

# Wyoming Department of Agriculture

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Dave Freudenthal, Governor  
Jason Fearneyhough, Director

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

May 11, 2009

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
Washington, D.C. 20426

Dear Ms. Bose:

Following are the comments from the Wyoming Department of Agriculture (WDA) on the Notice of Intent to Prepare an Environmental Assessment for the proposed Loop Expansion Project (project) in Uinta and Sweetwater Counties, Wyoming, Docket Number PF09-6-000.

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 has 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 understands Wyoming's role in supplying the nation with natural gas. The proposed project only consists of 43 miles of pipeline, but ultimately it is also 833 acres of surface disturbance to land important to forage production for livestock and wildlife. We will offer our comments in support of the project, but strongly encourage Questar Overthrust Pipeline Company (Overthrust) create a transparent and financially acceptable agreement regarding the easements and surface disturbance on the private and public lands which the livestock producers use for their livelihoods.

The approval of this project by the Federal Energy Regulatory Commission (FERC) creates the right of eminent domain with the 43 miles or 833 acres of land on which this project is relying on. The private landowners and grazing permittees each have varied experiences in handling agreements of this nature. We are strongly opposed to Overthrust representatives abusing the right of eminent domain to provide an unacceptable agreement with the landowners and permittees impacted by this project.

We urge the pipeline company representatives who negotiate with these landowners and permittees to create a transparent, uniform contract for all landowners and permittees. This contract will include appropriate financial compensation, possible mitigation from loss of grazing as well as ensuring timely and successful reclamation using a native seed mixture appropriate for the soil and precipitation of the area. Successful reclamation will include not only reestablishment of native vegetation, but also the control and eradication of all invasive and noxious weeds. Additionally, the contract must include all other possible negative impacts, such as fence and gate repairs. It is unacceptable for landowners or permittees to accept burden or responsibility for the damage created by Overthrust.

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We thank FERC for the opportunity to comment on this project. Again, we support the proposed project and look forward to reviewing and commenting on the future Environmental Assessment.

Sincerely,



Jason Fearneyhough  
Acting Director

JF/jw

Cc: Governor's Planning Office  
WDA Board of Agriculture  
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  
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