

DONN KESSELHEIM
22 PHEASANT RUN DRIVE
LANDER, WYOMING 82520

February 6, 2007

DEQ/Water Quality Division
Attention: Bill DiRienzo
Herschler Building - 4 West
122 West 25th Street
Cheyenne, WY 82002

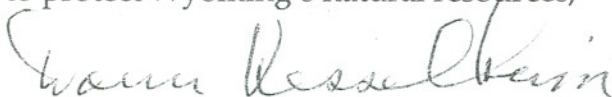
Subject: DEQ Chapter 1 Water Quality Rule Changes

Good morning:

Thank you for the opportunity to comment upon the DEQ's proposed changes to Chapter 1 of the Water Quality Rules and Regulations. I write to request stronger protection, particularly for the ephemeral drainages and bottomland meadows impacted and damaged by CBM discharges. What is needed is a simpler and stronger agricultural protection policy.

- I urge that you include default limits for CBM discharges that do not exceed an EC of 1300 and SAR of 5.
- It is wrong to force low-quality water upon landowners who do not wish to destroy their soil and vegetation.
- Please include protection for all ephemeral drainages and bottomlands, regardless of their size.
- Discharge water should meet irrigation water quality standards at the *point-of-use*, not just at the *end-of-pipe*.
- The burden of proof for demonstrating that the changes proposed by the drilling companies will not harm existing uses, should fall upon industry rather than the rancher/landowner.
- I recommend that you reject a Tier 2 and Tier 3 analysis, requiring instead EC and SAR limits that are widely accepted as providing protection for plants and soils.
- I recommend that you reject the new category of "effluent dependent waters." Accepting this category would simply allow more pollution and damages to our ephemeral drainages.

With sincere appreciation for your intent to protect Wyoming's natural resources,



Donn Kesselheim

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Terri A. Lorenzon, Director
Environmental Quality Council