

AGRICULTURAL IMPACT STATEMENT



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**DATCP
#4707**

**Foundry Ridge Lateral Project
Walworth County**



**WISCONSIN DEPARTMENT OF AGRICULTURE,
TRADE AND CONSUMER PROTECTION**

PUBLISHED MAY 13, 2026

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WISCONSIN DEPARTMENT OF AGRICULTURE,
TRADE AND CONSUMER PROTECTION

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LETTER TO THE READER

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
AI	Agricultural Inspector
AIN	Agricultural Impact Notification
AIS	Agricultural Impact Statement
CREP	Conservation Reserve and Enhancement Program
CRP	Conservation Reserve Program
DATCP	Department of Agriculture, Trade and Consumer Protection (the Department)
FP	Farmland Preservation Program
FSA	Farm Service Agency
HDD	Horizontal Directional Drilling
MFL	Managed Forest Law
PACE	Purchase of Agricultural Conservation Easement
PSC	Public Service Commission of Wisconsin
ROW	Right-of-Way
USDA	U.S. Department of Agriculture
WisDNR	Wisconsin Department of Natural Resources

TERMS

<i>Agricultural operation</i>	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.
<i>Easement</i>	Easements are contracts – bound to the property – which allow another party the right to use or enter a property without owning the property. Easements may be temporary (i.e. time limited) or permanent.
<i>Horizontal Directional Drilling</i>	A technique involving the drilling of an underground pilot hole to tunnel for an extended linear distance to avoid surface disturbance to a resource like a waterbody, wetland, or infrastructure. The pilot hole is enlarged through successive ream borings with progressively larger bits. Finally, a pre-welded segment of pipe is pulled or pushed through the completed tunnel.
<i>Mitigation</i>	Avoiding, minimizing, rectifying (repairing), reducing, eliminating, compensating for, or monitoring environmental & agricultural impacts.
<i>Open Trench</i>	The excavation of a trench to install individual sections of a pipeline. After the pipeline is installed, the trench is backfilled with soil.
<i>Prime Farmland</i>	Defined by the U.S. Department of Agriculture as land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops and that is available for these uses.
<i>Right-of-Way (ROW)</i>	The right to cross another’s property for transportation or transmission purposes, such as roads, powerlines, and pipelines.
<i>Severance</i>	Splitting an agricultural parcel into two or more smaller parcels
<i>Three-lift Soil Handing</i>	A soil handling method requiring the excavation and stockpiling of 1) topsoil, 2) subsoil and 3) substratum in three separate piles. After excavation and construction is complete, the excavated soils are backfilled in the reverse order from which they were removed (i.e. last soil removed is the first soil backfilled).
<i>Topsoil</i>	The thin, top layer of soil where the majority of nutrients for plants is found.
<i>Uneconomic Remnant</i>	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.
<i>Wasteland</i>	Small or irregularly shaped areas within a remnant agricultural field that are not able to be cultivated. These areas reduce the amount of tillable acres within a remnant field, which may also impact the economic viability of the remnant field.

SUMMARY OF AGRICULTURAL IMPACT STATEMENT

The Wisconsin Department of Agriculture, Trade and Consumer Protection (“Department”) has prepared Agricultural Impact Statement (“AIS”) #4707 for a natural gas pipeline lateral proposed by the Wisconsin Electric Power Company (“the Company”). The Company is doing business as We Energies. The proposed pipeline (referred to as “Foundry Ridge Lateral Project” or “Project”) is located within the Town of Darien in Walworth County as shown in Figure 1. The Company has indicated the primary reason for the Project is to connect the Guardian Interstate Pipeline to the proposed Foundry Ridge Energy Center (DATCP, 2026a).

To construct the Foundry Ridge Lateral Project, the Company has proposed two routes. The approved location of the Foundry Ridge Energy Center will determine which route is constructed. The Foundry Ridge Energy Center is a natural gas-fired electric generating facility being developed by Foundry Ridge Energy Center LLC/Invenergy. It is subject to approval by the PSC and not within the scope of analysis for this AIS. If the proposed location for the Foundry Ridge Energy Center is approved, Route B will be chosen, and the lateral pipeline project will consist of approximately 5.1 miles of new 16-inch natural gas pipeline beginning east of Lawson School Road and ending at the Darien Solar Substation and North Creek Substation. If the alternate location is approved, Route A will be chosen, and the lateral pipeline project will consist of approximately 2.2 miles of new 16-inch natural gas pipeline beginning east of Lawson School Road and ending south of Creek Road next to the intersection of US Highway 14 and Interstate 43. Route A is a shared segment between both routes and Route B includes approximately 2.9 additional miles. (DATCP, 2026a).

