AGRICULTURAL IMPACT STATEMENT


DATCP File Photo

DATCP #4594

Alma to Blair Transmission Line Project

Buffalo and Trempealeau Counties

PSC Docket ID 1515-CE-103

WISCONSIN DEPARTMENT OF AGRICULTURE, TRADE AND CONSUMER PROTECTION

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Alma to Blair Transmission Line Project

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WISCONSIN DEPARTMENT OF AGRICULTURE, TRADE AND CONSUMER PROTECTION

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MISSION STATEMENT

Dear Reader,

Through the Agricultural Impact Statement ("AIS") program, agricultural operations have the opportunity to provide feedback, document impacts, and suggest alternative solutions when their agricultural lands are affected by an entity with the potential powers of eminent domain. The AIS program also provides affected agricultural landowners time to gather information to make well-informed decisions before a study begins. Lastly, the AIS program makes suggestions and recommendations to study initiators to promote study alternatives and management practices that would reduce potential impacts to agricultural lands and operations.

The AIS program also serves the needs of the study initiator by conducting the AIS analysis and publishing the statement within a timely manner as required by Wis. Stat. § 32.035. In addition, the AIS program provides a continuing presence throughout study development and oversight processes in order to support agricultural operations and the statewide priority to preserve prime farmland.

The Agricultural Impact Statement program and the WI Department of Agriculture, Trade and Consumer Protection are honored to provide this essential state service to the agricultural landowners and operators of the state.

Thank you,

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ACRONYMS

AEA	Agricultural Enterprise Area
AIN	Agricultural Impact Notification
AIS	Agricultural Impact Statement
CPCN	Certificate of Public Convenience and Necessity
CREP	Conservation Reserve and Enhancement Program
CRP	Conservation Reserve Program
DATCP	Department of Agriculture, Trade, and Consumer Protection
EA	Environmental Assessment
EIS	Environmental Impact Statement
FP	Farmland Preservation Program
FSA	Farm Service Agency
IAM	Independent Agricultural Monitor
IEM	Independent Environmental Monitor
kV	Kilovolt
MFL	Managed Forest Law
NEV	Neutral to Earth Voltage
PSC	Public Service Commission of Wisconsin
ROW	Right-of-Way
USDA	U.S. Department of Agriculture
WisDNR	Wisconsin Department of Natural Resources

TERMS

CIRCUIT	A continuous electrical path along which electricity can flow from a source, like a power plant, to where it is used, like a home. A typical transmission circuit consists of three phases, with each phase on a separate set of conductors.
CONDUCTOR	A wire composed of multiple aluminum strands wrapped around a steel core that together carry electricity. A transmission line is constructed with three conductors, one for each phase of the circuit generated by a power plant.
DOUBLE-CIRCUIT	Electric lines with two sets of three conductors, totaling six conductors on one structure. These two circuits are independent of one another.
DISTRIBUTION LINE	An interconnected group of lines and equipment for the delivery of low voltage electricity between the transmission network and end users (i.e. home/business)
KILOVOLT (kV)	A unit of electricity equal to 1,000 volts.
LAYDOWN YARD	Temporary equipment staging and storage areas.
SINGLE-CIRCUIT	Electric lines with one set of three conductors.
TRANSMISSION LINE	An interconnected group of lines and equipment for transporting electric energy on a high voltage power line between power plants and substations.

SUMMARY OF AGRICULTURAL IMPACT STATEMENT

The Wisconsin Department of Agriculture, Trade and Consumer Protection (the Department) has prepared Agricultural Impact Statement (AIS) #4594 for the construction of a new 345-kV electric transmission line in Buffalo and Trempealeau Counties, WI ("the Project") by the Dairyland Power Cooperative ("Dairyland") (Figure 1). Dairyland has indicated the primary needs for the Project is to add transmission capacity within the region, improving reliability for customers and increasing resiliency of the grid now and in the future to improve access to lower cost renewable energy sources (Dairyland, 2024; DATCP, 2024a). Dairyland hosts a website for the Project, which can be found here: https://www.dairylandpower.com/alma-blair-transmission-project.

The Project is part of a series of regional projects that the Mid-Continent Independent System Operator (MISO) is developing alongside energy companies throughout the Upper Midwest to identify new transmission projects that can be built to manage a new energy system called Long Range Transmission Planning (LRTP). The Project is also known as LRTP-4 and is part of Tranche 1 in the series. More information about LRTP and MISO can be found at https://www.misoenergy.org/planning/long-range-transmission-planning/.

Dairyland has proposed two route alternatives for the Project, a preferred route and an alternative route. Both route alternatives generally follow existing Dairyland transmission lines (Figure 1). Despite efforts to reduce new ROW acquisitions, Dairyland proposes to impact 558.28 and 791.43 acres of agricultural lands from up to 181 agricultural landowners, depending on the selected alternative and excluding staging areas.

The Public Service Commission of Wisconsin (PSC) has authority over the Project and Dairyland must obtain a Certificate of Public Convenience and Necessity (CPCN) to obtain the right to proceed with the Project. Through the issuance of a CPCN, the PSC would select the project route and other project criteria Dairyland shall follow. As of July 1, 2024, Dairyland has submitted a CPCN application (REF # 507067) for the Project to the PSC under PSC Docket ID: 1515-CE-103 and is awaiting a ruling from the PSC. The Department will provide the PSC with AIS #4594 as evidence to aid in determining the outcome of Dairyland's CPCN application.

In accordance with Wis. Stat. §32.035(3), Dairyland has provided the Department with the necessary information and materials to conduct an AIS. The Department has also contacted the agricultural property owners and operators impacted by the alternative routes. In accordance with Wis. Stat. §32.035(4)(b), the Department has reviewed and analyzed Dairyland's materials and the comments obtained by the Department from the affected agricultural property owners and operators to assess the agricultural impacts of the proposed project. Through the AIS analysis, the Department offers a set of recommendations and conclusions to the PSC, Dairyland and the agricultural landowners and operators to help mitigate current and future impacts on agricultural lands and agricultural operations along the selected route.

The set of recommendations are located within the AIS Recommendation Section beginning on page 9. The AIS analysis begins on page 12 with information on the project located in Section 2. Information and conclusions on the agricultural setting of Buffalo and Trempealeau Counties and impacted areas can be found in Section 3. The agricultural impacts of the project on the impacted land, landowners and operators can be found in Section 4. Appendices for AIS #4594 contain the following information: additional project figures and tables (Appendix A), information on the appraisal and compensation process (Appendix B), a complete record of comments submitted to the Department from agricultural landowners & operators (Appendix C), a copy of Wisconsin's agricultural impact statement statute (Appendix D), various additional sources of related information for agricultural landowners and operators (Appendix E) and a copy of the Department's agricultural monitoring form for transmission line projects.

If Dairyland deviates from the proposed route segments, alternatives or the selected sites, Dairyland shall re-notify the Department. The Department shall review the re-notification for new potential impacts to agricultural lands and may generate an addendum to this AIS, if warranted.

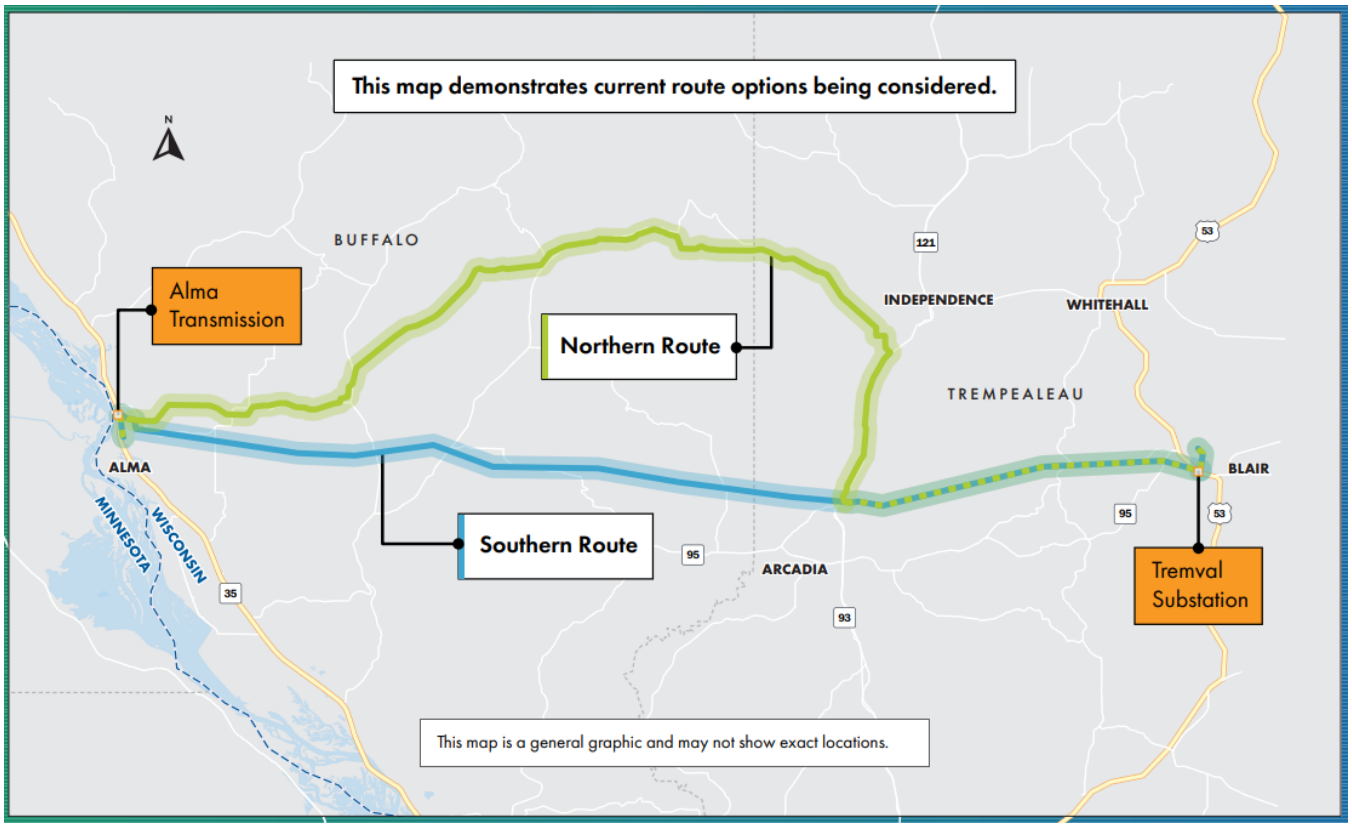

Figure 1: Location of the northern and southern routes for the Dairyland Transmission Line (Dairyland, 2024b).

AGRICULTURAL IMPACT STATEMENT RECOMMENDATIONS

The Wisconsin Department of Agriculture, Trade and Consumer Protection (the Department) has reviewed and analyzed the materials provided by Dairyland and comments from the affected agricultural property owners and operators regarding the proposed Alma to Blair Transmission Line Project. Should the PSC approve the Project, the Department provides the following recommendations, in accordance with Wis. Stat. §32.035(4)(b), to the PSC, Dairyland and agricultural landowners and operators to help mitigate impacts on agricultural lands and agricultural operations.

Recommendations to the Public Service Commission

1) Of the two routes proposed by Dairyland, the Department recommends PSC to consider approving Dairyland's Southern Route based on its significantly lower agricultural impacts on MFLs, its lower volume of farmland being taken out of farmland preservation programs, and overall total agricultural land acreage impacted compared to the Northern Route. Further analysis on this recommendation is based on is provided in Section 3 and 4 of the AIS.

2) If approved by the PSC, the Department recommends Dairyland be required to hire an Independent Environmental Monitor (IEM) or an Independent Agricultural Monitor (IAM) for the duration of the construction of Project. The IEM/IAM should be hired in consultation with and the approval of the PSC, DATCP, and WisDNR and all reports generated by IEM/IAM should be shared with the PSC, DATCP, and WisDNR.

3) Should the PSC decide to require an IEM/IAM, the IEM/IAM should be hired in consultation with and the approval of the PSC, DATCP, and WisDNR and all reports generated by IEM/IAM should be shared with the PSC, DATCP, and WisDNR.

Recommendations to Dairyland

Dairyland has reviewed the Department's recommendations to Dairyland and Dairyland has voluntarily agreed to follow each recommendation. A record of Dairyland's responses are provided in Appendix G.

1) The Department recommends Dairyland follow all the additional recommended mitigation efforts described in Section 5.5.1 through Section 5.5.17 to mitigate Project impacts to or regarding: topsoil, soil compaction, drainage, de-watering, irrigation, erosion, temporary access roads, managed forest lands, fencing, weed control, construction debris, crop rotation & dairy operations, organic farms & other areas with certifications, biosecurity, construction noise, and stray voltage.

2) Dairyland should continue to monitor the Project ROW for soil erosion and maintain erosion control practices until there is sufficient vegetative growth in the ROW to mitigate soil erosion.

3) Dairyland should provide agricultural landowners and operators advanced notice of acquisition and construction schedules so agricultural activities can be adjusted accordingly.

4) Dairyland should provide landowners with direct phone numbers and email addresses to Dairyland project staff and project contractors that are able to respond to a range of topics including but not limited to: environmental & agricultural impacts, land acquisition & ROW, project schedule, access limitations, compensation for release of lands from conservation programming and project complaints.

5) If there is adequate growing season for a crop to mature and be harvested after Dairyland has an interest in the impacted lands, but before construction along the Project corridor begins, Dairyland should allow the current agricultural operators to harvest a crop for that season.

6) Dairyland should consult with the affected agricultural landowners and operators to ensure any relocated, temporary or newly established agricultural land access points are located in areas that provide safe and efficient access to remnant agricultural properties.

7) Dairyland should provide appropriate compensation to all landowners with land enrolled in a conservation easement or farm program if the landowner must reimburse the administering agency for the land's removal or alteration. These conservation or farm programs could include, but are not limited to, Conservation Reserve Program (CRP), Conservation Reserve and Enhancement Program (CREP), Farmland Preservation Program (FP), or MFL.

8) Dairyland should consult the Department as soon as a route is selected affording as much time as possible prior to construction regarding the status of effective agreements within the project corridor and for information regarding required releases of land and repayment of funds for any CREP or FP agreements within the chosen project corridor.

9) Dairyland should provide the Buffalo County Land Conservation Department with selected route information affecting the Montana Society for Responsible Land Use AEA when available. Dairyland should provide the Trempealeau County Land Conservation Department with selected route information affecting the Farming for the Future AEA when available.

10) Dairyland is advised to consult the applicable County Land Conservation Department on the existence of installed SWRM conservation practices within the Project area.

11) Dairyland should implement training for all construction supervisors, inspectors, and crews to ensure that they understand the steps needed to protect the integrity of agricultural lands and operations during project construction and restoration.

Recommendations to Agricultural Landowners and Operators

1) Agricultural landowners and operators should review Wis. Stat. §182.017 (i.e. the Landowner Bill of Rights) seen in Appendix D (V) to understand their rights prior to the start of easement negotiations.

2) Landowners should review the recommended mitigation efforts described in Section 5.5.1 through Section 5.5.17 to mitigate project impacts to or regarding: topsoil, soil compaction, drainage, de-watering, irrigation, erosion, temporary access roads, managed forest lands, fencing, weed control, construction debris, crop rotation & dairy operations, organic farms & other areas with certifications, biosecurity, construction noise, and stray voltage.

3) The construction of a new transmission line is a non-conforming land use on lands subject to an effective farmland preservation agreement according to Wis. Stat. § 91.62(1)(c). Agricultural lands covered by an effective FP agreement, where a non-conforming land use is planned, are required to release the affected lands prior to the initiation of the non-conforming land use. Landowners should contact the Department to release affected agricultural lands from an FP agreement.

