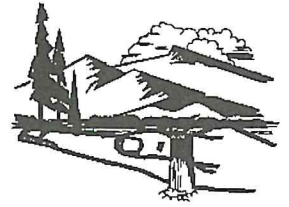




Department of Environmental Quality

To protect, conserve and enhance the quality of Wyoming's environment for the benefit of current and future generations.



Mark Gordon, Governor

Todd Parfitt, Director

MEMORANDUM

TO: Honorable Mark Gordon, Governor

FROM: Todd Parfitt, Director, Wyoming Department of Environmental Quality
[Agency Contact: Craig Hults, phone 777-7066, email craig.hults@wyo.gov]

SUBJECT: **Proposed Revisions to Noncoal Chapter 10, Limited Mining Operations for Fifteen Acres or Less of Affected Land – Land Quality Division, Department of Environmental Quality**

DATE: December 1, 2020

PRIORITY: HIGH – December 15, 2020

SUMMARY: Notice of Agency Rulemaking

The Department of Environmental Quality, Land Quality Division (LQD) is proposing to amend Noncoal Chapter 10, Limited Mining Operations for Fifteen Acres or Less of Affected Land, in response to legislative changes made during the 2019 Legislative Session and the Attorney General's review for statutory authority. The proposed rules are intended to provide consistency with the legislative changes made to W.S. § 35-11-401(e)(vi)(C) and new sections W.S. § 35-11-401(e)(vi)(E) and (F) and remove rule language that lacks statutory authority. Specific information on the proposed revisions can be found in the Statement of Reasons for Noncoal Chapter 10.

The proposed rules were presented to the LQD Advisory Board on March 21, 2019, August 22, 2019 and again on October 7, 2020. The Advisory Board recommended the rules proceed to the Environmental Quality Council for formal rulemaking. The proposed rules are not expected to be controversial. The Attorney General's Office has reviewed the rules for statutory authority and agreed they could proceed. The LQD is requesting to proceed with formal rulemaking with this rule package.

GOVERNORS RESPONSE OPTIONS:

- Agency may proceed.
- Delay Public Comment and Set Up Meeting w/ _____



Signature: Governor's Counsel

12/14/20

Date