AGRICULTURAL IMPACT STATEMENT


DATCP File Photo

DATCP #4632

North Central Wisconsin Reliability Project
Lincoln and Marathon Counties
PSC Docket ID 137-CE-216

WISCONSIN DEPARTMENT OF AGRICULTURE, TRADE AND CONSUMER PROTECTION

PUBLISHED SEPTEMBER 17, 2025

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North Central Wisconsin Reliability 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.
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.
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) #4632 for the North Central Wisconsin Reliability Project in Lincoln and Marathon Counties, WI ("the Project") by American Transmission Company LLC and its corporate manager ATC Management, Inc. (collectively, "ATC").

The Project consists of a new 115 kilovolt (kV) transmission line connecting the existing Pine Substation in the City of Merrill, Lincoln County to the Hilltop Substation in the Town of Stettin, Marathon County (ATC, 2025; DATCP, 2025). ATC has proposed two route alternatives for the Project: 1) ATC's preferred route, which will be referred to in this document as the "Proposed Route", that is approximately 17.7 miles in length; 2) the Alternate Route, which is approximately 22.1 miles in length (Figure 1). ATC hosts a website for the Project, which can be found here: https://www.atcllc.com/project/north-central-wisconsin-reliability/. ATC denoted that the Project is needed to provide an additional transmission source to northern central Wisconsin as well as provide support and stability for multiple contingency outage events described in the NERC TPL-001 standard (ATC, 2025).

The Public Service Commission of Wisconsin (PSC) has authority over the Project and ATC 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 ATC shall follow. On April 30, 2025, ATC has submitted a CPCN application (REF # 544111) for the Project to the PSC under PSC Docket ID: 137-CE-216. The PSC determined this application to be incomplete on May 29th, 2025. As such, the Department references the most recent CPCN application at the time of this analysis, REF # 550856. The Department will provide the PSC with AIS #4632 as evidence to aid in determining the outcome of the ATCs' CPCN application.

In accordance with Wis. Stat. §32.035(3), ATC 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 ATC'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, ATC 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 8; AIS analysis begins on page 11. Information on the project is located in Section 2. Information and conclusions on the agricultural setting of Lincoln and Marathon 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. The Department's recommended mitigation measures can be found in Section 5. Appendices for AIS #4632 contain the following information: additional project figures and tables (Appendix A), information on the appraisal and compensation process (Appendix B), a copy of Wisconsin's agricultural impact statement statute (Appendix C), various additional sources of related information for agricultural landowners and operators (Appendix D) and a copy of the Project Initiator Feedback Form (Appendix E).

If ATC deviates from the Proposed Route segments, alternatives or the selected sites, ATC 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.

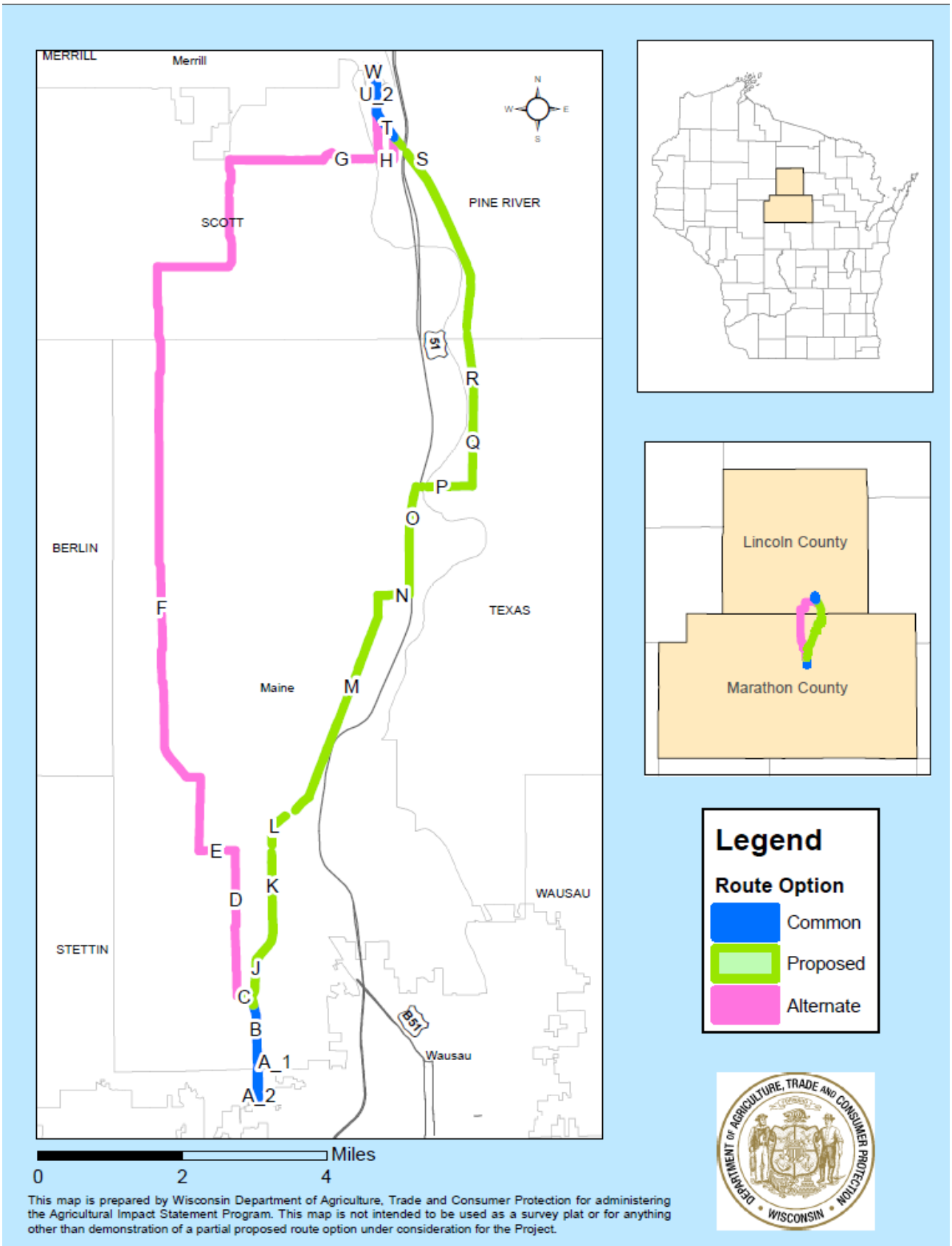

Figure 1: Location of the Proposed Routes for the Project.

AGRICULTURAL IMPACT STATEMENT RECOMMENDATIONS

The Wisconsin Department of Agriculture, Trade and Consumer Protection (the Department) has reviewed and analyzed the materials provided by ATC and comments from the affected agricultural property owners and operators regarding the proposed Wisconsin North Central Reliability 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, ATC 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 ATC, the Department recommends PSC to consider approving ATC's Proposed Route (identified by ATC as their preferred route) based on its significantly lower volume of prime farmland potentially being impacted as well as overall total lower agricultural land acreage impacted compared to the Alternate Route. Further analysis on this recommendation is provided in Section 3 and 4 of the AIS.

Recommendations to ATC

1) The Department recommends ATC follow all the additional recommended mitigation efforts described in Section 5.4 through Section 5.7 to mitigate project impacts to or regarding: clean up and restoration, soil health, drainage, agricultural infrastructure, and erosion and conservation practices.

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

3) ATC should provide landowners with direct phone numbers and email addresses to ATC's Agricultural Specialist 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.

4) If there is adequate growing season for a crop to mature and be harvested after ATC has an interest in the impacted lands, but before construction along the Project corridor begins, ATC should allow the current agricultural operators to harvest a crop for that season to the extent possible or the ATC shall compensate the agricultural operators for crop damages.

