



**Laramie County Conservation District**

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February 12, 2007

Bill DiRienzo  
Wyoming DEQ/WQD  
Herschler Building, 4 West  
122 West 25<sup>th</sup> Street  
Cheyenne, WY 82002

**FILED**

**FEB 13 2007**

Terri A. Lorenzon, Director  
Environmental Quality Council

Re: Comments to EQC and WWAB concerning Chapter 1, Water Quality Rules & Regulations

Dear Mr. DiRienzo,

The Laramie County Conservation District (LCCD) has been following the triennial review of Chapter 1, Water Quality Rules and Regulations and would like to express our interest in moving these rules forward. We are particularly interested in the revision of the pathogen criteria for recreational use protection including the introduction of the *E. coli* bacteria standard and the designation of secondary contact recreation uses.

It is our understanding that the Water and Waste Advisory Board and the Environmental Quality Council are considering incorporating the "Agricultural Use Protection Policy" as an appendix to Chapter 1. Recent WWAB meetings indicate that there is much public comment and concern regarding this policy and the Council will need to devote an appropriate amount of time to the issue. LCCD recommends that the Council address the Agricultural Use Protection Policy through separate rulemaking and allow the remainder of Chapter 1 to move forward.

**PROPOSED RULES:**

**Page 1 – 23; Section 27, *E. coli* Bacteria, (a) Primary Contact Recreation and (b) Secondary Contact Recreation**

**COMMENTS:** LCCD continues to support the Department's proposal to designate primary and secondary contact recreation uses. We believe that establishing criteria for secondary contact recreation will better represent Wyoming's surface waters and recognize that not all of Wyoming's waters are suitable for primary contact recreation. LCCD also supports reintroducing the recreation season whereby primary contact recreation is a seasonal designation applying to Wyoming waters between May 1 and September 30.

LCCD supports the proposed approach for designating primary and secondary contact recreation uses. Table A currently represents the larger perennial streams located throughout the state that are utilized for primary contact recreation. This default system is a logical method that should allow for the most accurate designations with minimal administrative burden.

**Page 1 – 24; Section 27, *E. coli* Bacteria, (d) Variances**

**COMMENT:** LCCD supports temporary and/or permanent variances to the *E. coli* bacteria standard. We feel this tool could prove to be helpful in addressing water quality issues at a local level.

**IMPLEMENTATION POLICIES:**

**Pages 45 – 50; VII. UAA Procedures for Recreation Designations**

COMMENT: LCCD supports the establishment of UAA procedures for recreation designation on surface waters. We agree with the Department that “the basic concept of recreational use protection is to ensure that surface waters of the state are maintained at a quality that does not pose a significant risk of disease to human populations that may be exposed to them” (page 45, lines 20-22). We also agree that “most of the waterbodies not listed on Table A exhibit intermittent or ephemeral flows and are less likely to provide primary contact recreational opportunity” (page 45, lines 37-39). For these reasons, LCCD supports the UAA process for recreation designation as a means for the most appropriate and reasonable bacteria standards to be applied to the state’s waters.

Thank you again for the opportunity to comment on the proposed rules. If there are questions regarding these comments, please contact Liberty Blain or Jim Cochran at 772-2600.

Sincerely,



Liberty Blain  
Water Specialist  
Laramie County CD