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JAN 15 2007

Terri A. Lorenzon, Director
Environmental Quality Council

RE: Citizens' Petition to Address Coalbed Methane Water Discharges

Dear Sir or Madam:

I would like to offer my opinion and recommendation on the current Coalbed Methane Water Discharge situation in Wyoming. I am a professional geologist, who worked during the '70's in the Powder River Basin as a coal geologist and for the remainder of my career as an oil and gas geologist. I also was raised on a ranch/farm and have managed my family's farms and ranches. I believe I have a good perspective of the current problem of too much water being discharged from CBM development.

Firstly, not all water is created equal. Having attempted irrigation with some well waters, I have found some to be good and others to be completely toxic for native and cultivated vegetation- for instance, cottonwoods, juniper, orchard grass, fruit trees, etc. Additionally, through mistakes in farming practices either by improper irrigation fertilization or cultivation, I have found that when the endemic soil microbe populations are disrupted or destroyed, revegetation becomes expensive and time consuming and at times, in high wind areas even impossible.

This said, it seems incredible that a state wouldn't make every effort to conserve both water and soil. Dumping large quantities of water, regardless of its quality, without consideration of beneficial use (and I mean real beneficial use) is criminal. The DEQ and the State of Wyoming have a moral and ethical mandate to protect Wyoming's highly erodible soils and precious little water.

It would seem a "no brainer" that ecosystems should be preserved and resources not squandered for the immediate, financial benefit of business. Volumes of water discharged should be only what can be immediately utilized, the remainder should be reinjected. If those waters, the quality of which is highly variable and specific to individual locales, can be utilized, then they should be put to true beneficial use with the user (generally the surface owner) having a real say as to that use.

Proper utilization of produced CBM water and disposal should be a cost of doing business for the companies involved. Trashing a state to save a buck is insane. In a world, where scarcity of resources, particularly water, is becoming the driving factor for

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situations of social unrest, it seems ludicrous that citizens would even have to petition to prevent the waste of water.

I support the citizen petition that proposes adding a new Appendix 1 to Chapter 2 of the Water Quality rules that will address CBM produced water discharges. Specifically, the rule change directs the DEQ to issue discharge permits only for volumes of CBM water that is actually used. Furthermore, it would impose effluent limits that are more reasonably expected to be protective of livestock and wildlife ingestion (barium, total dissolved solids (TDS) and sulfates) Perhaps you know that cattle will drink almost anything, even diesel. The fact that an animal will consume the water in no way means it will not have a negative impact on the animal.

A requirement must be implemented that water be put to beneficial use, rather than simply assumed to be put to beneficial use. This requirement would not infringe on the State Engineer's jurisdiction nor the State Board of Control's jurisdiction. The State Engineer's Office (SEO) authorizes the withdrawal of CBM produced water simply for the purpose of producing the methane, and nothing more. The SEO is very careful, in issuing those permits to make it clear that such authorization does not confer any water right to the CBM developer, nor to potential downstream users. The DEQ's current beneficial use "assumption" has created a regulatory void allowing the discharge of great quantities of CBM produced water to the detriment of crop, bottomland, livestock production, Wyoming soils and Wyoming water quality.

I petition the EQC to implement this rule change in order to ensure protection of soil, vegetation, wildlife, livestock, aquatic life and the downstream landowners and their existing uses of the land, and to prevent the damage being caused by DEQ's failure to regulate CBM discharges.

Wyoming is a really special place and if you haven't traveled the world—very unique in it's environs. Please, don't allow the current and temporary "feeding frenzy" by industry and the lack of substantive and reasonable regulation by Wyoming state authorities to denigrate what belongs to present and future generations. **Do what's right!**

Sincerely,



Mary Barreda