4) Landowners should consider potential implication of the proposed route to their MFL enrolled lands. Impacted landowners should reach out to their local DNR Tax Law Forestry Specialist and discuss the implication of the route to their MFL enrolled lands.

5) Agricultural landowners have the authority under Wis. Stat. § 182.017(7)(d)) to allow or deny herbicide applications within the ROW they own and agricultural landowners should provide written consent or written lack of consent to Dairyland regarding herbicide applications.

6) Landowners with conservation easements within the ROW should consult with the conservation program provider to determine if any effects will occur due to the land's alteration or removal from the contract. If the landowner is charged a fee for removing or altering the land within the conservation easement, the landowners should contact the Dairyland staff member, as designated by Dairyland, responsible for handling compensation for release of lands from conservation programs.

7) Landowners who are aware of any SWRM cost-shared practices on their farm within the proposed Project area should consult with the County Land Conservation Department to determine 1) the compatibility of the proposed ROW easement with the existing conservation practice and 2) if any effects will occur due to alteration of a practice during construction activities.

8) Landowners concerned about potential impacts to their agricultural land should keep records of the conditions of the ROW before, during, and after construction, including field moisture conditions, historic presence/absence of ponded water prior to the start of construction for post-construction comparisons, crop yield records and photographs taken every season.

9) Landowners should inform Dairyland about the existence and location of drainage systems or planned drainage systems that could be affected by the Project.

10) Landowners with organic certification or other certifications should contact Dairyland and report the range and type of substances that are and are not permitted according to their certifications.

11) Agricultural landowners and beekeepers should consider using the free online DriftWatch™ and BeeCheck™ registries, operated by FieldWatch™ to communicate areas containing specialty crops or beehives with pesticide applicators, in order to minimize the risk of accidental exposure. For more information on DriftWatch, please visit the DATCP DriftWatch website at the provided link or at https://wi.driftwatch.org/.

12) Landowners who wish to farm within the deforested area should discuss tree stump removal with Dairyland during the easement negotiation process.

13) Landowners should inform Dairyland if they use aerial planting or aerial spraying.

14) Livestock owners & operators within the Project ROW who are concerned about the noise potential for the Project should inform Dairyland or their representatives during the easement negotiation process.

15) Confined animal feeding operations or any operation with livestock facilities in the vicinity of the proposed power line should request pre- and post-transmission line energization NEV testing from Dairyland, the PSC, or their utility provider.

16) Landowners should fully describe and discuss property improvements and agricultural operations with appraisers so the appropriate value of the affected property is established.

17) Prior to the start of construction, landowners should identify for Dairyland where construction activities may interfere with farm operations, farm building/facilities or farming infrastructure including but not limited to drain tiles, wells, watering systems, drainage ditches, drainage tile, culverts, fencing, farm access roads, or grain bins.

18) Affected farmland owners should inform the tenant agricultural operators if Dairyland has made a jurisdictional offer, under the power of eminent domain.

19) After construction is complete, landowners and Dairyland should monitor for drainage problems. If problems are observed that can be attributed to construction, the landowner and Dairyland should work together to develop a mutually agreeable solution.

AGRICULTURAL IMPACT STATEMENT

1. INTRODUCTION

The Wisconsin Department of Agriculture, Trade and Consumer Protection (the Department) has prepared Agricultural Impact Statement (AIS) #4594 in accordance with Wis. Stat. §32.035 for the proposed construction of a high voltage electric transmission line Buffalo and Trempealeau Counties, WI (Figure 1) by the Dairyland Power Cooperative ("Dairyland"). Through the Alma to Blair Transmission Line Project ("the Project"), Dairyland proposes to construct a new 345-kV transmission line along one of two potential alternative routes from the existing Alma substation in the City of Alma in Buffalo County to the existing Tremval substation near the Town of Blair in Trempealeau County.

According to Wis. Stat. §32.035, the AIS is designed to be an informational and advisory document that describes and analyzes the potential effects of a proposed project on agricultural operations and agricultural resources, but it cannot stop a project. This analysis is limited to routes submitted by the project initiator within the AIN. The Department is required to prepare an AIS when the actual or potential exercise of eminent domain powers involves an acquisition of any interest in more than five acres of land from any agricultural operation. The term agricultural operation includes all owned and rented parcels of land, buildings, equipment, livestock, and personnel used by an individual, partnership, or corporation under single management to produce agricultural commodities.

The AIS reflects the general objectives of the Department in its recognition of the importance of conserving vital agricultural resources and maintaining a healthy rural economy. The Department is not involved in determining whether or not eminent domain powers will be used or the amount of compensation to be paid for the acquisition of any property.

Dairyland has submitted a Certificate of Public Convenience and Necessity (CPCN) to the Public Service Commission of Wisconsin (PSC) (REF # 507067) to obtain approval to construct the Project (Dairyland, 2021a). The PSC has assigned the Project PSC Docket ID: 1515-CE-103, which can be followed within the PSC Electronic Records Filing System. The PSC will analyze the need for the project and the potential environmental and community impacts in an Environmental Impact Statement (EIS). In addition, the PSC will receive testimony and hold hearings to further assess the impacts of this project. Afterwards, the PSC will approve, modify, or deny Dairyland's proposed project. Construction on the project cannot begin before Dairyland receives a CPCN from the PSC, as well as permits and approvals from other regulatory entities.

As established under Wis. Stat. §32.035(4)(d), if Dairyland intends to actualize its powers of condemnation at any point during the project through a jurisdictional offer(s), Dairyland may not negotiate with an owner or make a jurisdictional offer until 30 days after the AIS has been

published. If Dairyland deviates from the selected alternative or the selected sites, Dairyland shall re-notify the Department. The Department shall review the re-notification for new potential impacts to agricultural lands and may determine to generate an addendum to this AIS.

The full text of Wis. Stat. §32.035 is included in Appendix D. Additional references to statutes that govern eminent domain and condemnation processes and other sources of information are also included in Appendices B, E, and F.

2. PROJECT DESCRIPTION

2.1. Project Summary

Dairyland has provided the Department with an agricultural impact notification (AIN) and requested spatial materials for analysis for the proposed project (DATCP, 2024a). The AIN, requested materials from Dairyland, and Dairyland's CPCN application to the PSC, serve as the main reference documents for the Project. The proposed project route alternatives presented here do not represent the final project route, which requires PSC approval.

Dairyland is proposing to construct a new 345-kV electric transmission line from the existing Alma substation in the City of Alma in Buffalo County near the Town of Blair in Trempealeau County (Figure 1). Dairyland's primary reason for the proposed Alma to Blair Transmission project ("the Project") is to add transmission capacity within the region and improve access to lower cost renewable energy sources.

The Project is part of a series of regional projects that the Mid-Continent Independent System Operator (MISO) is developing alongside energy companies throughout the Upper Midwest to identify new transmission projects that can be built to manage a new energy system called Long Range Transmission Planning (LRTP). The Project is also known as LRTP-4 and is part of Tranche 1 in the series. More information about LRTP and MISO can be found at https://www.misoenergy.org/planning/long-range-transmission-planning/.

As the acquisition of agricultural lands or property rights are a pre-requirement to conduct an AIS, this analysis will only analyze and evaluate the aspects of the Project that acquire ROW's from agricultural lands. The proposed Project, depending on the selected route, will impact up to 181 agricultural landowners and approximately between 558.3 and 791.9 acres of agricultural lands, excluding staging areas. A full list of the impacted acres for each agricultural landowner is provided Appendix A Table 4 and 5.

2.2. Public Service Commission of Wisconsin (PSC)

The PSC is an independent regulatory agency that regulates public electric, natural gas, water and sewer utilities in Wisconsin. Through PSC regulations, public utilities must obtain PSC approval

before setting new utility rates and undertaking major construction projects, such as electric transmission lines or substations. Prior to gaining approval, PSC staff review the utilities application and prepare either an Environmental Impact Statement (EIS) or an Environmental Assessment (EA) to evaluate the need, alternatives, cost, and environmental and social impacts of the proposed project.

Approval from the PSC is obtained by the issuance of a CPCN or a Certificate of Authority (CA), both of which grant the utility the right to proceed with the project as described within the CPCN or CA. Issuance of a CPCN or CA is determined by a three-member PSC Commission. PSC Commissioners are full-time staff, appointed by the Governor, tasked with reviewing the project case file (documents, reports, testimony) and ultimately deciding whether to approve, modify, or deny a project. If the PSC determines that the project is needed and feasible, the utility must adhere to the PSC ruling and project alternatives/route selected by the Commission. PSC approval is not constrained by the utilities' "preferred" or "alternate" route designations mentioned within this AIS and the Commission may choose any combination of route segments described in the application.

Dairyland submitted an application for a CPCN for the Project to the PSC on July 1, 2024 under PSC Docket ID: 1515-CE-103 (Dairyland, 2024). DATCP expects the PSC to utilize the information contained within this AIS, the EIS, the CPCN application, and testimony from the public to determine the degree of impacts each route alternative will have on the agricultural landscape and economy, prior to issuing a ruling.

2.3. Project Design and Purpose

Dairyland is proposing to construct a new 345-kV electric transmission line from the existing Alma substation in the City of Alma, Buffalo County, WI, to one of two potential end points near the Town of Blair, in Trempealeau County (Figure 1). According to the CPCN (REF#: 507067), Dairyland has offered the PSC two different route alternatives (a preferred route and an alternative route). Of the two proposed routes, a Northern route at approximately 45 miles long and a Southern route at approximately 34 miles, the Southern route is preferred by Dairyland.

Additionally, as part of MISO's Tranche 1 series, the Project has two proposed ending routes to attempt to connect with a proposed switching station for LRTP 5, the location of which is to be determined by the Commission's decision in Xcel Energy's Tremval-Eau Claire-Jump River Project (named the Western Wisconsin Transmission Connection Project, PSCW Docket # 4220-CE-188). Xcel Energy has two preferred switching station locations, one is to Xcel Energy's existing Tremval Substation and the second potential end point is located approximately 0.5-miles northwest of the existing Tremval Substation on the north side of the Trempealeau River (Dairyland, 2024). The final endpoint of Dairyland's new 345-kV connection is expected to be determined in coordination with Xcel Energy upon selection of the final destination by the PSCW.

The Department's review of the Project's CPCN (REF # 507067) found it to contain information on the system alternative and the system alternative comparative analysis performed by Dairyland (Dairyland, 2024). Dairyland evaluated potential routes based on potential impacts to human settlement and environmental setting, as well as sharing existing route corridors, aesthetics, construction issues, and estimated cost. Dairyland states that they chose the two proposed routes as these follow their existing 161-kV and 69-kV routes to the extent possible, limiting environmental and/or human impacts (see Appendix H of Dairyland's CPCN, REF # 507039, for a map of existing transmission lines).

2.3.1. Project Location

The proposed preferred and alternative routes for the Project occur within Buffalo and Trempealeau Counties, WI (Figure 1). The proposed route segments (Common 1A, Common 1B, 2A, 2B, 3, 4, Common 5, Common 6; see Figure 2) that comprise the two possible routes for the Project span from east of the Mississippi within the City of Alma and into the Town of Blair.

Within Buffalo County, the route segments of the Northern route span from the City of Alma, through the Town of Belvidere, the Town of Lincoln, and into the Town of Montana. The preferred Southern route includes additional segments through the Town of Glencoe and the Town of Waumandee.

Within Trempealeau County, the route segments of the Northern route span from the Town of Arcadia, through the Town of Burnside, the City of Independence, and into the Town of Preston. The Southern route avoids the Town of Burnside and the City of Independence. Both routes share overlap at the beginning and end, as denoted in the segment name's inclusion of "Common" (see Figure 2).

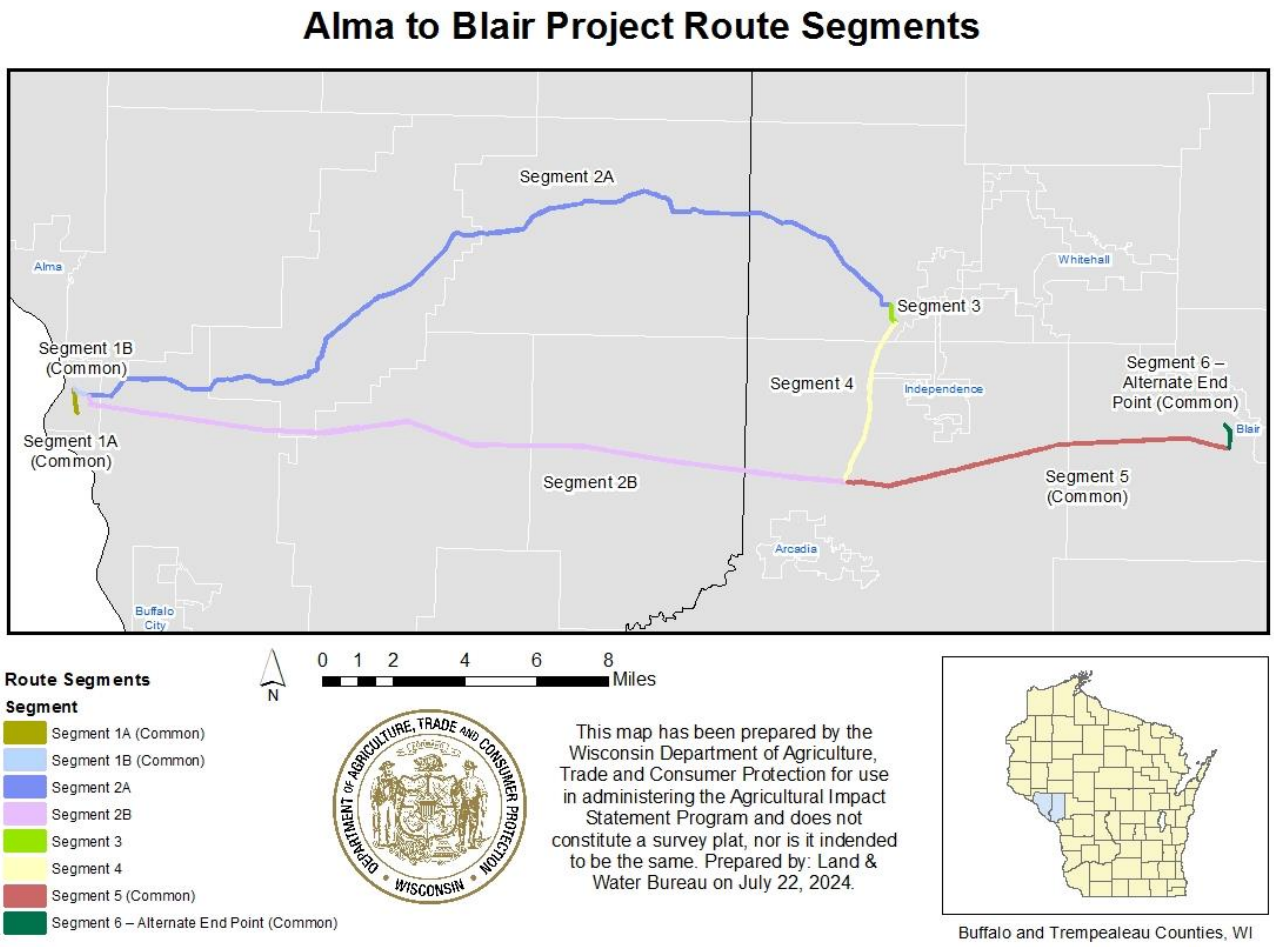

Figure 2: Alma to Blair Project Route Segments, created by DATCP.