The Company plans to utilize existing Interstate 43 roadway corridor where possible to reduce new Right-of-ways (ROW) acquisitions. Despite the use of existing ROW, the proposed Project will impact nine agricultural landowners and approximately a total of 57 acres of agricultural lands under Route B (including Route A segment), and three agricultural landowners and approximately a total of 25.8 acres of agricultural lands under Route A (DATCP 2026).

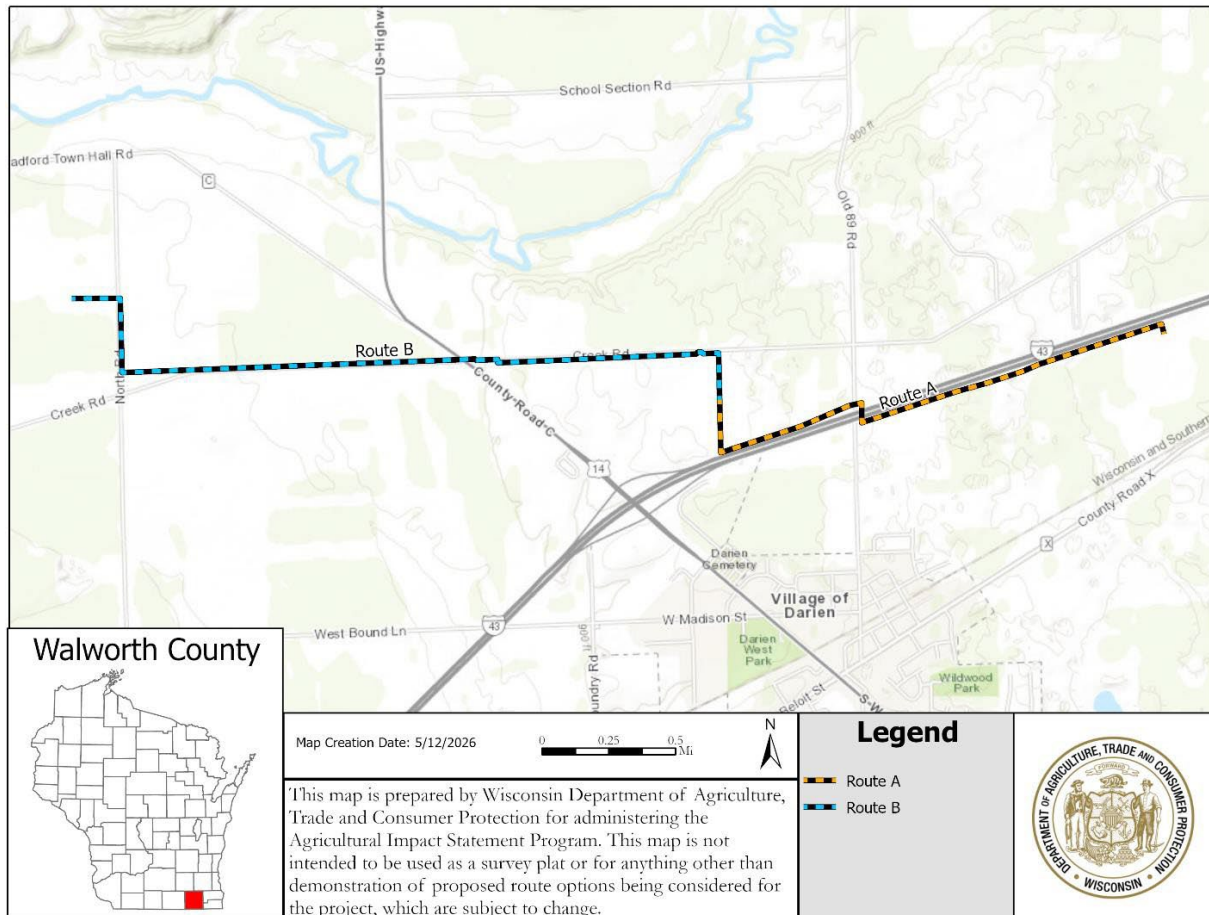
In accordance with [Wis. Stat. §32.035\(3\)](#), the Company has provided the Department with the necessary information and materials to conduct an AIS. The Department has also contacted the agricultural property owners and operators impacted by the Project route. In accordance with [Wis. Stat. §32.035\(4\)\(b\)](#), the Department has reviewed and analyzed the Company materials and the comments 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 Company and the agricultural landowners and operators to help mitigate current and future impacts on agricultural lands and agricultural operations along the Project route.

The set of recommendations are located within the AIS Recommendation Section beginning on page 10. The AIS analysis begins on page 13 with information on the project located in Section 2.

