



# Midwestern Gas Transmission Company

A Northern Border Partners, L.P. Company

December 7, 2004

UPS Tracking No. 1Z 631 242 37 1002 107 5

Green Acres Farm  
c/o Daniel Strimer  
1407 Calvin Avenue  
Nashville, Tennessee 37206

RE: November 8, 2004 letter to Jim Ehlers, Project Supervisor - Right-of-Way

Dear Mr. Strimer:

Midwestern Gas Transmission Company (MGT) is in receipt of your November 8, 2004 letter to Mr. Jim Ehlers that identifies your specific concerns regarding the proposed MGT Eastern Extension Project (Attachment 1). In addition, we found it beneficial to discuss these topics with you during our initial landowner meeting held on November 15, 2004 in Portland, Tennessee.

Below, we have listed each of the items from your November 8, 2004 letter, and provided an individual response for each:

1. "The changes you propose to make on my land and the land immediately adjacent to me and downwind would most likely prove fatal to the continuance of my community enterprise."

Comment: Very preliminary project routing showed the project route on southern end of your property. The current project alignment places the pipeline more than 1,000 feet south of your nearest property line. MGT welcomes the opportunity to further discuss this project with you and/or your certifying agent.

2. "I refer you now to my specific concerns about the land for which I found no remedy in any literature on the FERC website or your own information:"

a. "Organic Certification Standards from 7CFR Part 205 National Organic Program (NOP) Final Rule"

Comment: Based upon conversations with a Certification Coordinator with Quality Certification Services, MGT understands that you are required to notify adjacent landowners of your farm's organic certification status. Further, MGT should provide to you a written list of activities that we plan to perform that could potentially impact the certification status of your farm.

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Should this project proceed as currently proposed, MGT would not be an adjacent landowner, but could be an easement holder on an adjacent property. MGT would adhere to the FERC's (Federal Energy Regulatory Commission) Upland Erosion Control Revegetation and Maintenance Plan, and Wetland and Waterbody Construction and Mitigation Procedures, as approved for this project, to minimize construction disturbance and restore the right-of-way after construction.

b. "205.670 Section E. Inspection and testing pesticide residues or environmental contaminants, seed fungicides (etc.)"

Comment: MGT does not use pesticides or herbicides as a part of construction or routine right-of-way (ROW) management practices. MGT does periodically mow the ROW (approximately every three years). Herbicides and pesticides may be used at permanent above ground facilities such as compressor stations, mainline valves, and measurement stations; however, no permanent above ground facilities where these materials could be used are currently proposed adjacent to your property. Herbicides may also be used as required by agencies to control nuisance or exotic plants during post-construction wetland restoration in accordance with applicable regulations including use of a licensed applicator. If reseeding is required adjacent to your property, MGT will consult with you and your certifying agent regarding such activities.

c. "205.671 Exclusion from organic sale"

Comment: Section 205.671 states that "when residue testing detects prohibited substances at levels that are greater than 5 percent of the Environmental Protection Agency's tolerance for the specific residue detected...the product must not be sold, labeled, or represented as organically produced..." MGT's proposed construction and maintenance practices should not result in any prohibited substances appearing as residue on your products.

d. "205.202 Land requirements (c) buffer zones"

Comment: Section 205.202( c) states that "Any field or farm parcel from which harvested crops are intended to be sold, labeled, or represented as "organic," must: Have distinct, defined boundaries and buffer zones such as runoff diversions to prevent the unintended application of a prohibited substance to the crop or contact with a prohibited substance applied to adjoining land that is not under organic management.

MGT understands that the Green Acres Farm has established a 25-foot buffer zone around the property in accordance with the above regulation. MGT is not aware of any prohibited substances that would be used during construction, restoration, or operation of the proposed pipeline. As the currently proposed pipeline is more than 1,000 feet south of your nearest property line, MGT is

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unaware of any construction, restoration, or operational activities that would impact the organic certification of Green Acres Farm.

e. "205.203 Soil fertility and crop nutrient management practice standard"

Comment: Section 205.203(c) appears to be the only part of section 205.203 that is referred to in your letter. Section (c) states "The producer must manage plant and animal materials to maintain or improve soil organic matter content in a manner that does not contribute to contamination of crops, soil, or water by plant nutrients, pathogenic organisms, heavy metals, or residues of prohibited substances....."

MGT is not aware of any potential soil, crop, or water contamination that would affect Green Acres Farm resulting from pipeline construction, restoration or operational activities.

f. "205.400 General Requirements for Certification (1) application including drift of prohibited substances to any field"

Comment: Section 205.400 (f)(1) states "Immediately notify the certifying agent concerning any: Application, including drift, of a prohibited substance to any field, production unit, site, facility, livestock, or product that is part of an operation..."

