



Industrial Siting Overview

Presented to: Minerals Committee

Presented by:

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Topics

- Industrial Siting History & Purpose
- Summary of the Industrial Siting Act
- History of Recent Legislative Actions
- Triggers for Jurisdiction
- Exemptions
- What's in the Queue
- Questions and Answers



History

Industrial Development Information and Siting Act

- 1975 Created Office of Industrial Siting Administration – 8 FTE
 - **Provides mechanism to assess and control adverse effects of major industrial activities upon:**
 - Environmental Conditions
 - Social Conditions
 - Economic Conditions
 - **Closes the door on additional local and State permitting requirements once ISD permit is issued with the exception of:**
 - Department of Environmental Quality
 - Public Service Commission
- 1992 ISD became a Division of DEQ – 1.5 FTE
 - Impact assistance payments are distributed according to the sales and use tax (W.S.39-15-111 and 39-16-111)

Industrial Development Information and Siting Act



Wyoming Statutes 35-12-101 through 119

101 – Short title

102 – Definitions

103 - Creation of ISD

104 – Creation of the Industrial Siting Council

105 – Appointment and duties of the administrator, staff;
Rules and Regulations

106 – Permit from council required before commencing
construction; electronic permitting; amendments;
exceptions; federal requirements

107 – Waiver of permit application – truncated permit
process

108 - Quantity of Water available

109 - Application for permit

110 – Notice of Application; deficiencies; hearing

111- Parties to permit proceeding

112 – Record of Hearing; procedure

113- Decision of Council; permit conditions imposed;
service of decision on parties

114 –Review of grant or denial of permit

115 – Additional requirements by other governmental
agencies not allowed after issuance of permit

116 – Revocation or suspension of permit

117- Monitoring of facilities

118 – Penalties for violations

119 - Exemptions



History of Recent Legislative Actions

- 2010 Session W.S. 35-12-102 & 113 Added commercial wind - 30 turbines and required a reclamation bond prior to construction.
- 2015 Session W.S. 39-15-111 & 39-16-111 Enrolled Act 71 – Modified process for calculation and distribution of Impact Assistance payments. Cap of 2.76% of material costs put in place.
- 2020 Session W.S. 35-12-102 Added commercial solar power - 30 mw or more or a surface disturbance of 100 acres or more. Solar permit requires a reclamation bond prior to construction. Also, reduced the jurisdiction of wind to 20 turbines or more
- 2022 Session W.S. 39-15-11 & 39-16-111 Enrolled Act 24 - Modified calculation of Impact Assistance and provided more language regarding unmitigated impacts.
 - Cap of 2.25% for estimated material cost \$350 million or less
 - Cap of 2.00% \$850 - \$349 million
 - Cap of 1.50% for \$850+ million



Triggers for Jurisdiction

- Estimated Construction Materials
 - ✓ > = \$253.9 million current
 - ✓ \$203.1 - \$253.8 million for Certificate of Non-Jurisdiction
- 20 or more commercial wind turbines
- 30 mW or more commercial solar
- 100 acres disturbance or more commercial solar
- Commercial incineration or disposal facility capable of handling >500 tons of solid waste per day
- Commercial incineration or disposal of regulated hazardous waste materials
- Commercial radioactive waste management facilities 35-11-103(d)(v)



Exemptions

- Electric transmission lines <160,000 volts
- State and local governmental units and agencies
 - ✓ Required to furnish basic information
- All pipelines except coal slurry pipelines
- Oil & gas drilling facilities
- Oil & gas producing facilities (Extraction)
- Oil and gas wellfield activities



What's happening Now

- Anticipated applications in next 12 months
 - Anticline Wind – Natrona County
 - Dinosolar – Natrona County
 - Cheyenne South Solar - Laramie County

- Jurisdictional projects
 - Pacific & Atlantic Soda Trona - Sweetwater County
 - Raven Solar - Sweetwater County

Row Labels	Count of Docket #
Wind Electric Generation	22
Power Plant	9
Coal Mine	8
Trona Mine	7
Gas	5
Transmission Line	3
Coal Enhancement	2
Gas Processing	2
Anhydrous Ammonia Plant	1
Synfuels	1
Solar Power Generation	1
Coal to Liquids	1
Fertilizer	1
Coal Gasification	1
CO2	1
Carbon capture, sales and disposal	1
Natural Gas Power Plant	1
Grand Total	67

Wind/Solar Project	Year Permitted	MW
Foot Creek	1995 -w	71
Uinta County Wind Farm	2003-w	99
Seven Mile Hill Wind	2008	99
Glenrock / Rolling Hills	2008	198
Highplains / Mcfadden	2008	99
Campbell Hill Wind	2009	99
Dunlap Wind	2009	300
Top of the World Wind	2010	200
Pioneer Park 1 & II	2011	80
Chokecherry Sierra Madre	2014	2000
Boswell Wind	2018	320
TB Flats	2018	500
Ekola Flats	2018	250
Uinta Wind	2018	161
Cedar Springs I and II	2019	400
Roundhouse	2019	300
Two Rivers / Lucky Star	2019	708
Cedar Springs III	2019	120
Rail Tie Wind	2021	504
Lincoln Solar	2022	80
Rock Creek Wind	pending 2022	590
	TOTAL	7,178

Questions and Discussion

