

THE STATE OF WYOMING ENVIRONMENTAL QUALITY COUNCIL

Mark Gordon Governor

Steve Lenz Chairman

Shane True Vice-Chairman

JD Radakovich Secretary

Stan Blake Ryan Greene Marjorie Bedessem William Stafford

Kellie Doran

Executive Officer

2300 Capitol Ave. Hathaway Bldg. 1st, Room 136 Cheyenne, WY 82002 (307) 777-7170 FAX: (307) 777-6134 wyomingeqc.wyo.gov April 18, 2024

Clerk of the District Court P.O. Box 67 Rawlins, WY 82301

RE: Docket No. 2024-CV-0000018

To the attention of the Honorable Dawnessa Synder:

NOTICE OF TRANSMITTAL

The Environmental Quality Council hereby submits notice of transmittal of a certified copy of the entire record of proceedings for EQC Docket No. 22-4503 to the district court, under review in Quality Landscape & Nursery, Inc. vs. State of Wyoming Environmental Quality Council et al. Docket No. 2024-CV-000018 in the District Court for the Second Judicial District in and for the County of Carbon, State of Wyoming. The record consists of seven volumes and is indexed as follows (attached).

Kellie Doran, Executive Officer Environmental Quality Council

IN THE DISTRICT COURT FOR THE SECOND JUDICIAL DISTRICT IN AND FOR THE COUNTY OF CARBON, STATE OF WYOMING

QUALITY	Z LA	NDSCAPE &	NURSERY,	INC.	vs.)	
STATE	OF	WYOMING	ENVIRONM	1ENT	AL)	Docket No.
QUALITY	COL	UNCIL et al.)	2024-CV-0000018
(EQC Doc	ket 22	2-4503))	

RECORD INDEX

Do	cument PLEADINGS VOLUME 1	Page
1.	Request for Bond Forfeiture	1
2.	Bond Forfeiture Memorandum	3
3.	David DeWald agreed to service by email	11
4.	Approving Bond Forfeiture	12
5.	Certificate of Service – Approving Bond Forfeiture	13
6.	Notice of Appeal and Petition for Hearing on Behalf of Quality Landscape	
	and Nursery, Inc.	14
7.	Exhibit 1 to Petition	25
8.	Exhibit 2 to Petition	35
9.	Exhibit 3 to Petition	46
10.	. Exhibit 4 to Petition	49
11.	Exhibit 5 to Petition	52
12.	. Exhibit 6 to Petition	58
13.	. Entry of Appearance – James R. Salisbury, QLN	74
14.	. James Salisbury agreed to service by email	76
15.	. Stipulated Motion to Waive Certain Requirements Under Wyoming Statute	
	§ 35-11-421(c), and Rules and Regulations, Department of Environmental	
	Quality, Chapter 2, Section 4(a)(i)	77
16.	. [Proposed] Order Granting Stipulated Motion to Waive Certain Requirements	
	Under Wyoming Statute § 35-11-421(c), and Rules and Regulations,	
	Department of Environmental Quality, Chapter 2, Section 4(a)(i)	80
17.	. Stipulated Motion for Order Setting Scheduling Conference	82
18.	. [Proposed] Order Setting Scheduling Conference	85
	. Order – Prehearing Scheduling Conference	86
20.	. Certificate of Service – Order for Prehearing Conference	87
21.	. Order - Signed Order of Schedule	88
22.	. Certificate of Service – Signed Order of Schedule	90
23.	. Department of Environmental Quality's Designation of Witnesses	91
24.	. Petitioner Quality Landscape and Nursery, Inc.'s Fact Witness Designation	95
	. Notice of Service of Discovery Requests – DEQ	100
26.	. Entry of Appearance – Shannon Leininger, DEQ	103