MGT understands that you are obliged to inform your certifying agent of our proposed construction activities. Based on the current project location and MGT's conversations with a Certification Coordinator with Quality Certification Services, MGT does not believe it would impact the Green Acres Farm. Further, MGT welcomes the opportunity to discuss our proposed project with you and your certifying agent.

3. This is year 6 of my 10 year plan which was to be a fully established live-in organic neighborhood suburban farm, centered in the new community your pipeline will interrupt.

Comment: MGT does not believe the proposed pipeline would impact current or future farming operations at the Green Acres Farm.

4. I am afraid I can't see any way we can coexist on this land. I have other concerns, but will discuss them in person with your representatives on Monday, November 15 in Portland.

Comment: MGT does not believe the proposed pipeline would impact current or future farming operations at the Green Acres Farm.



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Attempts to contact you and your referenced Tennessee Land Stewardship Association by telephone have gone unanswered. MGT welcomes the opportunity to further discuss this project with you and/or your certifying agent. Should you have any additional questions or comments, please feel free to contact Jim Ehlers at 877/450-3206 or me at 402/492-7464.

Sincerely,

A handwritten signature in black ink that reads "Jay Muschenheim". The signature is written in a cursive style and is positioned above the typed name.

Jay Muschenheim  
Environmental Specialist to  
Northern Plains Natural Gas, Operator  
Midwestern Gas Transmission Company

Attachment:

CC: Mr. David Gallo - FERC

Quality Certification Service  
P.O. Box 12311  
Gainesville, FL 32604  
Attn: Juan Carlos Rodriguez – Certification Coordinator

Tennessee Land Stewardship Association  
P.O. Box 9  
Ardmore, TN 38449-0009  
Attn: Certification Coordinator

Attachment

## **Green Acres Farm**

1384 Fowler Ford Road  
Portland, TN 37148 (615) 228-8637  
GreenAcresFarm.com

November 8, 2004

c/o Daniel Strimer  
1407 Calvin Avenue  
Nashville, TN 37206

Midwestern Gas Transmission Company  
Jim Ehlers  
156 North Water Street, Suite 4  
Gallatin, TN 37066

Dear Sir:

I am in receipt of your letter regarding the proposed project to extend Midwestern Gas Transmission Company's (MGT) interstate pipeline system.

If your pipeline goes through my land at 1384 Fowler Ford Road, Portland, Tennessee it will essentially destroy my certified organic vegetable farm known as Green Acres Farm that has been in operation since 1998. For authentication of this claim you may refer to:

- (1) The Tennessean newspaper, page 1 Section D, Living and Food, article entitled The Good Earth, Monday, August 6, 2001
- (2) The New York Times, Sunday, October 24, 1999, page 18 Section A, paragraph 14
- (3) a petition of 1000 signatures of customers and supporters gathered in 72 hours since receiving your letter
- (4) my website; GreenAcresFarm.com which will give you an overview of my operation including the mission statement.

The changes you propose to make on my land and the land immediately adjacent to me and downwind would most likely prove fatal to the continuance of my community enterprise.

I refer you now to my specific concerns about the land for which I found no remedy in any literature on the FERC website or your own information:

I. Organic Certification Standards from 7 CFR Part 205 National Organic Program (NOP) Final Rule

205.670 Section E. Inspection and testing pesticide residues or environmental contaminants, seed fungicides (etc.)

205.671 Exclusion from organic sale

205.202 Land requirements (c) buffer zones

205.203 Soil fertility and crop nutrient management practice standard

205.400 General Requirements for Certification (1) application including drift of prohibited substances to any field

further refer you to my certifying agent:

II. Quality Certification Services (QCS) Guidance Handbook

4.0 Farm Requirements

4.1 Land Requirements (c) have distinct buffer zones

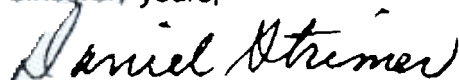
This is year 6 of my 10 year plan which was to be a fully established live-in organic neighborhood suburban farm, centered in the new community your pipeline will interrupt.

I am afraid I can't see any way we can coexist on this land. I have other concerns, but will discuss them in person with your representatives on Monday, November 15 in Portland.

Please visit my website and gain a little perspective on what I stand to lose in this process.

Thank you for your time and consideration.

Sincerely yours,

A handwritten signature in black ink that reads "Daniel Strimer". The signature is written in a cursive, flowing style.

Daniel Strimer

Owner/Operator of Green Acres Farm