

WYOMING WATER STRATEGY INITIATIVE 9 & 10:
State and Federal Agency Resources for Stream Restoration

Wyoming Governor Matt Mead developed a water strategy in 2015 to “protect, plan for, and utilize water for the highest benefits of all its citizens.” Ten initiatives were described under the themes of Management, Development, Conservation, and Protection. “River Restoration” and “Collaborative Fish Passage Restoration” are initiatives under the water and watershed protection theme.

Initiative 9, river restoration, recognizes that communities see significant long-term economic returns as a direct result of restoration work. This initiative involves developing strategies, financial tools, and technical expertise to further stream restoration efforts throughout Wyoming.

Initiative 10, collaborative fish passage, recognizes opportunities to benefit both water users and fisheries when replacing infrastructure. This initiative involves developing strategies, financial tools, and technical expertise to further fish passage throughout Wyoming while still meeting water user’s needs.

An ad hoc team of state agency representatives has been collaborating to develop outcomes under these initiatives. Agencies represented include: Wyoming Water Development Office, Wyoming Game and Fish Department, Wyoming Department of Agriculture, Wyoming Wildlife and Natural Resource Trust Fund, Wyoming Department of Environmental Quality, and the Wyoming Department of Transportation. The following product is an outcome under these initiatives.



The following lists some common state and federal regulatory requirements or recommended interactions with government agencies that may need to be considered as part of stream restoration projects. Not all listed items will apply to all projects. This list is not intended to be comprehensive and additional local permits or regulations may also apply. Please contact the appropriate government agency for more information.

STATE AND FEDERAL AGENCY RESOURCES FOR STREAM RESTORATION

Permit/ Regulation/ Recommended Activity	Description	Agency	Contact and Website
WYPDES Storm Water Permits	Some activities require WYPDES permits for storm water discharge, including runoff from large and small construction sites.	Wyoming Department of Environmental Quality, Water Quality Division, WYPDES Program	307-777-7570 http://deq.wyoming.gov/wqd/storm-water-permitting/
WYPDES General Permit for Temporary Discharges Involving Construction Practices	This general permit for temporary discharge will cover activities associated with Construction Activities such as Construction Dewatering; Disinfection of Potable Water Lines; and/or Hydrostatic Testing of Pipes, Tanks, or Other Similar Vessels.	Wyoming Department of Environmental Quality, Water Quality Division, WYPDES Program	307-777-7090 http://deq.wyoming.gov/wqd/permitting/resources/general-permits-and-notice-of-intent/
Temporary Turbidity Waivers	Waiver to authorize temporary increases in turbidity for certain short-term, construction-related activities. Projects working in live waters and activities that may cause an excursion above allowable turbidity levels may qualify for a turbidity waiver.	Wyoming Department of Environmental Quality, Water Quality Division, Watershed Protection Program	307-777-6372 http://deq.wyoming.gov/wqd/cwa-section-401-turbidity-wetland/resources/turbidity/
Clean Water Act Section 404 permits	Any person, firm, or agency (including Federal, state, and local government agencies) planning to work in navigable waters of the United States, or discharge dredged or fill material in waters of the United States, including wetlands, must first obtain a permit from the Corps of Engineers.	United States Army Corps Engineers (USACE), Wyoming Regulatory Office	307-777-772-2300 http://www.nwo.usace.army.mil/Missions/RegulatoryProgram/Wyoming.aspx
Clean Water Act Section 401	The WDEQ Water Quality Division reviews and issues water quality certifications under	Wyoming Department of Environmental Quality, Water Quality Division, Watershed	307-777-6701

Permit/ Regulation/ Recommended Activity	Description	Agency	Contact and Website
Certifications	Section 401 of the Clean Water Act. Section 401 water quality certification is required for any federal license or permit which may result in a fill or discharge into waters of the United States (see Section 404 permits).	Protection Program	http://deq.wyoming.gov/wqd/401-certification/
Wyoming Game and Fish Department Letter of Concurrence	The USACE encourages early coordination with the Wyoming Game and Fish Department to satisfy general and regional conditions of Section 404 permits (see Section 404 permits).	Wyoming Game and Fish Department	307-684-5607 or 307-777-4558
Surface Water Rights Permits	Permits for any request for putting surface waters of the state to a beneficial use: includes transporting water through ditch or pipelines, storage in reservoirs, storage in smaller reservoir facilities for stockwater or wildlife purposes, and enlargements to existing ditch or storage facilities, and for instream flow purposes.	Wyoming State Engineer's Office	307-777-6475 https://sites.google.com/a/wyo.gov/seo/surface-water
Ground Water Rights Permits	A permit is required from the State Engineer's Office prior to the drilling of all water wells; ground water rights are issued for the same beneficial uses as for surface water rights.	Wyoming State Engineer's Office	307-777-6163 https://sites.google.com/a/wyo.gov/seo/ground-water
Pesticide Certification	Training, licensing, certification, and/or inspection of pesticide users, dealers, commercial applicators, and public agencies	Wyoming Department of Agriculture	307-777-6585 http://wyagric.state.wy.us/divisions

Permit/ Regulation/ Recommended Activity	Description	Agency	Contact and Website
	using restricted use pesticides.		/ts/sections-a-programs/148
Open Burn and Smoke Management	Vegetative and non-vegetative burns may require a permit and/or registration with the WDEQ Air Quality Division.	Wyoming Department of Environmental Quality, Air Quality Division	307-777-7391 http://deq.wyoming.gov/aqd/smoke-management-and-open-burning/
Private Fish Plant Application	Permits are required prior to stocking private ponds with fish. A landowner pond must be designated as such under Chapter 53 regulation and may be stocked following Chapter 49 regulation.	Wyoming Game and Fish Department, Fish Division	307-777-4559 https://wgfd.wyo.gov/Fishing-and-Boating/Private-Fish-Stocking
Aquatic Invasive Species (AIS) Resources	Actions required to prevent the spread of Aquatic Invasive Species in Wyoming. Chapter 63 regulation for AIS.	Wyoming Game and Fish Department	307-777-4559 https://wgfd.wyo.gov/Fishing-and-Boating/Aquatic-Invasive-Species-Prevention/AIS-Resources
U.S. Fish and Wildlife Service Threatened and Endangered Species Section 7 Consultation	The Endangered Species Act (ESA) directs all Federal agencies to work to conserve endangered and threatened species and to use their authorities to further the purposes of the Act. Section 7 of the Act, called "Interagency Cooperation," is the mechanism by which Federal agencies ensure the actions they take, including those they fund or authorize, do not jeopardize listed species.	U.S. Fish and Wildlife Service—Wyoming Ecological Services, Mountain Prairie Region	307-772-2374 http://www.fws.gov/wyominges/index.php
Wyoming State Historic Preservation Office Section 106 Review and	Any project taking place on federal lands, utilizing federal funds or requiring federal permitting must be preceded by a cultural resource inventory and project review in	Wyoming State Historic Preservation Office	307-777-7697 http://wyoshpo.state.wy.us/Section106/Index.aspx

Permit/ Regulation/ Recommended Activity	Description	Agency	Contact and Website
Consultation	compliance with Section 106 of the National Historic Preservation Act of 1966 (as amended), as well as the Wyoming Antiquities Act of 1935, the Wyoming Environmental Quality Act of 1973 and other federal and state statutes.		
Federal Emergency Management Agency (FEMA) Restrictions	Development proposals in flood prone areas may be subject to FEMA rules and regulations.	Federal Emergency Management Agency (FEMA)	Local floodplain administrator