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**Jim Ruby, Executive Secretary
Environmental Quality Council**

Mr. Chairman, members of the Committee, I am Faye Mackey a Campbell County Rancher. I want to thank you for the opportunity to provide comment. I am here to speak, not only for my ranch but for the 581,250 acres and landowners represented here on the map in blue. These are ranchers I have spoken to personally and I am sure there are more that would like their acres included in the sea of blue that is before you that I have not had the opportunity to speak with. These ranchers as well I use our water beneficially for our livestock, wildlife habitat, irrigation and even some domestic water used in areas such as shelter belts around buildings and we are able to work with operators to do so. There is no waste of water here. In several editorials by some uninformed individuals it has been called a by product or waste water from the production of coal bed methane. I can tell you that neither of those words fits my use of this water. This water and my ability to direct its use on my ranch is essential to my current agricultural operation. As you can see the diverse lay of the land and the different soil types represented here need to have site specific ability to have discharge permits according to their operations. I believe the current standards (5000 mg/L TDS, 3000 mg/L sulfate and 2000 mg/L chloride) are adequate protection for agriculture use and I oppose any new effluent limits such as Dr. Raiseback's restrictive recommendations.

There is no "one size fits all" solution. We as ranchers know our soil types. We look at whether we can irrigate on a mister or pivot system and industry has been very helpful in this, testing the soils and taking water samples at different intervals to make sure there is no saturation point to draw up any unwanted alkaline in the soils that are there naturally.

There have been studies by industry in these areas of irrigation that the native grass is approximately 5 times thicker with CBM produced water than without the application of this water. Even after the pivot is gone and moved to a different location the grass will sustain and be thicker there than was before even into the following year. The one ranch in particular that I am talking about has 5 years worth of data to show the beneficial use of the water on a wheel roll system.

I support the Waste Water Advisory Board's recommendation that the current livestock watering standards be included in the Chapter 1 Appendix H rule. Therefore, I request that the EQC amend Chapter 1, Appendix H as follows:

In addition to the basic effluent limitations, the Agricultural Use Protection Policy includes additional limits for livestock protection which may be incorporated into WYPDES permits when there is reason to believe they may be associated with a discharge and will cause a measurable decrease in livestock production, and no livestock watering waiver has been submitted.

Landowners have had the right to waive water quality standards since the 1970's. DEQ and EQC should make every effort to assure that water quality standards do not infringe upon private property rights. Further a livestock watering waiver- An exception to the limits above may be made whenever the background water quality of the receiving water is of poorer quality than the value listed for the associated pollutant, or a landowner or

livestock producer provides written statement accepting the potential risk to his livestock and NO Other landowner or livestock producer who is reasonably expected to have a direct flow from the discharge submits a WRITTEN objection providing evidence demonstrating probable harm to his livestock.

The flow of produced water that meets livestock watering standards supplement the surface water supply, making good water available to livestock and wildlife in areas that seldom have flow. This allows livestock and wildlife to disperse across the range, decreasing overgrazing, improves the condition of riparian areas, and increases wildlife populations.

There has been in the past overwhelming evidence brought before the EQC that the produced water from CBM has had a positive impact on the livestock industry. We are asking you to support the WWAB recommendation that the only current livestock watering standards be included in the Chapter 1, Appendix H rule.

Thank you very much for taking the time to listen to one of the silent majority.