Information and conclusions on the agricultural setting of Walworth County and impacted areas can be found in Section 2.7. The agricultural impacts of the project on the impacted land, landowners and operators can be found in Section 0. Analysis of the Project’s Agricultural Mitigation Plan can be found in Section 5. Appendices for AIS #4707 contain the following information: additional project figures and tables from the Company (Appendix A), Foundry Ridge Lateral Project Agricultural mitigation Plan (Appendix B), Three-lift Soil Candidate Key (Appendix C), information on the appraisal and compensation process (Appendix D), a copy of Wisconsin’s agricultural impact statement statute (Appendix E), various additional sources of related information for agricultural landowners and operators (Appendix F) and the Project Initiator Feedback Form (Appendix G).

If the Company deviates from the selected alternatives or the selected sites, the Company 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 Foundry Ridge Lateral Project, Walworth County, WI (DATCP, 2026a).



AGRICULTURAL IMPACT STATEMENT RECOMMENDATIONS

The Department has reviewed and analyzed the materials provided by the Wisconsin Electric Power Company (the Company) and comments from the affected agricultural property owners and operators regarding the proposed Foundry Ridge Lateral Project. The Department provides the following recommendations, in accordance with [Wis. Stat. §32.035\(4\)\(b\)](#) to the Wisconsin Electric Power Company and agricultural landowners and operators to help mitigate impacts on agricultural lands and agricultural operations resulting from the Project.

Recommendations to the Wisconsin Electric Power Company (The Company)

- 1) The Company should follow all the recommended mitigation efforts described in Section 5 to mitigate Project impacts regarding: topsoil, soil compaction, drainage, de-watering, erosion, fencing, weed control, construction debris, feed supply & dairy operations, and construction noise.
- 2) The Company should continue to monitor the Project ROW for soil erosion and maintain erosion control practices until there is sufficient vegetative growth in the ROW to mitigate soil erosion.
- 3) The Company should inform the affected agricultural property owners who have soils that are candidates for the three-lift soil handling method. Concurrently, the Company should inform these property owners how three-lift soil handling could preserve the productivity of their fields and distribute a copy of [ARM-LWR-294](#) or a similar publication.
- 4) The Company should consult with the affected agricultural landowners and operators to ensure any relocated, temporary or newly established agricultural land access points are located in areas that provide safe and efficient access to remnant agricultural properties.
- 5) If there is adequate growing season for a crop to mature and be harvested after the Company has an interest in the impacted lands but before construction along the Project corridor begins, the Company should allow the current agricultural operators to harvest a crop for that season to the extent possible, or the Company shall compensate the agricultural operators for crop damages.
- 6) The Company 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 the Managed Forest Law program (MFL).

- 7) The Company should consult the Department as soon as a route is selected, affording as much time as possible prior to construction to determine if there are any new CREP or FP agreements within the chosen project corridor.
- 8) The Company is advised to consult the applicable County Land Conservation Department on the existence of installed Soil and Water Resource Management (SWRM) conservation practices within the Project area.
- 9) The Company 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) Landowners should review the recommended mitigation efforts described in Section 5 to mitigate project impacts regarding: topsoil, soil compaction, drainage, de-watering, erosion, fencing, weed control, construction debris, feed supply & dairy operations, and construction noise.
- 2) Landowners who have soils that are candidates for the three-lift soil handling method, as informed by the Company, should request that the Company use three-lift soil handling for those soils. Landowners should also review the Departments *three-lift soil handling* publication [ARM-LWR-294](#) for additional information.
- 3) Landowners with conservation easements within the ROW should consult with the conservation program provider to determine if there are any implications resulting from 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, landowners should negotiate with the Company to recover any incurred costs.
- 4) 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.
- 5) Prior to the start of construction, landowners should identify for the Company 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.
- 6) After construction is complete, landowners should monitor for drainage problems. If problems are observed that can be attributed to construction, the landowner and the Company should work together to develop a mutually agreeable solution.

AGRICULTURAL IMPACT STATEMENT

1. INTRODUCTION

The Wisconsin Department of Agriculture, Trade and Consumer Protection (“Department”) has prepared Agricultural Impact Statement (“AIS”) #4707 in accordance with [Wis. Stat. §32.035](#) for a natural gas pipeline lateral proposed by the Wisconsin Electric Power Company (“the Company”) doing business as We Energies. The Company is a subsidiary of WEC Energy Group. The proposed pipeline (referred to as “Foundry Ridge Lateral Project” or “the Project”) is located within the Town of Darien in Walworth County as shown in (Figure 1). According to the Walworth County Comprehensive Plan, all of Walworth County is within the We Energies natural gas service area (Walworth County, 2019). Through the Project, the Company plans to connect the Guardian Interstate Pipeline to the proposed Foundry Ridge Energy Center (DATCP 2026), (Erik Strommen, Personal Communication, March 2026).

