Wyoming
DEPARTMENT OF Agriculture

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

April 12, 2010

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, NE, Room 1A
Washington, D.C. 20426

Dear Ms. Bose:

Following are the comments from the Wyoming Department of Agriculture (WDA) on the Amended Notice of Intent to Prepare an Environmental Assessment for the proposed Loop Expansion Project (project) in Uinta and Sweetwater Counties, Wyoming, Docket Number CP10-3-000.

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 formally commented on the original Notice of Intent to Prepare an Environmental Assessment on May 11, 2009. We wish to include our original comments and believe our concerns remain pertinent regarding the inevitable impacts of the project to the agriculture industry.

We understand 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. 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.

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We urge the pipeline company representatives who negotiate with these landowners and permittees; create a transparent, uniform contract. 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.

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

Sincerely,

Jeanne Stevenson

for Jason Fearneyhough
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
Wyoming Game and Fish Department