

ENCOURAGING RESPONSIBLE DEVELOPMENT TODAY ~ FOR TOMORROW

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Wyoming Environmental Quality Council  
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Herschler Building, Room 1714  
Cheyenne, WY 82002

email transmission to: [kwarin@wyo.gov](mailto:kwarin@wyo.gov)

RE: Docket 08-3101 – Chapter 1 Proposed Ag Protection Policy

Dear Council Members:

We thank you again for your time and for the opportunity to submit these comments. We are in agreement with the reports filed by Dr. Hendrickx and Dr. Buchanan and believe they point out many of the same flaws and concerns with the DEQ's "Ag Protection Policy" that have been voiced to your Council by the University of Wyoming professors. We know you are also aware of the serious issues raised by the EPA regarding the DEQ's proposed rule and their current policy. The EPA comments are clear that the policy/rule is not in compliance with Wyoming Water Quality Standards or with the Clean Water Act.

As we have stated in the past, the DEQ's "Ag Protection Policy" is in reality a rationale for permitting high levels of pollution and allowing destruction of existing Wyoming agricultural uses. The current use of this policy by DEQ, as documented in the Hendrickx and Buchanan reports, is resulting in damage to soil and vegetation and direct losses to agricultural production.

As you also know, the DEQ continues to operate under this scientifically invalid policy, and is permitting the discharge of pollution that has damaged, and will continue to damage, crop and livestock production. We would appreciate knowing what the Council can do to: 1) stop the DEQ from continuing to issue new permits under the scientifically invalid Ag Protection Policy and 2) require DEQ to reopen and correct the 170 existing permits that DEQ has already issued using this scientifically invalid methodology.

Thank you for your response and actions.

With Best Regards,

A handwritten signature in black ink, appearing to read "R. LeResche". The signature is written in a cursive style and is followed by a horizontal line.

Robert LeResche, PhD  
Chair, Powder River Basin Resource Council