

**SUBJECT: Lands Inquiry (WV Wildlife Resources Lands Inquiry)**

**DATE: November 1, 2001 - Revised 09-01-06**

**Legal Authority:** 38-3-3.4.a., 38-3-3.4.b.

New quarry permit applications, a notice of intent to operator (underground mines with less than five (5) acres surface disturbance) and **major** modifications that change the outside boundary of the permitted area require a *Lands Inquiry Response* to be included in the application. **Note that not all boundary revisions or acreage additions require a major modification.**

An **existing** *Lands Inquiry Response* may be utilized if the following conditions are met:

- The date of the existing response (that is within 2,500 feet of the new submittal) may not exceed two (2) years prior to the date of submittal of the new application;
- Applications that are within a previously permitted area where a lands inquiry has already been conducted shall not require a new *Lands Inquiry Response* regardless of the two (2) year limitation;
- The applicants name listed on the *Lands Inquiry Response* does not in any way have to be connected with the applicant.

It is the applicant's responsibility to obtain and include a copy of the signed and dated *Lands Inquiry Response* in the appropriate application.

**SUBJECT: Guidelines for Applying for a WV Wildlife Resources Lands Inquiry**

**DATE: November 1, 2001 - Revised 09-01-06**

These guidelines were determined by the West Virginia Department of Environmental Protection to prevent inconsistencies in the review process. Applications to the Division of Natural Resources must include the following:

1. Estimate of the total acreage to be permitted.
2. Limits of the proposed operation clearly shown on all maps.
3. Three (3) copies of the Proposal/Drainage map(s), minimum scale of 1"=500', with water discharge points and stream crossings clearly shown.
4. Two (2) copies of a topographic map (1"=2000') with the proposed operation site clearly shown.
5. A location map, such as a county road map, with the site clearly shown.
6. Latitude and longitude for operation clearly shown.
7. Receiving streams clearly shown on all maps.
8. A check for \$150.00 made out to the WV Division of Natural Resources.

**Legal Authority:** 22-4-17 and 38-3-3.4

Each new permit and major modification shall include fish and wildlife resources information for the permit area and adjacent areas. The application shall indicate the existence of known, threatened or endangered species located within the permit area as defined by federal Endangered Species Act of 1973.

When the proposed quarry operation will affect known threatened or endangered species of plants or animals or their critical habitats, the application shall describe control measures, management techniques, and monitoring methods to be employed in order to protect or enhance such species and habitats (38-3-3.4.b). The scope and detail for such information shall be determined by the director in consultation with state and federal agencies.

- Applications with valley fills also must submit items 1 through 7 to the U. S. Fish and Wildlife Service, P.O. Box 1278, Elkins, WV 26241.

Incomplete application packets will be returned. If you have any questions please contact Barbara Sargent at 304-637-0245 or bsargent@mail.dnr.state.wv.us.



**DIVISION OF NATURAL RESOURCES**

Wildlife Resources Section  
Operations Center  
P.O. Box 67

Elkins, West Virginia 26241-3235  
Telephone (304) 637-0245  
Fax (304) 637-0250

Cecil H. Underwood  
*Governor*

John B. Rader  
*Director*

January 29, 1999

Mr. Lewis Halstead  
Division of Environmental Protection  
Mining & Reclamation  
10 McJunkin Road  
Nitro, WV 25143

Dear Mr. Halstead:

This letter is to inform the Division of Environmental Protection that when the Wildlife Resources Section of the DNR reviews lands inquiry applications, an area within a six-mile radius is reviewed.

Please call me if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Barbara Sargent".

Barbara Sargent  
Environmental Resources Specialist  
Nongame Wildlife and Natural  
Heritage Program  
Wildlife Resources Section