



Meeteetse Conservation District

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January 16, 2007

*Rec'd
1-18-07*

Wyoming Environmental Quality Council
Herschler Building
122 W. 25th St., Rm. 1714
Cheyenne, WY 82002.

Re: Petition for Rulemaking, filed by the Powder River Basin Resource Council

Dear EQC:

The Meeteetse Conservation District Board of Supervisors (MCD), representing the citizens that elected it*, hereby further registers its opposition to the cited Petition.

This petition is an unwise attempt to create a statewide "one size fits all" rule in response to a local situation.

This petition should be killed immediately following the January, 2007 hearing.

The MCD presents the following comments which are particularly relevant to your action on this Petition. These comments are similar to some of those filed with the Wyoming DEQ/WQD regarding the Chapter 1, Section 20, Agricultural Use Protection Policy.

These comments are derived from those which were developed at a properly noticed public meeting convened by the Hot Springs Conservation District.

The EQC must follow Wyoming Statute 35-11-302 requiring the State to consider and evaluate the economic impacts of any proposed rule or regulation:

35-11-302. Administrator's authority to recommend standards, rules, regulations or permits.

(a) The administrator, after receiving public comment and after consultation with the advisory board, shall recommend to the director rules, regulations, standards and permit systems to promote the purposes of this act. Such rules, regulations, standards and permit systems shall prescribe:

(vi) In recommending any standards, rules, regulations, or permits, the administrator and advisory board shall consider all the facts and circumstances bearing upon the reasonableness of the pollution involved including:

(A) The character and degree of injury to or interference with the health and well being of the people, animals, wildlife, aquatic life and plant life affected;

(B) The social and economic value of the source of pollution;

(C) The priority of location in the area involved;

(D) The technical practicability and economic reasonableness of reducing or eliminating the source of pollution;

The MCD insists that EQC policy must provide the flexibility to develop and utilize future water resources associated with mineral development, whether or not that development is “traditional” production or “CBM” production.

In the Big Horn Basin, water quality that would be unsuitable for discharge under the proposed Appendix I is currently being discharged by industry and is being used by agriculture.

Regarding EQC’s intent to implement standards and rules and §35-11-302(a)(vi)(B) and (D):

Discharged water is so valuable that agricultural producers file with the State Engineer’s Office in order to obtain adjudicated water rights on the discharged water.

Respectfully submitted for the Meeteetse Conservation District Board of Supervisors,



Steve Jones
Resource Management Coordinator
Meeteetse Conservation District

* FROM: W.S. § 11-16-103 Legislative declarations and policy

(a) It is hereby declared that the farm and grazing lands of Wyoming are among the basic assets of the state; that improper land use practices cause and contribute to serious erosion of these lands by wind and water; that among the consequences which would result from such conditions are the deterioration of soil and its fertility and the silting and sedimentation of stream channels, reservoirs, dams and ditches; that to conserve soil, and soil and water resources, and prevent and control soil erosion, it is necessary that land use practices contributing to soil erosion be discouraged and that appropriate soil conserving land use practices be adopted.

(b) It is hereby declared to be the policy of the legislature to provide for the conservation of the soil, and soil and water resources of this state, and for the control and prevention of soil erosion and for flood prevention for the conservation, development, utilization, and disposal of water, and hereby to stabilize ranching and farming operations, to preserve natural resources, protect the tax base, control floods, prevent impairment of dams and reservoirs, preserve wildlife, protect public lands, and protect and promote the health, safety and general welfare of the people of this state.

The above, being the charge and direction of the Wyoming Legislature for all Conservation Districts within the State of Wyoming, the MCD Board of Supervisors’ responsibility to the cooperators of the District is measurable and accountable by the actions the MCD takes to accomplish the direction given by the Wyoming Legislature. The District Board of Supervisors, an elected body, and a local government, is the local guide to the management of lands within the jurisdiction of the MCD and is accountable to the citizens of the District.