NAME OF PERMIT OR APPROVAL:

- o Approval of Air Pollution Sources (F and S)

B. STATUTORY AUTHORITY:

- o Clean Air Act
- o Utah Air Conservation Act
- o Utah Code Annotated, 1953, as amended, 26-13

C. TITLE OF REGULATION:

- o Utah Air Conservation Regulation (P)

D. SUMMARY OF PERMIT/APPROVAL PROCESS:

- o Applicant submits Notice of Intent to Construct with engineering plans and specifications to UDEH
- o Review conducted and completed by UDEH
- o UDEH issues Notice of Intent to approve or disapprove
- o Public Comment (30 day)
- o Final approval by UDEH

1. Applicability

- o All air pollution sources except comfort heating (equipment, boilers less than  $1 \times 10^6$  BTU input and natural gas fired installation)

## CHAPTER 5.1 (continued)

### 2. General Requirements

- o Applicant must receive approval of intent to construct prior to construction
- o Engineer review and air quality impact analysis required

### 3. Submission Requirements

- o Engineering plans and specifications
- o Air quality impact analysis

### 4. Procedures for Obtaining Permit or Approval

- o Applicant submits Notice to UDEH for review and analysis of engineering plans and specifications (feasibility approval can be given so operation can continue until detailed plans are completed)
- o Public Notice of Intent to Approve is posted (a public hearing may be held within 15 days of the notice)
- o Thirty day public comment period
- o Final approval by UDEH and followed by compliance inspection
- o Estimated processing time, 30-180 days (90 days plus 3-3 day extensions)

### 5. Operations Requirements

- o No operating permit is required
- o Periodic inspection is completed to insure compliance with permit requirements
- o Periodic source testing at the sources expense

### 6. Fees

- o Major Sources (100 ton or greater) – actual cost of review and cost of enforcement (When the permit is issued, an itemized bill is presented)

### 7. Appeal Process

- o Hearing before Air Conservation Committee

CHAPTER 5.1 (concluded)

E. ADMINISTERING AGENCY:

State Agency:

Director  
Bureau of Air Quality  
Utah Division of Environmental Health  
150 West North Temple  
Salt Lake City, Utah 84110  
(801)533-6108

Federal Agency:

Director  
Air and Hazardous Materials Division  
U.S. EPA Region VIII  
1860 Lincoln Street  
Denver, Colorado

CHAPTER 5.2  
OPEN BURNING PERMIT

INTRODUCTION

The Utah Division of Environmental Health (UDEH), Bureau of Air Quality, within the Department of Health, has responsibility for issuance of open burning permits, under the authority of the Utah Air Conservation Act. The purpose of this permit is to prevent air pollution resulting from open burning.

A. NAME OF PERMIT OR APPROVAL:

- o Open Burning Permit (S)

B. STATUTORY AUTHORITY:

- o Utah Air Conservation Act
- o Utah Code Annotated, 1953, as amended, 26-13

C. TITLE OF REGULATION:

- o Utah Air Conservation Regulation

D. SUMMARY OF PERMIT/APPROVAL PROCESS:

- o Telephone local agency for clearing index
- o If index is greater than 500, burn is approved by UDEH
- 1. Applicability
  - o All non-agricultural open burning
- 2. General Requirements
  - o Clearing index must be above 500 (clearing index indicates dispersion), for permit to be issued
- 3. Submission Requirements
  - o Type and quantity of material to be burned
  - o Location of burn

## CHAPTER 5.2 (continued)

### 4. Procedures for Obtaining Permit or Approval

- o Telephone local authority UDEH
- o Clearing index greater than 500, permit issued; less than 500, permit denied
- o Special circumstance (health or safety problem), appeal to executive secretary

### 5. Operations Requirements

- o Follow requirements of Section 2.4 Utah Air Conservation Regulations

### 6. Fees

- o None

### 7. Appeal Process

- o Appeal to Executive Secretary, Utah Air Conservation Committee

## E. ADMINISTERING AGENCY:

Director  
Bureau of Air Quality  
Utah Division of Environmental Health  
150 West North Temple  
Salt Lake City, Utah 84110  
(801)533-6108

## CHAPTER 5.3

### CERTIFICATE OF NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT FOR DISCHARGE OF POLLUTANTS INTO NAVIGABLE WATERS OF THE UNITED STATES

#### INTRODUCTION

The Utah Division of Environmental Health (UDEH), Bureau of Water Pollution Control, within the Department of Health, has responsibility for certification of the NPDES permit (issued by the U.S. Environmental Protection Agency), under the authority of the Federal Water Pollution Control Act, as amended. A certification must be obtained prior to obtaining the NPDES permit which regulates the discharge of pollutants into Navigable Waters of the U.S.

#### A. NAME OF PERMIT OR APPROVAL:

- o Certification of NPDES Permit for Discharge of Pollutants Into Navigable Waters of the United States (F)

#### B. STATUTORY AUTHORITY:

- o Certification by the State pursuant to Clean Water Act, 1977, Section 402

#### C. TITLE OF REGULATION:

- o Federal Water Pollution Control Act, as amended
- o Parts I and II of Utah Wastewater Disposal Regulations

#### D. SUMMARY OF PERMIT/APPROVAL PROCESS:

- o Application is submitted to the U.S. Environmental Protection Agency (EPA)
- o State certification must be approved prior to obtaining the federal NPDES permit

#### 1. Applicability

- o Required by any person intending to discharge into navigable waters of the United States

#### 2. General Requirements

- o A discharge certification is secured by any person(s) intending to discharge pollutants into navigable waters of the United States

## CHAPTER 5.3 (continued)

- o State certification is one of the approval steps that is taken prior to issuance of the NPDES permit (see Item No. 4)
3. Submission Requirements
- o Name, address, and telephone number of owner of facility producing discharge
  - o Location of facility
  - o Sanitary discharges
  - o Industrial discharges
  - o Sketches
  - o Additional specific information as requested and applicable
4. Procedures for Obtaining Permit or Approval
- o Applicant submits application to EPA office
  - o EPA or UDEH reviews application and prepares discharge permit
  - o Permit published for public notice
  - o Comments received from interested persons and reviewed by EPA and UDEH
  - o Permit certified, denied, or waived by the UDEH
  - o Final decision by EPA
5. Operations Requirements
- o Following issuance of permit, permittee complies with any and all permit conditions and limitations and Sections 208e, 301, 302, 303, 306, and 307 of the FWPCA
6. Fees
- o As determined by the EPA
7. Appeal Process
- o As set forth by the regulations administered by the EPA

CHAPTER 5.3 (concluded)

E. ADMINISTERING AGENCY:

State Agency:

Director  
Bureau of Water Pollution Control  
Utah Division of Environmental Health  
150 W. North Temple, P.O. Box 2500  
Salt Lake City, Utah 84110  
(801) 533-6146

Federal Agency:

Regional Administrator  
U.S. Environmental Protection Agency  
Region VIII  
Suite 103  
1860 Lincoln Street  
Denver, Colorado 80295

## CHAPTER 5.4

### CONSTRUCTION PERMIT FOR WASTEWATER TREATMENT WORKS OR DISCHARGE OF WASTEWATER (INCLUDING STORM SEWERS)

#### INTRODUCTION

The Utah Division of Environmental Health (UDEH), Bureau of Water Pollution Control, within the Department of Health, has responsibility for issuance of permits for construction of wastewater treatment works or for discharge of wastewater, under the authority of Utah Code Annotated, 1953, Titles 26 and 73. The purpose of this permit is to prevent pollution of water by wastewater and faulty construction of wastewater treatment works which could constitute hazardous conditions.

