

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

PREPARED FOR
OLD WEST REGIONAL COMMISSION
AND THE
U.S. GEOLOGICAL SURVEY

BY J. F. SMITH

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Requests for information concerning this publication should be directed to either:

State Planning Coordinator		U.S. Geological Survey
2320 Capitol Avenue		Environmental Affairs Office
Cheyenne, Wyoming 82002	or	760 National Center
		Reston, Virginia 22092

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SECTION 1.0

INTRODUCTION

INTRODUCTION OF GUIDE AND SUBJECT MATTER COVERAGE

This Guide is one in a series prepared for the states within the Old West Regional Commission detailing the regulatory requirements governing the environmental consequences of the development of energy and other natural resources and their facilities, to provide government agency personnel and the private sector a concise, easily understood compilation of state regulations pertinent to environmental consequences of developing energy and other natural resources.

Subject matter for this Guide includes:

- State Clearinghouse or One-Stop Permit Agency.
- State equivalent of NEPA.
- Energy resources exploration, extraction, reclamation and conservation including, coal, oil, gas, uranium, geothermal, lignite, and tar sands.
- Metaliferous mining, exploration and reclamation.
- Construction materials' extraction, reclamation and preservation including, sand and gravel, limestone and clays.
- Major facility siting.
- Land use.
- Flood plain management.
- Air quality.
- Water quality standards and regulations.
- Public water supply.
- Solid waste management, specifically including nuclear.
- Hazardous/toxic waste management.
- Noise regulations.
- Rare and endangered species.
- Archaeological and historical.
- Wetlands.
- Coastal zone regulations (not applicable).
- Local government land use control enabling laws.
- Sub-state management districts and special authorities.

EXPLANATION OF APPROACH AND INTENDED PURPOSE

By creation of a state permit authorization mechanism, a priority system is established to coordinate the demands of energy resource development. Priorities are accommodated through the Clearinghouse System. In the case of Wyoming, a State Planning Coordinator's Office in the Governor's office provides coordination among state agency requests and legislative information services vital to the functioning of state government.

Various state agencies concerned with aspects of any development generally have a review or sign-off role applicable to the permitting process. This Guide approaches development through the state agency and is intended to reduce the potential conflict felt by the applicant in determining state regulatory permitting procedures. In Wyoming a comparative formality of responsibility for application review does exist.

Demands for energy development and equal concern against environmental degradation have, for the most part, created relatively straight forward governmental review processes. One stop permitting, or a joint review process for major energy development applications, are gaining favor in other parts of the country, and based on this Guide and other studies undertaken on the Wyoming Permitting System, perhaps an approach acceptable both politically and otherwise will be forthcoming in the not too distant future.

The following agencies were contacted and have individually verified the content of that portion for which they have authority:

ADMINISTERING AGENCIES

Environmental Services Engineer
Wyoming State Highway Department
P.O. Box 1708
Cheyenne, WY 82001
(307) 777-7707

State Planning Coordinator
2320 Capitol Avenue
Cheyenne, WY 82002
(307) 777-7574

Department of Health and Social Services
Hathaway Building
Cheyenne, WY 82002
(303) 777-7656

Health Surveillance and Control Service
Hathaway Building
Cheyenne, WY 82002
(307) 777-7957

Radiological Protection Supervisor
Hathaway Building
Cheyenne, WY 82002
(307) 777-7956

ADMINISTERING AGENCIES (continued)

Wyoming Department of Environmental Quality
 401 West 19th Street
 Cheyenne, WY 82002
 (307) 777-7937

Air Quality Division
 401 West 19th Street
 Cheyenne, WY 82002
 (307) 777-7391

Land Quality Division
 401 West 19th Street
 Cheyenne, WY 82002
 (307) 777-7756

Water Quality Division
 401 West 19th Street
 Cheyenne, WY 82002
 (307) 777-7781

Wyoming Oil and Gas
 Conservation Commission
 123 So. Durbin St.
 P. O. Box 2640
 Casper, WY 82601
 (307) 234-7147

Industrial Siting Administration
 Suite 500, Boyd Building
 Cheyenne, WY 82002
 (307) 777-7360

Public Service Commission of Wyoming
 320 West 25th Street
 Cheyenne, WY 82001
 (307) 777-7427

Wyoming Game and Fish Department
 5400 Bishop Blvd.
 Cheyenne, WY 82002
 (307) 777-7633

Wyoming Recreation Commission
 604 East 25th Street
 Cheyenne, WY 82002
 (307) 777-7695

Geological Survey of Wyoming
 P.O. Box 3008
 University Station
 Laramie, WY 82071
 (307) 742-2054

DISCUSSION OF HOW TO USE THIS GUIDEBOOK

Due to the complexity of the statutes and the applicable rules and regulations as promulgated by various agencies, it is recommended that interested parties make pre-application contact with the agencies in order to obtain complete information regarding permit requirements and application procedures. In addition, various federal permits may be required.

This Guide is a general reference source and should not be used in place of legal advice. The information was collected and verified during the Spring of 1981 and includes legislation as of the end of the 1981 Session.

During the course of developing this Guide, it became apparent that other state agencies not specifically mentioned in the chapters were of equal importance for resource development interests. Those additional agencies include: the Wyoming State Highway Department in relation to transportation activities, vehicle movement, accesses and encroachments, and highway modification; the State Engineer's Office for surface water appropriation, either permanent or temporary; and the Department of Health and Social Services for health surveillance, control, and radiological health services. Additionally, memorandums of agreement or other documents exist for interagency requirements for various resource development activities. Because of this relationship, and depending on the activities to be undertaken, each agency should be contacted prior to engaging in any development activity to determine regulatory authority within the various departments and to obtain information on permit requirements and application procedures.

HIGHWAYS

The Wyoming State Highway Department performs a regulatory function for facility development activities that involve use of, or encroachment on, state highways. Information concerning permit requirements is contained in the Department's Rules and Regulations.

1. Vehicle Movement. Permits for oversize and overweight loads and movements of mobile and modular-homes are required.

2. Access and Encroachment. Access approaches; utility crossings or similar structures placed on highway rights-of-way; junkyard control, which also includes garbage dumps and waste disposal in land fills; and outdoor advertising are all covered by permit regulations.

3. Highway Modification. The Highway Department will consider requests to modify a highway if certain conditions are met.

Vehicle movement permits are obtained from Highway Department field offices, Highway Patrol offices, and State Revenue Department Ports of Entry.

ADMINISTERING AGENCY

The Highway Department's District Engineer should be contacted initially for activities that involve access and encroachment, or highway modification.

District No. 1 P.O. Box 1005, Laramie, WY 82070, (307) 742-6695
 District No. 2 P.O. Box 2199, Casper, WY 82601, (307) 234-9353
 District No. 3 P.O. Box 1260, Rock Springs, WY 82901, (307) 362-5698
 District No. 4 P.O. Box 668, Sheridan, WY 82801, (307) 674-6441
 District No. 5 P.O. Box 351, Basin, WY 82410, (307) 568-2425

Environmental Services Engineer
 Wyoming State Highway Department
 P.O. Box 1708
 Cheyenne, WY 82001

(307) 777-7707

WATER APPROPRIATION - SURFACE AND UNDERGROUND

The State Engineer is responsible for water right applications for mining and other industrial operations.

