

SENATE FILE NO. SF0040

State lands-designation of community-valued land.

Sponsored by: Senator(s) Landen, Anderson, Cooper and Crum  
and Representative(s) Campbell, E, Clouston  
and Harshman

A BILL

for

1 AN ACT relating to environmental quality; establishing a  
2 process by which the environmental quality council may  
3 designate lands as lands with significant community value;  
4 specifying required considerations for the board of land  
5 commissioners when considering lands with significant  
6 community value; specifying duties; making conforming  
7 amendments; requiring rulemaking; and providing for  
8 effective dates.

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

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12 **Section 1.** W.S. 35-11-112(a) by creating a new  
13 paragraph (vii) and 36-2-101 are amended to read:

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1           **35-11-112. Powers and duties of the environmental**  
2           **quality council.**

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4           (a) The council shall act as the hearing examiner for  
5       the department and shall hear and determine all cases or  
6       issues arising under the laws, rules, regulations,  
7       standards or orders issued or administered by the  
8       department or its air quality, land quality, solid and  
9       hazardous waste management or water quality divisions. At  
10      the council's request the office of administrative hearings  
11      may provide a hearing officer for any rulemaking or  
12      contested case hearing before the council, and the hearing  
13      officer may provide recommendations on procedural matters  
14      when requested by the council. Notwithstanding any other  
15      provision of this act, including this section, the council  
16      shall have no authority to promulgate rules or to hear or  
17      determine any case or issue arising under the laws, rules,  
18      regulations, standards or orders issued or administered by  
19      the industrial siting or abandoned mine land divisions of  
20      the department. The council shall:

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22           (vii) Review and approve applications for  
23           designations of state lands as defined by W.S.

1     36-1-101(a)(iv) as having significant community value, in  
2     accordance with all of the following:

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4                 (A) A board of county commissioners may  
5     apply to the council for a designation of any state land  
6     parcel located within the county as state land with  
7     significant community value;

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9                 (B) For purposes of this subsection, state  
10    land parcels shall be deemed to have significant community  
11    value if the board of county commissioners applying for the  
12    designation demonstrates that the parcel has particular  
13    historical, archaeological, wildlife, surface geological or  
14    botanical features that may be inconsistent with a proposed  
15    use for the state land parcel;

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17                 (C) The council shall hold a hearing and  
18    accept public comment on any application received under  
19    this paragraph;

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21                 (D) If, after the hearing, the council  
22    finds that the proposed state land parcel has significant  
23    community value to where the board of land commissioners

1 should consider that community value when evaluating the  
2 parcel for any change in use of the parcel as specified in  
3 W.S. 36-2-101(b), the council may approve the application;

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5 (E) If the application is approved, the  
6 council shall send a copy of its findings and the order to  
7 the board of land commissioners and the director of the  
8 office of state lands and investments not later than five  
9 (5) days after entry of the order.

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11 **36-2-101. Composition; powers generally.**

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13 (a) The governor, secretary of state, state  
14 treasurer, state auditor, and superintendent of public  
15 instruction, being constituted a "board of land  
16 commissioners" by the provisions of section 3, article 18,  
17 of the constitution of the state of Wyoming, shall as such  
18 board, have the direction, control, leasing, care and  
19 disposal of all lands heretofore or hereafter granted or  
20 acquired by the state for the benefit and support of public  
21 schools or for any other purpose whatsoever, subject to the  
22 limitations contained in the constitution of the state, and  
23 the laws enacted by the legislature. The board shall have

1 the power and authority to take such official action as may  
2 be necessary in securing title to land grants, or any other  
3 lands acquired by the state. The board shall oversee the  
4 compensatory mitigation credit system established under  
5 W.S. 9-19-201 through 9-19-204 and shall promulgate rules  
6 and regulations in accordance with W.S. 9-19-201 through  
7 9-19-204.

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9           **(b) For any state land parcel that the environmental**  
10           **quality council has designated as a parcel with significant**  
11           **community value under W.S. 35-11-112(a)(vii), the board**  
12           **shall not consider any proposed change in use for that**  
13           **designated parcel under a consent agenda. The board shall**  
14           **consider any proposal for that parcel individually and**  
15           **shall give consideration to the designation and the**  
16           **environmental quality council's findings on the state land**  
17           **parcel before approving any change in use for the parcel.**  
18           **As used in this subsection, "change in use" includes any**  
19           **change of use for the parcel, new lease, lease renewal or**  
20           **disposition of the parcel.**

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22           **Section 2.**

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1                   (a) The board of land commissioners shall promulgate  
2 all rules necessary to implement this act.

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4 (b) The environmental quality council, upon  
5 recommendation from the department of environmental  
6 quality, shall promulgate all rules necessary to implement  
7 this act.

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### 9 Section 3.

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16 (b) Section 1 of this act is effective July 1, 2026.

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18 (END)