

HOUSE BILL NO. HB0257

Mine permit and reclamation plan changes-landowner approval.

Sponsored by: Representative(s) Hornok, Allemand, Davis, Neiman and Winter and Senator(s) Hutchings

A BILL

for

1 AN ACT relating to environmental quality; requiring
2 landowner approval before the department of environmental
3 quality or the environmental quality council approves any
4 mine permit or reclamation plan revisions as specified;
5 specifying applicability; and providing for an effective
6 date.

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8 *Be It Enacted by the Legislature of the State of Wyoming:*

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10 **Section 1.** W.S. 35-11-402(a)(x) and 35-11-416 by
11 creating a new subsection (c) are amended to read:

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13 **35-11-402. Establishment of standards.**

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1 (a) The council shall, upon recommendation by the
2 advisory board through the administrator and the director,
3 establish rules and regulations pursuant to the following
4 reclamation standards for the affected areas, including but
5 not limited to:

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7 (x) Rules and regulations for the criteria for
8 review and information and public notice requirements for
9 permit revisions. Subject to this paragraph, a permit may
10 be revised without public notice or hearing for revisions,
11 including incidental boundary revisions to the area covered
12 by the permit, if these do not propose significant
13 alterations in the reclamation plan. Subject to applicable
14 standards, any permit, except for surface coal mining
15 permits, may be revised, in the permitted area, by
16 identifying proposed alterations to the mining or
17 reclamation plan in the annual report or addendum thereto,
18 or by obtaining prior approval from the director, at the
19 operator's discretion. If the surface landowner is
20 different from the operator or the mineral owner, no permit
21 or reclamation plan shall be revised or altered in any way
22 under this paragraph without first receiving the surface
23 owner's consent in writing;

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2 **35-11-416. Protection of the surface owner.**

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4 (c) If the surface landowner is different from the
5 operator or the mineral owner, no permit or reclamation
6 plan required by this article shall be revised or altered
7 in any way under this article without first receiving the
8 surface owner's consent in writing.

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10 **Section 2.** This act shall apply to all applications
11 for mining permit revisions or reclamation plan alterations
12 submitted to the department of environmental quality on and
13 after the effective date of this act.

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15 **Section 3.** This act is effective July 1, 2023.

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(END)