

Wind rules for state lands sail through

New regulations aim to establish requirements for the life cycle of an energy project through state land decommissioning and reclamation.

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CHEYENNE -- Proposed rules for commercial wind-energy production on state trust lands have met with a minimum of concern in a series of hearings across the state.

The Office of State Lands and Investments held a hearing in Cheyenne on Thursday on draft rules that will eventually be presented to the Board of Land Commissioners.

"We've learned through experience things that are not supported by our current rules," said Butch Parks to the seven people attending.

Parks and the other state officials said they saw light turnouts in other areas of the state too as they have presented the proposed new set of rules.

Parks is the commercial property manager for the Office of State Lands and Investments.

The Board of Land Commissioners is made up of the five officials elected statewide with the governor as chairman.

The commissioners will have final say over the rules and the granting of leases.

The rules aim to establish requirements for the life cycle of a wind-energy project through decommissioning and reclamation of the state land.

When Wyoming became a state, the federal government designated state trust lands and minerals to be controlled by the state to generate money.

The money generated through such things as grazing leases and mineral extraction is used for public schools for the most part.

Multiple use of state lands through leasing, Parks said, helps keep Wyoming taxes low.

The agency and the board have a mandate to optimize income while preserving the trust asset, Parks added.

For the most part, the minimum lease rate will be determined by fair-market value in comparison with similar properties and other factors, including the quality of the wind.

"We don't want to have a standard fee statewide," Parks said.

The rules set up processes that require communication and negotiation between the wind developers and those who lease the land for other purposes, such as grazing or oil-and-gas extraction.

The rules also attempt to establish procedures to resolve conflicts between lessees and provide for compensation when a lessee's operation is damaged by another.

They would not allow the wind resource to be severed from the land. That makes sale of the land and multiple-use regulation less complicated, Parks said.

Cheyenne attorney David Evans represents PacifiCorp, which has wind-generated electricity operations in Wyoming.

He said the company is concerned about the ability of developers to keep proprietary information out of the public records.

The company will be submitting language that attempts to conceal company secrets and meet the requirements of the Wyoming Public Records Act, Evans said.

Parks has identified 16 areas in seven southeastern Wyoming counties that are suitable for wind generation.

That includes five areas in Laramie County totaling about 40,000 acres.