

HOUSE BILL NO. HB0015

Limited mining operations-bonding amendments.

Sponsored by: Joint Minerals, Business & Economic
Development Interim Committee

A BILL

for

1 AN ACT relating to environmental quality; amending bonding
2 amounts and bond release requirements for limited mining
3 operations; authorizing rulemaking; and providing for
4 effective dates.

5

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

7

8 **Section 1.** W.S. 35-11-401(e)(vi)(B), 35-11-417(e) and
9 35-11-423(b) are amended to read:

10

11 **35-11-401. Compliance generally; exceptions.**

12

13 (e) The provisions of this article shall not apply to
14 any of the following activities:

15

1 (vi) Limited mining operations, whether
2 commercial or noncommercial, for the removal of sand,
3 gravel, scoria, limestone, dolomite, shale, ballast or
4 feldspar from an area of fifteen (15) acres or less of
5 affected land, excluding roads used to access the mining
6 operation, if the operator has written permission for the
7 operation from the owner and lessee, if any, of the
8 surface. The operator shall notify the land quality
9 division of the department of environmental quality and the
10 inspector of mines within the department of workforce
11 services of the location of the land to be mined and the
12 postal address of the operator at least thirty (30) days
13 before commencing operations. A copy of the notice shall
14 also be mailed to all surface owners located within one (1)
15 mile of the proposed boundary of the limited mining
16 operation at least thirty (30) days before commencing
17 operations. The operator shall notify the land quality
18 division of the department of environmental quality of the
19 date of commencement of limited mining operations within
20 thirty (30) days of commencing operations. Limited mining
21 operations authorized under this paragraph are subject to
22 the following:

23

1 (B) Before commencing any limited mining
2 operations, the operator shall file a bond to insure
3 reclamation in accordance with the purposes of this act and
4 the following:

5
6 (I) Except as otherwise provided in
7 this subparagraph, for limited mining operations that
8 commence before July 1, 2025, the operator shall file a
9 bond in the amount of two thousand dollars (\$2,000.00) per
10 acre, ~~except~~ of affected land, including roads used to
11 access the mining operation;

12
13 (II) Except as otherwise provided in
14 this subparagraph, for limited mining operations that
15 commence on and after July 1, 2025, the operator shall file
16 a bond in the amount of five thousand dollars (\$5,000.00)
17 per acre of affected land, including roads used to access
18 the mining operation;

19
20 (III) For quarries ~~for~~ ~~which~~
21 commencing operations before July 1, 2025, the bond amount
22 shall not exceed three thousand dollars (\$3,000.00) per

1 acre of affected land, including roads used to access the
2 mining operation;

3

4 (IV) For quarries commencing
5 operations on and after July 1, 2025, the bond amount shall
6 not exceed seven thousand dollars (\$7,000.00) per acre of
7 affected land, including roads used to access the mining
8 operation;

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10 (V) The operator may file a full-cost
11 bond to insure reclamation in accordance with W.S.
12 35-11-417;

13

14 (VI) Within ~~ninety (90)~~ one hundred
15 fifty (150) days after limited mining operations commence,
16 the administrator may require the operator to post an
17 additional bond per acre of affected land if he determines
18 that ~~such~~ the amount is necessary to insure reclamation.
19 The operator shall post the additional bond not later than
20 ~~thirty (30)~~ forty-five (45) days after receipt of ~~such~~ the
21 notification.

22

23 **35-11-417. Bonding provisions.**

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2 (e) When the reclamation plan for any affected land
3 has been completed, the administrator may recommend to the
4 director the release of up to seventy-five percent (75%) of
5 the bond required for that affected land. The remaining
6 portion of the bond shall be not less than ten thousand
7 dollars (\$10,000.00), and shall be held for a period of at
8 least five (5) years after the date of reduction to assure
9 proper revegetation and restoration of groundwater. The
10 retained portion of the bond may be returned to the
11 operator at an earlier date if a release signed by the
12 surface owner and approved by the administrator and
13 director is obtained. For limited mining operations
14 authorized under W.S. 35-11-401(e)(vi), the administrator
15 may, after consultation with all affected surface owners,
16 recommend to the director the release of the bond after two
17 (2) successful growing seasons that establish permanent
18 vegetative cover.

19

20 **35-11-423. Release of bonds.**

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22 (b) The retained portion of the bond may be returned
23 to the operator at an earlier date if a release signed by

1 the surface owner and approved by the administrator is
2 obtained. For limited mining operations authorized under
3 W.S. 35-11-401(e)(vi), the bond may, after consultation
4 with all affected surface owners, be released after two (2)
5 successful growing seasons that establish permanent
6 vegetative cover.

7

8 **Section 2.** The environmental quality council, upon
9 recommendation by the department of environmental quality,
10 shall promulgate all rules necessary to implement this act.

11

12 **Section 3.**

13

14 (a) Except as provided in subsection (b) of this
15 section, this act is effective immediately upon completion
16 of all acts necessary for a bill to become law as provided
17 by Article 4, Section 8 of the Wyoming Constitution.

18

19 (b) Section 1 of this act is effective July 1, 2025.

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21

(END)