Water right matters, addressed in voluminous regulations and instructions issued by the State Engineer's Office, apply to applications for permits to appropriate waters of the state, including: temporary industrial purposes for: highway or railroad roadbed construction or repair, oil or gas well drilling fluid and producing operations, or other temporary purposes; as well as applications for permanent or semi-permanent permits for mining and other industrial operations. Any physical activity affecting water or natural drainage must be addressed to the State Engineer, for approval and/or comments.

"The primary function of the State Engineer's Office involves the general supervision of the water of the state and the officers connected with this distribution, as provided by the Constitution. In carrying out this function, the State Engineer grants or denies applications for use of water, as well as carrying out the responsibility for the distribution and administration of the available water supply." (1980 Annual Report of the State Engineer). The State Board of Control, of which the State Engineer is president, created by the Constitution of the State of Wyoming, has supervision of the waters; their appropriation, distribution and diversion; and serves as a quasi-judicial body in the adjudication of water rights as well as contests and petitions affecting adjudicated water rights. The energy development activities within Wyoming have intensified the requests for information, petitions for changed use, and applications for unappropriated water. Among the various responsibilities relative to water, the State Engineer's Office must be contacted and professionally-prepared applications filed for: Surface Water; Ground Water; Water Wells; and Irrigation or Water Diversion Rights.

Instructions for filing applications and regulations pertaining to the activities of the State Engineer's Office are of vital concern to any proposed resource development activities within which the use, diversion, disposal, or search for water is a part.

Priority rights are established upon the date and time an acceptable application is received in the State Engineer's Office. "All water within the State of Wyoming is the property of the State of Wyoming." Entities must obtain state approval for specific uses of waters of the state, and water may only be used for the purposes specified.

Applications must be accompanied by maps prepared in accordance with the applicable State Engineer's Rules and Regulations along with a filing fee of \$10 for stock and/or household domestic use, and \$25 for all other uses. Review is basically indefinite, although for coal mining operations, initial review is limited to 30 days within which time the applicant is notified of compliance.

The State Engineer may set times for commencing and completing construction of facilities or establishing water for beneficial use. Maximum time is 5 years with possible extensions allowable by the State Engineer. If water right is to be permanent, action to adjudicate the right shall be commenced within 5 years.

ADMINISTERING AGENCY

State Engineer
State Engineer's Office
Barrett Office Building
Cheyenne, WY 82002

(307) 777-7354

HEALTH AND SOCIAL SERVICES

The Department of Health and Social Services, in addition to its other health and social services functions, has two responsibilities that may have applicability to resource development and facility siting regulation. The Radiological Health Services require registration of any facility which is constructed to utilize or produce radioactive materials. In addition, the Health Surveillance and Control Services generally require compliance with EPA and state water quality and quantity requirements, housing food service standards, vector control and disease control as Public Health requirements and standards may dictate. The Health Surveillance and Control Services review preliminary and final plans and specifications for natural resource development relative to mining and processing plants, power plant installations, gasification plants, new or vast expansion of recreation areas, and energy development plants or installations located in rural areas.

ADMINISTERING AGENCY

Radiological Protection Supervisor, Radiological Health Services
(303)777-7956;
and
Chief, Health Surveillance and Control Services (303) 777-7957;

Department of Health and Social Services
Hathaway Building
Cheyenne, WY 82002

(303) 777-7656

SECTION 2.0

STATE POLICY AND PROCEDURES FOR CONSOLIDATED PERMIT PROGRAM

CHAPTER 2.1
STATE CLEARINGHOUSE OR
ONE-STEP PERMIT AGENCY

INTRODUCTION

The Wyoming State Clearinghouse operates through the State Planning Coordinator's Office to review applications for federal assistance, environmental impact statements, memorandums of understanding, cooperative agreements between state agencies and cooperative agreements between state and federal agencies. The State Planning Coordinator's Office is responsible for the coordination of planning activities of all state departments, boards, commissions and agencies regarding development activities.

A. NAME OF PERMIT

State Clearinghouse Plan Review.

B. AUTHORIZING STATUTE

Wyoming State Planning Coordinator Act W.S. 9-2-703, 704.

C. TITLE OF REGULATION

Regulations promulgated by Federal Council on Environmental Quality, Environmental Protection Agency and the Office of Management and Budget.

D. SUMMARY OF REGULATION

1. APPLICABILITY.

The primary function of the Clearinghouse is to examine proposed projects for their statewide or areawide impacts and their relationship to state or areawide comprehensive plans or policies.

2. GENERAL REQUIREMENTS.

Information required by the federal agency from which the applicant is applying for federal assistance; information required under federal EIS procedures; information required by federal regulations for memorandums of understanding, agreements and plans.

3. SUBMISSION REQUIREMENTS.

Applications for federal funds or private endowment funds, or Contract with the federal government or any private association, by any state department, board, commission or agency whose directors or members are appointed by the Governor must have prior approval of the Governor. All plans prepared by all state departments, boards, commissions and agencies are to be submitted at least semiannually for review and comment by the coordinator.

4. PROCEDURE FOR OBTAINING APPROVAL.

a. TIME REQUIREMENTS.

The review period is 30 to 60 days and applies to environmental impact statements, memorandums of understanding, and plans. Sign off prior to 30 days is possible.

b. REVIEW AND PROCESSING TIME.

After receipt:

(1) Logging and assigning A-95 number - 1 week

(2) Review by Coordinator and transmittal to reviewing agencies for comments: 2 days

Meetings to discuss comments or problem areas may be conducted at request of State Planning Coordinator.

(3) Reviewing Agencies have up to 10 days to review.

5. OPERATION REQUIREMENTS.

Once comment letter is approved by Governor, it is signed by the State Planning Coordinator and transmitted to appropriate federal agency and the State Planning Coordinator's responsibility ceases. Applicant must comply with other state and federal agency requirements.

6. FEES.

None

7. APPEAL PROCESS.

The State Planning Coordinator can organize overview meetings consisting of applicants, reviewing state agencies and the A-95 Coordinator to review appeals to the A-95 decision.

E. **ADMINISTERING AGENCY**

State Planning Coordinator
2320 Capitol Avenue
Cheyenne, WY 82002

(307) 777-7574

FEDERAL COUNTERPART

Office of Management and Budget

Washington, D.C. 20503

CHAPTER 2.2 STATE ENVIRONMENTAL POLICY STATUTES

INTRODUCTION

The Wyoming Environmental Quality Act created by statute in 1973 a department entitled "The State Department of Environmental Quality" within which there are three Divisions: 1) Air Quality Division; 2) Water Quality Division; and 3) Land Quality Division. Among specific assignments the divisions provide cooperation between agencies of the state, agencies of other states, interstate agencies, and the federal government in carrying out the objectives of the law creating the Department.

Specific responsibilities are covered in other chapters of this Guide .

A seven member Environmental Quality Council created within the Act was delegated powers primarily to hear and act upon appeals from parties affected by the actions of the Divisions within the Department.

The Department has signed memorandums of understanding between the Department of Environmental Quality and most state agencies responsible for environmental activities to accomplish interagency coordination in identifying agency responsibilities and for the timely disposition of mutual problems. Unlike the National Environmental Policy Act authority for environmental impact statements and authority to require other agencies to establish their own formal procedures concerning environmental activities, the Wyoming Environmental Quality Act maintains its authority within the Department and its Divisions.