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. 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 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 Company is exempt from the requirement to obtain a certificate of authority from the Public Service Commission of Wisconsin (“PSC”) to construct the Project according to Wis. Stat. § 133.03(1)(e)(1)(a) (Erik Strommen, Personal Communication, March 2026). Absent the involvement of the PSC, permitting authority over the Project is subject to local and county regulation. The Company is still required to obtain any necessary permits from the Wisconsin Department of Natural Resources (“WisDNR”) and abide by Wisconsin Agricultural Impact Statement Statute [Wis. Stat. §32.035](#).

The Company notified the Department of its intent to complete voluntary contracts without actualizing the Company’s powers of eminent domain to acquire the impacted agricultural parcels. If the Company does actualize its powers of condemnation at any point during the project, the Company may not negotiate with an owner or make a jurisdictional offer until 30 days after the AIS has been published. If the Company deviates from the selected plans or site alternatives, the Company shall re-notify the Department in accordance with Wis. Stat. §32.035(3). The

Department shall review the re-notification for new potential impacts to agricultural lands and may determine to generate an addendum to this AIS.

Should the Company actualize its powers of condemnation for this acquisition, information on the appraisal and compensation process under eminent domain is provided within Appendix D. The full text of [Wis. Stat. §32.035](#) is included in Appendix E. Additional references to statutes that govern eminent domain and condemnation processes and other sources of information are included in Appendices E and F.

2. PROJECT DESCRIPTION

2.1. Project Purpose

The Company has provided the Department with an agricultural impact notification (AIN) and requested spatial materials for analysis of the proposed project (DATCP, 2026a). The AIN and materials from the Company serve as the main reference documents for the Project. As the scope of [Wis. Stat. §32.035](#) is limited to agricultural impacts, this analysis will only examine and evaluate the aspects of the Project that affect agricultural lands. A full list of the impacted acres for each agricultural landowner is provided in Table 2.

The Company has indicated the primary reason for the Project is to connect a natural gas pipeline lateral to the proposed Foundry Ridge Energy Center being developed by Foundry Ridge Energy Center LLC/Invenergy (DATCP 2026). The natural gas pipeline proposed in this project will connect the Guardian Interstate Pipeline to the Foundry Ridge Energy Center. The Foundry Ridge Energy Center is not subject to analysis under this AIS.

2.2. Project Design

The Foundry Ridge Lateral Project is located within the Town of Darien in Walworth County, WI. There are two proposed routes for the project (Route A and Route B), and the final approved location of the Foundry Ridge Energy Center will determine which proposed route is chosen (DATCP, 2026a). The location of the Foundry Ridge Energy Center as well as associated 138 kV Generator Tie Line are subject to approval by the PSC under [Docket ID: 9835-CE-100](#) and is not covered under this AIS. There are two possible locations for the Foundry Ridge Energy Center – the proposed site and the alternate site. The proposed site location is adjacent to the Darien Solar Substation and North Creek Substation, located between North Road and Clowes Road, south of County Road C. The alternate site location is between the intersection of Interstate 43 and Highway 43 and Creek Road ([Invenergy, 2026](#)).

If the alternate site for the Foundry Ridge Energy Center is approved by the PSC, Route A of the lateral pipeline project covered in this AIS will be chosen and will consist of approximately 2.2 miles of new 16-inch natural gas pipeline beginning east of Lawson School Road and ending south of Creek Road next to the intersection of US Highway 14 and Interstate 43. If the proposed site for the Foundry Ridge Energy Center is approved by the PSC, Route B of the lateral pipeline project will be chosen and will consist of approximately 5.1 miles of new 16-inch natural gas pipeline beginning east of Lawson School Road and ending at the Darien Solar Substation and North Creek Substation. Route B includes the entirety of Route A as well as an additional 2.9 miles, approximately (DATCP, 2026a).

For a general overview of the typical construction practices used to install a natural gas pipeline, please read the Department's Natural Gas Pipeline Construction Process publication [ARM-LWR-562](#) available at [agimpact.wi.gov](#).

2.2.1. Pipeline Installation Methods

The pipeline will be installed using primarily open trench, using Horizontal Directional Drilling (HDD) to cross underneath buildings, roads and Interstate 43. For additional information on open trench and HDD methods, refer to the Department's Natural Gas Pipeline Construction Process publication [ARM-LWR-562](#) available at [agimpact.wi.gov](#). The Company will use the open trench method across the entirety of agricultural lands (Appendix A: Additional Figures).