5) ATC 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 agricultural properties.

6) ATC 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 Managed Forest Law (MFL).
7) ATC should work with landowners to identify effective CRP agreements prior to any construction or site disturbance activities and 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 as soon as expected construction or site disturbance activities are known.
8) ATC 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 potential CREP or FP agreements within the chosen project corridor.
9) ATC is advised to consult the applicable County Land Conservation Department on the existence of installed SWRM conservation practices within the Project area.
10) ATC 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 C (V) to understand their rights prior to the start of easement negotiations.

2) Landowners should review the recommended mitigation efforts described in Section 5.3 through Section 5.7 to mitigate project impacts to or regarding: clean up and restoration, soil health, drainage, agricultural infrastructure, and erosion and conservation practices.

3) The Department recommends that the landowners or farm operators with a CREP or CRP agreement consult with their local FSA contact and discuss the impacts of the proposed project to determine what information is necessary to share with the ATC in order to maintain compliance with CREP or CRP agreements, as well as to receive any necessary FSA authorizations or approvals.
4) The Department recommends that agricultural landowners work with ATC discuss agricultural practices that may be impacted by the project and provide a list of and contact information for land operators, renters or tenants that ATC may reach out to for a complete understanding of these practices.

5) Landowners should consider the 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.

6) 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 ATC regarding herbicide applications.

7) 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 ATC staff member, as designated by ATC, responsible for handling compensation for release of lands from conservation programs.

8) Landowners who are aware of any SWRM cost-shared practices on their farm within the proposed Project area should consult with the applicable 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.

9) 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.

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

11) Prior to the start of construction, landowners should identify for ATC 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.

12) Affected farmland owners should inform the tenant agricultural operators if an easement has or will be obtained by ATC on the land they rent, regardless if by judicial offer or voluntary negotiation.

AGRICULTURAL IMPACT STATEMENT

1. INTRODUCTION

The Wisconsin Department of Agriculture, Trade and Consumer Protection (the Department) has prepared Agricultural Impact Statement (AIS) #4632 in accordance with Wis. Stat. §32.035 for the proposed construction of a new 115-kV electric transmission line in Lincoln and Marathon Counties by American Transmission Company LLC and its corporate manager ATC Management, Inc (Collectively, "ATC"). The applicant is proposing to construct the North Central Wisconsin Reliability Project ("the Project"). The Project consists of a new 115 kilovolt (kV) transmission line connecting the existing Pine Substation in the City of Merrill, Lincoln County to the Hilltop Substation in the Town of Stettin, Marathon County.

ATC has proposed two route alternatives for the Project: 1) ATC's preferred route, which will be referred to as the "Proposed Route", that is approximately 17.7 miles in length; 2) the Alternate Route, which is approximately 22.1 miles in length (Figure 1). The proposed Project, depending on the selected route, will impact approximately 101 agricultural landowners and approximately between 51.7 to 89.0 acres of agricultural lands.

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 ATC 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.

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. 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. 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.

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. 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.

The PSC has assigned the Project PSC Docket ID: 137-CE-216, 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 EA. 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 ATC's proposed project. Construction on the project cannot begin before ATC receives a CPCN from the PSC, as well as permits and approvals from other regulatory entities. ATC has submitted a Certificate of Public Convenience and Necessity (CPCN) to the Public Service Commission of Wisconsin (PSC) (REF # 544111) to obtain approval to construct the Project (ATC, 2025). At the time of this AIS analysis, the PSC has not yet determined the application to be complete. As such, the Department references the most recent CPCN application at the time of this analysis, PSC REF # 550856.

As established under Wis. Stat. §32.035(4)(d), if ATC intends to actualize its powers of condemnation at any point during the project through a jurisdictional offer(s), ATC may not negotiate with an owner or make a jurisdictional offer until 30 days after the AIS has been published. If ATC deviates from the selected alternative or the selected sites, ATC 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 C. Additional references to statutes that govern eminent domain and condemnation processes and other sources of information are also included in Appendices B, D, and E.

2. PROJECT DESCRIPTION

2.1. Project Design and Purpose

ATC proposes to construct the North Central Wisconsin Reliability Project. The Project consists of a new 115 kilovolt (kV) transmission line connecting the existing Pine Substation in the City of Merrill, Lincoln County to the Hilltop Substation in the Town of Stettin, Marathon County. The Project would be constructed and owned by ATC.

According to the CPCN (REF # 550856), ATC has offered the PSC two different route alternatives: 1) ATC's preferred route, referred to as the "Proposed Route" within this document, and 2) an Alternate Route. The Proposed Route would be approximately 17.7 miles in length, and the Alternate Route would be approximately 22.1 miles in length. ATC denoted that the Project is needed to bring an additional transmission source to north central Wisconsin to provide support and stability for multiple contingency outage events described in the NERC TPL-001 standard (ATC, 2025). The project will also include modifications at Gardner Park, Grandfather Falls, Hilltop, and Maine Substations as well as the expansion at Pine Substation. However, as these modifications and expansion do not impact agricultural land, this portion of the Project will not be included within the AIS analysis.

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 from agricultural lands. The proposed Project, depending on the selected route, will impact approximately 101 agricultural landowners and approximately between 51.7 to 89.0 acres of agricultural lands. A full list of the impacted acres for each agricultural landowner is provided Appendix A.

2.1.1. Preferred and Alternate Project System

The Proposed Route is approximately 17.7 miles in length, which would cross through the City of Merrill and the Town of Pine River in Lincoln County, as well as the towns of Texas and Stettin and the Village of Maine in Marathon County (Figure 1, Table 1). The Proposed Route consists of the following segments: A1, A2, B, J, K, L, M, N, O, P, Q, R, S, T, U1, U2, V, W, X (Pine Substation Expansion).

The Alternate Route is approximately 22.1 miles in length, which would cross through the City of Merrill and the towns of Pine River and Scott in Lincoln County, as well as the Village of Maine and the Town of Stettin in Marathon County (Figure 1, Table 1). The Alternate Route consists of the following segments: A1, A2, B, C, D, E, F, G, H, I, T, U1, U2, UGF1, V, W, X (Pine Substation Expansion).

For both route options, the transmission line will be built on self-supporting steel monopole structures. There are several existing distribution lines that are built along the roadside on either of the route options that may require removal and relocation (ATC, 2025).

There will also be some remote end work at the Gardner Park, Grandfather Falls, and Maine Substations, though this will not be included in AIS analysis as this work does not impact agricultural land (ATC, 2025; DATCP, 2025).

Table 1: The towns and cities impacted by ATC's proposed electric transmission line construction Project in Lincoln and Marathon Counties, WI.

County	Municipality Type	Municipality Name	Proposed Route	Alternate Route
Lincoln County	City	Merrill	X	X
	Town	Pine River	X	X
	Town	Scott		X
Marathon County	Village	Maine	X	X
	Town	Stettin	X	X
	Town	Texas	X	

2.1.2. Off-ROW Access Roads

According to the AIN and the CPCN application, ATC intends to access the Project by traveling down the Project ROW or directly from public roads that intersect the Project ROW whenever possible (ATC, 2025; DATCP, 2025). Access from outside the Project ROW will be required in some cases where physical limitations exist within the Project ROW, where other constraints prevent direct access from public roads, or to avoid impacts to environmentally sensitive areas within the Project ROW. ATC plans to utilize pre-existing farm access lanes, gravel roads and paved surfaces where possible (ATC, 2025). A list of proposed access roads can be found in the PSC ERF docket as a series named Appendix A Figure 4 (Docket ID: 137-CE-216).