2.3.2. Preferred Project System with Preferred Route Description

According to the AIN submitted to the Department (DATCP, 2024a) and the CPCN (REF#: 507067) submitted to the PSCW under Docket No. 1515-CE-103 (Dairyland, 2024), Dairyland's preferred route for the Project, the Southern route, is an approximately 34 mile, 345-kV double-circuited high voltage transmission line beginning on the east side of the Mississippi River near the Alma Substation in the City of Alma within Buffalo County, WI. The Project would continue east and end at a new 345-kV switching station near the Town of Blair in Trempealeau County, WI (see Appendix H of Dairyland's CPCN application, REF# 507039 for detailed maps of route segments and related structures). The location of the new switching station is dependent on the PSCW's decision for the Xcel Energy Western Wisconsin Transmission Connection Project (PSCW Docket No. 4220-CE-188).

All new transmission line structures will be installed on new monopole structures to allow the existing single-circuit lines to become double-circuited, replacing the existing wood structures. The structures would consist of weathered steel monopoles with concrete foundations, ranging from

120 – 195 feet in height, and span lengths of 315 and 2,730 feet (DATCP, 2024a; Dairyland, 2024).

The preferred route would navigate from the City of Alma to the Town of Blair utilizing route segments 1A (Common), 1B (Common), 2B, 5 (Common), and 6 (Common) as follows:

- Segment 1A is a 0.7-mile segment shared by both route options that will overtake the existing LQ-34-3 structure and LN-340 line and move north to the existing Alma substation.
- From the existing Alma substation, segment 1B follows the existing LN-10 69-kV line 0.5 miles east along the ROW. This segment is shared by both route options.
- Segment 2B follows the existing LQ-18 161-kV line for 21.7 miles east along the ROW until just north of the intersection of State Road 93 and County Road A.
- Segment 5 is a 10.9-mile segment continuing to follow the LQ-18 161-kV line along the ROW ending at the switching station adjacent to the existing Tremval Substation. This segment is shared by both route options.
- Segment 6 is an alternate end point for the Project beginning where segment 5 ends and would move north along a new transmission corridor for 0.7 miles ending at a new switching station. This segment is a possibility for both route options.

2.3.3. Alternative Route Description

Dairyland proposed one alternative route for the preferred project design. The alternative route spans approximately 45 miles and would use the same system design as described above in Section 2.3.1 but utilize the additional route segments 2A, 3 and 4 as described below. If approved, the PSCW may choose to select the alternate route, combinations of a different route segments, or alter a proposed route segment when deciding the final route.

The alternative route would navigate from the City of Alma to the Town of Blair utilizing route segments 1A (Common), 1B (Common), 2A, 3, 4, 5 (Common), and 6 (Common) as follows:

- Segment 1A is a 0.7-mile segment shared by both route options that will overtake the existing LQ-34-3 structure and LN-340 line and move north to the existing Alma substation.
- From the existing Alma substation, segment 1B follows the existing LN-10 69-kV line 0.5 miles east along the ROW. This segment is shared by both route options.
- Segment 2A generally follows an existing ROW along the LN-10 69-kV line for 26.7 miles. Some portions of the segment would deviate from the existing ROW corridor for approximately 9.3 miles. The segment ends slightly west of the intersection between County Road X and State Road 93.
- Segment 3 extends 0.6 miles south to meet segment 4 and does not follow an existing transmission line.
- Segment 4 is a 4.8-mile segment generally following the existing LN-122 69-kV line that ends slightly south of the intersection between Doris Guza Rd and State Road 93.

- Segment 5 is a 10.9-mile segment continuing to follow the LQ-18 161-kV line along an ROW ending at the switching station adjacent to the existing Tremval Substation. This segment is shared by both route options.
- Segment 6 is an alternate end point for the Project beginning where segment 5 ends and would move north along a new transmission corridor for 0.7 miles ending at a new switching station. This segment is a possibility for both route options.

2.3.4. Off-ROW Access Roads

According to the AIN and the CPCN application, Dairyland--where possible--will access the Project from the project ROW (DATCP, 2024a; Dairyland, 2024). Dairyland has identified locations outside the Project ROW to access pole locations for the following reasons: to minimize wetland traversing as much as possible; avoid large waterway crossings; historic landowner access preference across agricultural areas; provide the safest path to steeply sloped areas. A list of proposed access roads can be found in the PSC ERF docket as Appendix K (REF #: 507042). Improvements needed and restoration needed for these proposed access routes, as well as justification for them, are also found within the previously table mentioned.

Once construction has concluded, Dairyland plans to restore the Project's off-ROW access roads to pre-construction conditions. Upon approval of a route, the access paths may be amended based on additional field review and negotiations with landowners (Dairyland, 2024).

2.3.5. Staging Areas

Dairyland identified seventeen construction staging areas that are proposed to impact 21 agricultural landowners and operators (see Table 1 below for landowners impacted; see Appendix A Figures within the PSCW docket for aerial views of proposed staging areas). These staging areas would be used to store job trailers, construction vehicle and equipment, construction materials and other related equipment (Dairyland, 2024).

Any of these staging areas could be used by Dairyland regardless of which route is finalized by PSCW's decision on the CPCN application, but Dairyland will not likely require the use of all proposed staging areas during construction (Dairyland, 2024). Dairyland would need approximately 4-5 staging areas between 10 to 20 acres in size that would be within 15-20 miles from the ordered route.

Lastly, Dairyland stated that if additional staging areas or temporary workspaces are required, Dairyland will notify the Commission of these new construction locations and will submit the necessary information to the PSC prior to establishing new staging areas (Dairyland, 2024).

Table 1: Dairyland's proposed staging areas for the proposed Alma to Blair Transmission Line Project (DATCP).

Agricultural Landowner	Size of Staging Areas (acres)
AMBER SHORT	25.5
ANTHONY R GEORGE	10.5
CAROLE WIELAND	34.3
DAVID J & CHARLOTTE S SCHANK LIVING TRUST	30.5
DEBRA M MALISZEWSKI TESTAMENTARY TRUST	40.4
GARY J HAGER	11.2
JASON A SCHANK	0.02
JOHN W JR VEHRENKAMP	10.2
KRIS E SCHANK	0.02
LEE R NELSON	32.1
LEON G SCHLESSER	3.1
MARLO SASS	12.9
MATTHEW D DANZINGER	6.2
MICHAEL T SCHLESSER	51.5
MICKEY HELWIG	3.4
RANDY J BREMER	58.2
RICHARD E TREU	34.3
SCHLESSER FARMS LLC	7.4
SCHLESSER HOMESTEAD LLC	9.3
STATE OF MINNESOTA	0.008
WILLIAM SLUGA	21.4
total	*402.389*

2.3.6. Project Need

The Project is part of the MISO LRTP Tranche 1 Portfolio, projects that are recommended by MISO to meet transmission reliability, economic and policy needs to meet energy demands in the region (Hagerty et al., 2024). The Project is also known as LRTP 4 or Project 4, and it connects to two other LRTP project in Wisconsin at a new 345-kV substation in Blair, Wisconsin. The project will also improve reliability and reduce congestion along the grid, allowing energy from renewable sources in neighboring states to reach Wisconsin customers (Dairyland, 2024).

2.3.7. Existing Transmission Lines

The Project as proposed will construct a new 345-kV electric transmission line from the existing Alma substation in the City of Alma in Buffalo County near the Town of Blair in Trempealeau County (Figure 1). The existing structures would be removed and the existing lines would be installed on new, taller structures with greater span length between the poles. Where the Project routes parallel existing Riverland distribution circuits, Dairyland plans to relocate and bury the distribution line within the proposed Project ROW where the new 345-kV line would overtake the existing (Dairyland, 2024).

The Northern Route follows two existing 69-kV lines (N-10 and N-122) and on existing 161-kV line (Q-18). In some areas along this route, the route will deviate from the existing corridor as new construction will be in a different alignment. The Southern Route follows one existing 69-kV line (N-10) and one existing 161-kV line (Q-18) (Dairyland, 2024).

2.3.8. Project Routing and Siting

Wisconsin's energy policy Wis. Stats. § 1.12(6) prioritizes the siting of electric transmission corridors to certain types of corridor according to the following ranking: 1st) existing corridor, 2nd) highway and railroad corridor, 3rd) recreational trails (to the extent that the facilities may be constructed below ground and that the facilities do not significantly impact environmentally sensitive areas) and 4th) new corridor. Within their CPCN application, Dairyland stated they established potential route corridors using the multi-stage process seen below, that involved consultation with the PSC, the WisDNR and WisDOT and following transmission line siting priorities (Dairyland, 2024).

1) Identification of potential route corridors in accordance with the site priority ranking established by Wis. Stats. § 1.12(6) (Dairyland, 2021a).
    a. Existing utility corridors
    b. Highway and railroad corridors
    c. Recreational trails, to the extent the facilities may be constructed below ground and that the facilities do not significantly impact environmentally sensitive areas.
    d. New corridors
2) Identified routes are screened against criteria specified in Wis. Stat. § 196.491(3)(d) and other internal criteria to determine the proposed route alternatives. These criteria include, but are not limited to the following (Dairyland, 2021a):
    - Location of existing linear infrastructure
    - Use of existing ROWs to minimize the need for additional facility ROW

- Locations of cemeteries, schools, day care facilities, and hospitals
- County and state road expansion plans
- Community and landowner impacts
- Ability to minimize impacts to environmental and natural resource features
- Archeological, tribal, and historic resources
- Location of airports and airstrips
- Avoiding high-density residential areas
- Conformance with existing and proposed land use patterns
- Design modifications or construction practices to overcome challenges
- Maintaining compatibility with local agricultural practices

3) Perform a multidisciplinary review and evaluation of each identified route considering and balancing the factors discussed above, in addition to the design, engineering, economic, and operational considerations.

Through this multi-stage evaluation process Dairyland has proposed route segments (1A (Common), 1B (Common), 2A, 2B, 3, 4, 5 (Common), and 6 (Common)), which comprise the two routes between the Alma in Buffalo County and Blair in Trempealeau County, WI. Additional information on route alternatives and Dairyland's analysis can be found within the Project application for a CPCN to PSC, under PSC Docket ID: 1515-CE-103 (Dairyland, 2024).

2.3.9. Project Schedule

According to the AIN and the CPCN application, pending approval by the PSC and obtaining all state agency permits, Dairyland plans on following the schedule shown in Table 2 for the proposed project (DATCP, 2024a; Dairyland, 2024).

Table 2: The anticipated project timeline for the proposed Alma to Blair Transmission Line project, pending approval by the PSC and obtaining all state permits (DATCP, 2024a; Dairyland, 2024).

Project Activity	Preliminary Date
Anticipated PSC Approval	Fall 2025
Anticipated Easement Acquisition Process Start	Fall 2025
Anticipated Vegetation Removal Start	Summer 2026
Anticipated Construction Start	Summer 2026
Anticipated Project In-Service	Summer 2028

2.4. Project Right-of-Way (ROW)

Throughout the proposed system alternative corridor, the eight proposed route segments (1A (Common), 1B (Common), 2A, 2B, 3, 4, 5 (Common), and 6 (Common)), will generally follow portions of its existing ROW corridors – however in all cases, the existing ROW will need to be expanded to 150 ft wide ROW (Dairyland, 2024). Dairyland plans to acquire new high voltage easements for the Project, regardless of whether or not the Project ROW overlaps an existing transmission line ROW. Existing vs new ROW needed for the project can be found in table 1 of Appendix C of Dairyland's CPCN application (REF #504010).

3. AGRICULTURAL SETTING

3.1. Farmland Preservation

Wisconsin's farmland preservation (FP) program provides local governments and landowners with tools to aid in protecting agricultural land for continued agricultural use and to promote activities that support the larger agricultural economy. Lands that are planned for farmland preservation by the county and included in a certified zoning district or located within an Agricultural Enterprise Area (AEA) are afforded land use protections intended to support agriculture, and are eligible for the farmland preservation tax credit.

3.1.1. Farmland Preservation Planning

Buffalo County

The Department certified Buffalo County's current FP plan in 2018 for a ten-year period ending in 2028 (Buffalo County, 2018). The criteria for land planned for FP in Buffalo County includes land

historically used for agricultural, forestry or agriculture-related use; lands depicted as agriculture or forestry in county or town comprehensive land use plans; lands in any agricultural/natural resource zoning district; and any lands within conservation zoning district (Buffalo County, 2018). All towns in Buffalo County have lands that are planned for FP as part of Buffalo County's FP Plan.

Approximately 1,299.34 acres planned for farmland preservation in the County's FP plan are affected by the proposed routes of the Project.

Trempealeau County

The Department certified Trempealeau County's current FP plan in 2016 for a ten-year period ending in 2026 (Trempealeau County, 2018). The plan's expiration has since been extended to 2028. The criteria for land planned for FP in Trempealeau County includes soils that are suitable for agricultural production; land historically used for agricultural, forestry or agriculture-related use; lands historically in Farmland Preservation contracts; and lands historically in the county's Farmland Preservation Plan (Trempealeau County, 2018). All towns in Trempealeau County have lands that are planned for FP as part of Trempealeau County's FP Plan.

Approximately 747.76 acres planned for farmland preservation in the County's FP plan are affected by the proposed routes of the Project.

3.1.2. Farmland Preservation Zoning

Establishing FP zoning strengthens farmland protections beyond what an FP plan affords. Dairyland has applied for a CPCN under Wis. Stat. § 196.491 from the PSC. If such certificate is issued, the project will be a permitted use in the FP zoned area under Wis. Stat. § 91.44(f). If a CPCN is not issued, the project will be subject to conditional use regulations in the FP zoned area under Wis. Stat. § 91.46(4) and must meet the requirements listed under Wis. Stat. § 91.46(4)(a)-(4)(e).

Buffalo County

A review of the Department's FP program participation map shows that several towns in Buffalo County are covered by FP zoning administered under county zoning authority (DATCP, 2024b). The FP-zoned towns with lands impacted by the Project include the towns of Belvidere and Glencoe.

Trempealeau County

No towns in Trempealeau County are covered by certified FP zoning.

3.1.3. Agricultural Enterprise Areas and Farmland Preservation Agreements

AEAs are community-led efforts to establish designated areas important to Wisconsin's agricultural future. This designation highlights the importance of the area for local agriculture and further supports local farmland preservation and agricultural development goals. Designation as an AEA also enables eligible landowners to enter into FP agreements. Through an FP agreement, a landowner agrees to voluntarily restrict the use of his/her land to agriculture for a minimum of ten

years (or fifteen years if signed before December 8, 2023) in exchange for eligibility for the farmland preservation tax credit. It is possible that new agreements could be enrolled between the time of this analysis and potential construction of finalized designs related to the project corridor. The Department recommends Dairyland consult the Department in the year preceding construction regarding the status of effective agreements within the project corridor and for information regarding required releases of land from effective farmland preservation agreements.

A review of the Project routes identified two counties – Buffalo and Trempealeau Counties – that contain designated AEAs within the Project routes (DATCP 2024a; DATCP 2024b).

The construction of a new transmission line is a non-conforming land use on lands subject to an effective farmland preservation agreement according to Wis. Stat. § 91.62(1)(c). Agricultural lands covered by an effective FP agreement, where a non-conforming land use is planned, are required to release the affected lands prior to the initiation of the non-conforming land use. Landowners should contact the Department to release affected agricultural lands from an FP agreement. As part of the release, the Department is required to collect a conversion fee, according to Wis. Stat. § 91.66, to release lands from an FP agreement. The Project's Northern proposed route encroaches upon a total of 39.75 acres of land covered by effective FP agreements. The Project's Southern proposed route encroaches upon a total of 75.00 acres of land covered by effective FP agreements.

If the Project compels the release of land from an effective FP agreement Dairyland should consider offering to pay all FP conversion fees incurred by agricultural landowners. To inquire about releasing lands from an FP agreement, contact DATCPWorkingLands@wisconsin.gov.

