

September 24, 2009

Mr. Dennis Boal
Chairman, Environmental Quality Council
122 West 25th Street
Herschler Building, Room 1714
Cheyenne, Wyoming 82002

Attn: Docket # 08-3101

Dear Mr. Boal:

Thank you for this opportunity to comment to the Environmental Quality Council as a private citizen regarding the ongoing evaluation of the Tier-2 Methodology and the recent report by Dr. Hendrickx and Dr. Buchanan. I present the following points for your consideration:

- 1) Despite real or perceived flaws in the current Tier-2 Methodology, the need for an approach that is flexible over time and space statewide is obvious. During testimony in Gillette last year, I stated and still believe that strict numeric standards should not be imposed by the WDEQ when the landscape and needs vary significantly on regional and statewide levels. Some type of initial Tier-2 evaluation and/or ongoing monitoring that allows flexibility by watershed statewide should be the desired result.
- 2) During much of the historical discussion on this topic, as well as the report by Hendrickx and Buchanan, the line between potential impacts to agricultural lands on irrigated land adjacent to the drainage, subirrigated lands within or adjacent to the drainage, as well as the channel itself has been blurred. Clarification is warranted.
- 3) Detailed soil mapping within a drainage is difficult based on the alluvial nature of the landscape as well as other overlying soil forming factors that impact an area over time. Overall large scale soil mapping of a drainage for planning purposes that outline potentially sensitive areas or smaller scale soil mapping for specific evaluation, e.g., spreader dikes, could be warranted. However, I do not believe specialized equipment such as was mentioned by Hendrickx and Buchanan is necessary to do either of the two scaled mapping efforts above; if such equipment was used, a certain amount of pre-mapping would still be necessary.

Thank you again for the opportunity to comment. I trust that these efforts will provide a flexible and reasonable process to move forward with some type of Tier-2 Methodology.

Sincerely,



Dr. Brenda K. Schladweiler
BKS ENVIRONMENTAL ASSOCIATES, INC.