Once construction is complete, ATC will restore off-ROW disturbances to pre-construction conditions. Depending upon landowner negotiations and requirements, ATC may leave any improvements made to the access paths in place. However, ATC does not currently anticipate any permanent off-ROW access. (ATC, 2025).

2.1.3. Staging Areas

Temporary staging areas (laydown yards/laydown areas) outside of the Project ROW will be utilized to store job trailers, construction vehicles and equipment, transmission line structures, conductor, cables and equipment, and other related material/equipment.

Potential laydown yards have been identified based on the construction requirements of the Project, proximity to work areas, and environmental and landowner impacts. Laydown yards are selected based on the ability to minimize the amount of disturbance and preparation required to

provide suitable surfaces for temporary storage and staging of construction equipment and material. For example, sites that are paved and/or have been previously graded and cleared of vegetation - such as parking lots, old gravel pits, and fields - are ideal locations for laydown yards. ATC has identified one construction laydown area for the Project, which can be seen in the PSC ERF docket as a series named Appendix A Figure 4 (Docket ID: 137-CE-216). The identified laydown yard is located within an active quarry/gravel pit. As this laydown yard does not occur within agricultural land, it will not be further analyzed within this AIS.

2.1.4. Project Routing and Siting

ATC evaluated potential routes based on potential impacts to human settlement and environmental setting, as well as sharing existing route corridors, construction issues, and estimated cost (ATC, 2025). Within their CPCN application, ATC stated they identified potential route corridors between established end points by applying the criteria set forth in Wis. Stats. § 1.12(6) Siting of Electric Transmission Facilities contained within the State Energy Policy in its route development process. The following corridors should be utilized in the following order of priority:

1) Existing utility corridors
2) Highway and railroad corridors
3) Recreational trails, to the extent the facilities may be constructed below ground and that the facilities do not significantly impact environmentally sensitive areas.
4) New corridors

For specific transmission line routing, potential routes were screened against several criteria, including those specified in Wis. Stat. § 196.491(3)(d), to determine the route alternatives as proposed in this Project. To the extent practical, these criteria include themes of existing infrastructure and ROWs, current and future community plans and impacts, archeological, tribal and historic resources, local agricultural practices, and design modifications or construction practices needed to overcome physical challenges (ATC, 2025).

ATC also solicited input from local landowners and public officials during open houses to learn of concerns regarding potential transmission routes. ATC determined the route alternatives they provided to the PSC within their CPCN application through using weighted criteria based on potential impact of the alternative routes (ATC, 2025). ATC's routing and siting process overall is outlined in section 5.1 Routing and Siting Factors within their CPCN application (PSC REF # 550856).

2.1.5. Project Schedule

According to the AIN and the CPCN application, pending approval by the PSC and obtaining all state agency permits, the estimated construction start is April 2027 with a projected in-service date of December 2028 (Table 2).

Table 2: The anticipated project timeline for the proposed Project, pending approval by the PSC and obtaining all state permits (ATC, 2025; DATCP, 2025).

Project Activity	Preliminary Date
PSC CPCN Approval and Order	May 2026
Land Acquisition Start	May 2026
Construction Start	April 2027
Project In-Service	December 2028

2.1.6. Project Right-of-Way (ROW)

A majority of both route alternatives will be built on new ROW. The width of the ROW will vary between 50 and 80 feet for the Common, East and West routes, depending on proximity to road ROW, existing transmission line corridor or cross country route location (ATC, 2025; DATCP, 2025). A total of 35% of the Proposed Route exists within shared ROW, 41% of the Alternate Route exists within shared ROW, and 52% of the Common Route exists within shared ROW.

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

Lincoln County

The Department certified Lincoln County's current FP plan in 2017 for a ten-year period ending in 2027 (DATCP, 2017). The criteria for land planned for FP in Lincoln County includes land in agricultural and forestry zoning districts and excludes all lands planned for development in the next 10-15 years (DATCP, 2017). All towns in Lincoln have lands that are planned for FP as part of the

county's FP Plan. The towns of Birch, Bradley, Corning, Harding, King, Merrill, Russell, Schley, Scott, Skanawan and Tomahawk in Lincoln County have lands that are planned for FP as part of the county's FP Plan. Approximately 12.58 acres planned for farmland preservation in the county's FP plan will be affected by the Project's Alternate Route in the Town of Scott.

Marathon County

The Department certified Marathon County's current FP plan in 2024 for a ten-year period ending in 2034 (DATCP, 2024b). The criteria for land planned for FP in Marathon County includes land identified in 2020 orthophotos as farmland; lands depicted as agriculture, wetlands, open lands or woodlands in the county existing land use map; lands depicted as compatible with agriculture or forestry on the county future land use map; and lands historically agriculture, forestry or agriculture-related uses or comprised of class 1, 2 or 3 soils (DATCP, 2024b). Approximately 2.35 acres planned for farmland preservation in the county's FP plan will be affected by the Project's Proposed Route in the Town of Texas.

3.1.2. Farmland Preservation Zoning

Establishing FP zoning strengthens farmland protections beyond what an FP plan affords. ATC 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).

There are no certified FP zoning jurisdictions located within the Project's area.

The ATC should consult with all applicable local zoning authorities to identify if additional restrictions apply and to ensure compliance with local zoning regulations.

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 ATC 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 Department's AEA program shows the Project's area does not impact any designated AEAs.

The construction of a new transmission line is a non-conforming land use on lands subject to an effective farmland preservation agreement within an AEA, according to Wis. Stat. § 91.62(1)(c). Agricultural lands covered by an effective FP agreement, where 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.

None of the Project's area encroaches upon effective FP agreements within AEAs.

Prior to 2009, owners of eligible farmland could sign 10 to 25-year FP agreements outside of AEA boundaries. There are no effective pre-2009 FP agreements located in the Project's Proposed Routes.

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 no drainage districts will be directly impacted by the Project.

3.3. Conservation Programs

Voluntary conservation programs such as the United States Department of Agriculture (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.

It is the responsibility of the landowner to maintain their CREP or CRP agreements, and they can work with the ATC to maintain this compliance. The Department recommends that the landowners or farm operators with a CREP or CRP agreement consult with their local FSA contact and discuss the impacts of the proposed project to determine what information is necessary to share with the ATC in order to maintain compliance with CREP or CRP agreements.

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).

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 land within 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.

Marathon County
A review of the Department's CREP records indicates that as of July 2025, the Project will not encroach upon any effective CREP agreements or easements in Marathon County.

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

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

The Department advises ATC 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. Managed Forest Law (MFL)

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 acres impacted on parcels enrolled in MFL as compared to their sizes, and therefore their MFL eligibility. This analysis indicated that the Project's Proposed Route will impact approximately 27.59 acres of MFL enrolled land, including 2 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 07314630073420995 and 07314630073450998. The Project's Alternate Route will impact approximately 10.30 acres of MFL-enrolled land, including no parcels where the impacted acres are greater than 10% of the parcel's total.

The Department recommends that all landowners review the Proposed Routes to review potential impacts 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 potential implication of the routes to their MFL-enrolled lands.

3.3.4. 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's area would not impact any state-held PACE easements.

Counties and private non-governmental organizations such as land trusts may also hold agricultural conservation easements. Based on a review of the National Conservation Easement Database, the Department found no publicly held easements in Lincoln or Marathon counties that may be impacted by the Project (NCED, 2025). There may be other public or private conservation easements that were not identified within the federal database that DATCP reviewed. DATCP recommends that ATC works with the landowners to verify if there are other conservation agreements that have not yet been identified.

3.3.5. 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.

