

**POWDER RIVER BASIN RESOURCE COUNCIL
PRESS RELEASE**

May 8, 2006

For Immediate Release

AG PROTECTION POLICY SHOULD PROTECT AG

Powder River condemns 'attempt to blackmail' landowners

Wyoming environmental regulators missed their target in a proposed policy to protect farm and ranch lands against damage from coalbed methane discharge water, the Powder River Basin Resource Council declared in commenting on the proposal.

The Sheridan-based landowners' group also blasted the Department of Environmental Quality's plan "to selectively grant protections only to those landowners who provide access to their private property under DEQ's terms" in comments signed by Powder River board Chair Bob LeResche.

DEQ's Water Quality Division proposed the policy to carry out environmental protection laws aimed at maintaining the productivity of Wyoming's drainages, pastures and other lands. Powder River faulted the draft policy for taking a complicated approach that fails to achieve that objective.

"We find the latest DEQ proposed policy to be excessively convoluted, to miss the mark and to fail to provide the protections for agricultural uses that are required," LeResche said. "CBM discharge water has proved to be a nuisance by rendering the waters of the state harmful to agriculture, has impacted the beneficial uses of that water to agriculture and livestock and has both degraded that water for its intended use and adversely affected the environment."

Powder River's comments also rejected DEQ's suggestion that protections be limited to large swaths of pasture and forage areas. "Families who...have good forage that is either less than 20 contiguous acres or less than 50 feet wide can certainly suffer significant and measurable impacts," LeResche said. "This is analogous to government saying that if you have a home worth less than \$100,000 and it is damaged, you have suffered no measurable impact."

Finally, LeResche said, DEQ should not force landowners to bow to its demands before the department agrees to do its job.

"We strongly object to DEQ's proposal to selectively grant protections only to those landowners who provide access to their private property under DEQ's terms," LeResche said. "DEQ must provide protections equally... The burden of proof lies with the discharger. This attempt to blackmail Wyoming's ranchers and other landowners into ceding legal rights as a condition of receiving protection granted their lands in federal and state law does not reflect well on the department."

