

**DRAFT ONLY
NOT APPROVED FOR
INTRODUCTION**

HOUSE BILL NO.

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

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

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

1 operations authorized under this paragraph are subject to
2 the following:

3

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

8

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

15

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

22

1 (III) For quarries ~~for which~~ commencing
2 operations before July 1, 2025, the bond amount shall not
3 exceed three thousand dollars (\$3,000.00) per acre of
4 affected land, including roads used to access the mining
5 operation~~;~~

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

11
12 (V) The operator may file a full-cost
13 bond to insure reclamation in accordance with W.S. 35-11-
14 417;

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

1

2 **35-11-417. Bonding provisions.**

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

21

22 **35-11-423. Release of bonds.**

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1 (b) The retained portion of the bond may be returned
2 to the operator at an earlier date if a release signed by
3 the surface owner and approved by the administrator is
4 obtained. For limited mining operations authorized under
5 W.S. 35-11-401(e)(vi), the bond may, after consultation
6 with all affected surface owners, be released after two (2)
7 successful growing seasons that establish permanent
8 vegetative cover.

9

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

13

14 **Section 3.**

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

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

22

23

(END)