ATC 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 ATC staff member, such as the Agricultural Specialist or otherwise designated by ATC, 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 ATC 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 ATC for this AIS and information gathered by the Department to analyze the potential agricultural impacts of the Project in Lincoln and Marathon 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

ATC has cited agricultural mitigation practices that can be found in section 7.4.4 of ATC's CPCN application (PSC REF # 550856). Pending Project approval, ATC 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. ATC 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 (ATC, 2025). Subsequent discussion includes agricultural acquisitions and recommended agricultural mitigation practices beyond what ATC cites within ATC's 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 C Section V) in its entirety prior to the start of easement negotiations.

4.2. Agricultural Land Acquisitions

In order to implement the proposed Project, ATC will affect approximately 51.7-89.0 acres of agricultural lands depending on the selected route. Proposed staging areas and laydown yards are described in Section 2.1.3 *Staging Areas*. A majority of either route follows corridors that are currently used as ROW, but they have determined the existing easements are insufficient to accommodate the proposed Project for reasons outlined in Section 2 above. Therefore, ATC 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 land's current easement status (ATC, 2025). 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 (Appendix A). 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 on specific agricultural landowners and agricultural landowners in general.

Agricultural tenant operators impacted by the Project may be eligible for a farm replacement payment from ATC in accordance with Wis. Stat. §32.19(4m)(b) if ATC exercises the powers of

eminent domain through a jurisdictional offer to the agricultural property owner. A voluntary sale between ATC 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 22 agricultural landowners responded, resulting in a response rate of 21.8%.

The majority of the respondents (17 of the total 22 landowners, or 77.3%) reported their agricultural operations consisted of cropland. Of the total respondents, 31.8% or 7 landowners cited that the impacted parcels also had homes and farm buildings on them, 27.3% or 6 landowners cited that they were managed woodlands, and 18.2% or 4 landowners cited that their impacted parcels had pastureland. Ten respondents (45.5%) 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 2 about the Project, the primary concern identified by respondents was crop yield. Respondents were also concerned about impacts related to access, soil productivity and health, firewood and timber, other (agritourism and waterfowl migration), erosion control, residence and buildings, fencing, aerial spraying and seeding, grassed waterways, drainage or drain tiles, manure or fertilizer storage, parcel severance and irrigation (Figure 2).

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. One respondent indicated that they have land enrolled in the CRP program, four respondents indicated they have lands enrolled in MFL. Respondents did not report participation in CREP, FP agreements, FP zoning or any other conservation or agricultural program.

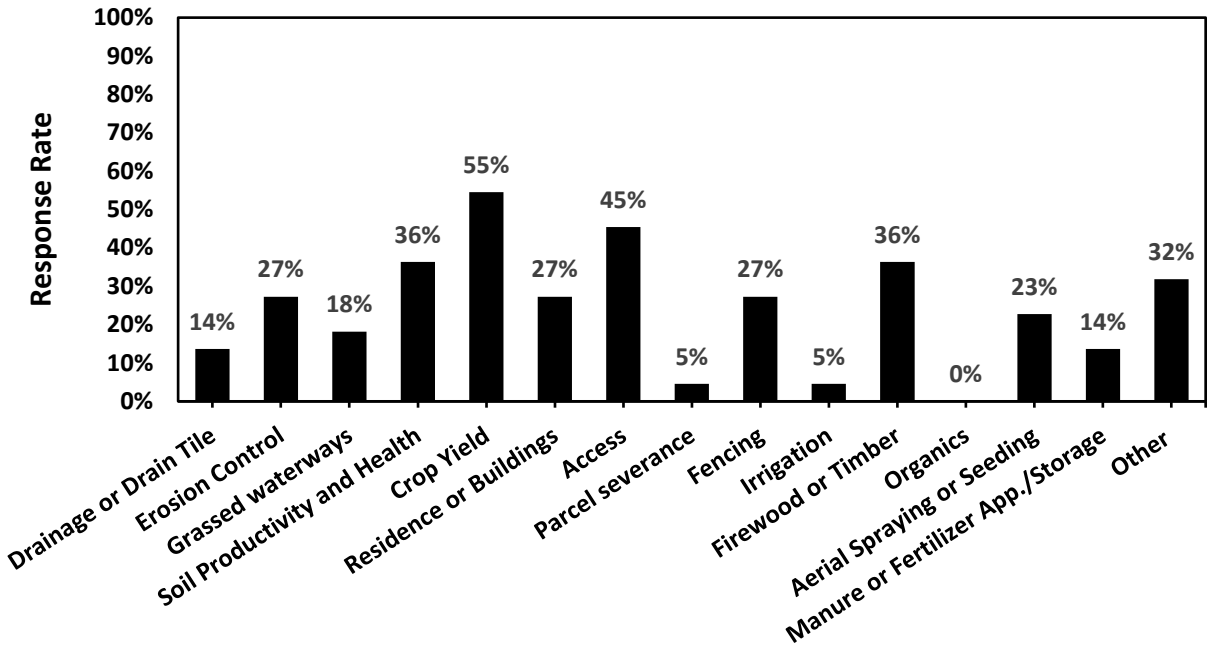

Figure 2: Landowner concerns resulting from the proposed Project.

The Department also requested agricultural landowners report the current land use within the proposed Project ROW as shown in Figure 3. The most common (41% 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 17%) was Homes and Farm Buildings, with the remaining responses shown in Figure 3.

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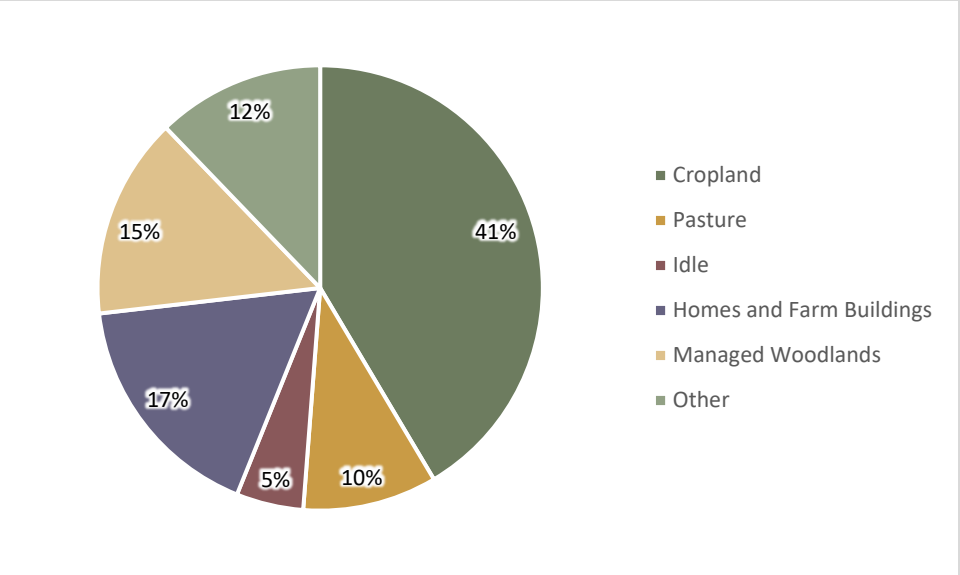

Figure 3: Land use of impacted agricultural parcels as reported by pre-construction questionnaire respondents.

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: crop yield, access, soil productivity and health, firewood and timber and other (agritourism and waterfowl migration) (Figure 2). Some landowners shared concerns unique to their property that were not captured within the Department's general analysis in Figure 2.

