

WYOMING

How Does Wyoming Define Environmental Justice and EJ Communities?

EJ Definitions:

N/A.

EJ Mapping Tools:

N/A.

How Does Wyoming Consider EJ in its Substantive Actions¹?

EJ as a Policy of the Environmental Agency or Across All Agencies:

N/A.

Consideration of EJ in Permitting:

N/A.

Consideration of EJ in Enforcement:

N/A.

Consideration of EJ in Land Use:

N/A.

State Environmental Policy Act "Mini-NEPA":

N/A.

Dedicated Funding to EJ Communities:

N/A.

Other Consideration of Cumulative Impacts:

In addition to environmental permits, certain Wyoming facilities are required to obtain authorizations through the Industrial Siting Division of WDEQ.² The authorization requires a finding that the facility: (1) will not result in a significant detriment to, or significant impairment

¹ Substantive is defined as governing the original rights and obligations of individuals. Cornell L. Sch., LII, *Wex Legal Encyclopedia*, https://www.law.cornell.edu/wex/substantive_law (last visited July 6, 2022).

² "Industrial facility" or "facility" means any industrial facility with an estimated construction cost of at least ninety-six million nine hundred thousand dollars (\$96,900,000.00) as of May 30, 1987, and certain other specified types of facilities. Wyo. Stat. Ann. § 35-12-102(a)(vii).

of, the environment or the social and economic condition of present or expected inhabitants, (2) will not substantially impair health, safety, or welfare in the areas of site influence.³ The evaluation includes consideration of area population, housing, and environmental impacts, including cumulative impacts of the proposed industrial facility and other projects in the area.⁴

Prohibitions on Disparate Impact Discrimination:

N/A.

Established Environmental Rights:

N/A.

How Does Wyoming Address EJ in its Procedures⁵?

EJ as Part of Environmental Agency's Mission:

N/A.

EJ as Part of Other Agency's Mission:

N/A.

Processes and Procedures (including Title VI):

- Non-Discrimination Policy:

Wyoming has a Title VI coordinator to ensure that WDEQ does not discriminate based on race, color, national origin, sex, disability, or age.⁶

- Grievance Procedures:

Complaints can be made to the Title VI coordinator through an online form.⁷ Kimber Wichmann ((307)777-7198 kimber.wichmann@wyo.gov) is WDEQ's Title VI coordinator.⁸ You may also telephone 307-777-7937 (Please ask for the Title VI Coordinator).

- Enhanced Public Participation and Information Access:

³ Wyo. Adm. Rules 020.0004.1.08092018. Area of site influence is defined as “the areas which may be affected environmentally, socially, or economically, in any significant degree, by the location of the industrial facility at the proposed site.” *Id.* at § 2(c).

⁴ *Id.* at § 8 (j).

⁵ Procedural is defined as rules and the methods used to ensure the rights of individuals. Cornell L. Sch., LII, *Wex Legal Encyclopedia*, https://www.law.cornell.edu/wex/procedural_law (last visited July 6, 2022).

⁶ Wyo. DEQ, *Nondiscrimination Policy*, <http://deq.wyoming.gov/nondiscrimination-policy/> (last visited July 6, 2022).

⁷ *Id.*

⁸ Telephone Interview with WDEQ (May 4, 2021).

N/A.

- Language Access:

WDEQ provides an integrated machine translated version of its website for the benefit of non-native English speakers.⁹ The tool offered by Google comes in 108 different languages.

- Consultation with Indigenous Communities and Tribal Nations:

N/A.

Governmental EJ Structures, Positions, and Funding Streams:

- EJ Coordinating Agency:

N/A.

- EJ Coordinator:

Deputy Director Luke Esch is also the Environmental Justice Coordinator for WDEQ.¹⁰

- EJ Advisory Board:

N/A.

- Funding for EJ:

N/A.

Additional Wyoming EJ Provisions?

N/A.

Wyoming EJ Contacts?

Luke Esch
WDEQ Environmental Justice Coordinator
Wyoming Department of Environmental Quality
200 W 17th Street
Cheyenne, WY 82002
(307) 777-7192
luke.esch1@wyo.gov

⁹ Wyo. DEQ, <http://deq.wyoming.gov/> (last visited July 6, 2022).

¹⁰ Telephone interview with WDEQ (May 3, 2021).

Where to Find Wyoming EJ Laws, Policies, and Tools?

Constitutional Provisions:

N/A.

Executive Orders:

N/A.

Legislation and Statutes:

- WYO. STAT. ANN. §35-12-101 et seq.

Regulations:

- Wyo. Adm. Rules 020.0004.1.08092018 and 020.0004.2.05212014

Policies/Guidance:

N/A.

Mapping Tools:

N/A.

Other:

N/A.