ADMINISTERING AGENCY

Director
Department of Environmental Quality
401 West 19th Street
Cheyenne, WY 82002

(307) 777-7937

FEDERAL COUNTERPART

Environmental Protection Agency
Lincoln Tower Building
1860 Lincoln Street
Denver, CO 80295

(303) 837-3895

SECTION 3.0

RESOURCES EXTRACTION

CHAPTER 3.1 OIL AND GAS

INTRODUCTION

The State Oil and Gas Supervisor administers the statutes, rules and regulations pertaining to oil and gas conservation and regulates, for conservation purposes, the drilling, production, and plugging of oil and gas wells. In addition, the Water Quality Division of the Department of Environmental Quality has jurisdiction over applications for Groundwater Pollution Control Permits concerning the extraction of minerals excluding in situ oil and gas resource development.

A. NAME OF PERMIT

Permit to drill oil and gas well.

B. AUTHORIZING STATUTE

Wyoming Oil and Gas Act W.S. 30-5-101 through 30-5-204, Permit To Drill, 1975 Session Laws, Chapter 5, as amended through 1980.

C. TITLE OF REGULATION

Rules and Regulations of Wyoming Oil and Gas Conservation Commission. Application for permit to drill or deepen a well.

D. SUMMARY OF REGULATION

1. APPLICABILITY.

Energy resources exploration, extraction, reclamation and conservation of oil and gas.

2. a. GENERAL REQUIREMENTS.

A drill, deepen or plug back permit is required from the Wyoming Oil and Gas Conservation Commission for the drilling and production of oil and gas on all lands within the state.

b. REGULATORY REQUIREMENTS.

Permits are reviewed for casing programs to protect fresh waters; for spacing to insure proper well spacing and for blowout preventer equipment, especially if the well is located in an area of abnormal pressures.

3. SUBMISSION REQUIREMENTS.

An application must include a certified surveyor's plat, a bond covering the operation, designation forms and permit fees.

4. PROCEDURE FOR OBTAINING PERMIT.

a. TIME REQUIREMENTS.

A permit is issued immediately after submission requirements are satisfactorily met.

b. PUBLIC NOTIFICATION, HEARINGS.

None required.

5. OPERATION REQUIREMENTS.

Operator must file copies of electric logs, core data, drill stem tests, sample descriptions, and reports of any other work done on the well. Sundry notices, completion reports, and production reports are also required. Abandonment data required, prior to inspection for approval, on reasons for abandonment, productive zones not sealed, depths, plug method, casing or tube pulled. Monthly reports required to identify well, production and sales.

6. FEES.

Well permit fee: \$25.

7. APPEAL PROCESS.

Exception to Rules and Regulations taken before Commission.

E. ADMINISTERING AGENCY

State Oil and Gas Supervisor
Wyoming Oil and Gas
Conservation Commission
123 So. Durbin St.
P. O. Box 2640
Casper, WY 82601

(307) 234-7147

FEDERAL COUNTERPART

U.S. Geological Survey
Oil and Gas Division
111 South Wolcott, Rm 305
Casper, WY 82601

(307) 265-5550 Ext. 5145

CHAPTER 3.2 METALLIFEROUS MINING

INTRODUCTION

The Land Quality Division of the Wyoming Department of Environmental Quality has responsibility for mining activities including energy resources (See Chapter 3.1) and metalliferous mining referred to in this chapter. Cooperative agreements between the Division and Boards of County Commissioners may be entered into in order to coordinate mining and reclamation activities of individual counties. In addition, the Water Quality Division of the Department of Environmental Quality has jurisdiction over applications for Groundwater Pollution Control Permits concerning the extraction of minerals. This Chapter concerns land quality and serves as a surface mining and reclamation statute, replacing the Open Cut Land Reclamation Act of 1969.

A. NAME OF PERMIT

Permit to Mine.

B. AUTHORIZING STATUTE

Wyoming Environmental Quality Act W.S. 35-11-401 through 35-11-437, (Article 4.); 35-11101 through 35-11-115 (Article 1.); 35-11-601 (Article 6.); 35-11-701 (Article 7.); 35-11-801 through 802 (Article 8.); 35-101-901-902 (Article 9.); 35-11-1001-1002 (Article 10.); 35-11-1101-1104 (Article 11.); 35-11-12011207 (Article 12.).

C. TITLE OF REGULATION

Rules and Regulations, Wyoming Department of Environmental Quality, Land Quality Division, March 1981.

D. SUMMARY OF REGULATION

I. APPLICABILITY.

All mining operations or operations by which any minerals are intended to be extracted from the earth for reuse or further processing including coal, clay, stone, sand, gravel, bentonite, scoria, rock, pumice, limestone, ballast rock, uranium, gypsum, feldspar, copper ore, iron ore, oil shale and trona.

2. a. GENERAL REQUIREMENTS.

A permit and license to mine is required for mining operations, both surface and underground, in conformance with an approved reclamation plan. Special licenses to explore by dozing or drilling and research and development testing are required.

b. REGULATORY REQUIREMENTS.

Application requirements for mining, environmental protection standards, blasting, underground, surface mining, exploration, bonding, permit revision, inspection, and limited operations are set forth in detail in the Rules and Regulations. A reclamation plan must accompany the permit application. Special licenses are required for mineral exploration. Small mine operators (10 acres or less) have special provisions. Drilling hole reports are required as part of the exploration licenses. In situ mining permits and testing licenses are required to insure subsurface protection of groundwater and protection of land owners.

3. SUBMISSION REQUIREMENTS.

The requirements include both detailed text and maps which must include description of lands affected, vegetative cover, precipitation, wind factors, wildlife, soils, hydrology-surface and groundwater, engineering, detailed mining and reclamation plans and time schedules, archaeological and paleontological information.

4. PROCEDURE FOR OBTAINING PERMIT.

a. TIME REQUIREMENTS.

Applicant notified within 60 days of each submission if application is deemed complete.

b. PUBLIC NOTIFICATION, HEARINGS.

- (1) Publication required in newspaper in locality of site.
- (2) Administrator advises applicant within 150 days that it is suitable for publication or that application is denied.
- (3) Owners of record of surface and mineral rights, and any other persons having a valid legal estate of record within 1/2 mile of permit area, notified by mail.
- (4) Written objections filed within 30 days of last publication.

c. REVIEW AND PROCESSING TIME.

Administrator may hold informal conference and take action on application within 20 days of final date for filing objections. Administrator shall render decision within 30 days after completion of notice period if no hearing is requested. If hearing is held, Environmental Quality Council shall issue decision within 60 days after hearing. Administrator shall issue or deny permit no later than 15 days from receipt of Environmental Quality Council decision.

5. OPERATION REQUIREMENTS.

Annual report shall be filed with the administrator indicating extent of operations and extent of reclamation work. Administrator shall conduct annual inspection after receipt of report and recommend ensuing year reclamation performance bond.

6. FEES.

\$100 (\$200 for amendments) plus \$10 per acre not to exceed \$2,000.

7. APPEAL PROCESS.

Right of appeal to the Environmental Quality Council. Right of judicial review as provided under Wyoming Administrative Procedure Act.

