

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

February 12, 2007

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Terri A. Lorenzon, Director
Environmental Quality Council

Re: Comments on proposed revisions to Chapter 1, Section 20 (Agricultural Use Protection Policy)

SENT by FAX: (307) 777-5973 on or before the close of business on February 14, 2007

To the Environmental Quality Council, DEQ/WQD, and Mr. DiRienzo:

The Meeteetse Local Planning Area Advisory Committee (MLPAAC) submits the following comments in accordance with its authority under the "Meeteetse Local Planning Area Land Use Plan and Policy Statement", 1996, and Wyoming statute 35-11-302.

- (1) The MLPAAC is opposed to the revised Section 20 as written.**
- (2) The current revision of Chapter 1 should proceed without further consideration of changes to Section 20.**
- (3) Section 20, as written, will critically restrict the ability to utilize new sources of produced water from coal bed methane and conventional oil and gas production.**
- (4) Section 20 is an overly burdensome attempt to craft a statewide rule based on local problems. Discharged water that would be of marginally acceptable quality elsewhere is so valuable in the Big Horn Basin that agricultural producers file with the State Engineer's Office in order to obtain adjudicated water rights on the discharged water to protect the economic stability gained through the use of that water.**
- (5) Meeting times and venue have burdened and restricted the ability of Wyoming residents to actively participate on a statewide basis. The process used by the EQC has not properly satisfied the requirements of statute in assessing:**
 - (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*
 - (D) The technical practicability and economic reasonableness of reducing or eliminating the source of pollution*

The preceding comments of the MLPAAC are in accordance with its authority under the "Meeteetse Local Planning Area Land Use Plan and Policy Statement", 1996, specifically, GOALS, OBJECTIVES, AND POLICIES:

Natural Resources (Landscape Description).

Policy #1, "The Board of County Commissioners, Planning and Zoning Commission, and MPLA Advisory Committee should encourage local, state, and federal governmental agencies to manage the natural resources in the MPLA for optimal sustained use", and;

Policy #3, "The Board of County Commissioners, Planning and Zoning Commission, and MPLA Advisory Committee should support management of renewable and non-renewable natural resources to provide for the economic well-being, the local custom culture and changing characteristics of the MPLA, as well as, to reduce the dependence on foreign renewable and non-renewable resources."

Water (Production Description).

Policy #1, "The Board of County Commissioners, Planning and Zoning Commission, and MPLA Advisory Committee support the present state law and regulatory system administering the use and ownership of all surface and ground water within the State of Wyoming, and recognize that the protection and development of the MPLA's water resources are essential to MPLA's short and long term economic and cultural viability."

Wyoming State Statute 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; and

(E) The effect upon the environment .

Thank you for your consideration of our comments,



Michael Q. May, Chairman
Meeteetse Local Planning Area Advisory Committee
594 Wood River Road, Meeteetse, WY 82433