Katie Griffin operates 121 acres of mixed agricultural land used for orchard, cropland, vineyard, pumpkin patch and ornamental corn with 15 beef cattle and 2 horses and two sheep/goats. Griffin expressed concerns in their pre-construction questionnaire that the Project would impact agritourism on their farm operation by potentially reducing the amount of usable land for various crops, such as a pumpkin patch and vineyard, used for agritourism during and after construction. Griffin denotes that their farm operation is connected to the Willow Springs Garden property, a historic preservation site in which both properties work together to host agritourism events. Additionally, Griffin cites concerns that the Project would reduce ability to grow hay to feed cattle and horses on the operation.

Within their CPCN application, ATC denotes that each agricultural landowner will be consulted regarding farm structures, locations of farm animals and crops, current farm biological security practices, landowner concerns, and use of access routes (ATC, 2025). Potential impacts to each farm property along the route will be identified and, where practicable, construction impact minimization measures may be implemented. The Department recommends that landowners with concerns about the project impacting aspects of their farm operation share these concerns with

ATC to reach a mutual conclusion of potential issues related to the Project and appropriate mitigation measures.

Three farmers expressed concerns about stray voltage with their livestock wellbeing and decreases in milk and beef production. Additionally, livestock operation adjustments that may need to be made to their pastures due to the Project. The Department recommends that landowners with concern for impacts to livestock and stray voltage posed by the Project review Section 5.7.4 "Stray Voltage" regarding ATC's associated BMPs and the Department's relevant recommendations.

The Department also recommends additional mitigation efforts to reduce as much potential impact as possible beyond what ATC cites for their standard practices. Please refer to Section 5: *Agricultural Impact Mitigation* 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 Lincoln and Marathon Counties, WI.

4.4.1. Severance

As proposed, the Proposed and Alternative 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).

Landowners are encouraged to review Mitigation of Construction Impacts - Agricultural Lands 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 lands with MFL agreements, the Department recommends the ATC utilize the mitigation efforts described in Section 5.7.3 "Managed Forest Law, Trees and Other Woody Vegetation" to mitigate impacts to managed forests and preserve continuous tracks of managed forests where possible. The Department does not anticipate that the Project will sever farmland parcels into two or more smaller parcels.

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 the ATC during easement negotiations and in subsequent communications. A list of potentially impacted parcels is shown in Figure 4.

Agricultural Landowner	Parcel Number
CHRISTIAN FARM REAL ESTATE LLC	5507314630072930991
DONALD E PAGEL	5507314629070930998
EDWARD KEMERY & CYNTHIA KEMERY	5506902431062649996
EDWIN BOLLEREY ET AL	5506902431071919988
GENE A GRUETZMACHER	5506901631072029984
JEFFREY L SCHULT	5506902431062349993, 5506902431062439991, 5506902431062439999
JEROME D KLUG & DEBORAH L KLUG	5507314629070510996, 5507314629070540996, 5507314629070540989, 5507314629070540995
KATIE E GRIFFIN & DAVID R GRIFFIN	5507314629070520980
KRISTA L ZELINSKI	5506902431071929996
LINUS D SCHMITT & JOAN J SCHMITT	5507314629072120977
MARY KAY VAN DER GEEST	5507314630073220996
MICHAEL HENAMAN & CAITLIN HENAMAN	5507314630073220989
MKV REAL ESTATE LLC	5507314630072020993, 5507314630072020988
RANDALL GRAVEEN & LINDA GRAVEEN	5507314630073010994
SCOTT A HAUGEN & TIFFANY M HAUGEN	5506902431062449998
SCOTT A PFAFF ET AL	5506902431063419994
SHAWN E VOIGT & BREIGH R VOIGT	5506902431062349985
VANDERGEEST & SONS INC	5507314630071840993, 5507314630072030996, 5507314630072920998
VANG KHOUA & CHIA MOUA LEE	5507314629070930989
WIS PUBLIC SERVICE CORP REAL ESTATE DEPT	5507307830071250997

Figure 4: Agricultural parcels with temporarily impacted access, shown by agricultural landowner, as a result of the proposed Project in Lincoln and Marathon Counties, WI.

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 alternate routes proposed for the Project have the potential to permanently create small amounts of agricultural wastelands in the immediate area surrounding each transmission line pole (Figure 5 A and B). Twelve agricultural landowners and tenants (55% of respondents) reported to the Department concerns about driving farming equipment around transmission poles and the lost productivity and revenue that would result from altering planting patterns around the towers which elevates the cause for concern around the creation of transmission pole 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 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.

To mitigate the potential to create wastelands of MFL land, the Department recommends that the PSC select a route that avoids the fragmentation of major blocks of forest and prioritize the preservation of windbreaks and MFL lands. Furthermore, the Department recommends the ATC utilize the mitigation efforts described in Section 5.7.3 "Managed Forest Law, Trees and Other Woody Vegetation" to mitigate impacts to managed forests and preserve continuous tracks of managed forests where possible.

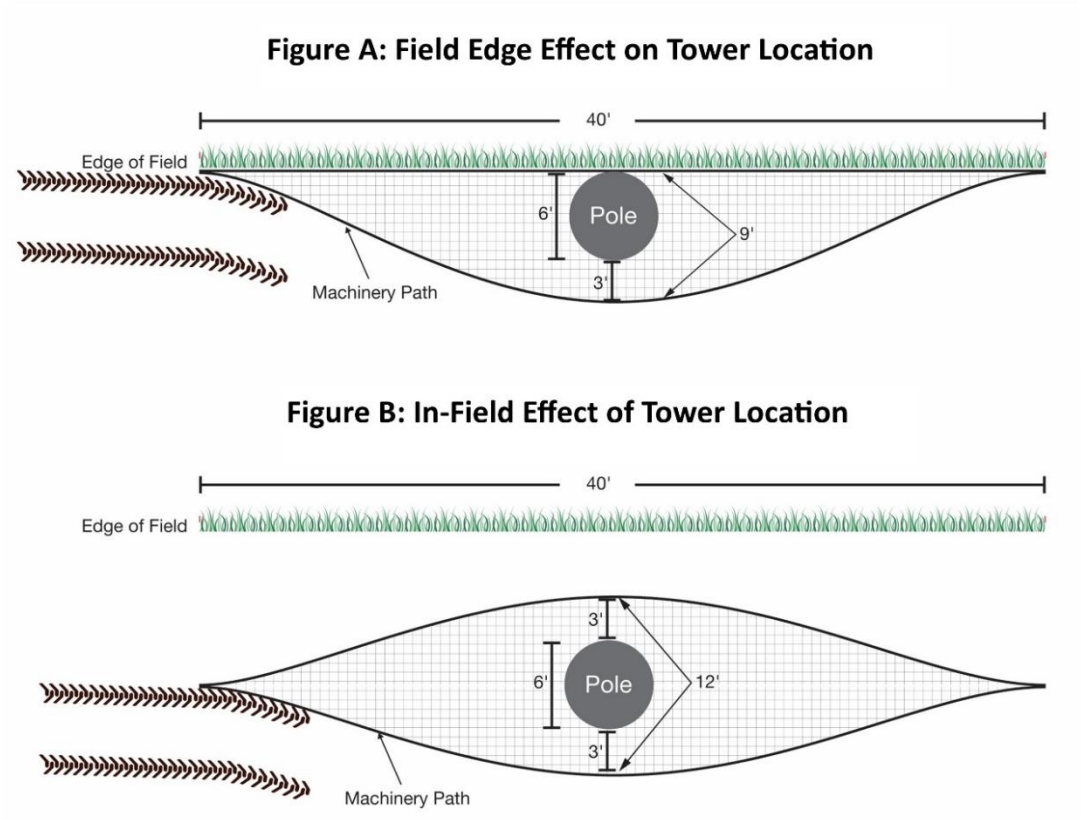

Figure 5 A and B: Examples of agricultural wastelands created by altering the pathway of agricultural machinery to navigate around transmission line towers along a field edge (Figure A) and within a field (Figure B).