The typical trench dimension will be approximately 8 feet deep and 7 feet wide. In agricultural lands, trench depth will be deep enough to allow a minimum of 4 feet of soil cover over the top of the pipeline to avoid possible interference with farming equipment (DATCP 2026).

2.2.2. Above Ground Facilities

The Company has indicated that an Above Ground Gate Station and an accompanying permanent access road will be installed at the eastern end of Route A, near the intersection of Interstate 43 and Lawson School Road, prior to the planned activities of We Energies. The Above Ground Gate Station and access road will be installed by Guardian Pipeline, LLC, which maintains the interstate pipeline that will supply natural gas to the Foundry Ridge Energy Center through the lateral pipeline covered under this AIS (Erik Strommen, Personal Communication, March 2026). Because the Above Ground Gate Station and access road are being installed by a third-party prior to the Foundry Ridge Lateral Project activities, they are not within the scope of this analysis. During construction of the Project, We Energies plans to install additional equipment to the Above Ground Gate Station (DATCP 2026).

2.2.3. Alternative Routes

The Company considered one route alternative to Route A during the project design phase. The route started along Creek Road west of Kendall Court and continued along Creek Road for

approximately 8600 feet. Sections along Creek Rd, near Oak Hill Street, are populated with multiple residences and their associated buildings are located close to the public right-of-way. According to the Company, this reduces the ability to obtain easements with adequate width for the proposed pipe, and the installation would cause significant impact to residential properties. Due to these factors, the proposed Route A was chosen over this alternative (DATCP 2026).

2.3. Project Right-of-Way (ROW)

The Company proposes to utilize a combination of new and existing ROW to site the proposed project corridor. Typical widths for both permanent and temporary easements will be 50 ft.

For Route A, 25.8 acres of agricultural right-of-way will be acquired through permanent and temporary easement. For Route B (not including aspects of Route A), 31.30 acres of agricultural right-of-way will be acquired through permanent and temporary easement.

2.4. Project Schedule

Pending issuance of all state agency and local permits, the Company plans to begin construction in January 2027. The pipeline is projected to be in service by August 2027 (DATCP 2026).

2.5. Service Connections

The Project's stated purpose is to connect the Guardian Interstate Pipeline to the Foundry Ridge Energy Center, a proposed facility in development by the Foundry Ridge Energy Center LLC/Invenergy.

2.6. Off-ROW Access Roads

Guardian Interstate Pipeline LLC plans to install one Off-ROW access road prior to the planned activities of the Project, in order to access the planned Above Ground Gate Station at the eastern end of Route A (DATCP, 2026a). Both the Above Ground Gate Station and permanent access road are outside the scope of this analysis.

2.7. Staging Areas

The proposed laydown and storage area for this project will be on property acquired by Invenergy and will not affect any agricultural land. However, there are several proposed workspaces on agricultural land which are listed in Table 1.

Table 1: Landowners, Parcels with proposed workspaces by total acres (DATCP, 2026a).

Primary Owner Name	State Parcel ID	Area Acres
DEAN KINCAID ENTERPRISES LLP	127B D 2100002C	0.22
DEAN KINCAID ENTERPRISES LLP	127BA394200002	0.02
TOWN OF DARIEN	127B D 2000011	0.17
BVV HOLDINGS LLC	127B D 2200007	0.23
DEAN KINCAID ENTERPRISES LLP	127B D 2100002C	0.02
SUSAN MARSHALL	127B D 2100003B	0.52
DEAN KINCAID INC	127B D 1900001	0.06

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 FP 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

The Department certified Walworth County’s FP plan in 2023 for a ten-year period ending in 2033 (Walworth County, 2023). Criteria used to map Farmland Preservation Areas in Walworth County include consistency with County and locally adopted land use and resource management plans, lands covered predominately by soils in Land Capability I, II and III, lands currently zoned in the A-1, Farmland Preservation Zoning District, and consideration of the 2012 Walworth County Farmland Preservation Plan (Walworth County, 2023).

All towns in Walworth County have lands that are planned for FP as part of the county’s FP Plan. Approximately 30.31 acres planned for farmland preservation in the county’s FP plan are affected by the Project’s proposed Route B (not including aspects of Route A). Approximately 25.30 acres planned for farmland preservation in the county’s FP plan are affected by the Project’s proposed Route A.

3.1.2. Farmland Preservation Zoning

Establishing FP zoning strengthens farmland protections beyond what an FP plan affords. As the Project is exempt from the requirement to obtain a certificate of authority from the PSC, 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\(4\)\(a\)-\(4\)\(e\)](#).