E. ADMINISTERING AGENCY

Administrator
Land Quality Division
Wyoming Department of
Environmental Quality
401 West 19th Street
Cheyenne, WY 82002

(307) 777-7756

FEDERAL COUNTERPART

Office of Surface Mining
Brooks Tower
1020 - 15th Street
Denver, CO 80202

(303) 837-4072

CHAPTER 3.3 CONSTRUCTION MATERIALS

INTRODUCTION

The Land Quality Division of the Wyoming Department of Environmental Quality has responsibility for mining activities within the State including energy resources (See Chapter 3.1) and metalliferous mining (See Chapter 3.2). Limestone, sandstone and ballast rock extraction is included in Chapter 3.2 with metalliferous mining activities.

SECTION 4.0

LAND USE REGULATION

CHAPTER 4.1
MAJOR FACILITY SITING
4.11 UTILITY PLANTS

INTRODUCTION

The Public Service Commission of Wyoming has authority over utility gas, power, and power plants, storage facilities and pipelines; power lines, switching stations and substations; crude oil and refined product transportation facilities; common carrier pipeline facilities; coal gasification plants; water lines, facilities and supply; and common carrier communication facilities except citing authority granted the Industrial Citing Council.

A. NAME OF PERMIT

Certificate of Public Convenience and Necessity.

B. AUTHORIZING STATUTE

Wyoming Statutes 1977 and the Wyoming Administrative Procedure Act W.S. 37-1-101, 37-1-102, 37-2-116, 37-2117, 37-2119, 37-2120, 372122, 372205 through 207, 372210 through 112, 373114, 376101 through 107.

C. TITLE OF REGULATION

Rules of the Public Service Commission of the State of Wyoming.

D. SUMMARY OF REGULATION

I. APPLICABILITY.

Power plants; gas processing, storage facilities, compressing plants and transmission lines capable of operating at pressures in excess of 125 psig; power lines, switching stations and sub-stations designed to operate at or in excess of 69 Kv; crude oil and refined product trunk transmission lines and facilities; coal common carrier coal slurry pipelines and facilities; utility coal gasification plants; water transmission and storage facilities and supply; and common carrier microwave towers and toll lines, except those facilities cited by the Industrial Citing Council.

2. a. GENERAL REQUIREMENTS.

Certification required prior to construction or extension by anyone who will become a public utility or proposing to construct a major utility facility and a major utility facility which is an electric generating plant or coal gasification plant.

b. REGULATORY REQUIREMENTS.

A complete description of the facilities including engineering specifications, rates, financial data, existing site and surrounding general and specific land use and geological information.

3. SUBMISSION REQUIREMENTS.

Applicant confers with Public Service Commission staff to advise of proposed filing and to discuss procedural and substantive filing requirements. This aspect should precede the application filing to shorten investigation time.

4. PROCEDURE FOR OBTAINING PERMIT.

a. TIMING REQUIREMENTS.

Procedure for obtaining certification: There are no statutes regulating timing; estimates will vary based on completeness of application, complexity of case, amount of discovery and number of parties.

b. PUBLIC NOTIFICATION, HEARINGS.

When application filing is determined complete, public notice may be given by the Commission, generally requiring 40 days. After public notice if the Commission determines the matter not to be a "contested case" and does not require a public hearing, the Commission's final order generally will be issued within 30 to 90 days. If a public hearing is required, it is set within 30 days to 3 months depending on the complexity of the case. The hearing generally takes 1 week, but may be expanded to 2½ months, if a second hearing is required. A hearing transcript usually is filed within 30 days; briefs filed within 3 weeks; and a final order issued within 30 to 60 days thereafter.

c. REVIEW AND PROCESSING TIME.

Basically as set forth above, within 180 to 260 days depending on the complexity.

5. OPERATION REQUIREMENTS.

The jurisdictional utilities must comply with all commission rules including construction reports and forecasts; accident reports; utility service and facility quality and adequacy; and special regulations governing specific utilities.

6. FEES.

None.

7. APPEAL PROCESS.

Rehearing petitions are required to be filed within 30 days and appeals must be filed with the courts by any affected person within 30 days after the final order or denial of rehearing petition.

E. ADMINISTERING AGENCY

Secretary and Chief Counsel
or Chief Engineer
Public Service Commission of WY
320 West 25th Street
Cheyenne, WY 82001

(307) 777-7427

FEDERAL COUNTERPARTS

Federal Energy Regulatory
Commission
825 N. Capitol Street, NE
Washington, D.C. 20426

(202) 357-8055

Department of Transportation
400 Seventh Street, SW
Washington, D.C. 20590

(202) 426-4000

Securities Exchange Commission
500 N. Capitol Street, NE
Washington, D.C. 20459

(202) 655-4000

Federal Aviation Administration
800 Independence Avenue, SW
Washington, D.C. 20591

(202) 426-3831

4.12 ENERGY AND INDUSTRIAL

INTRODUCTION

The Industrial Development Information and Siting Act was enacted to establish a permit process prior to construction or expansion of major facilities relating to energy generating and conversion plants, and industrial facilities costing in excess of \$50,000,000. The Act created the Industrial Siting Council and Office of the Industrial Siting Administration.

A. NAME OF PERMIT

Industrial Siting Permit.

B. AUTHORIZING STATUTE

Wyoming Industrial Development and Siting Act W.S. 35-12-101 through 35-12-121; Wyoming 1975 Session Laws, Chapter 169, as amended 1977, and 1981.

C. TITLE OF REGULATION

Wyoming Industrial Development Information and Siting Rules and Regulations (Laws 1975, Chapter 169; Laws 1977, Chapter 66).

D. SUMMARY OF REGULATION

I. APPLICABILITY.

Mitigation of social, economic and environmental impacts associated with construction and operation of major industrial facilities:

a. ENERGY GENERATING AND CONVERSION PLANT.

- (1) Designed or increasing the design capacity 100 megawatts of electricity or more;
- (2) Designed or increasing the design capacity 100,000,000 cubic feet of synthetic gas per day or more;
- (3) Designed or increasing the design capacity 15,000 barrels of liquid hydrocarbon products per day or more;
- (4) Designed or increasing the design capacity in excess of 500 pounds of U308 per day for enriching uranium minerals.

- b. New legislation was adopted in 1981 to include previously exempt oil and gas sweetening plants. New regulations will be expanded to include this type plant.
- c. Industrial facility of at least \$50,000,000 (base year) estimated construction cost, adjusted quarterly through Construction Cost Indices issued by the Industrial Siting Council. (Currently \$80,550,000).

2. a. GENERAL REQUIREMENTS.

A permit is required from the Industrial Siting Council for the construction or operation of any industrial facility or facilities that would affect the environment of the site.

b. REGULATORY REQUIREMENTS.

Application shall be filed in conformity with rules and regulations, and a permit issued by the Industrial Siting Council.

3. SUBMISSION REQUIREMENTS.

An application must specify specific description of the facility; construction schedule; number of employees and classification; site justification; environmental impact studies; solid waste discharge and emissions; environmental, social and economic impact alleviation; costs and land use compatibility.

4. PROCEDURE FOR OBTAINING PERMIT.

a. TIME REQUIREMENTS.