4.4.3.2. Uneconomic Remnant Fields

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 the ATC.

To mitigate the potential creation of uneconomic remnant fields, if the PSC approves the Project the Department recommends the PSC consider selecting a route that minimizes the creation of new ROW and maximizes total shared ROW.

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. To mitigate the potential creation of uneconomic remnant fields, if the PSC approves the Project the Department recommends the PSC consider selecting a route or building a route from individual segments that share existing ROW to the greatest extent possible in order to mitigate impacts to MFL lands and the potential creation of uneconomic remnant fields.

4.5. Prime Farmland and Soils

In spatial data provided in the AIN, the ATC reported the Project will impact between 51.7 to 89.0 acres of agricultural lands, including cropland, forest management land, pasture, specialty farmland and other agricultural land, and agricultural soils depending on the selected route. This soils analysis includes lands to be used for distribution line ROW, transmission line ROW, work areas, laydown yards, substations, and off ROW access roads.

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 3). Prime farmland is designated by the USDA according to section 622.3 of the National Soil Survey Handbook (USDA, 2017b) and is based on the ability of land and soil to produce crops. Definitions of prime farmland, prime farmland if drained and farmlands of statewide/local importance are provided under Table 3. The soil texture of agricultural soils impacted by the Project was analyzed, in general terms, across the project ROW.

If selected, the Proposed Route distribution line ROW, transmission line ROW, work areas, laydown yards, substations, and off ROW access roads will impact up to 51.7 acres of agricultural soils. Across impacted parcels on the Proposed Route, 87% hold some level of Federal or State priority designation, with 13% classed as not prime farmland.

If selected, the Alternate Route distribution line ROW, transmission line ROW, work areas, laydown yards, substations, and off ROW access roads will impact up to 89.0 acres of agricultural soils. Across impacted parcels in the Alternate Route, 98.2% hold some level of Federal or State priority designation, while 1.8% are classed as not prime farmland.

Across the impacted agricultural parcels in both routes, soil type primarily consists of loam and silt loam textured soils of various soil series. Loam and 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 Proposed and Alternate routes will impact or remove prime farmland and high-quality soils. Comparatively, the acreage of potential impacts to prime farmland posed by the Alternate Route (89.0 acres) are 53% greater than potential impacts to prime farmland posed by the Proposed Route (51.7 acres). When evaluating the cumulative impacts to all farmlands with some designation of Federal and State importance, the impact of the Alternate Route increases to 45.8% more acres than the Proposed Route. In general, the Department recommends selecting the Proposed Route that shares existing ROW to the greatest extent possible to mitigate new or expanded impacts to prime farmland and agricultural soils. According to the ATC, a total of 35% of the Proposed Route exists within shared ROW, 41% of the Alternate Route exists within shared ROW, and 52% of the Common Route exists within shared ROW (ATC, 2025).

Table 3: Agricultural soils, shown by Project route and farmland classification, impacted by the proposed Project in Marathon and Lincoln, WI.

Soil Texture	Prime Farmland* (acre)	Prime Farmland if Drained◊ (acre)	Farmland of Statewide Importance‡ (acre)	Not Prime Farmland◊ (acre)	Total (acre)
Common Route					
Loam	0.0	0.7	0.0	0.0	0.7
Sandy Loam	0.0	0.0	0.0	2.9	2.9
Silt Loam	0.3	0.2	2.4	1.1	4.1
				Common Route	7.6
Preferred Route					
Loam	0.0	0.0	0.0	0.2	0.2
Loamy Loam	0.0	0.4	0.0	0.0	0.4
Loamy Sand	0.0	0.3	0.0	0.0	0.3
Sandy Loam	0.5	0.0	8.2	0.8	9.5
Silt Loam	14.6	0.2	14.2	4.7	33.7
				Preferred Route	44.1
Alternate Route					
Muck	0.0	6.7	0.0	0.0	6.7
Sandy Loam	0.0	0.0	6.9	1.4	8.3
Silt Loam	40.3	17.1	8.9	0.1	66.4
Water	0.0	0.0	0.0	0.0	0.0
				Alternate Route	81.4

*__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.

‡__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.

◊__Not Prime farmland__, indicates farmland is neither prime farmland nor of designated importance.

5. AGRICULTURAL IMPACT MITIGATION

ATC 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, and landowner concerns. ATC 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, 2025; ATC, 2025).

The Department recommends that landowners who 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. Environmental Impact Monitor (IEM), Agricultural Inspector (AI) & Independent Agricultural Monitor (IAM)

When a project affects environmental and agricultural resources, an environmental and/or agricultural monitor or inspector may need to be hired. Environmental Inspectors (EIs) and Independent Environmental Monitors (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. When hired, an IEM works on behalf of the regulatory agency as opposed to the utility. The IEM is also responsible for reporting incidents and has the power to stop project work if construction activities violate permits, approvals, FERC order conditions, or agreement with a state regulatory agency.

In comparison, an Agricultural Inspector (AI) or Independent Agricultural monitor (IAM) monitors project construction & restoration activities and reports 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. Each will also verify if the ATC is complying with any agricultural best management practices or conditions established by the ATC or required by a regulatory agency. The main difference between an AI and an IAM is that an IAM works on behalf of the regulatory agency, as opposed to ATC.

The construction of the Project holds the potential for numerous agricultural impacts. ATC stated within the AIN that they have hired an Agricultural Specialist (AS) to work with farmers now and through negotiations, construction and restoration (DATCP, 2025). The AS will address any issues that arise during construction and ensure that the BMPs are implemented properly. The Department believes an AS would be sufficient to ensure ATC adheres to BMPs that ATC will voluntarily adhere to for the Project, as well as the Department has recommended for and adopted by ATC.

5.2. Agricultural Mitigation Measures

ATC proposes mitigation and best management practices in agricultural areas in Section 7.4 of their CPCN application narrative (REF# 550856). ATC denotes that there are likely to be temporary impacts to agricultural land during construction that may include crop loss, soil compaction and

damage to tile drainage patterns and/or to drainage tiles (ATC, 2025). Additionally, transmission structures that are placed in existing cropland may result in permanent impacts that will impact crop production in the immediate surrounding area, as well as requiring adjustment to large farm equipment and maneuverability around structures, and potential fencing impacts. Within AIN materials, ATC noted that easement restrictions may include prohibiting or limiting the following: 1) locating any dwelling or mobile home intended for residential occupancy; 2) constructing, installing or erecting any structures or fixtures, including but not limited to swimming pools; 3) constructing any non-residential type building; 4) storing flammable goods or products; 5) planting trees or shrubs; 6) placing water, sewer or drainage facilities; or 7) changing the grade more than one (1) foot (DATCP, 2025).

ATC notes that each agricultural landowner will be consulted regarding farm structures, locations of farm animals and crops, current farm biological security practices, landowner concerns, and use of access routes. Potential impacts to each farm property along the route will be identified and, where practicable, construction impact minimization measures may be implemented (ATC, 2025). Site-specific practices will vary according to the activities of the landowner/farm operator, the type of agricultural operation, the susceptibility of site-specific soils to compaction, the construction activities occurring on the parcel, and the ability to avoid areas of potential concern.

At the time of developing this AIS, ATC does not have an Agricultural Impact Mitigation plan. The Department offers the following section for best management practices and mitigation efforts that go beyond what was listed within ATC's CPCN application.

ATC plans to minimize Project impacts to agricultural lands such as the loss of tillable land through careful consideration of agricultural impacts through consideration of routing alignment & individual structure siting, such as routing along public road ROW so structures are located along the edges of land or routing along existing transmission line ROW. ATC plans to mitigate short-term construction-related impacts through compensation to producers and restoring agricultural lands to the extent practicable, incorporating mitigation techniques such as topsoil replacement and deep tilling where appropriate.