Buffalo County

In Buffalo County, the Project's Northern proposed route bisects the Montana Society for Responsible Land Use AEA. The proposed new transmission line ROW would encroach upon 24.32 total acres on FP agreement numbers 951, recorded as Document number 8038598 on July 5, 2023 in the Buffalo County Register of Deeds; 952, recorded as Document number 8040794 on December 4, 2023 in the Buffalo County Register of Deeds; 958, recorded as Document number 8040793 on December 4, 2023 in the Buffalo County Register of Deeds; 961, recorded as Document number 8042640 on April 18, 2024 in the Buffalo County Register of Deeds; and 962, recorded as Document number 8042970 on May 13, 2024 in the Buffalo County Register of Deeds. Agreements 951, 952 and 958 are effective through 2038. Agreements 961 and 962 are effective through 2034.

Construction of improvements proposed within the Study Corridor could impact future agreements within this AEA. Dairyland should provide the Buffalo County Land Conservation Department with selected route information affecting the Montana Society for Responsible Land Use AEA when available.

Prior to 2009, owners of eligible farmland could sign 10 to 25-year FP agreements outside of AEA boundaries. Approximately 35.77 acres of land covered by effective pre-2009 FP agreements in Buffalo County are affected by proposed routes for the Project. This includes contract numbers 14920 recorded as Document number 199995 on November 17, 1999 in the Buffalo County Register of Deeds; 15740 recorded as Document number 230443 on December 11, 2006 in the Buffalo County Register of Deeds; 16000 recorded as Document number 237533 on January 15, 2009 in the Buffalo County Register of Deeds; and 16001 recorded as Document number 238184 on March 25, 2009 in the Buffalo County Register of Deeds. These pre-2009 FP agreements are effective through 2024, 2031, 2034, and 2034, respectively.

Trempealeau County

In Trempealeau County, the Project's Northern and Southern proposed routes run through the Farming for the Future AEA. The Project's routes do not encroach upon any effective FP agreements within the Farming for the Future AEA.

Construction of improvements proposed within the Study Corridor could impact future agreements within this AEA. Dairyland should provide the Trempealeau County Land Conservation Department with selected route information affecting the Farming for the Future AEA when available.

Prior to 2009, owners of eligible farmland could sign 10 to 25-year FP agreements outside of AEA boundaries. Approximately 55.56 acres of land covered by effective pre-2009 FP agreements in Trempealeau County are affected by proposed routes for the Project. This includes contract numbers 15099 recorded as Document number 328073 on December 14, 2000 in the Trempealeau County Register of Deeds; 15378 recorded as Document number 358001 on February 23, 2004 in the Trempealeau County Register of Deeds; 15648 recorded as Document number 374158 on March 8, 2006 in the Trempealeau County Register of Deeds; and 16073 recorded as Document number 394904 on February 27, 2009 in the Trempealeau County Register of Deeds. These pre-2009 FP agreements are effective through 2024, 2029, 2026, and 2034, respectively.

3.1.4. Managed Forest Law

The MFL program is a voluntary sustainable forestry program administered by WisDNR under subch. III of ch. NR 46. In exchange for reduced property taxes, eligible landowners commit to a 25-50 year sustainable forest management plan on their privately owned woodlands. Sustainable forestry practices such as harvesting mature timber according to sound forest management practices, reforestation and afforestation of the land, are required in enrolled landowner's management plans. Potential enrollees must also show their parcel complies with size and density requirements under Wis. Stat. § 77.82(1)(a)2, which states that at least 80% of the parcel must be producing or capable of producing a minimum of 20 cubic feet of merchantable timber per acre per year. Land with buildings or improvements associated with buildings are not eligible for MFL. Exceptions such as utility ROWs are permitted such that the project and its ROW will not interfere with future or current MFL eligibility (WisDNR, 2017).

In order to analyze project impacts on MFL enrollments, the Department conducted a spatial analysis to determine total percent of change of size of parcels enrolled in MFL as compared to proposed ROW routing. This analysis indicated that the Project's Northern proposed route will impact approximately 196.42 acres of MFL enrolled land, including seven parcels where the impacted acres are greater than 10% of the parcel's total, meaning there is a greater potential that they no longer meet the 80% eligibility requirement to remain enrolled in the MFL program. These parcel's state IDs are 011004-00318-0000, 011004-00321-0000, 011018-00328-0000, 011028-00262-0000, 011028-00274-0000, 011028-00296-0000 and 121006-00384-0005. The Project's Southern proposed route will impact approximately 154.59 acres of MFL enrolled land, including two parcels where the impacted acres are greater than 10% of the parcel's total, meaning they may no longer meet the 80% eligibility requirement to remain enrolled in the MFL program. These parcel's state IDs are 011018-00742-0000 and 011018-00743-0000.

The Department recommends that all landowners review potential implication of the proposed route to their MFL enrolled lands. Impacted landowners should visit the WisDNR Forestry Assistance Locator website www.dnr.wi.gov/fal/ to find their local DNR Tax Law Forestry Specialist and discuss the implication of the route to their MFL enrolled lands.

3.1.5. Purchase of Agricultural Conservation Easement Programs (PACE)

The 2009 - 2011 State of Wisconsin budget authorized the state Purchase of Agricultural Conservation Easement (PACE) Program under Wis. Stats. § 93.73, which is intended to provide matching funds to assist local governments and non-profits with the purchase of permanent agricultural conservation easements. The intent of the PACE program is to preserve agricultural land of significance at risk of development and to provide an additional layer of permanent protection to certified FP planned areas and designated AEAs. Post PACE acquisition, the partnering local entity and the Department co-hold the agricultural conservation easement voluntarily purchased from landowners. At the time of this analysis, the state's PACE Program is not currently funded or accepting new applications. However, the state holds 17 PACE easements.

A review of the Department's PACE Program shows the Project would not impact any state held PACE easements.

Counties and private non-governmental organization such as land trusts may also hold agricultural conservation easements. Based on a review of publicly available online resources, the Department could not find any record of a county held or non-governmental organization held agricultural conservation easement that would be impacted by the Project (Land Trust, 2024; GLC, 2024).

3.2. Drainage Districts

Drainage districts are local governmental entities governed under Wis. Stat. Ch. 88 and organized under a county drainage board for the primary purpose of draining of lands for agricultural use (DATCP, 2021). Landowners who benefit from drainage pay assessments to cover the cost to

construct, maintain, and repairing the district's drains. According to the Department, approximately 190 active districts exist within 27 of Wisconsin's 72 counties.

A review of the Department's Drainage Program database indicates that Buffalo and Trempealeau County each have one drainage district. However, neither will be directly impacted by the Project.

3.3. Conservation Programs

Voluntary conservation programs such as the USDA Conservation Reserve Enhancement Program (CREP) and the USDA Conservation Reserve Program (CRP) are financial incentive programs to help agricultural landowners meet their conservation goals. The USDA and the Department jointly administer the CREP program in Wisconsin.

3.3.1. Conservation Reserve Enhancement Program

CREP pays eligible agricultural landowners enrolled within the program to install filter strips along waterways or to return continually flooded fields to wetlands while leaving the remainder of the adjacent land in agricultural production. To be eligible for CREP payments, a recipient must have agricultural lands in crop production that are within 150 ft of a stream or water body or 1,000 ft from a grassland project area (DATCP, 2019).

Buffalo County

A review of the Department's CREP records indicate that as of July 2024, the Project will encroach upon two effective CREP agreements and three perpetual easements in Buffalo County. The Northern proposed route may also encroach upon two additional agreements, but further site verification is required. The Project's Southern proposed route may encroach upon one perpetual easement, but further site verification is required.

Trempealeau County

Trempealeau County is not currently a part of the CREP program.

CREP enrollment information is privileged to the USDA, Cooperators, such as the Department, and program participants. Construction activities for the Project may directly or indirectly increase the occurrence of storm water runoff, erosion and sedimentation on lands in the project corridor. The effective status of CREP agreements and new enrollment is subject to change between the time of this analysis and any proposed construction activity.

The Department advises Dairyland to:

- Work with landowners to identify effective CREP agreements prior to any construction or site disturbance activities
- Coordinate with the appropriate Wisconsin CRP contact regarding effective CRP contracts within the project area and coordinate with FSA regarding impact mitigation to CREP

enrolled lands and/or potential contract (CRP-1) releases within 12 months of expected construction or site disturbance activities

- To limit situations of CRP-1 contract termination, limit site disturbance of CRP/CREP to times outside of the Primary Nesting Season (May 15th to August 1st).
- Consult with the Department as soon as a route is selected affording as much time as possible prior to any construction or site disturbance activities to determine the impact of the selected route on any CREP easements consult with the Department on impacts to any state agreements that may require termination and repayment of funds. If any portion of the CRP-1 contract is terminated by USDA-FSA, the corresponding area under the state CREP agreement must also be terminated. Termination of any part of a CREP agreement requires repayment of any funds issued to the landowner under the terms of the agreement.

3.3.2. Conservation Reserve Program (CRP)

CRP is a land conservation program administered by the Farm Service Agency of the USDA. In exchange for a yearly rental payment, eligible agricultural landowners enrolled in the program agree to remove highly erodible land from agricultural production and plant resource-conserving plant species such as grasses or trees that will improve environmental health and quality (USDA, 2019). Eligible agricultural landowners must possess lands with the potential for long-term improvements to water quality, prevent soil erosion or establish beneficial wildlife habitats according to the USDA Environmental Benefits Index (USDA, 2019). CRP enrollment information is privileged to the USDA and CRP program participants. The Department is therefore unable to determine if any of the impacted agricultural parcels are enrolled within the CRP program, unless landowners voluntarily share this information with the Department.

Of the 49 responses to the Department's pre-construction questionnaire, five of the landowners impacted by the project included that part of their land is enrolled within CRP.

The Department advises Dairyland to:

- Work with landowners to identify effective CRP agreements prior to any construction or site disturbance activities
- Coordinate with the appropriate Wisconsin CRP contact regarding effective CRP contracts within the project area and coordinate with FSA regarding impact mitigation to CREP enrolled lands and/or potential contract (CRP-1) releases within 12 months of expected construction or site disturbance activities

3.3.3 Soil and Water Resource Management Grant Program (SWRM)

The state has a SWRM program with goals including: enhancing surface and groundwater protections, providing financial and technical assistance for locally led conservation and addressing soil and water resource concerns. Through the SWRM Program, the Department allocates funds to

County Conservation Departments to facilitate landowner cost-share for installation of conservation practices. When a cost-share contract is issued under Wis. Stat. §92.14, a landowner and or grant recipient agrees to install and maintain the conservation practice according to an operation and maintenance plan.

Landowners who are aware of any SWRM cost-shared practices on their farm within the proposed Project area should consult with the County Land Conservation Department to determine 1) the compatibility of the proposed ROW easement with the existing conservation practice and 2) if any effects will occur due to alteration of a practice during construction activities.

Dairyland is advised to consult the applicable County Land Conservation Department on the existence of installed SWRM conservation practices within the Project area. Practices that are not maintained in accordance with the terms of the contract operation and maintenance plan may be subject to repayment of cost-shared funds. If a landowner is required to repay any cost-share funds because a construction impact resulted in a violation of the SWRM contract, the landowners should contact the Dairyland staff member, as designated by Dairyland, responsible for handling compensation for release of lands from conservation programs. The landowner should be compensated for any termination of SWRM grant contract resulting from a construction impact.

4. AGRICULTURAL IMPACTS

In addition to being a key component of Wis. Stat. §32.035, documenting the agricultural impacts of a project provides the project initiator and the agricultural landowner the opportunity to better understand the project in its own right as well as learn how the project will impact agriculture. Furthermore, the documentation of agricultural impacts by agricultural landowners and operators creates the opportunity for discussion of alternatives that may reduce impacts to agricultural lands.

In order to promote the opportunity for alternatives, the Department has used information provided by the Company for this AIS and information gathered by the Department to analyze the potential agricultural impacts of the Project in Buffalo and Trempealeau Counties, WI. The analysis of the agricultural impacts and conclusions drawn from the analysis form the basis of the Department's recommendations within the AIS Recommendation Section above.

Agricultural operations and future productivity may be affected during construction of the Project. Impacts to agricultural lands may include but are not limited to:

- Interference with farm operation access in the ROW and adjacent areas
- Alteration of surface and subsurface drainage systems
- Impacts to grazing areas, row crops or existing fencing
- Use of prohibited substances on farms that follow organic or other sustainable management practices

Following construction, some impacts may affect agricultural operations for years. These long term impacts may include but are not limited to:

- Yield reduction due to erosion, topsoil mixing and/or compaction
- Ponding from altered surface and subsurface drainage profiles
- Inadequate restoration resulting in alteration to original land contours

Dairyland has cited agricultural mitigation practices that can be found in section 7.4.4 of Dairyland's CPCN application (REF # 507067) and within their restoration plan in Appendix J of their CPCN application (REF # 507042). Pending Project approval, the Company will coordinate and consult with each agricultural landowner to obtain detailed information about each agricultural operation including but not limited to: locations of farm infrastructure, livestock and crops, locations of drainage tiles, and landowner concerns. The Company will use agricultural landowner feedback to identify potential project impacts to each agricultural operation along the Project route and to the extent practicable, implement measures to mitigate impacts (Dairyland, 2024). Subsequent discussion includes agricultural acquisitions and recommended additional agricultural mitigation practices beyond what Dairyland cites within their CPCN.

4.1. Landowner Rights

Wisconsin Statute § 182.017, also referred to as the "Landowner Bill of Rights", describes the rights of landowners and the requirements the utility must adhere to, when a transmission line will be constructed on private property. The transmission line applicant and contractor operating on the applicants behalf must comply with all aspects of this statute, which covers the range of topics described below:

- Compensation
- Infrastructure Repair
- Soil Conservation & Erosion
- Debris Removal
- Consent for Weed & Brush Control
- Landowner and Utility Liabilities
- Tree Harvesting and Tree Ownership
- Interference with television & radio reception
- Right-of-way Restriction

The applicant may request landowners to waive some rights during the negotiation process, but landowners are not required to do so. The Landowner Bill of Rights is still applicable to condemned land. The Department recommends that each affected landowner review the Landowners Bill of Rights (see Appendix D Section V) in its entirety prior to the start of easement negotiations.

4.2. Agricultural Land Acquisitions

In order to implement the proposed Project, Dairyland will affect approximately 558.2 – 791.9 acres of agricultural lands depending on the selected route, access roads, stringing areas, and is evaluating approximately 407.39 acres for potential staging areas, which Dairyland may lower to 4-5 different staging areas that are each 15-20 acres in size depending on the selected route. A majority of either route follows corridors that Dairyland currently owns, but they have determined the existing easements are insufficient to accommodate the proposed Project for reasons outlined in Section 2.4 above. Therefore, Dairyland plans to use a combination of temporary and permanent easements to obtain the necessary rights to construct the Project across all agricultural lands, regardless of a lands' current easement status (Dairyland, 2024). The Department analyzed impacts to agricultural land within the proposed new easements.

The Department attempted to contact 101 agricultural landowners impacted by the Project alternative routes who had agricultural impacts of five or more acres (Appendix A, Table 5). There were another 168 agricultural landowners impacted by the proposed Project route alternatives with impacts less than 5 acres, who were not contacted (Appendix A, Table 6). The following section relays the feedback and comments received from stakeholders and agricultural landowners through the Department's efforts. The information obtained from these responses helped form the basis of the Department's analysis of agricultural impacts to specific agricultural landowners and agricultural landowners in general.

Agricultural tenant operators impacted by the Project may be eligible for a farm replacement payment from Dairyland in accordance with Wis. Stat. §32.19(4m)(b) if Dairyland exercises the powers of eminent domain through a jurisdictional offer to the agricultural property owner. A voluntary sale between Dairyland and an agricultural property owner, after a jurisdictional offer has been made, would not negate the potential for a farm replacement payment.

