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Terri A. Lorenzon, Director
Environmental Quality Council

BIG HORN BASIN LOCAL SAGE GROUSE WORKING GROUP
217 ROAD 6EH, CODY, WY 82414

February 7, 2006

Mr. Mark Gordon
Chairman
Environmental Quality Council
Herschler Building 1W
Cheyenne, Wyoming 82002

RE: Powder River Basin Resource Council Petition For Rulemaking

Dear Mr. Gordon:

The Big Horn Basin Local Sage Grouse Working Group (BHBLSGWG) supports continued surface discharge of conventional oil and gas produced water in the Big Horn Basin of Wyoming, as long as this water is not hazardous to human health and the environment. The BHBLSGWG recognizes the benefit of this produced water for wildlife beneficial uses (including greater sage grouse).

The BHBLSGWG has recognized the need for sufficient water sources in sage grouse habitat. We have determined that encouraging utilization of existing water sources, as well as developing additional water sources, is very important to the continued existence of sage grouse populations in the Big Horn Basin.

Conventional oil field water discharges have historically provided a significant and perennial source of water, for many areas of the Big Horn Basin. This is particularly true for the interior of the basin, where perennial water sources are limited. The interior of the basin is also an area where historical sage grouse populations appear to be in decline. In several drainages, this discharged water is an important source of irrigation for alfalfa and other grassy meadows. These fields and meadows provide an important food source for many populations of sage grouse, particularly in late summer and early fall. This is especially true in the lower Cottonwood and Gooseberry Creek drainages. These discharges also provide ribbons of riparian habitat and significant wetlands, which are beneficial to many species of wildlife and aquatic life.

The BHBLSGWG encourages the Environmental Protection Agency, the Wyoming Department of Environmental Quality, and other affected interests to consider this important sage grouse water source, when setting water quality standards for effluent dependant waters. Water quality standards should be set to protect human health and the environment. However, they should not be set at such strict limits, which will cause the elimination of these important historical water sources and associated uses. Wildlife and agriculture water standards need not be as restrictive as aquatic life or human consumption standards. This was the rationale in originally providing the beneficial use exemption under the Clean Water Act.

The Petition for Rulemaking being advanced by the Powder River Basin Resource Council (PRBRC) may result in elimination of historic surface discharge of produced water from conventional oil and gas fields in the Big Horn Basin. Loss of these historic water supplies will be detrimental to sage grouse and other wildlife in the Big Horn Basin. We urge the EQC to consider these historic, beneficial uses of discharge water in the Bighorn Basin as you decide if, where, and how any new rules are applied.

Sincerely,



Kathleen Jachowski
Chairwoman

Cc: John Corra - WDEQ
John Wagner - WDEQ
Todd Parfitt - WDEQ