#### A. NAME OF PERMIT OR APPROVAL:

- o Construction Permit for Wastewater Treatment Works or for Discharge of Wastewater (including storm sewers) (S)

#### B. STATUTORY AUTHORITY:

- o Utah Code Annotated 1953, as amended, 26-15-45 and 73-14-1 to 73-14-13
- o Utah Wastewater Disposal Regulations, Section 1.2.2

#### C. TITLE OF REGULATION:

- o Parts 1 through 5, Wastewater Disposal Regulations; Part 6 (Pending), Surface Disposal of Produced Water from Gas and Oil Wells, Oil Shale and Tar Sands; Part 7 (Pending), Underground Injection of Produced Water from Gas and Oil Wells, Oil Shale and Tar Sands (P)

#### D. SUMMARY OF PERMIT/APPROVAL PROCESS:

- o Applicant submits engineer's report construction plans and specifications to UDEH
- o Final review and approval by UDEH
- 1. Applicability
  - o Required by any person intending to construct any device for treatment or discharge of wastewater (including storm sewers)

## CHAPTER 5.4 (continued)

### 2. General Requirements

- o Plan approval is based on the submittal of adequate plans and specifications and site inspection of the treatment facility after construction to ascertain compliance with existing regulations
- o This permit must be obtained prior to discharging wastewater or constructing wastewater treatment works

### 3. Submission Requirements

- o Detailed Engineer's Report
- o Construction Plans and Specifications

### 4. Procedures for Obtaining Permit or Approval

- o Applicant submits engineer's report, construction plans, and specifications to the BWPC (no special application form is required)
- o BWPC conducts technical review of documents and consults with other involved agencies
- o Final approval by BWPC
- o Upon approval, a construction permit is issued
- o After construction, an inspection is conducted by the BWPC for final approval
- o Estimated processing time, 30 to 60 days

### 5. Operations Requirements

- o Following approval, permittee must comply with the stipulations set forth by the construction permit and wastewater disposal regulations

### 6. Fees

- o None

### 7. Appeal Process

- o Applicant may reapply if construction permit is denied
- o Applicant may appeal to the Utah Water Pollution Committee

CHAPTER 5.4 (concluded)

E. ADMINISTERING AGENCY:

Director  
Bureau of Water Pollution Control  
Utah Division of Environmental Health  
150 West North Temple  
P.O. Box 2500  
Salt Lake City, Utah 84110  
(801) 533-6146

## CHAPTER 5.5

### STATE CERTIFICATION OF 404 DREDGE AND FILL PERMIT

#### INTRODUCTION

The Utah Division of Environmental Health (UDEH), Bureau of Water Pollution Control, within the Department of Health, has responsibility for Certification of the 404 Dredge and Fill permit (issued by the Department of Defense, U.S. Army Corps of Engineers), under authority of the Federal Water Pollution Control Act, as amended, 1977. The certification must be obtained prior to obtaining the 404 permit which protects waters where dredge and fill activities take place.

#### A. NAME OF PERMIT OR APPROVAL:

- o State Certification of 404 Dredge and Fill Permits

#### B. STATUTORY AUTHORITY:

- o Federal Water Pollution Control Act, as amended, 1977, Sections 401 and 404
- o Utah Water Pollution Control Act, as amended 1979
- o Utah Code Annotated, 1953, 73-14
- o State of Utah, "Waste Water Disposal Regulations, as amended, October 23, 1978, Parts I & II

#### C. TITLE OF REGULATION:

- o Reference A and B above
  - Part I: Definitions and General Provisions
  - Part II: Standards of Quality for Waters of the State (P)

#### D. SUMMARY OF PERMIT/APPROVAL PROCESS:

- o Applicant submits application to U.S. Army Corps of Engineers (COE)
- o Application reviewed by COE and UDEH

## CHAPTER 5.5 (continued)

- o UDEH certification
- o Final approval by COE
- 1. Applicability
  - o Utah does not have its own State 404 program, the permit is administered by COE
  - o A "Dredge and Fill" certification is secured by any person(s) intending to locate a structure, excavate, or discharge dredge or fill materials into Utah waters, including adjacent wetlands
  - o State certification is one of the approval steps that is taken prior to issuance of 404 permit (see Item 4)
- 2. General Requirements
  - o Any discharge resultant from a 404 permitting activity must comply with applicable State water quality regulations and with applicable provisions of Sections 301, 302, 303, 306, 307, and 311 of the FWPCA 1977
- 3. Submission Requirements
  - o Application form
    - Names, addresses, and telephone numbers of applicant and adjoining property owners
    - Detailed description of proposed activity
    - Location of proposed activity
    - Name of waterway at location of activity
    - Date of proposed commencement and completion
  - o Other specific information
    - Drawings
    - Vicinity map
    - Plan view and/or Section view
    - Erosion Sedimentation Control Plan for non-point sources of pollution that may result from the proposed activity

## CHAPTER 5.5 (concluded)

### 4. Procedures for Obtaining Permit or Approval

- o Applicant submits application (Form 4345) to COE office
- o COE or UDEH reviews application and prepared 404 permit
- o Permit published for public notice
- o Comments received from interested persons and reviewed by COE and UDEH
- o Permit certified, denied, or waived by UDEH
- o Final decision by COE

### 5. Operations Requirements

- o Compliance with 404 permit regulations, 33 CFR parts 320-330

### 6. Fees

- o None

### 7. Appeal Process

- o Appeal may be made to COE for alternatives for modification of original design

## E. ADMINISTERING AGENCY

### State Agency:

Director (BWPC) and/or  
Executive Secretary Utah Pollution Committee  
Bureau of Water Pollution Control  
Utah Division of Environmental Health  
Department of Health  
P.O. Box 2500  
150 West North Temple  
Salt Lake City, Utah 84110  
(801) 533-6146

### Federal Agency:

District Engineer  
U.S. Dept. of the Army  
Sacramento District Corps of Engineer  
650 Capital Mall  
Sacramento, California 95814

Salt Lake City: COE Regulatory Office  
(801) 524-6016

## CHAPTER 5.6

### LICENSE FOR WELL DRILLERS

#### INTRODUCTION

The Division of Water Rights (UDWR), within the Department of Natural Resources and Energy, has responsibility for issuance of licenses for well drillers, under authority of Utah Code Annotated, 1953, Volume 7. The purpose of this license is to prevent improper drilling of water wells which could cause water contamination, insufficient water for surrounding well owners, or well cave in.