Additionally, ATC has discussed construction impacts related to soils and their applicable management practices in Section 5.5 of its CPCN Application (REF#: REF # 550856) 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#: REF # 550856). The Department recommends ATC take several mitigation efforts related to topsoil mixing, soil compaction, drainage, de-watering, and erosion control as seen in Sections 5.3-5.7 to mitigate impacts on agricultural lands and preserve prime farmland beyond what ATC has proposed within their CPCN application narrative.

5.3. Cleanup and Restoration

In accordance with Wis. Stat. § 182.017(7)(c), following the completion of construction activities, ATC 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, ATC is responsible for repairing and/or replace the damage feature. ATC is also responsible for paying for any crop damages caused by construction or maintenance of the transmission line. Within the AIN to the Department (DATCP, 2025), ATC will work with landowners to pay for crop damages, compaction, and potential future crop loss caused by construction activities. Yield losses would be supplied by the farm operator and agreed to in a damage report once construction commences. ATC noted in the AIN materials that USDA Custom Rate Guide is used as a guideline for crop damage payments and yields are confirmed by the National Agricultural Statistics Service website which gives the average yield by crop by county. Settling compaction claims will depend on whether the farm operator repairs the compaction or if the Applicants construction crews repair the compaction.

The Department acknowledges the potential of lingering post-construction yield reductions that may take two or more years to recover. To compensate for the potential of post construction yield reductions, the Department recommends that agricultural landowners request reimbursement for 100% of crop value within the construction area for each year of lost production, plus an additional percentage of crop value paid depending on the crop type in the affected area. An example agreement may reimburse an agricultural landowner for 100% crop loss the year of construction, followed by a 60% reimbursement in the second year and 40% for the third year. Agricultural landowners should also work with the ATC to determine the most appropriate way to determine the value of the crop within the ROW during the year of construction, as well as future crop value.

For any dairy farm or livestock operation impacted by the removal of feed supply within the construction workspace, the Department recommends that agricultural landowners request compensation for increased costs associated with the purchase of forage.

The Department recommends that ATC 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.

5.4. Soil Health

Soil structure, texture, organic matter and microorganisms are all important factors that influence soil health (Wolkowski and Lowery, 2008). Project construction activities with the potential to impact soil health include excavation and the movement of heavy equipment through the Project ROW that may compact soil. 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). This construction-caused soil compaction may also damage drain tiles leading to ponded water where none existed prior to construction. Construction activities may also disrupt and/or mix soil profiles within the Project ROW as well as the surrounding area. Research has also shown that construction related impacts (e.g. equipment axle weight, use of excavation, intermixing of soil layer etc.) have the potential to negatively impact crop yields for up to a decade within the ROW depending on the type and severity of the construction impacts (Culley and DOW 1988; Soon et al., 2000; Shi et al., 2014).

5.4.1. De-icing & Traction Control

Construction crews commonly apply various products to improve vehicle traction across temporary road matting within the construction ROW to control for wet, slippery, or icy conditions. The application of sodium chloride (e.g. rock salt), as a de-icing agent, to temporary road matting within the construction ROW can lead to sodium chloride rich runoff that has potentially detrimental impacts to the health of nearby soils, ecosystems and surface waters (Richburg, 2001; Kelly *et al.*, 2008; Corsi *et al*., 2010). Alternative de-icing products, which are less damaging to the health of soil, vegetation and ecosystems as compared to sodium chloride, do exist. For example, county highway departments commonly apply sand or small lime chips (1/8" to 3/16" diameter), or a combination of the two as an alternative to sodium chloride, especially when surface temperatures are colder than 15°F when sodium chloride is less effective. University of Wisconsin Madison – Extension publication A3877 provides a list of alternative de-icing products ATC may wish to consider when selecting an alternative(s) to sodium chloride based products. However, sodium chloride may still be required to mitigate situations that pose elevated safety risks.

The Department did not find mention of mitigation practices related to de-icing and traction control within the Project's CPCN application. However, in the Project Initiator Feedback Form (Appendix E), ATC shared that it plans to use a mixture of sodium chloride and sand or other grit to minimize the amount of chloride used. Additionally, the field staff will be trained in the appropriate application of sodium chloride in an effort to minimize its use, and will be trained on clean-up

response should a spill occur. Should any sodium chloride be spilled, it will be cleaned up in a timely manner and documented, being treated the same as any other spill. As there will be winter construction (Patty Sherman, Personal Communication, August 2025), the Department recommends ATC address impacts related to salt applications on temporary road matting over agricultural soils by incorporating the following practices:

1) ATC should use alternatives to sodium chloride, when safety conditions allow, for de-icing and traction control on temporary road matting when crossing agricultural soils.
2) When the application of sodium chloride is necessary to resolve a matter of safety an alternative method cannot, ATC should limit the sodium chloride application rate to the lowest level required to maintain a safe working environment.
3) ATC should prepare a spill response plan in the event sodium chloride or an alternative product is over applied or spilled onto agricultural soils.

5.4.2. Soil Compaction

Soil compaction is widely known to have a range of 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. Equipment used to construct electric transmission lines has the potential to compact soil and reduce soil productivity on the farmland traversed during construction. Research has 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). 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, ATC plans to address compaction depending on the characteristics of the site (ATC, 2025). In the Project Initiator Feedback Form (Appendix E), ATC shares that it plans to use matting on access routes in order to spread out weight of heavy equipment. Matting is also planned to be used during winter construction in the event the ground does not freeze.

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) The use of construction matting in wet areas, areas prone to rutting, or wetlands to spread out ground pressure.
3) When possible, conduct construction work during winter months when the ground is frozen.
4) Avoiding work in areas with recently saturated soils.
5) 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. Due to the large scale of the project, the Department recommends measuring for soil compaction post-construction when it is suspected or when a landowner has filed an inquiry with ATC's Agricultural Specialist. 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 ATC 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 ATC 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 measured for compaction.

5.4.3. 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, ATC is required by Wis. Stat. § 182.017(7)(c) to segregate and stockpile topsoil from subsoil. As stated within the Project's CPCN, ATC plans to address topsoil mixing depending on the characteristics of the site (ATC, 2025).

The Department recommends that ATC 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) The ATCs should apply the mitigation techniques outlined in Section 5.4.2 "Soil Compaction".

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. Drainage

Maintaining proper field drainage and preserving soil health is vital to the success of an agricultural 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 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. Construction-caused soil compaction or damaged drain tiles can lead to ponded water where none existed prior to construction. Soil structure, texture, organic matter and microorganisms are all important factors that influence soil health (Wolkowski and Lowery, 2008).

Prior to the start of construction, landowners should identify for ATC 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.

5.5.1. Drainage Tiles

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).

If drain tiles are damaged, ATC is required by Wis. Stat. § 182.017(7)(c) to repair or replace the damage drain tile. ATC states that once they are made aware of the existence of specific agricultural practices such as drainage tiles, they will work with the landowner to avoid or minimize impacts to these practices or provide monetary compensation as appropriate. (ATC, 2025; DATCP, 2025).

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

1) Agricultural landowners should inform ATC 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) After construction is complete, landowners and ATC should monitor for drainage problems. If problems are observed that can be attributed to construction, the landowner and ATC should work together to develop a mutually agreeable solution.
4) ATC should consider using the techniques outlined in Section 5.4.2 "Soil Compaction" when crossing a known drain tile.
5) Where construction activities have created new wet areas, ATC should work with the landowner to determine the best means to return the agricultural land to pre-construction function.