4.3. Summary of Landowner Concerns

In order to gather additional information about the project's impact to agricultural lands and farm operations, the Department mailed surveys, referred to as "pre-construction questionnaires", to agricultural landowners in the Project ROW routes who had agricultural impacts of one or more acres. In total, the Department mailed 101 surveys. Agricultural landowners were given the opportunity to respond by mail or call the AIS program manager to give a verbal response. A total of 49 agricultural landowners responded, resulting in a response rate of 48.5%. A complete record of responses received for the Project can be found in Appendix C: Agricultural Landowner Comments.

The majority of the respondents (43 of the total 49 landowners, or 88%) reported their agricultural operations consisted of cropland. Of the total respondents, 69% or 34 landowners cited that the impacted parcels also had homes and farm buildings on them, 55% or 27 landowners cited that they were managed woodlands, and 49% or 24 landowners cited that their impacted parcels had pasture land. Twenty-five respondents (51%) also indicated their agricultural operations possessed livestock and farm animals, including dairy cattle, beef cattle, pigs, sheep/goats, poultry and horses.

When asked to select any of the concerns shown in Figure 3 about the Project, the primary concern identified by respondents was erosion control (Figure 3). Respondents were also concerned about impacts related to fencing, access, grassed waterways, residence of buildings, drainage or drain tiles, manure or fertilizer storage, and aerial spraying or seeing (Figure 3). Other areas of concern reported by the respondents are shown in Figure 3.

Agricultural landowners were also asked to indicate if they participated in any conservation or agricultural programming including FP agreements, FP zoning, CREP, CRP and MFL. Two respondents indicated that they have land enrolled in FP agreements and/or FP zoning, fourteen respondents indicated they have lands enrolled in MFL, and five respondents indicated they participate in the CRP program. Respondents did not report participation in CREP or any other conservation or agricultural program.

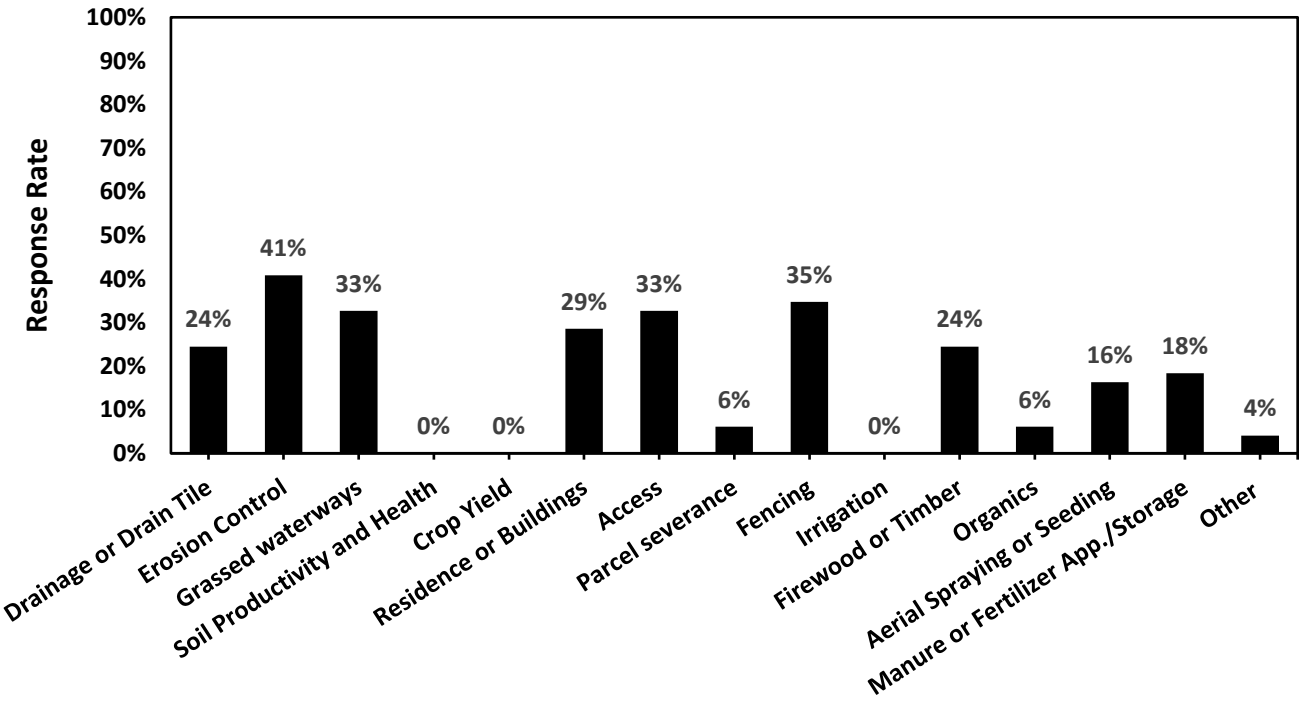

Figure 3: Landowner concerns resulting from the proposed Project.

The Department also requested agricultural landowners report the current land use within the proposed Project ROW as shown in Figure 4. The most common (29% of respondents) land use

reported within the Project ROW was cropland. Crop Production is defined as an "Agricultural use" under Wis. Stat. § 91.01(2) if it's conducted for the purpose of producing an income or livelihood. The next most common choice (with 23%) was Homes and Farm Buildings, with the remaining responses shown in Figure 4.

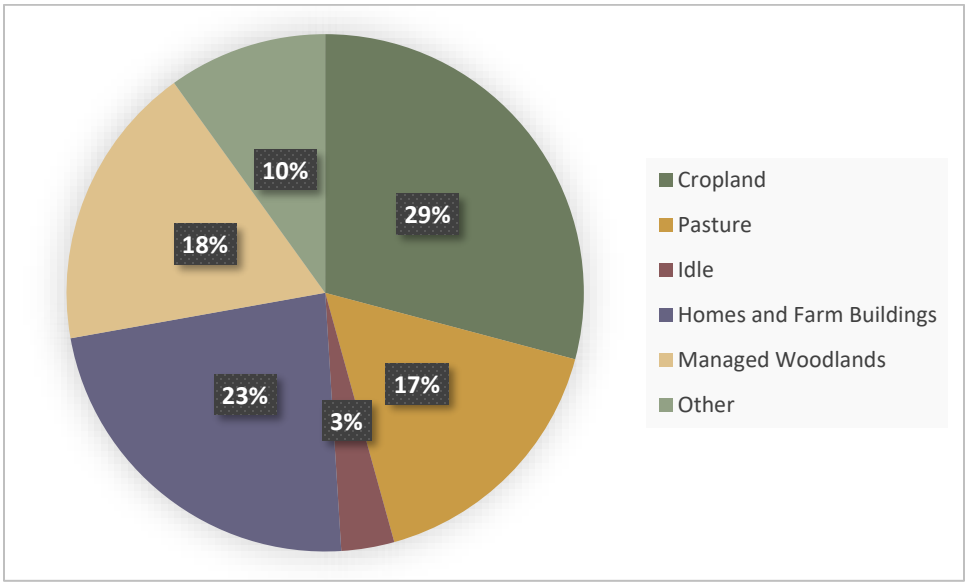

Figure 4: Land use of impacted agricultural parcels as reported by pre-construction questionnaire respondents.

4.3.1. Landowner Concern Conclusions

After review and analysis of the agricultural landowner responses obtained from the Department's pre-construction questionnaire surveys, the Department has identified the following priority areas of agricultural landowner concerns: erosion control, fencing, drainage, grassed waterways, and access (Figure 3).

Forty-one percent of respondents were concerned about erosion control issues associated with the Project. Transmission line projects can exacerbate soil erosion on agricultural land by disturbing soil, removing vegetation, and increasing runoff. These disturbances often lead to greater soil erosion, reduced soil fertility, and potential sedimentation in waterways. Additionally, farmland drainage systems are an important tool for managing water levels especially on hydric soils and for increasing crop yield. Please refer to Section 5.5.6 "Erosion and Conservation Practices" for additional information about erosion and related mitigation practices.

The second largest category for landowner concerns regarding the project included fencing (35%) and access (33%). Adequate fencing is important for livestock control, crop protection from livestock, operational efficiency and security for a farm operation. Please refer to Section 5.5.9 "Fencing" for additional information about fencing mitigation practices. Access has overlap in purpose with fencing, but also includes additional concerns such as the ability to access fields during construction and after transmission line structures are in place. Dairyland is also proposing

temporary access roads across the project corridor to access properties and staging areas during the duration of construction. Please refer to Section 5.5.7 "Temporary Access Roads" for additional information about temporary access road mitigation practices.

A large group of respondents indicated concerns related to drainage or drainage tiles (24%), and grassed waterways (33%). To mitigate impacts to drainage systems, agricultural landowners should provide Dairyland with locations of drainage structures and waterways; in-turn, Dairyland should provide additional considerations to preserve these structures, which are linked to the productivity of the impacted agricultural land. Please refer to Section 5.5.3 "Drainage" for additional information about drainage damage mitigation practices.

Please refer to Section 4 for a comparative analysis of route impacts to agricultural soils. The Department also recommends additional mitigation efforts to reduce as much potential impact as possible beyond what Dairyland cites for their standard practices. Please refer to Section 5.5 *Recommended Mitigation Efforts* for additional agricultural mitigation practices.

4.4. Severance, Access and Wasteland

The temporary and permanent easements of agricultural property required to implement any of the proposed Project alternative routes could result in agricultural parcel severance, removal of existing field access points and potentially the creation of wastelands and uneconomic remnant parcels. The circumstances (i.e. loss of access, severance, wasteland etc.) surrounding the impacts to each impacted remnant agricultural parcel are unique, thus some agricultural parcels may remain economically viable, while others may not. The following analysis will document the potential for severance, loss of access and potential creation of wastelands and uneconomic remnant parcels for the agricultural parcels impacted by the proposed alternatives for the proposed Project in Buffalo and Trempealeau Counties, WI.

4.4.1. Severance

As proposed, the northern and southern routes will temporarily and/or permanently sever agricultural parcels to accommodate the construction of the transmission line. Severance may be a physical barrier such as a temporary access road or a non-physical barrier such as permanent land use restrictions. Imposing land use restrictions as part of a transmission line easement ROW may still allow an agricultural landowner to access lands. However, barring the growth of trees or other woody plants as part of an easement may prevent the continuation of an existing agricultural land use, such as managed forestlands. Regardless of the means, severing an agricultural parcel effectively splits the existing parcel into two or more smaller parcels. Severing an agricultural parcel may also remove existing access points, create agricultural wastelands or uneconomic remnant parcels, and even divide the operation of a farm. Under Wisconsin's Eminent Domain Statute, compensation for damages resulting from severance is described in Wis. Stat. § 32.09(6).

Both proposed routes follow existing, single-circuit transmission lines for the majority of their lengths. New structures are proposed along both routes to support the transition to double circuited transmission lines. Existing structures will be replaced with new, taller steel monopoles. In some cases, this may reduce the total number of structures as taller structures accommodate longer transmission line span lengths. The Project requires a wider ROW in some segments than what currently exists. See CPCN Application PSC Docket ID 1515-CE-103, Appendix A, Figures 3A, Overview Existing Infrastructure Northern Route (REF#: 506981, 506982), Figures 3B, Overview Existing Infrastructure Southern Route (REF#: 506983, 506984) for maps of proposed project ROW, workspace and off-ROW access areas overlaid with existing transmission line infrastructure. Both the proposed preferred and alternative Project routes hold the potential to sever agricultural parcels.

Dairyland reported in their CPCN Application that impacts to agricultural lands will be minimized through use of existing transmission line corridors, however all routes would require the expansion of the existing ROW to accommodate the 345-kV circuit. If selected, the Northern Route would deviate from the existing ROW corridor along portions of Segments 2A, 3 and 4 in a new alignment. Dairyland proposes to mitigate new impacts to agricultural land in the new alignment by siting along public road ROW where practical, applying edge of field siting for proposed structures as well as consideration of alignment routing in addition to individual structure siting. If selected, the Southern Route would not require any new alignments (Dairyland, 2024).

Landowners are encouraged to review *Easement Negotiations and Landowner Communications* within Section 7.4.4 of the project CPCN application for specific details regarding mitigating or minimizing construction impacts in and around agricultural lands prior to easement negotiation and construction.

Where the proposed Project impacts MFL lands, the Department recommends Dairyland utilize the mitigation efforts described in Section 5.5.8 "Managed Forest Law, Trees and Other Woody Vegetation" to mitigate impacts to managed forests and preserve continuous tracks of managed forests where possible.

4.4.2. Access

As proposed, the Project has the potential to temporarily limit agricultural field access and limit access to agricultural operations during construction. When agricultural lands and operations lose access, even temporarily, agricultural productivity may be impacted if crops, livestock or other agricultural products cannot be tended too. Lost access may also directly result in lost income if a field cannot be planted or harvested, or if an agricultural operation as a whole is hindered.

Site-specific access limitations will be specific to temporary and permanent easements utilized for laydown yards, staging areas, off-ROW access roads and the transmission line ROW. Construction mitigation efforts for each farm will vary according to land use activities of the farm operator, type

of farm operation, soil conditions, extent of construction activities on the parcel or farm operation, and feasibility to avoid areas of concern. Landowners and farm operators with concerns related to access on their farm operation should discuss them with Dairyland during easement negotiations and in subsequent communications.

4.4.3. Wasteland

Acquisitions and easements that impact farmland frequently create small remnant fields that may be difficult to access, are irregularly shaped, or are no longer able to produce the pre-existing agricultural crop (e.g timber). These small irregularly shaped remnant fields may also contain numerous obstacles, such as transmission line poles, that can make it difficult for agricultural equipment to navigate and reduce the amount of tillable acres. This in turn reduces agricultural productivity, decreases the economic viability of the land and increases the likelihood of creating undeveloped land (Wis. Stat. § 70.32(2)(a)(5)) or what is commonly referred to as wasteland as shown in Figure 4. Compensation for the reduction in the value of parcels that are small and/or irregularly shaped and the potential creation of uneconomic remnant parcels according to Wis. Stat. 32.06(3m) should be addressed in the appraisal of each affected parcel.

4.4.3.1. Wasteland

By the nature of transmission line projects, both the preferred and alternative routes proposed by Dairyland for the Project have the potential to permanently create small amounts of agricultural wastelands in the immediate area surrounding each transmission line pole (Figure 4). Twelve agricultural landowners and tenants (24% of respondents) reported to the Department concerns about driving farming equipment around transmission towers and the lost productivity and revenue that would result from altering planting patterns around the towers (Appendix C "Agricultural Landowner Comments"), which elevates the cause for concern around the creation of tower induced wastelands. To mitigate the impacts of wasteland creation, the Department recommends that design practices be applied that prioritize edge of field siting for transmission structures in agricultural areas to minimize farmland conversion.

Where the transmission line would require the deforestation of managed forestlands (see Appendix L of Dairyland's CPCN application, REF # 507045; 507046) and prevents further growth of timber, the entirety of Project ROW within an MFL parcel may be wastelands if that land does not have a suitable secondary agricultural purpose.

Furthermore, the Department recommends Dairyland utilize the mitigation efforts described in Section 5.5.8 "Managed Forest Law, Trees and Other Woody Vegetation" to mitigate impacts to managed forests and preserve continuous tracks of managed forests where possible.