A. NAME OF PERMIT OR APPROVAL:

- o License for Well Drillers (S)

B. STATUTORY AUTHORITY:

- o Volume 7, Section 73-5-25, Utah Code Annotated, 1953

C. TITLE OF REGULATION:

- o None

D. SUMMARY OF PERMIT/APPROVAL PROCESS:

- o Applicant submits application to UDWR
- o Applicant passes written test
- o Applicant posts bond
- o Final approval by UDWR

1. Applicability

- o Permission to drill authorized water wells in Utah

2. General Requirements

- o This license must be obtained by any rig owner prior to drilling any water well

## CHAPTER 5.6 (continued)

### 3. Submission Requirements

- o Experience as driller
- o Proof of ownership of rig
- o Proof of bond

### 4. Procedures for Obtaining Permit or Approval

- o Applicant submits application to the UDWR
- o Hydrologic Engineer reviews application to determine experience and rig ownership
- o Post \$500 performance bond to assure quality of work
- o Written test required to determine knowledge of water well drilling
- o Final approval by UDWR

### 5. Operations Requirements

- o UDWR performs annual review of well driller's work
- o Applicant submits well logs
- o Well log is submitted on each well drilled prior to issuance of a new license

### 6. Fees

- o \$22.50 per calendar year per license

### 7. Appeal Process

- o Appeal can be made to State District Court if State Engineer refuses to issue license

## E. ADMINISTERING AGENCY:

State Engineer  
Utah Division of Water Rights  
200 Empire Building  
231 East 400 South  
Salt Lake City, Utah 84111  
Phone (801) 533-6071

## CHAPTER 5.7

### PERMIT FOR TEMPORARY CHANGE OF POINT OF DIVERSION, PLACE, OR PURPOSE OF USE

#### INTRODUCTION

The Utah Division of Water Rights (UDWR), within the Department of Natural Resources and Energy, has responsibility for temporary changes of points of diversion and/or places or purposes of use of water, under the authority of Utah Code Annotated, 1953, Volume 7. The purpose of this permit is to prevent pollution of waters and flooding or drying up of waterways which could lead to conflicts of interest of water rights owners.

#### A. NAME OF PERMIT OR APPROVAL:

- o Permit for Temporary Change of Point of Diversion, Place, or Purpose of Use (S)

#### B. STATUTORY AUTHORITY:

- o Utah Code Annotated, 1953, Volume 7, 3-3-3

#### C. TITLE OF REGULATION:

- o None

#### D. SUMMARY OF PERMIT/APPROVAL PROCESS:

- o Applicant submits application to UDWR
- o DWR and Water Commissioner conduct field and office review
- o If not controversial, it is approved; if controversial, it will be advertised; if protested, a hearing will be held
- o Application is for one year only

#### 1. Applicability

- o Temporary change of point of diversion, period, place, and/or purpose of use

#### 2. General Requirements

- o This permit must be obtained prior to any temporary change of
  - Point of diversion of water

## CHAPTER 5.7 (continued)

- Period of use of water
  - Place of use of water
  - Purpose of use of water
  - o Temporary change is for one year only
3. Submission Requirements
- o Identification of right being changed
  - o Name and address of owner
  - o Past use of water (flow or acre feet, source, point of diversion, period, purpose, and extent of use)
  - o Changes proposed
4. Procedures for Obtaining Permit or Approval
- o Applicant submits applications to UDWR
  - o Right being changed must be identifiable
  - o Field and office review by UDWR and Water Commissioner
  - o If controversial, may be advertised; if protested, a hearing will be held
  - o Final approval by UDWR
  - o Appeal is made in State District Court
  - o Application is for one year
5. Operations Requirements
- o River Commissioner will regulate the diversion of water as per the approved temporary change
6. Fees
- o \$7.50 per application

## CHAPTER 5.7 (concluded)

### 7. Appeal Process

- o Protest can be made of temporary changes; if protested, a hearing is held
- o UDWR issues decision approval or rejection
- o Applicant or protestant may appeal UDWR decision in State District Court

### E. ADMINISTERING AGENCY

State Engineer  
Utah Division of Water Rights  
200 Empire Building  
231 East 400 South  
Salt Lake City, Utah 84111  
(801) 533-6071

## CHAPTER 5.8

### PERMIT TO ALTER A NATURAL STREAM

#### INTRODUCTION

The Division of Water Rights (UDWR), within the Department of Natural Resources and Energy, has responsibility for issuance of permits to alter natural streams, under the authority of Utah Code Annotated, 1953, Volume 7. The purpose of this permit is to prevent complications such as change in stream flow, disagreements between land and water right owners, etc. which may result from alteration of a stream channel.

A. NAME OF PERMIT OR APPROVAL:

- o Permit to Alter Natural Streams (S)

B. STATUTORY AUTHORITY:

- o Utah Code Annotated, 1953, Volume 7, 73-3-29

C. TITLE OF REGULATION:

- o None

D. SUMMARY OR PERMIT/APPROVAL PROCESS:

- o Applicant submits application to UDWR
- o UDWR performs office review and field check
- o If controversial, it may be advertised; if protested, a hearing is held and a decision issued by UDWR
- o Final decision by UDWR
- 1. Applicability
  - o The alteration of a natural stream channel
- 2. General Requirements
  - o This application must be approved prior to alteration of any natural stream
- 3. Submission Requirements
  - o Name and address of applicant

## CHAPTER 5.8 (continued)

- o Stream being altered
  - o Drainage basin
  - o Location of alteration
  - o Nature and purpose of change
  - o Condition of existing channel
  - o Stream flow
  - o Description of diverting water
  - o Ownership of land
4. Procedures for Obtaining Permit or Approval
- o Applicant submits application to UDWR
  - o Request is examined in office and field and interested parties are notified
  - o It may be advertised; if protested, a hearing is held prior to UDWR decision
  - o Final approval by UDWR
5. Operations Requirements
- o Applicant complies with conditions of approval on the application
6. Fees
- o None
7. Appeal Process
- o If application is protested, a hearing is held by the UDWR
  - o UDWR decision is appealable to the State District Court

E. ADMINISTERING AGENCY:

State Engineer  
Utah Division of Water Rights  
200 Empire Building  
231 East 4th South  
Salt Lake City, Utah 84111  
(801) 533-6071

## CHAPTER 5.9

### PERMIT TO REPAIR, CLEAN, DEEPEN, OR REPLACE AN EXISTING WELL

#### INTRODUCTION

The Utah Division of Water Rights (UDWR), within the Department of Natural Resources and Energy, has responsibility for issuance of permits to repair, clean, deepen or replace existing wells, under the authority of Utah Code Annotated, 1953, Volume 7. The purpose of this permit is to prevent water contamination or well cave-in which could result from these activities.

