



# WYOMING

Original Wetland Acreage	Remaining Wetland Acreage	Acreage Lost	% Lost
2,00,000	1,250,000	750,000	-38%

**Wyoming Wetlands:** Palustrine wetlands occur throughout Wyoming and include emergent wetlands such as seasonally flooded basins or flats, fresh marshes, fresh meadows, saline marshes, and playas; forested wetlands such as swamps; scrub-shrub wetlands such as shrub swamps and bogs; unconsolidated bottom wetlands such as small stock ponds. Lacustrine wetlands are limited to the shallows of reservoirs and naturally occurring lakes. Riverine wetlands associated with high-gradient streams are concentrated in the mountainous areas, whereas wetlands associated with low-gradient streams and intermittent streams are more prevalent in basins and plains.

<a href="#">Summary</a>	<a href="#">Individual Features</a>	<a href="#">Regulation</a>	<a href="#">Water Quality Standards</a>	<a href="#">Mitigation</a>	<a href="#">Monitoring and Assessment</a>	<a href="#">Restoration</a>	<a href="#">Public/Private Partnerships</a>
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## SUMMARY

### Overall Program

Some measure of protection for wetlands is provided by several statutes including the water quality protection program and a recent wetland act requiring state notification for certain drainage activities and authorizing mitigation banks (effective 1996).

The drainage provisions became effective in 1996.

The legal banking provisions became effective on July 1, 1991 but the bank has not yet been implemented.

### Innovative Features and New Programs/Initiatives

None.

### State Wetland Conservation Plan

The Game & Fish and State Recreation Commission has completed a SCORP.

### No Net Loss/Net Gain Goal

There is not a no net loss goal in statute, but is the basic premise for the wetland bank.

## **INDIVIDUAL FEATURES:**

### **Regulation**

#### **Wetland Regulatory Statutes and Administrative Rules**

WS 35-11-301 to WS 35-11-313. We established in 1996, State notification program for draining wetlands over 5 acres.

WY Stat. ## 89-849 to 89-862. State identifies areas of critical concern; local governments must adopt regulations consistent with state guidelines for these areas or the state may adopt a land use plan for the area.

#### **Wetland Definition and/or Delineation; Comparability With Federal Definition**

Yes, a working definition has been adopted.

#### **Evaluation Methodology**

One has been developed in a multi-agency memorandum of understanding specific to highway construction.

#### **Regulated and Exempted Activities**

The wetland statute only regulates certain types of drainage.

#### **Special Provisions for Agriculture and Forestry**

None.

#### **Penalties and Enforcement**

Violations of water quality regulations can be assessed up to \$10,000/day. The penalty has not been enforced for wetlands to date.

#### **Permit Tracking**

The state doesn't issue permits. All enforcement to date is by the U.S. Environmental Protection Agency and U.S. Army Corps of Engineers (404 program).

#### **State General Permit (PGP or SPGP) for 404**

None.

#### **Assumption of Section 404 Powers**

Assumption has been explored. Twice, once in 1981, again in 1991. It was rejected both times by the state legislature.

#### **Joint Permitting**

Joint 401/401 application and public notice procedures are implemented in the state.

## **Special Area Management Plans and Advanced Identification Plans**

None.

## **Role of Local Governments**

Local government can establish zoning and setback ordinances. Conservation districts are active in promoting education and demonstration projects.

## **Staffing**

Currently, one full-time position.

## **Water Quality Standards**

### **Wetlands and Water Quality Standards**

WS 35-11-301 to WS 35-11-313. State notification program for draining wetlands over 5 acres.

WY Stat. ## 89-849 to 89-862. State identifies areas of critical concern; local governments must adopt regulations consistent with state guidelines for these areas or the state may adopt a land use plan for the area.

### **Wetland Definition**

Not Applicable.

### **Designated Uses**

N/A

### **Narrative and/or Numeric Criteria**

N/A .

### **Antidegradation Policy**

N/A

### **Other**

N/A

### **Staffing**

N/A

## **Mitigation**

### **Mitigation Policy**

Mitigation is generally not required by state water quality regulation unless impacts to water quality are demonstrated. Mitigation is almost totally federally driven. However, mitigation is required in some instances for drainage pursuant to a new law.

### **Mitigation Banks**

Yes. A wetland law specifically authorizes mitigation banks.

### **In Lieu Fee Program**

None.

### **Ad Hoc Arrangements**

None.

### **Mitigation Database**

None.

### **Staffing**

None.

## **Monitoring and Assessment**

### **Mapping/Inventory**

The National Wetland Inventory (NWI) is partially complete.

Preliminary work is beginning to integrate NWI maps into a state GIS system.

### **Wetland Classification and Assessment**

None.

### **Overall Wetland Gain and Loss Tracking System**

None.

### **Staffing**

None.

## **Restoration**

### **Program Description**

N/A

### **Restoration Program Goals**

N/A

### **Eligibility Criteria**

N/A

### **Restoration Database**

N/A

### **Staffing**

N/A

## **Public/Private Partnerships**

### **Acquisition Program**

N/A

### **Public Outreach/Education**

N/A

### **Tax Incentives**

N/A

### **Technical Assistance**

N/A

### **Other Nonregulatory Incentives for Private Landowners**

N/A

### **Wetland Training and Education**

N/A

### **Watershed Planning**

N/A

## **Special Problems**

Selenium concentrations occur in some areas. Water development, degraded riparian areas, and coal mining impact wetlands. There is pressure to develop in Teton County.

## **Coordination**

None identified.

## **Contact Person(s):**

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## **Contact Points**

No website/links identified.

## **Guidebooks, Brochures, Websites, Other Educational Materials**

None identified.