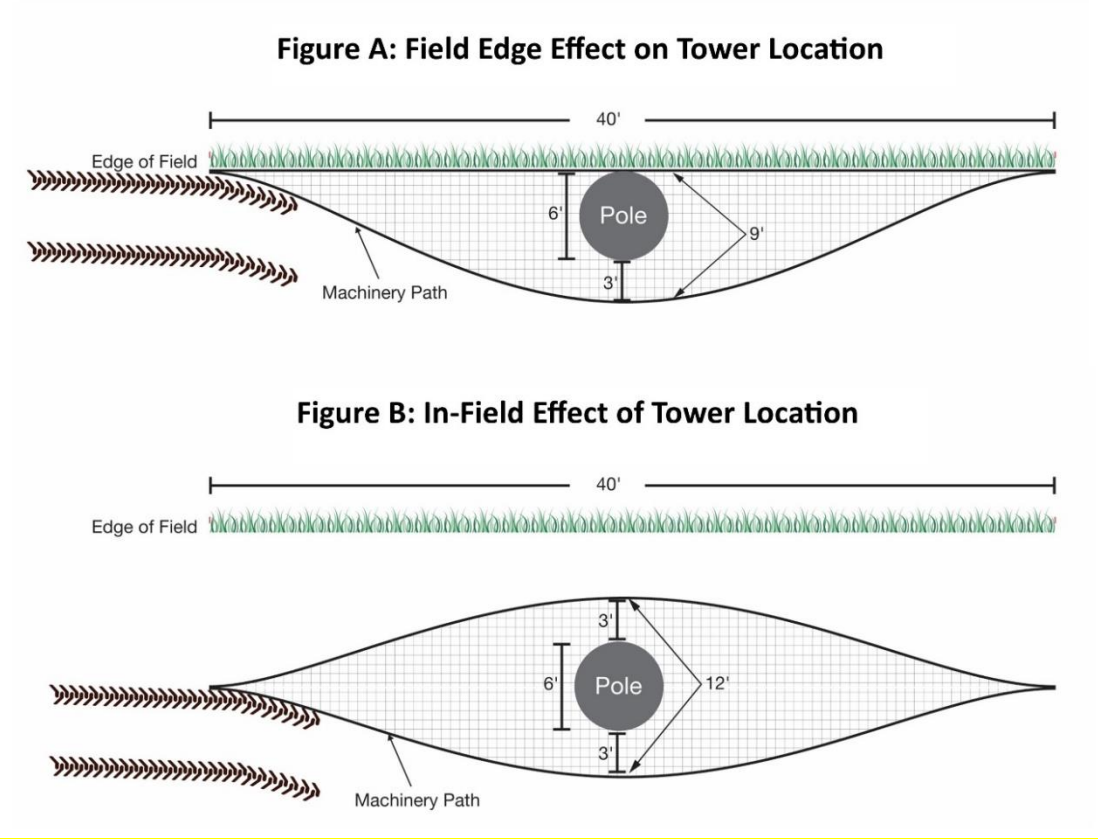

Figure 5 A and B: Examples of agricultural wastelands created by altering the pathway of agricultural machinery to navigate around transmission line towers along a field edge (Figure A) and within a field (Figure B).

4.4.3.2. Uneconomic Remnant Fields

An uneconomic remnant is defined in Wis. Stat. § 32.06(3m)(a) to mean "the property remaining after a partial taking of property, if the property remaining is of such size, shape, or condition as to be of little value or of substantially impaired economic viability. Under this provision, if the acquisition of only part of a property for the benefit of the project would leave the landowner with an uneconomic remnant, a condemnor shall offer to acquire the remnant concurrently.

Landowners or operators who are concerned about the creation of a physical or financial remnant that is negligible in value as a result of acquisition of any permanent easement affecting their farm operation should share information regarding impaired use or lost income or value in consultations or easement negotiations with Dairyland.

If the proposed Project is approved, narrow tracks of MFL forestlands would no longer be permitted to grow timber, yet the impacted land may have no suitable alternative agricultural use as they are part of larger blocks of MFL land. In effect, the land use restrictions on the impacted MFL land could turn the remnant field into uneconomic remnants. Prime Farmland and Soils

In spatial data provided in the AIN, Dairyland reported the Project will impact between 558.2 to 791.9 acres of agricultural lands, including cropland, forest management land, idle or fallow fields, pasture, specialty farmland and other agricultural land, and agricultural soils depending on the selected route. This soils analysis does not include lands required for temporary staging areas or laydown yards outside of the Project ROW. In the CPCN, Dairyland identified 17 preliminary staging areas which may be used without regard to which route is selected. Dairyland estimates, the project will require 4 to 5 staging areas of 10 to 20 acres in size along the project route (Dairyland, 2024), which may impact additional agricultural soils.

Impacts to prime farmland and soils measured in this analysis reflect the Project's cumulative impact and does not necessarily differentiate between permanent or temporary impacts to an agricultural operation. The soils impacted by the proposed Project were cataloged and analyzed by farmland classification, for each route alternative, using the USDA-Natural Resources Conservation Service prime farmland soils GIS layer. Farmland soil classifications impacted by the Project include prime farmland, prime farmland if drained, farmland of statewide importance or farmland of local importance (Table 4). Prime farmland is designated by the USDA according to section 622.3 of the National Soil Survey Handbook (USDA, 2017) and is based on the ability of the land and soil to produce crops. Definitions of prime farmland, prime farmland if drained and farmlands of statewide/local importance are provided under Table 7. The soil texture of agricultural soils impacted by the Project was analyzed, in general terms, across the project ROW. Acreage represented as an uncategorized texture in Table 7 are presumed to be surface water.

If selected, the North Route will impact up to 791.9 acres of agricultural soils. Across impacted parcels in the North Route, 54.7% hold some level of Federal or State priority designation, with 45.3% classed as not prime farmland. An estimated 259.83 acres of agricultural lands within the North Route ROW are known to be hydric or contain hydric inclusions. See Section 4.6.1 for *Drainage and Soil Health Impacts* for additional discussion of hydric soils.

If selected, the South Route will impact up to 558.2 acres of agricultural soils. Across impacted parcels in the South route, 45.7% hold some level of Federal or State priority designation, while 54.3% are classed as not prime farmland. An estimated 81.3 acres of agricultural lands within the South Route ROW are known to be hydric or contain hydric inclusions.

Across the impacted agricultural parcels in both routes, the soils primarily consist of silt loam textured soils of various soil series. Silt loam soils are medium-textured soils (Cornell, 2017) with good soil structure, possess an ideal ability to hold onto water without becoming excessively wet and are usually well suited for crop production (UW-Extension, 2005).

This soils analysis shows that both the preferred and alternative routes will impact or remove prime farmland and high quality soils. Comparatively, the acreage of potential impacts to prime farmland posed by the North Route are 35% greater than potential impacts to prime farmland posed by the south route. When evaluating the cumulative impacts to all farmlands with some designation of

Federal and State importance, the impact of the North Route increases to 51.75% more acres than the South Route. In general, the Department recommends selecting a route that shares existing ROW to the greatest extent possible to mitigate new or expanded impacts to prime farmland and agricultural soils. According to Dairyland, the South Route will afford 45% shared ROW area in acres; the North route will afford 38% shared ROW area in acres.

Table 3: Agricultural soils, shown by Project route and farmland classification, impacted by the proposed Project in Buffalo and Trempealeau Counties, WI.

Soil Texture	Prime Farmland* (acre)	Prime Farmland if Drained[◊] (acre)	Farmland of Statewide Importance[ŧ] (acre)	Not Prime Farmland[ϕ] (acre)	Total (acre)
North Route					
Complex	0.0	0.0	0.0	61.9	61.9
Loam	5.0	0.0	0.0	0.0	5.0
Loamy Sand	0.0	0.0	0.0	22.7	22.7
Muck	0.0	0.0	0.0	17.7	17.7
Sand	0.0	0.0	0.0	20.6	20.6
Sandy Loam	18.6	0.0	4.0	20.9	43.5
Silt Loam	138.7	182.1	84.8	213.0	618.6
Uncategorized	0.0	0.0	0.0	1.8	1.8
				North Route Total	791.9
South Route					
Bedrock	0.0	0.0	0.0	0.7	0.7
Complex	0.0	0.0	0.0	56.2	56.2
Loam	0.0	0.0	0.7	0.0	0.7
Loamy Sand	0.0	0.0	0.0	4.0	4.0
Muck	0.0	0.0	0.0	6.3	6.3
Sand	0.0	0.0	0.0	7.3	7.3
Sandy Loam	10.7	0.0	4.5	38.3	53.6
Silt Loam	103.2	57.1	78.9	189.1	428.3
Uncategorized	0.0	0.0	0.0	1.4	1.4
				South Route Total	558.2

*__Prime farmland__ is land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops, and may be utilized for cropland, pastureland, rangeland, forest land, or other lands excluding urban built-up land or water. It has the soil quality, growing season, and moisture supply needed to produce economically sustained high yields of crops when treated and managed according to acceptable farming methods, including water management.

[◊]__Prime farmland if drained__, indicates that if farmland is drained it would meet prime farmland criteria.

[ŧ]__Farmlands of statewide importance__ are set by state agency(s). Generally, these farmlands are nearly prime farmland and economically produce high yields of crops when treated and managed according to acceptable farming methods. Some may produce yields high as prime farmlands under proper conditions.

[ϕ]__Not Prime farmland__, indicates farmland is neither prime farmland nor of designated importance.

4.5. Drainage and Soil Health

Maintaining proper field drainage and preserving soil health is vital to the success of an agricultural operation. If drainage is impaired, water can settle in fields and cause substantial damage, such as reducing soil health, harming or killing crops and other vegetation, concentrating mineral salts, flooding farm buildings, or causing hoof rot and other diseases that affect livestock. Soil structure, texture, organic matter and microorganisms are all important factors that influence soil health (Wolkowski and Lowery, 2008).

4.5.1. Drainage and Soil Health Impacts

Project construction activities have the potential to disrupt and/or mix soil profiles within the Project ROW as well as the surrounding area. Construction activities may affect the existing surface and subsurface (i.e. drain tile) drainage patterns of agricultural fields if drainage tile lines are broken or if the topography of grassed waterways, known water flowlines or erosion control structures are altered. Agricultural landowner feedback gathered by the Department indicates that several impacted agricultural parcels contain drainage tile that could be affected by the Project (Appendix C: Agricultural Landowner Comments). The agricultural soils impacted by the proposed Project are also widely known to be hydric or contain hydric inclusions. Hydric soils are commonly saturated, flooded or ponded for an extended period during the growing season, causing anaerobic conditions within the upper soil layer and may be associated with wetlands. It is common practice for agricultural operations to install drainage systems to mitigate the impacts of hydric soils, however drainage is most common in eastern and southern areas of the state where soils and topography preclude adequate drainage (Olson, 2020).

Prior to the start of construction, landowners should identify for Dairyland where construction activities may interfere with farm operations, farm building/facilities or farming infrastructure including but not limited to drain tiles, wells, watering systems, drainage ditches, drainage tile, culverts, amongst others. Dairyland has incorporated a Best Management Practice for identifying and repairing drain tile in Section 7.4.4 of its CPCN Application (REF#: 507067).

The movement of heavy equipment through the Project ROW may also compact soil and impede drainage. UW-Extension report A3367 states that heavy equipment with axle loads that exceed 10 tons increase the risk of soil compaction into subsoil layers that cannot be removed by conventional tillage (Wolkowski and Lowery, 2008). In addition, research has also shown that construction activities can negatively impact soil properties, soil health and crop yields for up to a decade within the ROW depending on the type and severity of construction impacts (e.g equipment axle weight, use of excavation, intermixing of soil layer etc.) (Culley and DOW 1988; Shi et al., 2014).

Dairyland has discussed construction impacts related to soils and their applicable management practices in Section 5.5 of its CPCN Application (REF#: 507067) including practices like sediment

and erosion control, use of composite, timber or laminated construction matting, topsoil segregation, clean up and restoration. Specific practices to minimize or mitigate construction impacts in and around agricultural lands are discussed in Section 7.4.4 of the CPCN Application (REF#: 507067). Dairyland has incorporated a best management practice for application of chloride base products for de-icing or traction control in winter conditions to avoid negative impacts to soil health. The department agrees with the tenants of this practice where safety conditions permit. The Department recommends Dairyland take several mitigation efforts related to topsoil mixing, soil compaction, drainage, de-watering, and erosion control as see in Section 5.5 "Recommended Mitigation Efforts" to mitigate impacts to drainage and soil health on agricultural lands and preserve prime farmland & soils.

5. AGRICULTURAL IMPACT MITIGATION

Dairyland has indicated within their CPCN application and AIN, pending Project approval, they will coordinate and consult with each agricultural landowner to obtain detailed information about each agricultural operation including but not limited to: locations of farm infrastructure, animals and crops, current farm biological security practices, locations of drainage tiles, use of off-ROW access roads, landowner concerns and coordination of construction access routes. Dairyland will use agricultural landowner feedback to identify potential project impacts to each agricultural operation along the Project route and to the extent practicable, implement measures to mitigate impacts (DATCP, 2024a; Dairyland, 2024).

The Department recommends that landowners whom are concerned about potential impacts to their agricultural land should keep records of the conditions of the ROW before, during, and after construction. Records could include keeping crop yield records, beginning once the ROW is known, and photographs taken every season. These measures can help a landowner negotiate for compensation, should damages caused by Project occur.

5.1. Independent Environmental Monitor (IEM)

For large-scale utility projects, the requirement for project initiators (i.e. utilities) to hire an IEM has become a standard part of a PSC approval order. When hired, an IEM works on behalf of the PSC, WisDNR, the Department or other state regulatory agency as opposed to the utility. IEMs monitor project construction activities and report on a wide range of environmental issues such as construction impacts to wetlands, waterways, protected species, archaeological sites, state and federal properties, and erosion control. The IEM is also responsible for reporting incidents and has the power to stop project work if construction activities would violate permits, approvals, PSC order conditions, or agreement with a state regulatory agency.

Given the extended linear length (potentially 34-45 miles) of the Project in Buffalo and Trempealeau Counties, there is the potential for a range of environmental impacts to soil, wetlands, woodlands, wildlife, archaeological sites, stream crossings and surface water quality. If approved by the PSC, the Department recommends Dairyland be required to hire an IEM for the duration of the construction of Project. The IEM should be hired in consultation with and the approval of the PSC, DATCP, and WisDNR and all reports generated by IEM should be shared with the PSC, DATCP, and WisDNR.

5.2. Independent Agricultural Monitor (IAM)

When a project affects a significant amount of agricultural land an IAM may also need to be hired. IAMs monitor project construction activities and report on a wide range of agricultural issues including but not limited to construction impacts to soil health, soil erosion, crop damage, agricultural operations, irrigation and impacts to surface and subsurface drainage. Similar to an IEM, an IAM works on behalf of the PSC, WisDNR, the Department or other state regulatory agency as opposed to the utility. IAMs should also verify the project initiator is complying with any agricultural best management practices and agricultural conditions in the PSC order and any environmentally relevant construction documents approved by the PSC. While the duties of an IAM and IEM may sound similar, the IAM specializes in agricultural impacts and the IAM does not hold the power to stop the project.

The proposed Project offers two route alternatives with a high amount of impacted acres, leading to many potential agricultural impacts. Agricultural impacts from the Project may include but are not limited to crop damage, soil compaction, mixing of topsoil, soil erosion, impacts to surface and subsurface drainage, impacts to irrigation systems and stray voltage. For assistance mitigating potential environmental impacts and staying within the limits of federal, state and local permits, Dairyland plans to hire an experienced Environmental Inspector. Given the circumstances of the Project, which are outlined in the IEM Section above, the Department believes the magnitude of agricultural impacts constitute the need for an IAM. Absent an IAM, an individual with experience as an Agricultural Specialist would have the ability to assist impacted agricultural landowners and help mitigate the potential agricultural impacts from the Project.

Should the PSC require an IAM for the Project, the Department recommends the IAM complete the Department's standard Agricultural Monitoring Form for Transmission Line Projects (ARM-LWR-543) seen in Appendix F or equivalent. For the Department to maintain timely review of Project activities occurring on agricultural lands, the IAM should document daily observations of construction activities on agricultural land only. The IAM should send the Department an updated form weekly.