A. NAME OF PERMIT OR APPROVAL:

- o Permit to Repair, Clean, Deepen, or Replace an Existing Well (S)

B. STATUTORY AUTHORITY:

- o Utah Code Annotated, 1953, Volume 7, 73-3-3 and 73-3-28

C. TITLE OF REGULATION:

- o None

D. SUMMARY OF PERMIT/APPROVAL PROCESS:

- o Owner of well submits application to UDWR
- o Final review and approval by UDWR
- 1. Applicability
  - o Repair, clean, deepen, or replace an existing well
- 2. General Requirements
  - o Applicant must have approval of this application before work is initiated
- 3. Submission Requirements
  - o Name and address of applicant
  - o Water right of applicant

## CHAPTER 5.9 (continued)

- o Location of well
- o Description of work to be completed
- o Location of new well if new well is to be drilled

### 4. Procedures for Obtaining Permit or Approval

- o Applicant submits application to UDWR
- o Final review and approval by UDWR
- o Estimated processing time, 3-5 days
- o Well log is supplied to the UDWR if new well is drilled

### 5. Operations Requirements

- o None

### 6. Fees

- o None

### 7. Appeal Process

- o Appeal from State Engineer's action is to the State District Court

## E. ADMINISTERING AGENCY:

State Engineer  
Utah Division of Water Rights  
200 Empire Building  
231 East 400 South  
Salt Lake City, Utah 84111  
(801) 533-6071

## CHAPTER 5.10

### PERMITS FOR APPROPRIATION OF UNAPPROPRIATED WATER, PERMANENT CHANGE, EXCHANGE OF WATER, EXTENSION OF TIME TO SUBMIT PROOF, EXTENSION OF TIME TO RESUME USE, AND SEGREGATE WATER RIGHT

#### INTRODUCTION

The Utah Division of Water Rights, (UDWR) within the Department of Natural Resources and Energy has responsibility for:

- Appropriation of unappropriated water
- Permanent change or exchange of water
- Extension of time to submit or resume use of water
- Segregation of water rights,

under the authority of Utah Code Annotated, 1953, Volume 7. The purpose of these permits is to prevent complications for interested persons and protect the environment.

#### A. NAME OF PERMIT OR APPROVAL:

- o Application to Appropriate Unappropriated Water (S)
- o Application for Permanent Change of Water (S)
- o Application for Exchange of Water (S)
- o Application for Extension of Time to Submit Proof (S)
- o Application for Extension of Time to Resume Use (S)
- o Application to Segregate Water Right (S)

#### B. STATUTORY AUTHORITY:

- o Utah Code Annotated, 1953, 73-3-1 through 28, 73-5-13 and 14, 73-6-1 and 2

#### C. TITLE OF REGULATION:

- o None

#### D. SUMMARY OF PERMIT/APPROVAL PROCESS:

- o Applicant submits application to UDWR

## CHAPTER 5.10 (continued)

- o Application is advertised by UDWR in local newspaper (three consecutive weeks)
  - o 30 day protest period
  - o If unprotested, application is approved, rejected, or held for further review
  - o If protested, hearing is required and memorandum decision written to approve or reject
  - o Rejected application is appealed in district court
  - o Approved applications are given period of time to put water to use and submit proof
1. Applicability
- o Required of any person planning to
    - Use water
    - File an application to appropriate
    - Permanently change use of water
    - Exchange water
    - Request extension of time to prove-up on water
    - Apply to resume use of water
    - Segregate a water right
2. General Requirements
- o Applicant meets conditions of approval on application and prevents the application from lapsing during time of development of project
3. Submission Requirements
- o Name and address of applicant
  - o Source of water
  - o Quantity of water applied for in cubic feet per second or acre feet
  - o Period, purpose, and extent of use

## CHAPTER 5.10 (continued)

- o Ownership of property
  - o Supplemental sources of water
  - o Date of filing
  - o Point of diversion, exchange, or change to be made
  - o Time needed to complete project or to resume use
  - o Water to be segregated from original application
4. Procedures for Obtaining Permit or Approval
- o Applicant submits application to UDWR
  - o Application is advertised by the UDWR in local newspaper for three consecutive weeks
  - o If protested, a hearing is required and memorandum decision written to approve or reject
  - o Either protestant or applicant may appeal the UDWR Memorandum Decision
  - o If unprotested, application is approved, rejected, or held for further review
  - o Applications can be acted upon 30 days after last advertisement. Approved applications are given a period of time for development
  - o If more time is needed, an Application for Extension of Time may be filed
  - o Upon completion of work, the applicant submits proof of beneficial use of water
  - o Upon receipt of proof, the UDWR issues a Certificate of Appropriation
  - o Failure to submit proof causes application to lapse and permit is lost
  - o If applicant wants to divide an application to appropriate, it can be separated by filing an application to segregate a water right
  - o Final approval by UDWR

## CHAPTER 5.10 (concluded)

### 5. Operations Requirements

- o Applicant is given a specified time in which to put the water to beneficial use
- o After development work has been completed, the applicant submits proof of appropriation
- o Applicant can file application for extension of time
- o The water users can file application to resume use to keep from losing water right, if use is not performed

### 6. Fees

- o None

### 7. Appeal Process

- o Applicant can appeal UDWR's action in State District Court

### E. ADMINISTERING AGENCY:

State Engineer  
Utah Division of Water Rights  
200 Empire Building  
231 East 400 South  
Salt Lake City, Utah 84111  
(801) 533-6071

## CHAPTER 5.11

### APPROVAL OF PLANS AND SPECIFICATIONS FOR CONSTRUCTION OF DAMS

#### INTRODUCTION

The Division of Water Rights (UDWR), within the Department of Natural Resources and Energy, has responsibility for approval of plans and specifications for construction of dams, under the authority of Utah Code Annotated, 1953, Volume 7. The purpose of this permit is to prevent faulty dam construction which may constitute hazardous conditions.