The Town of Darien has adopted County Walworth County zoning, which includes a certified FP zoning district. The certified FP zoning district for the Town of Darien is the A-1 Prime Agricultural Land zoning district (Walworth County, 2022). This zoning district restricts covered lands to agricultural uses and uses compatible with agriculture and is certified to be consistent with the state's FP Law, Chapter 91. Impacted agricultural parcels zoned A-1 by Walworth County would require a conditional use permit under Wis. Stat. § 91.46(4) for transportation, communications, pipeline, electric transmission, utility or drainage use, to remain in the district.

The Company 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

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.

A review of the Department's AEA program shows that the project corridor, under either route, does not fall on lands within Walworth County's single Agricultural Enterprise Area (DATCP, 2026b).

Additionally, prior to 2009, owners of eligible farmland could sign 10 to 25-year FP agreements outside of AEA boundaries. The Department's analysis found no effective pre-2009 FP agreements located in the Town of Darien, Walworth County.

3.2. Conservation Programs

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

It is the responsibility of the landowner to maintain their CREP or CRP agreements, and they can work with the Wisconsin Electric Power Company 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 Wisconsin Electric Power Company in order to maintain compliance with CREP or CRP agreements.

Compensation to landowners with land enrolled in a conservation easement program is typically determined as part of the appraisal and acquisition process with the project initiator under Wisconsin Statute § 32. Refer to [Wisconsin Statute § 32.06](#) for condemnation procedure in non-transportation matters.

3.2.1. Conservation Reserve Enhancement Program (CREP)

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 lands in the project corridor. The effective status of CREP agreements and new enrollment is subject to change between the time of this analysis and any proposed construction activity.

A review of the Department's CREP records indicates that, as of April 2026, the proposed project corridor, under either route, will not encroach upon any effective CREP agreements.

Because of this, the Department advises the Company to:

- Work with landowners to identify effective CREP agreements prior to any construction or site disturbance activities
- Coordinate with the appropriate Wisconsin CRP contact regarding effective CRP contracts within the project area and coordinate with FSA regarding impact mitigation to CREP enrolled lands and/or potential contract (CRP-1) releases within 12 months of expected construction or site disturbance activities
- To limit situations of CRP-1 contract termination, limit site disturbance of CRP/CREP to times outside of the Primary Nesting Season (May 15th to August 1st) to the extent practicable and necessary in coordination with FSA to ensure compliance with these contracts
- Consult with the Department as soon as a route is selected, affording as much time as possible prior to any construction or site disturbance activities to determine the impact of the selected route on any CREP easements consult with the Department on impacts to any state agreements that may require termination and repayment of funds. If any portion of the CRP-1 contract is terminated by USDA-FSA, the corresponding area under the state

CREP agreement must also be terminated. Termination of any part of a CREP agreement requires repayment of any funds issued to the landowner under the terms of the agreement.

3.2.2. 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, 2026). 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 3 responses to the Department's pre-construction questionnaire, none of the landowners impacted by the project indicated holding any lands enrolled in CRP.

The Department advises Wisconsin Electric Power Company 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.

3.2.3. Managed Forest Law (MFL)

The MFL program is a voluntary sustainable forestry program administered by DNR 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 (DNR, 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 corridor, under either route, will not affect any lands enrolled in MFL.

3.2.4. Purchase of Agricultural Conservation Easement Programs

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

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

Counties and private non-governmental organizations such as land trusts may also hold agricultural conservation easements. Based on a review of the USGS-PAD Data Explorer, the Department found no publicly held easements that will be impacted by the Project (USGS-PAD, 2026). There may be other public or private conservation easements that were not identified within the federal database that DATCP reviewed. DATCP recommends that the Company works with landowners to verify if there are other conservation agreements that have not yet been identified.

Compensation to landowners with land enrolled in a conservation easement program is typically determined as part of the appraisal and acquisition process with the project initiator under Wisconsin Statute § 32. Refer to [Wisconsin Statute § 32.06](#) for condemnation procedure in non-transportation matters.

3.2.5. 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.

The Company 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 has resulted in a violation of the SWRM contract, the landowners should contact the We Energies staff member, as designated by the Company, 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.

3.3. 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 repair 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 Walworth County has one active drainage district (District #5). This district is not connected to any known drainage flow pathways that may be impacted by the project. Therefore, District #5 is not expected to be impacted by the proposed project.

4. AGRICULTURAL IMPACTS

In addition to being a key component of [Wis. Stat. §32.035](#), documenting the agricultural impacts of a project provides the project initiator and the agricultural landowner the opportunity to better understand the project in its own right as well as learn how the project will impact agriculture. Furthermore, the documentation of agricultural impacts by agricultural landowners and operators creates the opportunity for them to consider alternatives that may reduce impacts to agricultural lands. To promote the opportunity for alternatives, the Department has used information provided by the Company for this AIS and information gathered from agricultural landowners to analyze the potential agricultural impacts of the Project in Walworth County, WI. The analysis of the agricultural impacts and conclusions drawn from it form the basis of the Department's recommendations within the AIS Recommendation Section above.