Pre-application meeting and notice of application within 30 days.

b. PUBLIC NOTIFICATION, HEARINGS.

State Engineer must submit opinion on water supply and yield prior to public hearing. Hearing within 120 days of filing application. Hearings shall conform to Wyoming Administrative Procedure Act.

c. REVIEW AND PROCESSING TIME.

- (1) State Engineer must commence review within 30 days of filing application and his opinion must be rendered within 5 days after review completion.
- (2) Final opinion by the Industrial Siting Council is rendered within 60 days of the hearing. If additional studies are required, 30 days are required to design the site and 180 days to conduct the study. Another hearing is scheduled 60 days after completion and the same time constraints apply on final decision and notice.

5. OPERATION REQUIREMENTS.

Must comply with conditions imposed by Industrial Siting Council, as specified for each action requirement.

6. FEES.

Based on percentage of estimated construction costs (maximum initial fee is \$100,000 plus a sliding scale based on construction costs up to \$900,000, if additional studies are required) for investigation, review, processing and serving notice of application. Unused fee refunded.

7. APPEAL PROCESS.

Judicial review by petition in state district court within 30 days of final decision. Procedure same as contested cases under Wyoming Administrative Procedure Act.

E. ADMINISTERING AGENCY

FEDERAL COUNTERPART

Director, Industrial Siting
Administration
Suite 500, Boyd Building
Cheyenne, WY 82002

None

(307) 777-7360

CHAPTER 4.2 LAND USE

INTRODUCTION

The State Land Use Commission was abolished in 1979.

CHAPTER 4.3 FLOOD PLAIN MANAGEMENT

INTRODUCTION

The Water Quality Division of the Department of Environmental Quality administers flood plain management as it relates to: dredge and fill activities (See Chapter 6.3); public water supplies (See Chapter 5.3); and waste water (See Chapter 5.2) in designated flood plains.

SECTION 5.0

**ENVIRONMENTAL QUALITY
MANAGEMENT**

CHAPTER 5.1 AIR QUALITY

INTRODUCTION

The Wyoming Environmental Quality Act of 1973 was adopted to prevent, reduce and eliminate air and water pollution and to reclaim the land. The Environmental Quality Department has created Division Administrators responsible for activities necessary to assure compliance with the Act. These Divisions include:

Air Quality (See Chapter 5.1 of this Guide)

Land Quality (See Chapter 3.1 of this Guide)

Water Quality (See Chapter 5.2 of this Guide)

This Chapter concerns Air Quality Standards and Regulations.

A. NAME OF PERMIT

Air Quality Permit.

B. AUTHORIZING STATUTE

Wyoming Environmental Quality Act W.S. 35-11-101 through 35-11-1207.

C. TITLE OF REGULATION

Wyoming Air Quality Standards and Regulations, Sections 1 through 25.

D. SUMMARY OF REGULATION

1. APPLICABILITY.

Permits are required to construct or modify a facility which may cause the issuance of an air contaminant. An applicable facility shall include, but not be limited to, processing plants, manufacturing plants, power generator plants, refining plants, mining operations, lumber mills, ore processing plants, construction material processing operations, etc.

2. a. GENERAL REQUIREMENTS.

Applications for permits to construct or modify any facility shall be made on forms provided by the Division.

b. REGULATORY REQUIREMENTS.

Any facility which is to be constructed or modified and which will be a source of air contaminants is required to obtain a permit prior to such construction or modification. Appropriate permits and/or licenses must also be obtained from the Land Quality, Water Quality and Solid Waste Management Divisions of the Environmental Quality Department.

3. SUBMISSION REQUIREMENTS.

- a. Data which defines the existing ambient air quality and meteorological parameters (a minimum of 1 year of data required).
- b. Complete description of the proposed facility including process description, production rates, etc.
- c. Complete description of the proposed air pollution control equipment or techniques including design parameters.
- d. Environmental, economic, technical, and energy analysis to support the proposed control equipment as best available control technology.
- e. Location description of the facility.
- f. Analysis of the impact of the total emissions from the facility on the ambient air.
- g. Schedule of proposed facility operation.
- h. Analysis of the material and/or fuel to be used.
- i. Certification that the facility will be located in accordance with an approved land use plan for the area.
- j. Certification that the applicant is the owner of the land and/or resources to be used by the facility.

4. PROCEDURE FOR OBTAINING PERMIT.

a. TIME REQUIREMENTS.

Upon receipt of an application, the Division has 30 days to determine if the application is complete and 60 days after the receipt of a complete application in which to make a grant proposal or reject an application.

b. PUBLIC NOTIFICATIONS, HEARINGS.

Following receipt of a complete application and grant a proposal or deny it, the proposed decision is then published in local newspapers to allow 30 days for public comment and if a public hearing is not required, a decision is then issued. A decision normally is issued within 10 days of the end of the public comment period if no public hearing is requested. A public hearing may be called if sufficient interest is generated or if any aggrieved party so requests in writing within the 30 days comment period.

5. OPERATIONS REQUIREMENTS.

Generally, an ambient monitoring program and a stack emission testing program is required to document continuing compliance.

6. FEES.

None.

7. APPEAL PROCESS.

Final decision may be appealed to the Environmental Quality Council.

E. ADMINISTERING AGENCY

Administrator, Air Quality Division
Wyoming Department of
Environmental Quality
401 W. 19th Street
Cheyenne, WY 82002

(307) 777-7391

FEDERAL COUNTERPART

U.S. Environmental
Protection Agency
Lincoln Building
1860 Lincoln Street
Denver, CO 80295

(303) 837-4901

CHAPTER 5.2 WATER QUALITY STANDARDS AND REGULATIONS

INTRODUCTION

Water Quality Rules and Regulations were established to institute a permit issuance program to conform with the National Pollution Discharge Elimination System for point source waste discharges into state waters and for permits to control construction, installation, modification or operation of any sewerage system, treatment works disposal system or public water supply. (See Chapter 3.1 and 3.2 for additional requirements for discharge to groundwaters from energy resource development).

A. NAME OF PERMIT

Wastewater Discharge Permit.

B. AUTHORIZING STATUTE

Wyoming Environmental Quality Act W. S. 35-11-301.

C. TITLE OF REGULATION

Wyoming Water Quality Rules and Regulations, Chapter II.

D. SUMMARY OF REGULATION

1. APPLICABILITY.

Wastewater discharge to surface waters of the State.

2. a. GENERAL REQUIREMENTS.

Application for permits are used for specific types of facilities relating to various discharge sources, i.e., mining, etc.

b. REGULATORY REQUIREMENTS.

Discharge location, quality and treatment facilities.

3. SUBMISSION REQUIREMENTS.

An application depending upon type of discharge facility is required to specify quality of effluent, location of discharge and treatment method used.

4. PROCEDURE FOR OBTAINING PERMIT

a. TIME REQUIREMENTS.

Approximately 3 months with final issuance following the end of the public notice period, assuming no public hearing. Regulation requires submission of application at least 180 days prior to date of commencement of the discharge.

b. PUBLIC NOTIFICATION, HEARINGS.

Public notification is required and hearings only if required by request or administrative appeal.

c. REVIEW AND PROCESSING TIME.

