

BEFORE THE
ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING

PETITION TO PROMULGATE RULE AND TO MAKE
DESIGNATION IN ACCORDANCE WITH SECTION 35-502.24(g) (iv.)

TO: Chairman of the Environmental Quality Council and the Director of the Environmental Quality Department of The State of Wyoming, and to the Environmental Quality Council itself.

Your petitioner respectfully shows the Chairman, the Director, and the Council as follows:

1. That your petitioners are citizens of the State of Wyoming, and that some of the members of the Powder River Basin Resource Council are owners of lands situated on alluvial valley floors.

2. That within the State of Wyoming are numerous alluvial valley floors which, in this arid land, are unique and irreplaceable, and which said lands are scenic and because of their natural beauty, have an extraordinary value of their own. That these lands support the basic agriculture of the state, and provide grazing and forage for the domestic agricultural animals in the state, as well as feed, cover, and environment for all kinds of Wyoming wildlife and birds. That the alluvial valley floors are delicate in their balance, and that any exploration, mining, or other disturbance whatever, of the subsoils and substructures of the floors cause irreparable damage, both to the immediate lands and to vast areas of lands adjoining thereto.

3. That the geology of all of the alluvial valleys in the State of Wyoming is not well developed. That there is a significant and dangerous lack of knowledge on the part of our scientists as to the effect of disturbing alluvial valleys with exploration and mining, and other disturbances, to the end that little is known as to what ultimate effect such disturbance has on the waters, soils, subsoils, subterranean flows of water, to the plant and animal life, and to the environment as a whole, but sufficient knowledge is extant to permit this

Council to find that alluvial valley floors within the State of Wyoming are so unique and subject to such irreparable damage that to permit any disturbance of alluvial valleys by exploration or mining without complete data, would be to act inadvisedly and contrary to the best interest of the citizens of this state.

4. That this Council has authority to prohibit the exploration and mining of alluvial valley floors under its rule-making powers or to prohibit the exploration and mining of alluvial valley floors until such time as the state has completed its own independent studies as to the effects of such exploration and mining on such alluvial valley floors.

5. That this Council has authority under Section 35-502.24(g)(iv.) to designate all of the alluvial valley floors of the State of Wyoming as unique and irreplaceable and as areas of scenic and natural value, and to thereby, by such designation, to prohibit any exploration and mining in said alluvial valley floors.

6. That this Council should prohibit any further exploration of alluvial valleys for mining purposes until such time as it has completed its own independent studies.

7. That with respect to all state lands situated on alluvial valley floors, this Council should declare that all of said state lands on such alluvial valleys are reserved for the people of this state in order to preserve their scenic and natural value, and in order to protect the uniqueness of the same, and to further protect said state lands from irreparable damage.

WHEREFORE, your undersigned petitioners respectfully petition you as follows:

a. To exercise your rule-making authority to prohibit any exploration or mining on any alluvial valley floors within the State of Wyoming.

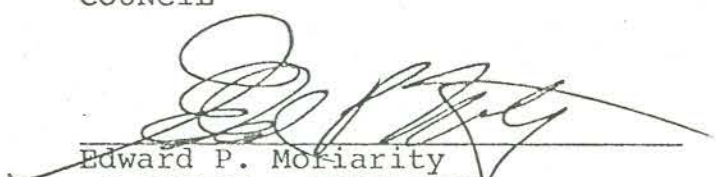
b. To designate all alluvial valley floors as unique and irreplaceable, and as areas of scenic and natural value in accordance with Section 35.502.24(g)(iv.).

c. With respect to lands owned by the State of Wyoming, to preserve all of said lands for the people of the State of Wyoming by designating said lands as unique and irreplaceable and as areas of scenic and natural value.

d. In the alternative, to designate all lands, both State and private, within the State of Wyoming, which are located on alluvial valley floors, as unique and irreplaceable and areas of scenic and natural value, and therefore lands upon which no exploration or mining may be undertaken until such time as a full study as to the effects of exploration and mining on the environment of said alluvial valleys has been completed by your Council, or such other designated agency of the State of Wyoming.

Respectfully submitted,

POWDER RIVER BASIN RESOURCE
COUNCIL



Edward P. Moriarity
of SPENCE & MORIARITY,
Their Attorneys

210 Western Resources Bldg.
Casper, Wyoming 82601

Certificate of Service



I hereby certify that I served the foregoing
Petition to Promulgate Rule and to Make Designation
in Accordance with Section 35-502.24(g) (iv.)
in the captioned matter on Chairman, Director, and Council
Members of Environmental Quality Council
by mailing a true, correct copy of the same to:

Kite

Mr. Don White, Chairman
Environmental Quality Council
Masonic Temple Building
Riverton, Wyoming 82501

Ms. Lynn Dickey
150 West Brundage
Sheridan, Wyoming 82801

Mr. Doyle Fritz
DEQ, Land Quality Division,
District 4
30 East Grinnell
Sheridan, Wyoming 82801

Dr. Timothy Fleming
745 Buena Vista Drive
Lander, Wyoming 82520

Mr. Robert Sundin
DEQ, Hathaway Building
Cheyenne, Wyoming 82002

Mr. Lee E. Keith
P. O. Box 637
Buffalo, Wyoming

Mr. Walt Ackerman
DEQ, Hathaway Building
Cheyenne, Wyoming 82002

David B. Park
Attorney at Law
630 East First St.
Casper, Wyoming 82601


Mr. John Davis
P. O. Box 552
Worland, Wyoming 82401

Mr. Ronald C. Surdam
Box 3006, University Station
Laramie, Wyoming 82071

Mr. Steve Freudenthal
Special Asst. Attorney General
123 Capitol Bldg.
Cheyenne, Wyoming 82001

Marilyn S. Kite
Sr. Asst. Attorney General
123 Capitol Building
Cheyenne, Wyoming 82001

by the United States mail this 29th day of September,
197 6, with sufficient postage affixed thereto.



for Spence & Moriarity
Attorneys for Powder River Basin
Resource Council
210 Western Resources Bldg.
Casper, Wyoming 82601