Document	PLEADINGS VOLUME 2	Page
27. Motion to Allow Law Str	udent to Appear as Counsel	105
28. [Proposed] Order Author	rizing Tristan Floss to Appear as Counsel for the	
Land Quality Division		108
29. Shannon Leininger agree	ed to service by email	110
30. Order Authorizing Trista	n Floss to Appear as Counsel for Land Quality Division	111
31. Certificate of Service – C	Order Allowing Law Student to Appear	113
32. [Proposed] Stipulated Pro	otective Order	114
33. Stipulated Protective Ord	ler	117
34. Certificate of Service – S	Signed Stipulated Protective Order	120
35. Order – Setting Hearing		121
36. Certificate of Service – C	Order	122
37. Notice of Service of Disc	covery Responses – DEQ	123
38. Department of Environm	ental Quality's Exhibit List	126
39. Petitioner Quality Landson	cape and Nursery, Inc.'s Hearing Exhibit List	130
40. DEQ PowerPoint Present	tation	134
41. Stipulated Hearing Exhib	pit List	138
42. Order Requiring Propose	ed Findings of Fact and Conclusions of Law	145
43. Certificate of Service – C	Order Requiring Proposed Findings of Fact and	
Conclusions of Law		147
44. Notice of Filing of the D	epartment of Environmental Quality's Proposed	
Findings of Fact, Conclu	sions of Law, and Order	148
45. [Proposed] Findings of F	act, Conclusions of Law, and Order - DEQ	150
46. [Proposed] Findings of F	act, Conclusions of Law, and Order - QLN	165
47. Notice – Scheduling for 1	Final Disposition	187
48. Certificate of Service – N	Votice	188
49. Entry of Appearance – G	regory Weisz	189
50. Gregory Weisz agreed to		191
51. Findings of Fact, Conclu		192
	Findings of Fact, Conclusions of Law, and Order	212
Document	TRANSCRIPTS VOLUME 3	Page
1. Final Hearing Transcript	Volume I of II	213
	TD ANG CONDEG VOLVING	D
Document	TRANSCRIPTS VOLUME 4	Page
2. Final Hearing Transcript	Volume I of II (cont.)	313
Document	TRANSCRIPTS VOLUME 5	Page
3. Final Hearing Transcript	Volume II of II	429
4. November 17, 2023 Deli		514
	sion and Approval of Findings of Fact, Conclusions	
of Law, and Order Trans		531

Document	EXHIBITS VOLUME 6	Page
1. QLN Exhibit A		540
2. QLN Exhibit B		549
3. QLN Exhibit C		559
4. QLN Exhibit D		561
5. QLN Exhibit E		563
6. QLN Exhibit F		568
7. QLN Exhibit G		583
8. QLN Exhibit H		585
9. QLN Exhibit I		595
10. QLN Exhibit J		603
11. QLN Exhibit K		611
12. QLN Exhibit L		620
13. QLN Exhibit M		627
14. QLN Exhibit N		633
15. QLN Exhibit O 16. QLN Exhibit P		636 640
17. QLN Exhibit Q		641
18. QLN Exhibit R		643
19. QLN Exhibit S		671
20. QLN Exhibit T		672
21. QLN Exhibit U		676
21. QLIV EXIIION O		070
Document	EXHIBITS VOLUME 7	Page
22. DEQ Exhibit 1		679
22. DEQ Exhibit 2		681
23. DEQ Exhibit 3		686
24. DEQ Exhibit 4		695
25. DEQ Exhibit 5		705
26. DEQ Exhibit 6		713
27. DEQ Exhibit 7		721 720
28. DEQ Exhibit 8 29. DEQ Exhibit 9		730 737
30. DEQ Exhibit 10		743
31. DEQ Exhibit 11		743 762
32. DEQ Exhibit 12		772
33. DEQ Exhibit 13		780
34. DEQ Exhibit 14		782
35. DEQ Exhibit 15		783
36. DEQ Exhibit 16		785
37. DEQ Exhibit 17		786
38. DEQ Exhibit 18		796
39. DEQ Exhibit 19		798
40. DEQ Exhibit 20		799
41. DEQ Exhibit 21		802
42. DEQ Exhibit 22		803
-		

Document	EXHIBITS VOLUME 7	Page
43. DEQ Exhibit 23		804
44. DEQ Exhibit 24		805
45. DEQ Exhibit 25		806
46. DEQ Exhibit 26		807
47. DEQ Exhibit 27		808
48. DEQ Exhibit 28		809
49. DEQ Exhibit 29		813
50. DEQ Exhibit 30		827
51. DEQ Exhibit 31		849
52. DEQ Exhibit 32		851
53. DEQ Exhibit 33		