A. NAME OF PERMIT OR APPROVAL:

- o Approval of Plans and Specifications for Construction of Dams (S)

B. STATUTORY AUTHORITY:

- o Utah Code Annotated, 1953, Volume 7, 73-5-5

C. TITLE OF REGULATION:

- o Requirements for dam construction (new regulation being prepared at present time) (P)

D. SUMMARY OF PERMIT/APPROVAL PROCESS:

- o Applicant submits plans and specifications to UDWR
- o State Engineer reviews plans
- o Field inspection conducted and results of all tests are sent to the UDWR for review
- o Final approval by UDWR
- 1. Applicability
  - o Construction of dams to impound water
- 2. General Requirements
  - o Plans and specifications are prepared by registered professional engineers licensed in Utah
  - o Approval must be obtained prior to construction of dams

## CHAPTER 5.11 (continued)

### 3. Submission Requirements

- o Plans
- o Specifications
- o Materials
- o Test results
- o Design report

### 4. Procedures for Obtaining Permit or Approval

- o Applicant submits plans and specifications to UDWR
- o Construction cannot be initiated until plans and specifications are approved by State Engineer
- o Construction inspection must show the dam is being built according to plans and specifications
- o All test results are sent to the UDWR for review
- o Final approval by UDWR

### 5. Operations Requirements

- o Dams built according to plans and specifications
- o All test results sent to UDWR
- o Inspection should be made during construction to assure compliance to plans and specifications

### 6. Fees

- o None

### 7. Appeal Process

- o Appeal from State Engineer decision is made in State District Court

CHAPTER 5.11 (concluded)

E. ADMINISTERING AGENCY:

State Engineer  
Utah Division of Water Rights  
200 Empire Building  
231 East 400 South  
Salt Lake City, Utah 84111  
(801) 533-6071

## CHAPTER 5.12

### SOLID WASTE DISPOSAL FACILITIES APPROVAL

#### INTRODUCTION

The Utah Division of Environmental Health (UDEH), Bureau of Hazardous Wastes and Radiation, within the Department of Health, is responsible for approval of solid wastes disposal facilities, under the authority of Utah Solid and Hazardous Waste Act. The purpose of this approval is to prevent faulty construction of these facilities which could constitute hazardous conditions.

A. NAME OF PERMIT OR APPROVAL:

- o Approval for Solid Wastes Disposal Facilities (S)

B. STATUTORY AUTHORITY:

- o Utah Solid and Hazardous Waste Act
- o Utah Code Annotated, 1953, as amended, 26-14

C. TITLE OF REGULATION:

- o Utah Code of Solid Waste Disposal Regulations (P)

D. SUMMARY OF PERMIT/APPROVAL PROCESS:

- o Applicant submits plans for the site to UDEH
- o Final review and approval by UDEH
- 1. Applicability
  - o Disposal of any material defined as solid waste as per Utah Code of Solid Waste Disposal Regulations
- 2. General Requirements
  - o Approval must be obtained prior to construction and operation of solid waste disposal site
- 3. Submission Requirements
  - o Design plans
  - o Area plat map
  - o Geological characteristics of proposed site

## CHAPTER 5.12 (continued)

- o Operation plan
  - o Other information requested by the UDEH for the specific site
4. Procedures for Obtaining Permit or Approval
- o Applicant submits completed plan to UDEH
  - o Technical review of plans by staff (usually within 2 weeks)
  - o Input from local health department (2 weeks)
  - o Staff inspection of site (usually within 2 weeks of completion of plan review)
  - o Approval letter issued (usually within 30 days of plan submittal if the plans are complete and no additional information is required). (approval is based on proper submission of plan information and site inspection)
5. Operations Requirements
- o Following approval, operations comply with provisions of the Utah Code of Solid Waste Disposal Regulations
6. Fees
- o None
7. Appeal Process
- o Administrative appeals can be made by any party to the Solid and Hazardous Wastes Committee
  - o Judicial appeal in district court can be made within 30 days of any decision by the Committee

### E. ADMINISTERING AGENCY:

#### State Agency:

Executive Secretary  
Bureau of Hazardous Wastes and Radiation  
Utah Division of Environmental Health  
Department of Health  
P.O. Box 2500  
Salt Lake City, Utah 84110  
(801) 533-4145

CHAPTER 5.12 (concluded)

Federal Agency:

U.S. Environmental Protection Agency  
Region VIII  
Suite 103  
1860 Lincoln Street  
Denver, Colorado 80295  
(303) 837-2221

## CHAPTER 5.13

### PLAN APPROVAL FOR HAZARDOUS WASTE MANAGEMENT, TREATMENT, STORAGE, AND/OR DISPOSAL FACILITY

#### INTRODUCTION

The Utah Division of Environmental Health (UDEH), Bureau of Hazardous Wastes and Radiation, within the Department of Health, has responsibility for approval of plans for hazardous waste management, treatment, storage and/or disposal facilities, under the authority of the Utah Solid and Hazardous Waste Act. The purpose of the permit is to prevent faulty construction of these facilities which may constitute hazardous conditions.

A. NAME OF PERMIT OR APPROVAL:

- o Hazardous Waste Management Treatment, Storage, and/or Disposal Facility Plan Approvals (F and S)

B. STATUTORY AUTHORITY:

- o Utah Solid and Hazardous Waste Act
- o Utah Code Annotated, 1953, as amended, 26-14
- o The Federal Government has authorized Utah to run hazardous program under provisions of RCRA

C. TITLE OF REGULATION:

- o Utah Hazardous Waste Management Regulations
- o Additional regulations are pending (see Part 3, Phase II below)

D. SUMMARY OF PERMIT/APPROVAL PROCESS:

- o Applicant submits complete plan to Utah Hazardous Wastes Committee
- o The committee or its duly appointed representative reviews each proposed hazardous wastes operation plan
- o Final approval by Hazardous Wastes Committee

## CHAPTER 5.13 (continued)

### 1. Applicability

- o Facilities treating, storing, and/or disposing of hazardous wastes

### 2. General Requirements

- o Plan approval is required prior to constructing, modifying or operating any facility or site for the purpose of treating, storing, and/or disposing of hazardous waste.