5.3. Agricultural Mitigation Measures

Dairyland proposes agricultural mitigation measures for Project impacts to agricultural operations in section 7.4.4 and construction practices in section 5.5.1 of their CPCN application (REF# 507067) (DATCP, 2024a; Dairyland 2024).

Dairyland plans to minimize Project impacts to agricultural lands through careful consideration of agricultural impacts during the routing & siting process, such as using existing transmission line corridors. Where there was need for re-alignment, like in portions of the Northern Route, Dairyland proposes a new alignment along public road ROW to lessen impact to the edge of agricultural fields (Dairyland, 2024). Dairyland plans to implement construction practices aimed at preserving top soil, reduce soil mixing, preventing erosion, and minimizing soil compaction (Appendix J of Dairyland's CPCN application, REF #507042; Dairyland, 2024). Such stated construction practices include:

- Siting construction access routes to mitigate agricultural impacts.
- Installation of erosion and sediment control Best Management Practices (BMPs).
- Placement of timber matting for vehicle/equipment access and work pads to distribute equipment loads over a larger surface area and minimize compaction of soils.
- Segregation of top soil within agricultural lands during excavation activities to preserve top soil.
- Coordinating with landowners during the design process to avoid, to the extent practicable, the siting of a transmission line tower or project structure on or near drain tiles.
- Restoring agricultural lands to pre-existing conditions through soil de-compaction, repair of drain tile if necessary, and appropriate compensation for any loss in productivity.
- Hiring an Environmental Inspector (EI) that is onsite during construction ensuring compliance with environmental plans and documenting information required for federal, state and local permits and authorization throughout the process of construction.

Prior to construction, Dairyland also proposes to consult with each agricultural landowner to understand their farm specific agricultural operation, including but not limited to: current agricultural practices, equipment, locations of farm infrastructure, animals and crops, current farm biological security practices, locations of drainage and irrigation structures, use of off-ROW access roads, landowner concerns and coordination of construction access routes. Dairyland will attempt to schedule construction when agricultural activities will be minimally affected, or the landowner will be compensated accordingly (Dairyland, 2024). Dairyland will keep landowners informed of the construction schedule, of overall progress, incorporate agricultural landowner feedback to identify

potential project impacts to each agricultural operation along the Project route and to the extent practicable, implement measures to mitigate the impacts.

Subsequent discussion includes agricultural acquisitions and recommended additional agricultural mitigation practices beyond what Dairyland has proposed.

5.4. Cleanup and Restoration

In accordance with Wis. Stat. § 182.017(7)(c), following the completion of construction activities, Dairyland will restore the area to preconstruction conditions. In general, cleanup and restoration activities include the removal of construction mats, temporary clear span bridges, and any other material or debris (including stones and rocks) from the ROW. Stockpiled topsoils and subsoils removed during construction are returned, in the proper order, and graded to match the existing topography and slopes. All ruts and depressions are restored and new topsoil may be brought in where topsoil has been lost or seriously mixed with subsoils. Agricultural soils are also monitored for compaction and when required undergo decompaction efforts to return the soil structure to its original condition. In areas where crops are not present--such as roadsides, pastures, old fields or upland woods--native seed mixes (or other appropriate seed mixes approved by the landowner) may be sown.

Under Wis. Stat. § 182.017(7)(c), if drainage tiles, fencing or other agricultural features are damaged during construction, Dairyland is responsible to repair and/or replace the damage feature. Dairyland is also responsible to pay for any crop damages caused by construction or maintenance of the transmission line. Within the AIN to the Department (DATCP, 2024a), Dairyland stated they will work with agricultural landowners to compensate them for crop damages, compaction, and potential future crop loss as a result of the Project in the following manner. Dairyland will work with landowners to reach a mutually agreed crop damage payment, based on the market value at the time of settlement negotiation or value per preexisting contract. Dairyland will provide 100% compensation to the landowner of the value of the crops for each year there is active construction and active crop production. Dairyland will also compensate the landowner for 50% of the value of the crop for the year following construction, and 25% for the second year following construction (Dairyland, 2024).

For any dairy farm or livestock operation impacted by the removal of feed supply within the construction workspace, Dairyland will compensate for increased costs associated with the purchase of forage. Other compensation measures could include Dairyland compensating for the cost of boarding an animal off-farm (Dairyland, 2024).

The Department recommends that Dairyland continue to monitor the ROW for soil erosion and maintain erosion control practices until there is sufficient vegetative growth in the ROW to mitigate

soil erosion. Only after restoration activities are complete and vegetation has re-established within the ROW, should temporary restoration erosion control devices, not designed to be left in place, be removed.

5.5. Recommended Mitigation Efforts

5.5.1. Topsoil Mixing

Agricultural topsoil is an invaluable resource that should be preserved. Excavation activities required to create the structural foundations for electric transmission line poles have the potential to mix highly productive topsoil with underlying less productive and potentially rocky subsoils. Deep rutting also has the potential to intermix topsoil. If intermixing of topsoil occurs, the resulting soils are generally known to be less productive and in-turn reduce the agricultural productivity of the impacted area. When excavation is needed, Dairyland is required by Wis. Stat. § 182.017(7)(c) to segregate and stockpile topsoil from subsoil. As stated within their CPCN, Dairyland will store the topsoil and subsoil separately within the construction workspace with a gap between the soil piles to prevent mixing.

The Department recommends that Dairyland take the following additional steps to prevent the mixing of topsoil with subsoil layers within the Project ROW:

1) Do not spread mixed soils or segregated subsoils over cropland, pastures or other agricultural fields.
2) Prevent and monitor for erosion to keep topsoil segregated and within the ROW.
3) Avoid working in areas with recently saturated soils.
4) If rutting occurs, allow sufficient time for the soil to dry before repairing the ruts.
5) If topsoil mixing occurs, remove the intermixed soil and replace with new topsoil.

5.5.2. Soil Compaction

Equipment used to construct electric transmission lines has the potential to compact soil and reduce soil productivity on the farmland traversed during construction. Soil compaction is widely known to have a range a potential negative impacts to the productivity of soil, including reduced crop productivity, reduced crop uptake of water and nutrients, restriction of plant rooting depth, decreased water infiltration and increased surface runoff.

Several factors influence whether soil becomes compacted. An important influence is soil moisture: the wetter the soil, the more likely it is to be compacted from traffic. The potential for compaction also depends on the soil texture. Coarser textured soils, like sand or sandy loam, are less likely to become compacted than are clay or silty clay loams. Finally, the axle weight of the construction equipment affects compaction. UW-Extension report A3367 states that heavy equipment with axle loads that exceed 10 tons increase the risk of soil compaction into subsoil layers that cannot be

removed by conventional tillage (Wolkowski and Lowery, 2008). The expected compaction depth increases as the axle load and soil moisture content increases.

As stated within the Project's CPCN, Dairyland plans to reduce compaction through the use of stripping topsoil and/or installing construction mats along travel lands and access roads in upland areas. Disturbed subsoil would be restored to as near pre-construction conditions as possible, and decompacted where applicable (Dairyland, 2024).

The Department recommends taking the following additional steps to prevent soil compaction and rutting wherever possible. Measures to prevent soil compaction within the Project ROW include:

1) Using low-ground pressure and/or wide tracked equipment to reduce axel weight applied to soils.

2) When possible, conducting construction work during winter months when the ground is frozen.

3) Avoiding work in areas with recently saturated soils.

4) If rutting occurs, allowing sufficient time for the soil to dry before repairing the ruts.

After construction is complete, the ROW will be compacted to some degree. The Department recommends measuring for soil compaction post-construction within the Project ROW and outside of the Project ROW with a penetrometer throughout the soil horizon and comparing the measurements. If soil measurements within the Project ROW are comparatively higher, this is an indication that compaction has occurred. In areas where soil compaction occurred, the Department recommends Dairyland take steps to decompact the soils by conducting a sufficient amount of deep tillage (V-ripper, chisel plow, para plow or other depth appropriate tillage implement) within the ROW to help restore the soil structure to pre-construction productivity. Following decompaction, the soil should be measured again for signs of compaction to ensure proper decompaction has occurred throughout the topsoil and subsoil profile. The Department also recommends Dairyland monitor soil moisture conditions post-construction throughout the Project ROW for signs of standing water. Areas with standing water may also have experienced soil compaction and should be measure for compaction.

5.5.3. Drainage

Proper field drainage is vital to a successful farm operation. Construction of an electric transmission line can disrupt improvements such as drainage tiles, grassed waterways, and drainage ditches, which regulate the flow of water on farm fields. If drainage is impaired, water can settle in fields and cause substantial damage, such as killing crops and other vegetation, concentrating mineral salts, flooding farm buildings, or causing hoof rot and other diseases that affect livestock. Construction-caused soil compaction or damaged drain tiles can lead to ponded water where none existed prior to construction. If drain tiles are damaged, Dairyland is required by Wis. Stat. § 182.017(7)(c) to repair or replace the damage drain tile.

To help mitigate the potential for drainage impacts, the Department additionally recommends the following:

1) Agricultural landowners should inform Dairyland about the existence and location of drainage systems or planned drainage systems that could be affected by the Project.

2) Agricultural landowners should document field moisture conditions and the historic presence/absence of ponded water prior to the start of construction for post-construction comparisons.

3) Dairyland should consider using the techniques outlined in Section 5.5.2 "Soil Compaction" when crossing a known drain tile.

4) Where construction activities have created new wet areas, Dairyland should work with the landowner to determine the best means to return the agricultural land to pre-construction function.

5.5.4. De-watering

During excavation/auguring of the structure foundation for a transmission line pole, de-watering may be necessary. Improper de-watering can result in soil erosion, sedimentation and deposition of gravel, sand, or silt onto adjacent agricultural lands, and the inundation of crops. The discharge of these construction waters must be in compliance with current drainage laws, local ordinances, WisDNR permit conditions, and the provisions of the Clean Water Act. Dairyland is required by Wis. Stat. § 182.017(7)(c) to compensate the landowner for any damage to agricultural fields caused by construction de-watering activities.

In section 5.5.5 of Dairyland's CPCN application, they describe dewatering methods proposed to be used for excavation activities (Dairyland, 2024).

The Department recommends the following additional practices to mitigate the impacts of construction water discharge on agricultural lands:

1) Dairyland should identify prior to construction 1) excavation sites with low areas and/or hydric soils where de-watering is likely and 2) suitable upland areas for discharge.

2) Discharge locations should be well-vegetated areas with topography that will prevent the water from returning to the ROW, resist soil erosion, and allow for infiltration and settling of gravel and other unwanted sediments prior to entering a field, pasture, or waterbody.

3) Cropland, pasturelands and other agricultural areas selected for discharge should not be inundated for more than 24 hours, as longer durations could result in crop damage.

4) Dairyland should not directly discharge or allow construction waters from non-organic farms to enter an organic farming operation.

5.5.5. Irrigation

Electric transmission line construction activities and the placement of transmission line poles can interfere with the operation of linear or center pivot irrigation systems used to irrigate crops. Soil compaction from construction equipment may also impact or damage underground piping that supplies irrigation systems. Any interruption to irrigation systems cause by the Project can deprive crops from needed water and nutrients resulting in decrease crop yields.

Dairyland addresses potential impacts and relevant mitigation practices in Section 7.4.4 of their CPCN application. The Department recommends the following additional practices to mitigate the impacts to irrigation systems:

1) Prior to construction, agricultural operations that use irrigation within or adjacent to the Project ROW should inform Dairyland of their irrigation system, how the Project may impact the system, irrigation schedules frequency of irrigation and weather conditions that may change the irrigation schedule.

2) Dairyland should consider using the techniques outlined in Section 5.5.2 "Soil Compaction" when crossing a known irrigation pipeline.

3) If an irrigation system needs to be reconfigured as a result of the Project, Dairyland should work with the irrigation operators to reconfigure the irrigation equipment where necessary and to compensate them for any portion of cropland where the irrigation system no longer operates.

5.5.6. Erosion and Conservation Practices

Electric transmission line construction activities and the placement of transmission line poles can destabilize existing erosion control practices such as diversion terraces, grassed or lined waterways, outlet ditches, water and sediment control basins, vegetated filter strips, etc. The destabilization of these erosion control practices have the potential to cause soil erosion within the ROW, but also from upland fields. During wet conditions the risk of soil erosion is increased, as

exposed soils, especially areas with increased slope, may more easily erode and move downslope. Wind erosion may also be of concern if existing windbreaks are removed from the ROW, especially when soils are dry. If left unchecked, significant erosion can have an adverse effect on the long-term productivity of agricultural lands. Dairyland is required by Wis. Stat. § 182.017(7)(c) to restore existing erosion control practices such as diversion terraces, grassed or lined waterways, outlet ditches, water and sediment control basins, vegetated filter strips, etc. that are damaged by construction activities to pre-construction condition and function.

Dairyland addresses potential impacts and relevant mitigation practices in Section 7.4.4 of their CPCN application. The Department recommends the following additional practices to mitigate soil erosion within the Project ROW:

1) Once construction is complete, pending soil decompaction, impacted agricultural lands within the ROW should be returned to cropland or seeded with the appropriate seed mix.

2) Dairyland should inspect all temporary erosion controls and undertake erosion control structure maintenance to prevent soil erosion within the ROW as required by the Construction Site Storm Water Runoff General Permit No. WI-S067831-6 (General Permit).

3) Dairyland should avoid impacting any existing permanent erosion control structure (e.g diversion terraces, grassed or lined waterways, outlet ditches, water and sediment control basins, vegetated filter strips, etc.) that's intended to prevent soil erosion from an upland agricultural area.

4) Should Dairyland disrupt an existing permanent erosion control structure, a temporary structure should be installed until the permanent erosion control is restored.

5.5.7. Temporary Access Roads

Dairyland has proposed to install temporary access roads as part of the Project, when an alternative access road does not exist, to allow personnel and construction equipment to access the Project corridor. When a temporary access road is constructed there is a range of potential negative effects to agricultural lands including the mixing of topsoil with subsoil & rocks, soil compaction, soil erosion, and interference with existing drainage & irrigation. New temporary access roads also have the potential to impact agricultural operations by severing cropland or pastures, limiting field access or limiting access to agricultural infrastructure & buildings. Any of these impacts can result in lost agricultural productivity whether from lost soil productivity, crop losses or the direct loss of agricultural revenue when access to agricultural infrastructure is limited. When the Project has completed, Dairyland is required by Wis. Stat. § 182.017(7)(c) to restore the land to its original condition, clear all debris and remove all stones and rocks associated with the access roads. However, if desired by the landowner and in consultation with Dairyland, temporary access roads may be left in place after construction.

The Department recommends the following to mitigate the impacts of access roads when they cross agricultural lands within the Project ROW:

1) Dairyland should consult with agricultural landowners before siting any temporary access roads.

2) Dairyland should strip and stockpile the topsoil for later re-use during restoration.

3) Access roads should also be designed to allow proper drainage and minimize soil erosion.

4) Dairyland should consider using the techniques outlined in Section 5.5.3 "Drainage" when siting an access road over drain tiles.

5.5.8. Managed Forest Law, Trees and other Woody Vegetation

If approved, the Project will impact a total of approximately 154.59 -196.42 acres depending on the chosen route alternative. An explanation of the state's MFL program and what that means for the woodlands enrolled within the program is provided in Section 3.1.4 "Managed Forest Law". Additional acres of unmanaged forest lands will also be impacted, but are beyond the scope of this AIS as unmanaged forest lands are not defined as an agricultural use according to Wis. Stat. § 91.01(2). Both managed and unmanaged woodlands can provide financial benefit to the landowner either directly through the sale of managed forest for timber, the sale of firewood, or the harvest of tree sap for sale. The removal of any trees from a property may also decrease the market value of the property.