Application Review - 1 week

Permit Drafting - 2 weeks

EPA Review of Draft - 3 weeks

Public Notice - 30 Days

5. OPERATION REQUIREMENTS.

Meet permit conditions including effluent limitations, self-monitoring requirements and compliance schedules.

6. FEES.

None.

7. APPEAL PROCESS.

Through the Environmental Quality Council.

E. ADMINISTERING AGENCY

Water Quality Division
Wyoming Department of
Environmental Quality
401 West 19th Street
Cheyenne, WY 82002

(307) 777-7781

FEDERAL COUNTERPART

U.S. Environmental
Protection Agency
Lincoln Building
1860 Lincoln Street
Denver, CO 80295

(303) 837-4901

CHAPTER 5.3 WATER SUPPLY

INTRODUCTION

The Public Water Supply regulations are administered by the Water Quality Division (See Chapter 5.2) of the Department of Environmental Quality.

A. NAME OF PERMIT

Public Water Supply.

B. AUTHORIZING STATUTE

Wyoming Environmental Quality Act W.S. 35-11-301 (a)(v) and 35-11-302.

C. TITLE OF REGULATION

Wyoming Water Quality Rules and Regulations, Chapter III, as amended.

D. SUMMARY OF REGULATION

1. APPLICABILITY.

Provides standards for construction and operation of all public water supplies.

2. a. GENERAL REQUIREMENTS.

A permit is required to construct, install or modify public water supplies.

b. REGULATORY REQUIREMENTS.

Requires issuance of a permit to construct, install, or modify public water supplies. Establishes minimum design standards for public water supply.

3. SUBMISSION REQUIREMENTS.

An application must contain facility name, location and description including water source, copies of plans, specifications, design data and other information covering the proposed project and carry the seal or signature of the Wyoming professional engineer designing the facility.

4. PROCEDURE FOR OBTAINING PERMIT.

a. TIME REQUIREMENTS.

Water Quality Division will complete application review within 60 days.

b. PUBLIC NOTIFICATION, HEARINGS.

None.

c. REVIEW AND PROCESSING TIME.

Administrator, if application is determined complete, will issue permit within 60 days. Resubmittal of incomplete application by applicant starts 60 day time period.

5. OPERATION REQUIREMENTS.

Applicant must construct and operate the facility, in compliance with approved design. This activity does not duplicate Health Department and EPA requirements. Specific requirements are determined on a case by case basis.

6. FEES.

None.

7. APPEAL PROCESS.

Applicant may appeal condition of permit or permit denial to the Environmental Quality Council. The Council decision may be appealed to the District Court.

E. ADMINISTERING AGENCY

Administrator
Water Quality Division
Department of Environmental Quality
401 West 19th Street
Cheyenne, WY 82001

(307) 777-7781

FEDERAL COUNTERPART

U.S. Environmental
Protection Agency
Lincoln Building
1860 Lincoln Street
Denver, CO 80295

(303) 837-4901

CHAPTER 5.4
SOLID WASTE MANAGEMENT

INTRODUCTION

The Wyoming Environmental Quality Act authorizes the coordination of activities concerned with solid waste management, and the establishment of new solid waste disposal sites. This authority has been delegated to the Solid Waste Management Program Supervisor to assure sound solid waste management and a program to control hazardous waste management (See Chapter 5.5) consistent with federal programs mandated by the Resource Conservation and Recovery Act. (PL 94-580).

A. NAME OF PERMIT

Solid Waste Management and Disposal.

B. AUTHORIZING STATUTE

Wyoming Environmental Quality Act, Article 5, W.S. 35-502-42 through 35-502-44 (Cumulative Supplement 1973).

C. TITLE OF REGULATION

Solid Waste Management Rules and Regulation, 1975.

D. SUMMARY OF REGULATION

1. APPLICABILITY.

Coordination of all State agencies concerned with solid waste management and disposal; operation of solid waste disposal sites; site plan approval to establish or operate a solid waste disposal site.

2. a. GENERAL REQUIREMENTS.

Require all solid waste disposal site operators to provide operating plans; proposed sites require construction and operating plans.

b. REGULATORY REQUIREMENTS.

Assurance that site will not cause contamination of groundwater and surface water. Requires pre-construction site inspection to assess environmental impact of proposed location and post-construction site inspection to assure construction was according to plan.

3. SUBMISSION REQUIREMENTS.

An application must include a property description concerning land use and ownership within 1/2 mile of site and proposed fill areas. Additional information in written form is required to identify construction dates, area and population to be served, site anticipated life, type of solid waste, geological and soil analyses, water table and its protection, cover material, equipment for operation, special material handling, fire protection and reclamation and planned reuse of the site.

4. PROCEDURE FOR OBTAINING PERMIT.

a. TIME REQUIREMENTS.

After plans are submitted an on-site inspection will be made within 60 days, with a written report within 15 days after the inspection. A compliance schedule for proposed correction may be issued by the Department.

b. PUBLIC NOTIFICATION, HEARINGS.

The Department will post notice in area newspaper for 1 week. Comments may be submitted within 20 days of first newspaper publication. If substantial adverse comments are received, a public hearing will be called.

c. REVIEW AND PROCESSING TIME.

As set forth above. If no adverse comments, then letters of approval may be expected within 60 days.

5. OPERATIONS REQUIREMENTS.

Operation approval is valid for 1 year and reissued on a yearly basis. Letter of approval may be withdrawn effective 20 days from mailing date of notice, if person does not comply with submitted plan, rules or regulations.

6. FEE.

None.

7. APPEAL PROCESS.

Revocation of approval may be basis of hearing before Environmental Quality Council.

E. ADMINISTERING AGENCY

Supervisor, Solid Waste Management
Department of Environmental Quality
401 West 19th Street
Cheyenne, WY 82002

(307) 777-7752

FEDERAL COUNTERPART

Office of Water and
Waste Management
Environmental Protection Agency
Lincoln Tower Building
1860 Lincoln Street
Denver, CO 80295

(303) 837-2221

CHAPTER 5.5
HAZARDOUS/TOXIC WASTE MANAGEMENT
SPECIFICALLY INCLUDING NUCLEAR

INTRODUCTION

During 1980 the Solid Waste Management Program within the Department of Environmental Quality undertook steps toward development of a hazardous waste management program. Legislation presented to the 1981 Session of the Legislature did not pass.

CHAPTER 5.6 NOISE REGULATIONS

INTRODUCTION

The Wyoming State Statutes do not contain specific regulation authorization for noise control as such. The Department of Environmental Control does include noise as a factor in its Division review and approval considerations.

SECTION 6.0

SOCIAL/ECOLOGICAL PRESERVATION

CHAPTER 6.1 RARE AND ENDANGERED SPECIES

INTRODUCTION

The Wyoming Game and Fish Department works with the U.S. Fish and Wildlife Service in the administration of rare and endangered species. Most of the Department's activities are of an advisory nature and the Department generally is not responsible for granting permits or licenses for rare and endangered species.

A. NAME OF PERMIT

(Not applicable.)

B. AUTHORIZING STATUTE

Wyoming Game and Fish Law W.S. 23-1-103 through 23-4-101.

C. TITLE OF REGULATION

Wyoming Game and Fish Commission, Chapter X., Regulation for Importation, Possession, Sale and Disposition of Live Wildlife and Exotic Species, 1980.