4.1. Farmland Acquisitions and Landowner Concerns

Before constructing the Project, the Company will be acquiring easement contracts for permanent ROW and temporary construction areas. These easement contracts grant the utility the right to construct, operate, maintain, inspect, and repair the pipeline. According to [Wisconsin Statute § 196.745](#), the utility is required to maintain the natural gas pipeline in an adequate and safe manner. All vegetation will be removed from the easement for construction of the pipeline. In addition, maintenance of the in-service pipeline will require continuing management of vegetation that grows within the easement. The type of vegetation that is allowed to grow within the easement and how vegetation is maintained are all subject to the easement contract. Regarding liability, the landowner is not liable for the construction, operation, maintenance, or repair of the pipeline, provided the landowner has not damaged any project facilities. Additional information about the appraisal and compensation process is included in Appendix D: Appraisal and Compensation Process.

After the easement is acquired by the utility, the easement seller still owns the land. Furthermore, no member of the public, other than utility employees or representatives, has access to the easement without the landowner's permission. Under normal conditions, utilities typically make every effort to notify landowners before accessing the easement. In emergency response situations, the utility has the right to access the easement without permission from the landowner. The easement contract will contain all specifics regarding access, rights, responsibilities, and liabilities and should be thoroughly reviewed by the landowner prior to signing.

The Department attempted to contact nine agricultural landowners with a pre-construction questionnaire to gain insight into their farm operations and concerns they have about potential impacts posed by the project (Table 2). Of these, three landowners replied to the questionnaire, sharing their concerns related to the Project. The following section relays the feedback and comments received from stakeholders and agricultural landowners through the Department's efforts. The information obtained helped form the basis of the Department's analysis of agricultural impacts to specific agricultural landowners and agricultural landowners in general

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

Table 2: Agricultural Landowners Proposed to be Impacted by the Project.

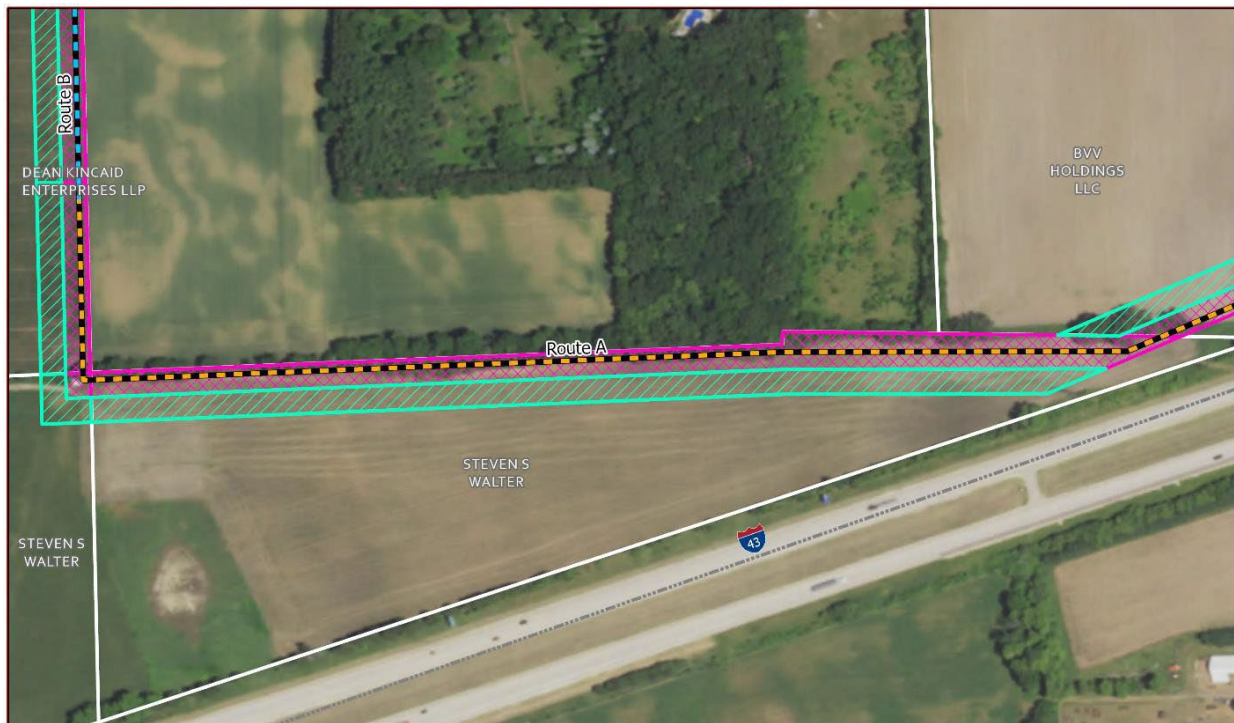
Landowner Name	Impacted Acres
BVV HOLDINGS LLC	1.21
DEAN KINCAID INC	29.07
ELSIE M BROCKWELL	0.88
JEFFREY DUTTON TRUST	6.18
MICHAEL J SMILEY	1.77
R&R VENTURES LP	5.18
ROBERT C HANSEN TRUST	0.94
STEVEN S WALTER	5.30
WADDELL 89 DARIEN LLC	6.05