### 3. Submission Requirements

- o Phase I - Interim Authorization (anyone operating prior to November 19, 1980 can operate solely under Phase I authorization until Phase II is in effect, then both Phase I and II stipulations must be met. New facilities cannot operate until both Phase I and II stipulations are finalized)
  - Name, mailing address, and location of facility
  - Description of nature of the business
  - Up to four Standard Industrial Codes reflecting principal products or services of facility
  - Description of activities
  - Indication whether application is first or revised plan
  - Operator's and owner's names, addresses, telephone numbers, ownership status, and status of facility (State, Federal, private, public, etc.)
  - State whether facility is located on Indian land
  - Topographic map
  - Scale drawing of facility
  - Photographs of facility
  - Specifications of hazardous wastes to be treated

## CHAPTER 5.13 (continued)

- o Phase II - Permitting and Plan Approvals are under Development (contact state agency for status)
4. Procedures for Obtaining Permit or Approval
- o Applicant submits an application for plan approval to the Solid/Hazardous Waste Committee or its duly appointed representative prior to constructing, modifying, or operating any hazardous waste facility
  - o The Committee or Representative reviews each plan to determine if the plan is in accordance with the provisions of the Utah Hazardous Waste Management Regulations
  - o Final approval by Hazardous Waste Committee
  - o Estimated processing time, 90 days
  - o A periodic plan review is conducted at least once every 5 years by an appointed representative
  - o A notification is filed if a hazardous waste is found
  - o Public complaints are investigated by the committee or its duly appointed representative and a written response is sent
  - o A notice of settlement is published
  - o 30 day comment period
5. Operations Requirements
- o Following approval, the owner or operator of a facility complies with the conditions of the plan approval and the requirements of the Utah Hazardous Waste Management Regulations
6. Fees
- o None
7. Appeal Process
- o Administrative appeals can be made by any party to the Solid and Hazardous Wastes Committee

CHAPTER 5.13 (concluded)

- o Judicial appeal in District Court can be made within 30 days of any decision by the Committee

E. ADMINISTERING AGENCY:

State Agency:

Executive Secretary  
Bureau of Hazardous Wastes and Radiation  
Utah Division of Environmental Health  
State Department of Health  
P.O. Box 2500  
Salt Lake City, Utah 84110  
(801) 533-4145

Federal Agency:

U.S. Environmental Protection Agency  
Region VIII  
Suite 103  
1860 Lincoln Street  
Denver, Colorado 80295  
(303) 837-2221

## CHAPTER 5.14

### REGISTRATION CERTIFICATE FOR X-RAY MACHINES AND PARTICLE ACCELERATORS

#### INTRODUCTION

The Utah Bureau of Radiation and Occupational Health (UBROH), within the Department of Health, has responsibility for issuance of registration certificates for X-ray machines and particle accelerators, under the authority of Utah Code Annotated, 1953, Title 26. The purpose of this certificate is to protect the health of all persons who may come in contact with X-ray machines or particle accelerators.

A. NAME OF PERMIT OR APPROVAL:

- o Registration Certificate for X-ray Machines and Particle Accelerators (S)

B. STATUTORY AUTHORITY:

- o Utah Code Annotated 1953, as amended, 1981, 26-1-27

C. TITLE OF REGULATION:

- o Utah State Regulations for the Control of Radiation

D. SUMMARY OF PERMIT/APPROVAL PROCESS:

- o Applicant submits application to UBROH
- o Final review and approval by UBROH

1. Applicability

- o All X-ray machines, both medical and industrial

2. General Requirements

- o X-ray users must comply with the regulations in parts E, F and H, and with the general requirements of parts A, B, C and J
- o Accelerator operators must comply with Parts A, B, D, I and J

CHAPTER 5.14 (continued)

3. Submission Requirements

- o Name and address of user/owner
- o Model, serial number and location of X-ray machine or accelerator

4. Procedures for Obtaining Permit or Approval

- o Applicant submits application to UBROH
- o Registration of X-ray machines and accelerators is granted upon application after brief review by UBROH
- o Inspection for compliance is performed by UBROH

5. Operations Requirements

- o Compliance with the provisions for state regulations or the submission of application for a waiver or exemption

6. Fees

- o Annual registration fees for X-ray machines and accelerators

7. Appeal Process

- o Appeals may be made to the Executive Director of the Utah Department of Health or the State Health Advisory Committee

E. ADMINISTERING AGENCY:

Bureau Director  
Utah Bureau of Radiation and Occupational Health  
Department of Health  
150 West North Temple Room 435  
Salt Lake City, Utah 84103  
(801) 533-6734

## CHAPTER 5.15

### RADIOISOTOPE LICENSE FOR USE AND POSSESSION OF NATURALLY OCCURRING OR ACCELERATOR PRODUCED RADIOACTIVE MATERIALS (NARM)

#### INTRODUCTION

The Utah Bureau of Radiation and Occupational Health (UBROH), within the State Department of Health, has responsibility for issuance of radioactive licenses for use and possession of NARM, under the authority of Utah Code Annotated, 1953, Title 26. The purpose of this license is to protect the health of all persons who may come in contact with NARM.

A. NAME OF PERMIT OR APPROVAL:

- o Radiosotope License for Use and Possession of NARM (S)

B. STATUTORY AUTHORITY:

- o Utah Code Annotated, 1953, as amended, 1981, 26-1-27

C. TITLE OF REGULATION:

- o Utah State Regulations for the Control of Radiation

D. SUMMARY OF PERMIT/APPROVAL PROCESS:

- o Applicant submits application to UBROH
- o Final review and approval by UBROH

1. Applicability

- o All users or owners of NARM materials designated by the executive director of the UBROH

2. General Requirements

- o NARM licensees must comply with the regulations in parts A, C, D, and J

3. Submission Requirements

- o Name and address of user/owner
- o Location of NARM radioisotope lab

## CHAPTER 5.15 (continued)

- o Listing of isotopes in use
- o Estimate of usage rate
- 4. Procedures for Obtaining Permit or Approval
  - o Applicant submits application to UBROH
  - o Review of application and initial inspections by UBROH
  - o License granted by UBROH
  - o Compliance inspection by UBROH on routine basis
- 5. Operations Requirements
  - o Compliance with the provisions for state regulations or the submission of application for a waiver or exemption
- 6. Fees
  - o License application fee
  - o Fee for renewal amendments and inspections of radioactive material users
- 7. Appeal Process
  - o Appeals may be made to the Executive Director of the Department of Health or the State Health Advisory Committee

### E. ADMINISTERING AGENCY:

Bureau Director  
Utah Bureau of Radiation and Occupational Health  
Department of Health  
150 West North Temple, Room 435  
Salt Lake City, Utah 84103  
(801) 533-6734

## CHAPTER 5.16

### NOISE REGULATIONS

No regulations, permits, or approvals exist for state regulation of noise in the State of Utah at this time. Noise may be regulated on the local government level in the state. Local government agencies may be contacted for information related to noise regulations.

SECTION 6.0

SOCIAL/ECOLOGICAL PRESERVATION

## CHAPTER 6.1

### PERMIT FOR ACTIVITY/ACTION ON ANY LANDS IN THE STATE OF UTAH INVOLVING WILDLIFE

#### INTRODUCTION

The Utah Division of Wildlife Resources (UDWR), within the Department of Natural Resources and Energy, has responsibility for issuance of permits for any activities on Utah State Lands involving wildlife, under the authority of Utah Wildlife Resources Code, Title 23. The purpose of this permit is to protect all wildlife in the state.