Prior to the start of construction, Dairyland will remove all woody vegetation, trees and brush not already removed by the landowner from the full width of the Project ROW. Vegetation will be cut at or slightly above the ground surface using mechanized equipment or by hand. Tree stumps are generally left in place, except in areas where stump removal is necessary to facilitate the movement of construction vehicles, or required by the landowner. Once removed, trees are not permitted to regrow or be replanted in the Project ROW after construction is complete or while maintained by Dairyland. According to Wis. Stat. § 182.017(7)(e) affected landowners will maintain ownership of all trees removed by Dairyland during construction. Dairyland is also required to provide the landowner a reasonable amount of time, prior to construction, to harvest the trees on their own. Post construction and restoration, the deforested land could be used for farming so long as the intended crop or agricultural equipment does not interfere with transmission line facilities. Dairyland will manage and maintain deforested areas, including vegetation removal and management within the deforested ROW for those areas that landowners do not wish to crop or maintain.

The Department recommends the following to mitigate the impacts of tree and woody material removal from the Project ROW:

1) The PSC should select a route that avoids the fragmentation of major blocks of forest and prioritize the preservation of windbreaks, MFL lands and forestlands used for specialty forest products.

2) Dairyland should adjust the placement of transmission line poles to minimize the need for tree removal and prioritize the preservation of trees used for windbreaks.

3) Dairyland should compensate agricultural landowners for the construction of any additional structures that serve in the place of the harvested trees.

4) Dairyland should hire an appraiser who has experience and expertise in valuing trees.

5) Landowners who wish to obtain their own appraisal should also hire an appraiser who has experience and expertise in valuing trees.

6) Landowners who wish to farm within the deforested area should discuss tree stump removal with Dairyland during the easement negotiation process.

5.5.9. Fencing

The construction process may require fences that cross the Project ROW to be severed. According to Wis. Stat. § 182.017(7)(c), if Dairyland is required to cut or sever a fence they are required to install a temporary gate and repair all damages to fencing. Changes to existing fence lines can interfere with grazing activities, particularly for rotational grazing operations that depend on precise, scheduled grazing in particular areas.

Dairyland addresses potential impacts and relevant mitigation practices in Section 7.4.4 of their CPCN application. To mitigate the impacts to fencing, the Department recommends the following additional recommendations:

1) Prior to construction, Dairyland should consult with agricultural landowners with grazing operations in and adjacent to the Project ROW and modify construction activities and timing to mitigate impacts to livestock.

2) Dairyland and agricultural landowners should agree on the appropriate measures to prevent livestock from entering the Project ROW.

3) Dairyland should develop a plan for livestock to access pastures adjacent to the Project ROW or otherwise compensate the landowner for the costs related to restricted grazing.

5.5.10. Weed Control

The Project may introduce noxious weeds or other invasive plants species into the Project ROW that compete with agricultural crops. Noxious weeds may also spread from parcel to parcel by construction equipment and project activities. Once weeds establish, they can interfere with

agricultural harvesting equipment, attract unwanted insects, and require physical removal or chemical applications to remove.

Post construction and restoration, agricultural operations may resume normal agricultural cropping activities within the ROW so long as the crop or agricultural equipment do not interfere with transmission line facilities. After construction and during the operation of the line, Dairyland is required by Wis. Stat. § 182.017(7)(d) to control weeds and brush around the transmission line facilities. However, Dairyland shall not use herbicide for weed and brush control without the express written consent of the landowner (Wis. Stat. § 182.017(7)(d)).

The Department recommends the following to control for and manage the spread of noxious weeds within the project ROW:

1) Agricultural landowners should state in writing whether they do or do not give Dairyland their consent for herbicide to be applied within the ROW they own.

2) Dairyland should clean construction equipment and materials prior to entering an area of certification.

3) Dairyland should clean all roadways (private, county, state etc.) of construction debris, dirt and rocks.

4) Dairyland should use tracking pads at frequently used access points.

5) Agricultural landowners and beekeepers should consider using the free online DriftWatch™ and BeeCheck™ registries, operated by FieldWatch™ to communicate areas containing specialty crops or beehives with pesticide applicators, in order to minimize the risk of accidental exposure. For more information on DriftWatch, please visit the DATCP DriftWatch website at the provided link or at https://wi.driftwatch.org/.

6) Dairyland and its contractors that are applying herbicide or pesticides should utilize the Department's Driftwatch™ online mapping tool to locate agricultural lands and operations that are susceptible to herbicide or pesticides. If the online mapping tool locates an agricultural operation on or near areas that will receive herbicide or pesticide applications, Dairyland should contact the operation to discuss the appropriate methods required to minimize the risk of accidental exposure.

5.5.11. Aerial Application of Seeds and Sprays

The location of an electric transmission line on cropland can restrict the aerial application of seeds and chemicals and can increase the danger of making aerial applications. In turn, agricultural pilots have to maneuver to avoid transmission lines, which may result in uneven, imprecise or missed aerial applications. When aerial applications are restricted or prevented agricultural produces may

experience 1) increased weed growth and pest infestations that reduce crop yields, 2) increased cost and labor from land based application of seeds and chemical in non-applied areas.

To mitigate the potential for impacts to aerial application, the Department recommends the following:

1) Agricultural landowners inform Dairyland if they use aerial applications.
2) Dairyland and the impacted agricultural landowners work to determine the most effective techniques to minimize the impact to their aerial applications.
3) Dairyland install colored wire shielding near fields that utilize aerial applications.

5.5.12. Construction Debris

After construction is complete, there may be construction debris remaining on the field. If large pieces of debris or rocks are left in the field, agricultural machinery may be damaged when the landowner first works the land. Dairyland is required by Wis. Stat. § 182.017(7)(c) to clear all debris and remove all stones and rocks resulting from construction activity upon completion of construction. To that end, Dairyland shall also clear the ROW of signage, construction mat debris, litter, and spoil piles etc.

To mitigate the potential impact of construction debris, the Department recommends the following:

1) Should a landowner find construction debris remaining in the field after Dairyland has cleared the field, the landowner should contact the Dairyland IEM or IAM, or equivalent contact, to report the debris prior to operating agricultural equipment in the field.
2) Should Dairyland remove an existing power line pole from within or immediately adjacent to cropland, Dairyland should remove the old structure at a minimum of four feet below the ground surface.
3) Should Dairyland create a hole within croplands during the removal of any part of the existing transmission structure, they should fill the hole with clean imported topsoil.

5.5.13. Crop Rotation and Dairy Operations

The construction of an electric transmission line may disrupt a planned crop or crop rotation. Impacts to alfalfa fields and planned alfalfa seeding are especially disruptive to dairy operations as they need to maintain a proper supply of alfalfa to feed dairy cows. Any delays, yield reductions or damages to an alfalfa crop may require the dairy operation to buy haylage or hay, obtain more corn silage, and/or provide protein supplements such as soybean oil meal to make up for the lost alfalfa. With advanced notice of the Project's construction schedule, a dairy operator would be better able to adjust forage requirements and plan for any increased associated costs. If the Project is approved, the Department recommends that Dairyland provide any impacted dairy operations with advanced notice of the construction schedule across their operations and

compensate the landowner for any increased costs associated with construction impacts to forage requirements.

5.5.14. Organic Farms & Other Areas with Certifications

Construction and ongoing maintenance activities for the Project may jeopardize a farm's organic certification or other certifications such as *pesticide-free* (certified areas) if a prohibited chemical is used on their certified land, drifts from a neighboring field or enters their land on construction machinery, construction matting or improper de-watering. Dairyland and their contractors must use caution and care where the Project ROW borders or crosses an area with certification. Wis. Admin. Code § ATCP 29.50(2) states that no pesticides (includes herbicides) may be used in a manner that results in pesticide overspray or significant pesticide drift. In addition, any oil or fuel spill on these farms could prevent or remove a farm's certification.

Dairyland addresses organic certified farm operations within section 7.4.4 of their CPCN application, proposing a list of agricultural impact mitigation measures including that they will work with landowners and tenants to identify any farm operations currently certified or in the process of obtaining organic certification.

The Department reviewed their stated potential mitigation measures for areas with certifications and recommends use of all mentioned within the CPCN, as well as the following additional practices:

1) Dairyland should not apply pesticides to organic farms or other certified farms that preclude the use of these chemicals without the expressed written consent of the landowner.

2) Agricultural landowners with an area of certification should contact Dairyland and report the range and type of substances that are and are not permitted according to their certifications.

3) Agricultural landowners and beekeepers should consider using the free online DriftWatch™ and BeeCheck™ registries, operated by FieldWatch™ to communicate areas containing specialty crops or beehives with pesticide applicators, in order to minimize the risk of accidental exposure. For more information on DriftWatch, please visit the WDATCP DriftWatch website at the provided link or at https://wi.driftwatch.org/.

4) Dairyland and its contractors that are applying herbicide or pesticides should utilize the Department's Driftwatch™ online mapping tool to locate agricultural lands and operations that are susceptible to herbicide or pesticides. If the online mapping tool locates an agricultural operation on or near areas that will receive herbicide or pesticide applications, Dairyland should contact the operation to discuss the appropriate methods required to minimize the risk of accidental exposure.

5) Dairyland should generate and distribute a list of organic farms or other certified farms and the prohibited chemicals to their construction staff and contractors.

6) Prior to construction, Dairyland and the farms with areas of certification should agree to the appropriate methods to avoid unintentional contacts or applications of prohibited chemicals from entering their farms.

7) Dairyland may wish to underlay heavily used areas of the ROW with geotextile fabric in order to limit the potential for prohibited substances from contaminating areas with certification.

5.5.15. Biosecurity

Farm biosecurity is the implementation of measures designed to protect a farm operation from the entry and spread of diseases and pests. Construction activities can spread weeds, diseases, chemicals and genetically modified organisms (GMO's) that impact an agricultural operation. Certified organic farms and farms with other certifications such as pesticide-free are susceptible to the widest range of biosecurity impacts and may suffer greater negative impacts if their agricultural operation is exposed to a biosecurity threat. For more information on basic biosecurity protocols, please visit the Department's Basic Biosecurity website at the provided link or at https://datcp.wi.gov/Pages/Programs_Services/BasicBiosecurity.aspx.

The Department recommends the following to mitigate biosecurity risks within the Project ROW:

1) Dairyland and agricultural operations within the Project ROW should develop a biosecurity plan that contains a set of protocols including but not limited to: Cleaning construction equipment; handling manure within the ROW; identifying responsible parties that can move livestock and manure within the ROW; and establishing communication channels to report construction and farm activities within the ROW.

2) Dairyland and their contractors should avoid contact with livestock and manure throughout the Project.

3) If livestock need to be moved, Dairyland should work with the livestock owner to move the livestock.

5.5.16. Stray Voltage

Electric distribution systems are grounded to the earth to ensure safety and reliability. At the site of the grounding, electrical current enters the earth where voltage can be detected. This is generally known Neutral to Earth Voltage (NEV). When a person, animal or object is near an NEV, the voltage may pass to them resulting in electrical contact (i.e. shock); this is generally known as stray voltage. Stray voltage often goes unnoticed by humans, but stray voltage from NEV may affect animals on farms. Animals may encounter stray voltage any time the animal makes contact

with an electrified point such as a fencing, feeder, the earth or stalls. Animals affected by stray voltage may show changes in behavior or milk production.

The PSC administers Wisconsin's Stray Voltage program under Wis. Stat. § 196.857 in cooperation with the Department. The PSC established the Phase II Stray Voltage Testing Protocol to fulfill its duty to create a standard stray voltage NEV testing protocol as required by Wis. Stat. § 196.857(b). Under the Phase II testing protocol, a utility is mandated to take corrective action to resolve any electrical contact at or above 0.5 volts (Reines and Cook, 1999). The Stray Voltage program is able to review voltage testing data generated by the utility and the conclusions the utility has reached. For more information on the PSC Stray Voltage program, impacts to agricultural operations and mitigation steps, visit https://psc.wi.gov/Pages/Programs/StrayVoltageHomePage.aspx.

Should additional concerns for the health of a herd arise from stray voltage testing, the Department's Herd-Based Diagnostic Program may be able to assist. The program provides a licensed veterinarian, free of charge, to help producers investigate concerns with milk production, milk quality, herd health, and more. For more information on the Herd-Based Diagnostic Program visit https://datcp.wi.gov/Pages/Herd-basedDiagnostics.aspx.

To mitigate the impacts of stray voltage, Dairyland stated that they will work through the local distribution company to perform Neutral to Earth Voltage (NEV) testing. Dairyland reported within the CPCN (Dairyland, 2024) that six confined animal dairy operations are located within ½ mile of the proposed northern route and two within the southern route. Dairyland will offer stray voltage tests before and after the construction of the Project for all confined dairy and confined non-dairy animal operations if established proximity criteria are met.

The Department recommends the following to mitigate the impact of stray voltage within the project ROW:

1) Confined animal feeding operations or any operation with livestock facilities within ½-mile of the proposed power line should request Phase II Stray Voltage Testing pre- and post-transmission line energization testing from their utility provider, Dairyland, or the PSC.

2) Dairyland should inform each landowner with livestock facilities within ½-mile of the Project ROW of their ability to request Phase II Stray Voltage Testing from their local utility, Dairyland or the PSC. Dairyland should be responsible for costs associated with Phase II Stray Voltage Testing within ½-mile of the Project corridor.

3) As required by PSC guidance set forth under Wis. Stat. § 196.857, Dairyland shall take action to resolve electrical contacts at livestock feeding operations detected at or above 0.5 volts that are a result of the Project.

5.5.17. Construction Noise and Dust

During each phase of the Project, noise and dust is likely to be generated. Landowners near the Project ROW may experience noises and dust associated with construction techniques, movement of heavy equipment, and helicopters. This noise and dust may cause dairy, beef cattle and other grazing livestock to stampede, break through fences, and escape from the farm property. Fur animals, poultry and other confined livestock may also be impacted by these sounds.

To mitigate impacts of noise and dust, the Department recommends the following:

1) Livestock owners & operators within the Project ROW whom are concerned about the noise potential for the Project should inform Dairyland or their representatives during the easement negotiation process.

2) Livestock owners & operators near the Project ROW who are concerned about the noise potential for the Project should inform Dairyland of their concerns prior to the project construction.

3) Dairyland should identify agricultural livestock operations with sensitive animals within and adjacent to the Project ROW and provide them appropriate advance warning of construction activities, including the use of helicopters, so they may take steps to safe guard their animals.

4) Dairyland should avoid loud and dusty construction activities in the early morning (before 7am) or evening (after 6pm).

5) Dairyland should clean all roadways (private, county, state etc.) of construction debris, dirt and rocks.

6) Dairyland should use tracking pads at frequently used access points.

7) When construction activities have the potential to generate substantial amounts of dust that could impact livestock or an agricultural operation, Dairyland should apply water over the dust generating areas to reduce dust output.

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Neal Wozney.	Carrol Iberg	Matt Danzinger.	Michelle Haines.
Lawrence Tuxen.	DS Farms	William Bremer.	Joyce George.
Brian J Bisek.	Tom M. Bagniewski	Carole Wieland	Shirley Duco.
William Boberg.	Rick Reuter	Richard Hawes.	Trish Lembitz.
Thomas Schank.	Travis Plank.	William Sluga.	Raymand J. Lisha.
Thomas Marsolek.	Darin Pape	Noel Bragger.	Marcus Bachmann.
Raymond Secrist.	Scott Doenier.	Joe Bragger.	Randy Bremer.
Shannon R. Larson	George E. Gierok.	Marlo Sass.	Dustin Waletzko.
Jerome Kalig.	Maryls Schultz	Scott Rolbiecki.	Kris & Neal Schank.
Bruce R Huber	Charles H. Schultz	Cynthia K. Hanson.	

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