Wyoming
DEPARTMENT OF Agriculture

Dave Freudenthal, *Governor*
Jason Fearneyhough, *Director*
2219 Carey Ave. • Cheyenne, WY 82002
Phone: (307) 777-7321 • Fax: (307) 777-6593
Web: agriculture.wy.gov • Email: wda1@state.wy.us

The Wyoming Department of Agriculture is dedicated to the promotion and enhancement of Wyoming's agriculture, natural resources and quality of life.

February 15, 2010

Mr. Richard Thorpe
Wyoming Department of Environmental Quality
Herschler Building, 4th Floor
Cheyenne, WY 82002

Dear Mr. Thorpe:

Following are the comments from the Wyoming Department of Agriculture (WDA) on Wyoming Department of Environmental Quality's (DEQ) Water Quality Assessment and Impaired Waters List; 2010 Integrated 305(b) and 303(d) Report (Report).

Our comments are specific to our mission within state government: dedication to the promotion and enhancement of Wyoming's agriculture, natural resources, and quality of life. As this proposal will have major impacts upon our agriculture industry, our natural resources and the welfare of our citizens, we believe it is important you continue to inform us of proposed actions and decisions and provide us the opportunity to express pertinent issues and concerns.

The WDA would like to commend the DEQ for developing a comprehensive and much improved Report. The WDA works closely with the Wyoming Association of Conservation Districts (WACD) as well as the local conservation districts across the state by funding their efforts with water quality grants to develop educational workshops, sample and analyze data, implementation of Best Management Practices and development of Watershed Implementation Plans.

We believe the WACD has the most comprehensive set of comments regarding the Report. The local conservation districts may also have provided their own comment letters. We strongly encourage the DEQ work closely with WACD and local conservation districts and consider their comments as accurate and complete.

The WDA has the following comments in addition to supporting WACD's comments.

DEQ provides the following statement on page 29 under Dry Creek Sub-basin: "*Land uses in the Dry Creek Sub-basin are primarily livestock grazing, recreation, and oil and gas development. Much of this sub-basin has high sedimentation rates due to erodible soils and historic livestock grazing (RP0 1979).*" We are concerned the DEQ is using 30-year-old data, which may no longer be valid or accurate. Many landowners have worked diligently to improve riparian areas by constructing fences, providing additional water in upland areas and revised their grazing management plans to reduce overutilization of riparian areas as well as soil erosion near streams. We encourage DEQ work closely with Washakie County Conservation District to refine this generalized statement.

Additionally, DEQ states the following: "*As with other areas of the Bighorn Basin, upland vegetation is dominated by non-native blue grama. These exotic plant communities often result in higher peak flows and reduces base flows...*" The WDA would like to reemphasize WACD's

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comment stating that blue grama *Bouteloua* gracilis is a native of Wyoming and the Bighorn Basin. WDA would encourage DEQ to revise the statement based on consultation with Natural Resources Conservation Service in the Bighorn Basin area by using Ecological Site Descriptions or "ESD's" for clarification.

Page 56 under Middle North Platte Sub-basin provides background information regarding the elevated selenium levels and selenium loading of the North Platte and other local waters in the area due to irrigated agriculture. Selenium is a mineral found naturally in soils and streams throughout the area. We are concerned DEQ is stating irrigation water and agriculture is a point source in this instance. Furthermore, we have a similar concern found on page 84 where DEQ conveys irrigated agriculture as a point source for sediment, phosphate and selenium in Figure 9.2. However, page 11 states *"Unlike point source pollution, which can be traced back to a single defined source, nonpoint source pollution is caused by surface water runoff diffuse in nature and often widespread, making it difficult to assess the source of the problem."* If nonpoint source is among the list DEQ provides, including urban development, construction, agriculture, recreation, silviculture and mineral exploration, we do not support irrigated agriculture reported and conveyed separately as a "point source."

Again, we would like to thank DEQ for their efforts in compiling the Report. We appreciate the opportunity to comment and urge DEQ to consider our comments as well as those from WACD and the local conservation districts.

Sincerely,

Jason Fearneyhough

Jason Fearneyhough
Director

JF/jw

Cc: Governor's Planning Office
Wyoming Stock Growers Association
Wyoming Wool Growers Association
Rocky Mountain Farmers Union
Wyoming Association of Conservation Districts
Wyoming Farm Bureau Federation
Wyoming State Grazing Board
Wyoming Game and Fish Department