#### A. NAME OF PERMIT OR APPROVAL:

- o Permit for any Activity/Action on Any Lands in the State of Utah Involving Wildlife

#### B. STATUTORY AUTHORITY:

- o Wildlife Resources Code of Utah, 23-14-1 and 23-14-8

#### C. TITLE OF REGULATION:

- o Utah Code Annotated, 1953, Title 23

#### D. SUMMARY OF PERMIT/APPROVAL PROCESS:

- o Applicant files a written request to the Director of Wildlife Resources at least 60 days prior to planned activity
- o Review by the UDWR
- o Final approval by Wildlife Board
- 1. Applicability
  - o All activities involving protected wildlife
- 2. General Requirements
  - o Request must be approved prior to any action involving protected wildlife

## CHAPTER 6.1 (continued)

3. Submission Requirements
  - o Legal description of area
  - o Description, time, and deviation of activity
4. Procedures for Obtaining Permit or Approval
  - o Applicant submits complete application to UDWR
  - o Review and investigation by the UDWR
  - o Final approval by Wildlife Board
  - o Estimated processing time depends on type of action, minimum 60 days lead time
5. Operations Requirements
  - o Comply with stipulations in permit
6. Fees
  - o Compensation for surface resources use
7. Appeal Process
  - o Applicant may reapply if permit is rejected

### E. ADMINISTERING AGENCY:

Director  
Utah Division of Wildlife Resources  
1596 West North Temple  
Salt Lake City, Utah 84116  
(801) 533-9333

## CHAPTER 6.2

### PERMIT TO COLLECT PROTECTED WILDLIFE

#### INTRODUCTION

The Utah Division of Wildlife Resources (UDWR), within the Department of Natural Resources and Energy, has responsibility for issuance of permits to collect protected wildlife, under the authority of Utah Wildlife Resources Code, Title 23. The purpose of this permit is to protect any "protected wildlife" to be collected. A federal permit must also be obtained for collection of any migratory species.

A. NAME OF PERMIT OR APPROVAL:

- o Permit to Collect Protected Wildlife (F and S)

B. STATUTORY AUTHORITY:

- o Utah Wildlife Resources Code, 1980, 23-13-3 and 23-14-1

C. TITLE OF REGULATION:

- o Utah Code Annotated, 1953, Title 23

D. SUMMARY OF PERMIT/APPROVAL PROCESS:

- o Applicant files a written request to Division of Wildlife Resources (DWR) to collect any species of protected wildlife
- o Final review and approval by DWR
- 1. Applicability
  - o Capture of protected wildlife for any reason
- 2. General Requirements
  - o This permit must be approved prior to collecting any protected wildlife
- 3. Submission Requirements
  - o Specific areas (counties) where collecting will occur
  - o Methods of collecting; species and numbers
  - o Copy of federal permit (if federal permit is required)

## CHAPTER 6.2 (continued)

- o Live specimens taken out of the state requiring export certificate

### 4. Procedures for Obtaining Permit or Approval

- o Applicant files a written request to DWR (If migratory species are planned for collection, a federal permit must be obtained)
- o Final review and approval by DWR
- o Estimated processing time depends on type of action

### 5. Operations Requirements

- o Applicant submits a report of activities within 10 days of permit expiration date

### 6. Fees

- o None

### 7. Appeal Process

- o None

## E. ADMINISTERING AGENCY:

### State Agency:

Director  
Utah Division of Wildlife Resources  
1596 West North Temple  
Salt Lake City, Utah 84116  
(801) 533-9333

### Federal Agency:

Federal Building  
125 South State  
Salt Lake City, Utah 84138  
(801) 524-5630

## CHAPTER 6.3

### PERMIT FOR ACTIVITIES INVOLVING UTAH SURFACE WATER BODIES (UTAH BOATING ACT)

#### INTRODUCTION

The Utah Division of Parks and Recreation (UDPR), within the Department of Natural Resources and Energy, has responsibility for issuance of permits for activities involving Utah surface water bodies, under the authority of the Utah Boating Act. The purpose of this permit is to prevent hazardous conditions for persons involved in activities on waters. A Resource Development Coordinating Council (comprised of representatives from each Agency) was devised to review applications and make recommendations to the administering agency for further understanding and coordination of each permit. Also a Boating Advisory Council and a Park Board play a role in the permit issuance decision process.

A. NAME OF PERMIT OR APPROVAL:

- o Permit for Activities involving Utah Surface Water Bodies (Utah Boating Act) (S)

B. STATUTORY AUTHORITY:

- o Utah Boating Act

C. TITLE OF REGULATION:

- o Utah Code Annotated, 1953, 73-18-4 (D)

D. SUMMARY OF PERMIT/APPROVAL PROCESS:

- o Applicant submits application to UDPR
- o Recommendations made by Resource Development Coordinating Council (RDCC)
- o Final review and approval by the Executive Staff, Boating Advisory Council and Park Board
- 1. Applicability
  - o Hazards to navigation
- 2. General Requirements
  - o Any activities involving surface bodies of waters in Utah must contact UDPR prior to initiation of the activity

## CHAPTER 6.3 (continued)

### 3. Submission Requirements

- o Description of activity
- o Operation time frame and location
- o Methods of restoration and proposed mitigation of hazard upon operation completion

### 4. Procedures for Obtaining Permit or Approval

- o Applicant submits application to UDPR for review
- o If approved by UDPR, it is submitted to RDCC if necessary
- o Recommendations are made by RDCC
- o Permit drawn up and submitted to Executive Staff, Boating Advisory Council and Park Board for final review and approval
- o Follow up by the Chief Boating and/or Regional Supervisors

### 5. Operations Requirements

- o The permittee complies with the terms approved in the use permit

### 6. Fees

- o Depends on the type and scope of the application

### 7. Appeal Process

- o The applicant can appeal to the Boating Advisory Council or Park Board

## E. ADMINISTERING AGENCY:

Boating and RV Supervisor  
Utah Division of Parks and Recreation  
1596 West North Temple  
Salt Lake City, Utah 84116  
(801) 533-6011

## CHAPTER 6.4

### PERMIT TO CONDUCT ARCHAEOLOGICAL INVESTIGATIONS

#### INTRODUCTION

The Utah Division of State History (UDSH) has responsibility for issuance of permits to conduct archaeological investigations, under the authority of Utah Code Annotated, Title 63. The purpose of this permit is to protect any archaeological findings on Utah State lands.