5.5.2. 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. ATC 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 ATC's CPCN application, they describe dewatering methods proposed to be used for excavation activities (ATC, 2025).

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

1) ATC 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) ATC should consider using pre-filter bags or other filter devices, prior to discharge, in order to capture sediments, gravel and rocks.

4) 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.

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

5.5.3. Stormwater & Erosion Control Permitting

The Project's land disturbance activities may be subject to municipal stormwater management and erosion control ordinances, in addition to all state and federal level permitting requirements. Project activities may also be subject to shoreland zoning ordinances. ATC should consult with all impacted zoning authorities for applicable construction site erosion control and stormwater management requirements, shoreland zoning requirements, and other permits to ensure construction proceeds in a manner minimizing drainage issues and soil erosion for the project site. As stormwater and erosion control activities are regulated by other levels of governance – federal, state, county, and local – analysis of the Projects potential for stormwater and erosion impacts are beyond the scope of this AIS.

5.6. Agricultural Infrastructure

5.6.1. 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 producers 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 ATC if they use aerial applications.

2) ATC and the impacted agricultural landowners work to determine the most effective techniques to minimize the impact to their aerial applications.

3) ATC should install a visual indicator to increase visibility of transmission line wires to aerial application pilots, such as colored wire shielding, marker balls or equivalent marker as appropriate.

5.6.2. 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) If a landowner or farm operator has a biosecurity plan or has required biosecurity protocols, this information should be shared with ATC for use during Project construction and restoration.

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

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

5.6.3. 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 ATC 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.

5.6.4. Fencing

The construction process may require fences that cross the Project ROW to be severed. According to Wis. Stat. § 182.017(7)(c), if ATC is required to cut or sever a fence they are required to install

a temporary gate and repair all damage occurred to fencing structures. Changes to existing fence lines can interfere with grazing activities, particularly for rotational grazing operations that depend on precise, scheduled grazing in particular areas.

To mitigate the impacts to fencing, the Department recommends the following additional recommendations:

1) Prior to construction, ATC 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) ATC and agricultural landowners should agree on the appropriate measures to prevent livestock from entering the Project ROW.

3) ATC 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.

5.6.5. 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 caused by the Project can deprive crops from needed water and nutrients resulting in decrease crop yields.

Within their CPCN application, ATC states that once they are made aware of the existence of specific agricultural practices such as irrigation systems, they will work with the landowner to avoid or minimize impacts to these practices or provide monetary compensation as appropriate. (ATC, 2025).

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 ATC 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) ATC should consider using the techniques outlined in Section 5.4.2 "Soil Compaction" when crossing a known irrigation pipeline.

3) If the Project plans to disrupt an irrigation system, ATC should notify the landowner beforehand and establish a mutually acceptable amount of time that the system will be taken out-of-service.

4) If any part of an irrigation system is damage as a result of construction activities, ATC should pay for and repaired reported damages as soon as possible.

5) If an irrigation system needs to be reconfigured as a result of the Project, ATC 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.

5.6.6. 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. ATC 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.

ATC addresses organic certified farm operations within section 7.4.4 of their CPCN application. For identified organic farms, ATC will work with landowners to minimize potential impacts to their organic farming status from the Project, which may include:

- Sign-in/sign-out sheets for each site
- cleaning construction vehicles prior to entering organic farm parcels
- user of virgin timber matting

The Department recommends the use of all the mitigation measures mentioned for organic farms within the CPCN, as well as the following additional practices:

1) Agricultural landowners with organic certification or other certifications should inform ATC of their certifications, provide documentation of certification and inform ATC of prohibited and/or limited activities and the range and type of substances that are and are not permitted according to their certifications.

2) 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/.

3) ATC 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, ATC should contact the operation to discuss the appropriate methods required to minimize the risk of accidental exposure.

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

5) Prior to construction, ATC 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.

5.7. 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. ATC 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.

Within their CPCN application, ATC states prior to the start of any land disturbing activity, temporary sediment and erosion control BMPs will be installed along the boundaries of the construction workspace and sensitive resources (ATC, 2025). 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) ATC should inspect all temporary erosion controls structures on at least a weekly basis and after significant rain events throughout construction and restoration phases and undertake erosion control structure maintenance as required to prevent soil erosion within the ROW.

3) ATC 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 ATC disrupt an existing permanent erosion control structure, a temporary structure should be installed until the permanent erosion control is restored.

5.7.1. 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. ATC 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, ATC 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 ATC has cleared the field, the landowner should contact the Agricultural Specialist, or equivalent contact, to report the debris prior to operating agricultural equipment in the field.

2) Should ATC remove an existing power line pole from within or immediately adjacent to cropland, ATC should remove the old structure at a minimum of four feet below the ground surface.

3) Should the ATC create a hole within croplands during the removal of any part of the existing transmission structure, the Department recommends that ATC preserve each layer and then backfill in soil sequence to keep it to the original soil to the degree possible, dressing with topsoil as needed. If backfilling with gravel is determined to be necessary and if it is within or immediately adjacent to cropland, then the Department suggests backfilling with gravel to a minimum of four feet from the ground surface to ensure tillage equipment would not be impacted or spread gravel throughout the soil horizons, or the ATCs should the agricultural operator for an appropriate depth depending on how deep their tillage equipment runs

5.7.2. 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 noise 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 who are concerned about the potential noise from the Project activities should inform ATC 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 ATC of their concerns prior to the project construction.

3) ATC 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 safeguard their animals.

4) ATC should avoid loud and dusty construction activities in the early morning (before 7am) or evening (after 6pm) to the extent possible. If construction activities must occur outside of this time window, inform the agricultural operator ahead of time so they may take steps to safeguard their animals.

5) ATC should clean all roadways (private, county, state etc.) of debris, dirt and rocks caused by construction activities for the Project.

6) ATC should use tracking pads or equivalent matting at frequently used access points to mitigate soil disturbance and compaction to the degree practicable.

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

5.7.3. Managed Forest Law, Trees and other Woody Vegetation

If approved, the Project will impact MFL agreements. An explanation of the state's MFL program and what that means for the woodlands enrolled within the program is provided in Section 3.3.3 "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, ATC 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 ATC. According to Wis. Stat. § 182.017(7)(e) affected landowners will maintain ownership of all trees removed by ATC during construction. ATC 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. ATC 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) ATC should discuss the placement of transmission line poles with landowners to minimize the need for tree removal and prioritize the preservation of trees used for windbreaks to the degree practicable.

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

3) ATC should hire an appraiser who has experience and expertise in valuing trees.

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

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

5.7.4. 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 as 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 fencing, feeders, 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, ATC stated within section 7.4.7 of their CPCN application that they identified four confined animal dairy operations located on the Alternate Route that meet the criteria described in the CPCN application for pre- and post-construction NEV testing (ATC, 2025).

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, which ATC can assist in coordinating.

2) ATC 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 provider. ATC 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, ATC 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.

5.7.5. Temporary Access Roads

ATC 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, ATC 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 ATC, 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) ATC should consult with agricultural landowners before siting any temporary access roads.

2) ATC 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) ATC should consider using the techniques outlined in Section 5.5.1 "Drainage Tiles" when siting an access road over drain tiles.

5.7.6. 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, ATC is required by Wis. Stat. § 182.017(7)(d) to control weeds and brush around the transmission line facilities. However, ATC 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 ATC their consent for herbicide to be applied within the ROW they own.

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

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

4) ATC should use tracking pads or equivalent matting at frequently used access points to mitigate soil disturbance and compaction to the degree practicable.

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) ATC 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, ATC should contact the operation to discuss the appropriate methods required to minimize the risk of accidental exposure.

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- Amy Lee

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