D. SUMMARY OF REGULATION

1. APPLICABILITY.

Individuals wishing to acquire scientific collector's permits apply by writing a letter of request, and describing in some detail the manner in which the collected wildlife will be utilized. Endangered and threatened species are construed to mean those species contained in the Federal Register, Volume 45, Number 99, and require a possession permit from the Department.

2. a. GENERAL REQUIREMENTS.

Application for an importation and possession permit must be made on forms provided by the Department.

b. REGULATORY REQUIREMENTS.

Copies of certificates indicating freedom from disease and inspection procedures determined by the Department upon application and prior to approval for importation.

3. SUBMISSION REQUIREMENTS.

As determined by the Department. Permit renewals must be made 30 days prior to expiration of existing permit.

4. PROCEDURE FOR OBTAINING PERMIT.

Before a permit is issued, Department personnel may inspect the applicant's facilities to determine adequacy. Type and size depend upon species. Identification requirements placed on the species must be registered with the Department or the determination for identification made by the Department.

5. OPERATING REQUIREMENTS.

During the term of the permit, Department personnel are to be allowed access to records, facilities and species.

E. ADMINISTERING AGENCY

Director
Wyoming Game and Fish Department
5400 Bishop Blvd.
Cheyenne, WY 82002

(307) 777-7633

FEDERAL COUNTERPART

U.S. Fish and Wildlife Service
P. O. Box 25486
Denver, CO 80225

(303) 234-2209

CHAPTER 6.2 ARCHAEOLOGICAL AND HISTORICAL

INTRODUCTION

Two specific Wyoming State Agencies have responsibility for parts of this function. The Geological Survey for fossil removal permits issued by the State Land Commissioner, and the State Historic Preservation Office (SHPO) Wyoming Recreation Commission for Archaeological and Historical Clearance should be contacted. This Chapter relates primarily to the Wyoming Recreation Commission authority, as the Geological Survey has no regulatory responsibilities, as such.

A. NAME OF PERMIT

Consultation Services Antiquities Permit.

B. AUTHORIZING STATUTE

Wyoming State Antiquities Act of 1935 W.S. 36-1114. Wyoming Recreation Commission Enabling Act of 1967, Chapter 187, Section 6 (d) or W.S. 36-4-106 (d) (i-vii); Session Laws of Wyoming: State Archaeologist, Powers and Duties Laws 1969, Chapter 168, Section 15; Laws 1973, Chapter 162, Section 1; Laws 1973, Chapter 250, Section; Wyoming Environmental Quality Act of 1973, W.S. 35-11-112 (a)(v); 35-11-401 (e)(iii); 35-11-406 (m)(iv); Laws 1977, Chapter 184, Section 1.

C. TITLE OF REGULATORY

Wyoming Recreation Commission: State Historic Preservation Officer's (SHPO) Guidelines for Historic and Archaeological Surveys (Joint Bureau of Land Management - Wyoming Recreation Commission Guidelines). National Historic Preservation Act of 1966 (Amended 1980); National Environmental Policy Act of 1969; Executive Order 11593; Archaeological and Historic Preservation Act of 1974; Advisory Council on Historic Preservation Regulations 36CFR61, 36CFR800, 36CFR1213.

D. SUMMARY OF REGULATION

1. APPLICABILITY.

Any undertaking involving federal agencies, contracts, subsidies, loans or grants, federal leases, permits, licenses or certificates, as well as state and private undertakings on government lands where cultural resources may be anticipated.

2. a. GENERAL REQUIREMENTS.

Documentation that the Wyoming State Historic Preservation Office has been contacted to provide information on known archaeological and historic sites within a project zone prior to exploration or construction activities.

b. REGULATORY REQUIREMENTS.

Any project on public lands or any project utilizing federal funds or sanctioned by a federal permit requires professional field survey detailing the location of archaeological and historic sites previously unrecorded. Consultant contracted for cultural resource inventories must hold a valid Wyoming Antiquities Permit as issued by the Wyoming State Bureau of Land Management Office.

3. SUBMISSION REQUIREMENTS.

- a. Request for file search to identify known cultural resources.
- b. Written field report including maps, charts or other relevant information as may be required by the guidelines for staff archaeologist and historian review.
- c. Management recommendations and mitigation plans for the protection of significant cultural resources within the project zone.

4. PROCEDURE FOR OBTAINING PERMIT.

a. TIME REQUIREMENTS.

Review of field surveys and file search generally is less than 2 weeks from receipt of written report.

b. PUBLIC NOTIFICATION, HEARINGS.

None.

5. OPERATIONS REQUIREMENTS.

Maintenance plan for protection of cultural resources.

6. FEES.

Based on required file search and staff review of supporting documentation at \$20 per hour (\$10 minimum).

7. APPEAL PROCESS.

No state appeal. Appeal through National Advisory Council on Historic Preservation.

E. ADMINISTERING AGENCY

1. Director and State Historic
Preservation Officer

Wyoming Recreation Commission
604 East 25th Street
Cheyenne, WY 82002

(307) 777-7695

FEDERAL COUNTERPART

Bureau of Land Management
2515 Warren Avenue
P. O. Box 1828
Cheyenne, WY 82001

(307) 778-2384

2. For Fossil Permits:

State Geologist
Geological Survey of Wyoming
P.O. Box 3008
University Station
Laramie, WY 82071

(307) 742-2054

CHAPTER 6.3 WETLANDS

INTRODUCTION

The provision for wetlands are included within the responsibility of the Water Quality Division of the Department of Environmental Quality.

A. NAME OF PERMIT

Dredge and Fill Permit.

B. AUTHORIZING STATUTE

Wyoming Environmental Quality Act W.S. 35-11-301 (a)(ii) and 35-11-302 (a)(i).

C. TITLE OF REGULATION

U.S. Army Corps of Engineers Dredge and Fill requirements under Public Law 95-217, Sec. 401 (a)(1).

D. SUMMARY OF REGULATION

1. APPLICABILITY.

Compliance with surface water quality standards for dredge and fill activities in Wetland areas.

2. GENERAL REQUIREMENTS.

State Certification required for activities requiring U.S. Army Corps of Engineers Dredge and Fill Permits.

3. SUBMISSION REQUIREMENTS.

An application must contain information on the location, waters impacted, description of anticipated activities, and stream diversions.

4. PROCEDURE FOR OBTAINING PERMIT.

a. TIME REQUIREMENTS.

After submittal of completed Certification Application approximately 45 days is required for processing. U.S. Army Corps of Engineers review is approximately 3 months.

b. PUBLIC NOTIFICATION, HEARINGS.

Public notice is required for comments by both the Department of Environmental Quality and U.S. Corps of Engineers.

c. REVIEW AND PROCESSING TIME.

Applicant submits completed Certification Application to the Department of Environmental Quality Office which transmits copies to the State Game and Fish Department and Department of Environmental Quality Field Office. Comments from the Department of Environmental Quality Cheyenne Office and State Game and Fish Department are forwarded to the Department of Environmental Quality Field Office within 15 days. The Department of Environmental Quality Field Office completes certification within 45 days with comments to the U.S. Army Corps of Engineers and applicant.

5. OPERATION REQUIREMENTS.

Operator must adhere to conditions established in the 404 permit which are partially determined through the 401 Certification process.

6. FEES.

None.

