

January 29, 2007

Wyoming Environmental Quality Council
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Terri A. Lorenzon, Director
Environmental Quality Council

Re: CBM Discharge; potential rule modifications

Dear Council Members:


I am responding to articles I've read in several newspapers across the state that have me quite concerned about the potential for changing or enacting new discharge regulations for coaled methane wells in the Powder River Basin.

I understand that some ranchers and landowners are upset with CBM developments that have abused their land. If done improperly and without regard for the surface owner, there certainly are many issues that negatively impact their property. However, this is the exception and not the norm, but as usual; the negative stories are the ones that get all the press. I've spoken to many landowners and, if they own the minerals, I haven't found one that doesn't support CBM development. As I am sure you're aware, the rub comes when the surface owner is not the mineral owner. More often than not, even these landowners have found ways to negotiate Surface Use Agreements that ensure their protection. If agreement between producer and surface owner can't be reached I believe there are ways in place to arbitrate the impasse. Ultimately, does the surface owner have greater rights than the mineral owner? I ask this as I wonder if this new try at modifying discharge parameters is really an attempt to shut down the CBM industry in this basin. Even the administrator of Wyoming's Department of Environmental Quality Water Quality Division, John Wagner, has stated recently in the Billings Gazette, "I don't see how any applicant could submit an application to us that could meet this rule."

Be careful what you wish for, the CBM industry has had some other impacts that aren't so negative. Young people in Sheridan can actually find jobs that pay a living wage. That's been tough on employers in the fast food industry in town, but it's nice to see young people can stay in the community and raise a family. It's been a blessing for funding schools, state highways, parks, etc. with the increased tax revenues. Go cross the border to Montana and you'll see the difference. I'm sure the Governor enjoys the billion dollar surplus also. Last, but certainly not least, CBM development is an energy source that does not depend on a foreign government that may or may not have an axe to grind with the US.

I urge you to cast your lot wisely and not kill the goose that laid a golden egg.

Sincerely,



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