A. NAME OF PERMIT OR APPROVAL:

- o Permit to conduct Archaeological Investigations (S)

B. STATUTORY AUTHORITY:

- o Utah Code Annotated, 1953, 63-11-2; as amended, 1977, 63-18-25

C. TITLE OF REGULATION:

- o None

D. SUMMARY OF PERMIT/APPROVAL PROCESS:

- o Applicant submits completed application form including vitae of the principal investigator and field supervisors
- o Final review and approval by UDSH

1. Applicability

- o Surveying and excavation for Archaeological remains on Utah State lands

2. General Requirements

- o Letter of agreement with an acceptable museum must be on file before field work may begin
- o Permits are issued to principle investigators and not the corporations or institutions they represent
- o Permits for survey on State lands are issued on a project by project bases

## CHAPTER 6.4 (continued)

- o Permits for excavation on State lands are issued only after receipt of an acceptable research design
  - o Qualifications of field supervisors for each project are carefully scrutinized to ensure that they are able to adequately assess the cultural and artifact typologies encountered in a given local area
  - o A letter of agreement between the organization of which the principle investigator is employed and a bonafied museum must be submitted prior to permit approval
  - o A research design is necessary for application involving excavation
  - o All permit applications must contain correct locational data including legal description, the county or counties involved, and a USGS topographic map reproduction pin-pointing the area to be investigated
  - o Should the archaeological contractor find it necessary to change field supervisory personal UDSH should be notified immediately
  - o Reports of field work should be submitted to the State Archaeologist and or State Historic Preservation Officer within a reasonable period of time, following the completion of field work. This should be interpreted as follows:
    - small clearance work - within a month
    - extensive surveys involving sizable terrain and large numbers of archaeological sites - about six months
    - large scale excavations - may vary from 6 months to two years depending on the size and the nature of the project
  - o Artifacts when collected should be processed and labeled by the contractor per his agreement with a museum. Artifacts should be curated within a reasonable amount of time. As with reporting, this can vary from six months to several years
3. Submission Requirements
- o Principal investigator
  - o Responsible field supervisor

## CHAPTER 6.4 (continued)

- o Applicant organization and nature
  - o Qualifications of responsible individuals
  - o Nature of proposed investigations
  - o Area to be investigated
  - o Provisions for publication
  - o Dates of field work commencement and completion
  - o Locality data including reproduction of topographic map showing area to be investigated
  - o Other pertinent information
4. Procedures for Obtaining Permit or Approval
- o Applicant submits completed application form including vitae of the principal investigator and field supervisor
  - o Final review and approval by UDSH
5. Operations Requirements
- o No change in supervising personnel
  - o No change in artifact curation agreements
  - o Receipt of an acceptable report in a reasonable period of time
6. Fees
- o None
7. Appeal Process
- o None

## CHAPTER 6.4 (concluded)

### E. ADMINISTERING AGENCY:

- o State Archaeologist or Assistant State Archaeologist  
Antiquities Section  
Division of State History  
300 Rio Grande  
Salt Lake City, Utah 84101  
(801) 533-6000
  
- o State Archaeologist  
Bureau of Land Management  
Utah State Office  
University Club Building  
Salt Lake City, Utah 84111

## CHAPTER 6.5

### PERMIT FOR PALEONTOLOGICAL INVESTIGATIONS, EXCAVATIONS, AND/OR UTAH STATE-OWNED LANDS

#### INTRODUCTION

The Utah Division of State History (UDSH) has responsibility for issuance of permits for paleontological investigations, excavations, and/or collections on State-owned lands, under the authority of the Utah State Antiquities Act. The purpose of this permit is to protect any paleontological findings on Utah State lands.

A. NAME OF PERMIT OR APPROVAL:

- o Permit for Paleontological Investigations, Excavations and/or Collections on Utah State-owned lands (S)

B. STATUTORY AUTHORITY:

- o Utah State Antiquities Act of 1953, as amended 1973 and 1977

C. TITLE OF REGULATION:

- o None

D. SUMMARY OF PERMIT/APPROVAL PROCESS:

- o Applicant submits completed application form to UDSH
- o Final review and approval by UDSH and copy of approval permit is sent to applicant

1. Applicability

- o Any activity on State-owned lands (usually Sections 2, 16, 32, 36) which will disturb fossils

2. General Requirements

- o Applicant must file locality data sheets and reports
- o Permits are issued to principle investigators and not the corporations or institutions they represent

## CHAPTER 6.5 (continued)

- o Permits are issued on a project by project bases
- o The qualifications of field supervisors for each project are carefully scrutinized to ensure that they are able to adequately assess the cultural and artifact typologies encountered in a given local area
- o A letter of agreement between the organization of which the principle investigator is employed and a bonafied museum must be submitted prior to permit approval
- o A research design is necessary for application involving excavation
- o All permit applications must contain correct locational data including legal description, the county or counties involved, and a USGS topographic map reproduction pin-pointing the area to be investigated
- o Should the archaeological contractor find it necessary to change field supervisory personal UDSH should be notified immediately
- o Reports of field work should be submitted to the State Archeologist and or State Historic Preservation Officer within a reasonable period of time, following the completion of field work. This should be interpreted as follows:
  - small clearance work - within a month
  - extensive surveys involving sizable terrain and large numbers of archaeological sites - about six months
  - large scale excavations - may vary from 6 months to two years depending on the size and the nature of the project

### 3. Submission Requirements

- o Name, title, and address
- o Sponsoring institution, affiliation, or occupation
- o Principal investigator or institutional representative
- o Locality data
- o Kinds of fossils
- o Intended use of specimens

## CHAPTER 6.5 (concluded)

- o Tools and collecting techniques
  - o Duration of field work
  - o Project budget
  - o Comments
  - o Sources of information
  - o Special conditions
4. Procedures for Obtaining Permit or Approval
- o Applicant submits application to UDSH
  - o Final review and approval by UDSH and copy of permit is sent to applicant
5. Operations Requirements
- o (See general requirements)
6. Fees
- o None
7. Appeal Process
- o None
- E. ADMINISTERING AGENCY:
- o State Archaeologist or Paleontologist  
Antiquities Section  
300 Rio Grande  
Salt Lake City, Utah 84101  
(801) 533-6000
  - o State Archaeologist  
Bureau of Land Management  
Utah State Office  
University Club Building  
Salt Lake City, Utah 84111

SECTION 7.0  
LOCAL REGULATORY POLICY

## CHAPTER 7.1

### LOCAL GOVERNMENT LAND USE AND NATURAL RESOURCE CONTROL ENABLING LAWS

Although energy-related resources are regulated primarily at the State level in Utah, zoning is regulated at the county and municipal levels. Zoning authority and zoning restrictions for counties are found in Utah Code Annotated, 17-27-9 et seq. and 11-16-1 et seq., respectively. Zoning authority and zoning restrictions for municipalities are found in Utah Code Annotated, 10-9-1 et seq. and 11-6-1 et seq., respectively.