7. APPEAL PROCESS.

If application is rejected, applicant appeals directly to the U.S. Corps of Engineers or to the agency commenting negatively on the application. Permit is issued after approval by all review agencies.

E. ADMINISTERING AGENCY

Administrator
Water Quality Division
Department of Environmental Quality
401 West 19th Street
Cheyenne, WY 82001

(307) 377-7781

FEDERAL COUNTERPART

Omaha District
Corps of Engineers
Permits Branch
P. O. Box 5
Omaha, NE 68101

(402) 221-4133

CHAPTER 6.4
COASTAL ZONE REGULATIONS
(NOT APPLICABLE TO WYOMING)

SECTION 7.0

LOCAL REGULATORY POLICY

CHAPTER 7.1
LOCAL GOVERNMENT LAND USE AND
NATURAL RESOURCE CONTROL ENABLING LAWS

INTRODUCTION

Municipal and County enabling legislation as a regulatory function is contained in general law for land use planning, zoning, and subdivision regulation.

A. NAME OF PERMIT

Local Government Enabling Legislation.

B. AUTHORIZING STATUTE

City Planning Act W.S. 15-1-601 through 15-1-612; City Zoning Act W.S. 15-1-701 through 15-1-709; County Planning Commission Act W.S. 18-5-101 through 18-5107; County Planning and Zoning W.S. 18-5-201 through 18-5207; Real Estate Subdivision Act W.S. 18-5-301 through 18-5315; Platting and Dedication Act W. S. 34-12-101 through 34-12-115; Land Use Planning Act W.S. 9-19101 through 919601.

C. TITLE AND SUMMARY OF REGULATION

1. Local jurisdictions adopt their own regulation and must be contacted directly for regulatory requirements. State law protects the extraction and/or production of minerals; however, local regulation may require application for permits.
2. Fees are determined locally, except for subdivision fees in unincorporated areas. For these cases the fee is set by statute (W.S. 18-5-309) which requires the greater of \$100 or \$10 per lot up to maximum of \$1,000.

D. ADMINISTERING AGENCIES

(See respective County Seat at County listed below, or Municipality.)

Laramie, Albany County

Basin, Big Horn County

Gillette, Campbell County

Rawlins, Carbon County

Douglas, Converse County

Lusk, Niobrara County

Cody, Park County

Wheatland, Platte County

Sheridan, Sheridan County

Buffalo, Johnson County

Cheyenne, Laramie County

Kemmerer, Lincoln County

Sundance, Crook County

Lander, Fremont County

Torrington, Goshen County

Thermopolis, Hot Springs County

Casper, Natrona County

Pinedale, Sublette County

Green River, Sweetwater County

Jackson, Teton County

Evanston, Uinta County

Worland, Washakie County

Newcastle, Weston County

CHAPTER 7.2
SUB-STATE MANAGEMENT DISTRICTS AND
SPECIAL AUTHORITIES

INTRODUCTION

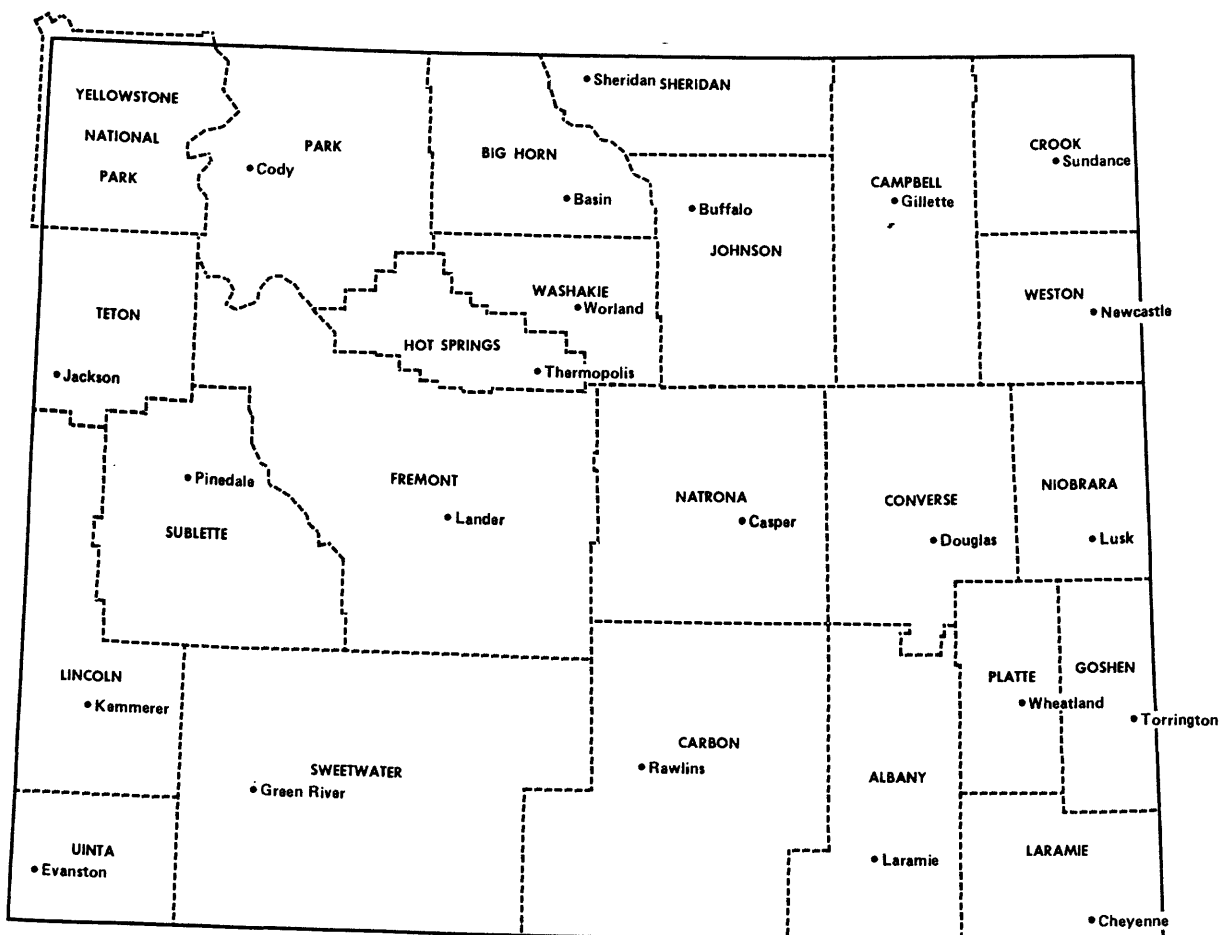
The State of Wyoming has not established Sub-State Management Districts within which all state functions are centered. The various state agencies have independent geographic district boundaries for their respective administrative activities.

MAP OF STATE OF WYOMING SHOWING
COUNTIES AND COUNTY SEATS

CHAPTER 7.2 SUB-STATE MANAGEMENT DISTRICTS AND SPECIAL AUTHORITIES

INTRODUCTION

The State of Wyoming has not established Sub-State Management Districts within which all state functions are centered. The various state agencies have independent geographic district boundaries for their respective administrative activities.



MAP OF STATE OF WYOMING SHOWING
COUNTIES AND COUNTY SEATS