

**BEFORE THE ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING**

IN THE MATTER OF THE OBJECTION)
TO THE MINE PERMIT APPLICATION) DOCKET 13-4803
OF SUGARLAND PARTNERS, LLC,)
TFN 5 5/291)

ORDER GRANTING JOINT MOTION TO DISMISS

This contested case is before the Wyoming Environmental Quality Council (Council) on Janice Hyche's objections to the Wyoming Department of Environmental Quality's (DEQ) proposed approval of Sugarland Partners, LLC's (Sugarland) application to revise its mining permit (Permit No. 292C).

The Council held a scheduling conference on September 4, 2013, and scheduled a contested hearing for September 13, 2013. Prior to the contested hearing, the parties resolved Ms. Hyche's objections and filed a Joint Motion to Dismiss. The Motion requests that the Council approve the permit revision application subject to certain stipulated amendments to the application. The Council, being fully advised in the premise, orders as follows:

IT IS HEREBY ORDERED that:

1. Sugarland amend page RP-2 of the Reclamation Plan of Permit 292C to replace every reference to sunflower or *Helianthus annuus* with sterile Quickguard (*Triticum aestivum x Secale cereale*). Every reference to application of the seed shall be amended to require Quickguard to be applied at a rate of four pounds pure live seed per

acre (4 lbs. PLS/acre), unless the seed is broadcast seeded, in which case the rate will be doubled to eight pounds pure live seed per acre (8 lbs. PLS/acre). Sugarland shall additionally revise the Reclamation Plan to replace sideoats grama seed with blue grama seed.


2. Sugarland amend page RP-2 of the Reclamation Plan of Permit 292C to (1) replace all language indicating that seeding will occur “before May 15 or after October 1” with “no earlier than October 15 and no later than March 31” for both Type I and Type II Areas, and (2) add the statement that DEQ, in its discretion, may permit seeding outside of this amended period if such departure would be beneficial to the seeding or reclamation process.


3. Sugarland amend Maps MP-M1 and MP-M2 of Permit 292C by replacing all references to “Corl, Ervin (Luke) and Katie B.” with the words “Tribelhorn, Ronald E. and Teresa M.”

4. Sugarland shall complete these revisions to the permit application and deliver them to DEQ within thirty (30) days of the date of this Order.

IT IS FURTHER ORDERED that the Hearing scheduled for September 13, 2013 is vacated and this case is dismissed with prejudice.

DATED this 13 th day of September, 2013.



David Searle, Hearing Examiner
Environmental Quality Council 
122 W. 25th St.
Cheyenne, WY 82002
(307) 777-7170

CERTIFICATE OF SERVICE

I, Tyffanne Rowan, certify that at Cheyenne, Wyoming, on the 16th day of September, 2013, I served a true and correct copy of the foregoing **ORDER GRANTING JOINT MOTION TO DISMISS** via electronic mail to the following:

Jeremiah Williamson
Asst. Attorney General
Jeremiah.williamson@wyo.gov

Tim A. Weaver
Sugarland Partners, LLC
timandal@wyomingwisp.com

and by depositing copies of the same in the United States mail, postage prepaid, overnight delivered, duly enveloped and addressed to:

Ms. Janice Hyche
392 Granite Park Road
Wheatland, WY 82201
hyche@bbcwb.net



Tyffanne Rowan, Office Assistant
Environmental Quality Council
122 W. 25th, Rm. 1714
Herschler Bldg.
Cheyenne, WY 82002
Phone: 307-777-7170
FAX: 307-777-6134