4.1.1. Michael J. Smiley

Michael J. Smiley contacted the Department with several questions regarding the construction process. His property is located within Route B, east of the intersection of Highway 14 and Creek Rd. He inquired about the Project’s ROW distance from Creek Road, and whether the pipeline installation would require removal of his fence, which runs parallel to Creek Road. He also inquired why the pipeline routes south onto his land, rather than continuing along the northern side of Creek Road. The Department referred these questions to the We Energies project contact, who indicated 1) the pipeline runs south of his fence, and will require a small section to be removed during installation, which will be re-installed, and 2) the project crosses Creek Road to the south at this location because there are several mature trees on the northern side of the road which would conflict with the installation, and the pipeline continues south of Creek Road to the east where it joins the Above Ground Gate Station (Erik Strommen, Personal Communication, April 2026).

4.1.2. Steven S. Walter

Steven S. Walter contacted the Department with a concern regarding the proposed route through his property. His property is located within Route A and Route B, adjacent to Interstate 43 to the north. He owns a waste-hauling business with waste-storage facilities on his land and has plans for future expansion across contiguous parcels that he owns. The pipeline’s proposed route is located along two of Walter’s parcels, parcel IDs B D 2100005A and B D 2200007A and conflicts with this planned expansion. Walter suggested a re-route which would resolve this conflict. This re-route will shift the pipeline’s location from where it moved south to travel along Interstate 41 ROW and instead to the northern boundary of his property, where it will not conflict with the planned expansion and would continue as proposed otherwise. The Department relayed his concerns and suggested re-route to the Project contact, who stated they will move forward with revising the route as suggested by the landowner (Erik Strommen, Personal Communication, April 2026). On May 12, 2026 the Company provided the Department with new project routing information, with the only change being the suggested re-route being incorporated into the Project. The original route and the route alteration are shown in Figure 2. This route alteration lessened the impact of agricultural land on Steven S. Walter’s land from 6.47 acres to 5.30 acres.



<p>Village of Darien</p>	<p>Map Creation Date: 5/12/2026</p> <p>0 0.03 0.06 mi</p> <p>N</p> <p>This map is prepared by Wisconsin Department of Agriculture, Trade and Consumer Protection for administering the Agricultural Impact Statement Program. This map is not intended to be used as a survey plat or for anything other than demonstrating route options being considered for the project, which are subject to change, proposed for the Project by the landowner.</p>	<p>Legend</p> <ul style="list-style-type: none"> ----- Road □ Impacted Parcel Boundary Route A Route B Permanent Easement Temporary Easement <all other values> 	<p>DEPARTMENT OF AGRICULTURE, TRADE AND CONSUMER PROTECTION WISCONSIN</p>
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Figure 2: The top image shows the original route proposed by the Company, the bottom image shows the re-route option that the Company is now utilizing based on Steven S. Walter’s feedback. Map created by DATCP.

4.2. Severance, Access and Wasteland

The acquisition of agricultural property can result in agricultural parcel severance, removal of existing field access points and the creation of *wastelands* and uneconomic remnant parcels. The circumstances (i.e. loss of access, severance, wasteland etc.) surrounding the impacts to each 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 agricultural lands impacted by the Project.

4.2.1. Severance

Severance may be a physical barrier such as a road or non-physical barrier such as land use restrictions. 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, divide the operation of a farm or potential result in farmland conversion. Under Wisconsin's Eminent Domain Statute, compensation for damages resulting from severance is described in [Wis. Stat. § 32.09\(6\)](#).

A visual inspection of 2026 parcel data suggests two agricultural parcels within the originally proposed ROW may be temporarily severed during construction. In both Routes A and B, the proposed project corridor runs north-south through the property of Steven S Walter, potentially limiting access between fields. However, as detailed in Section 4.1.2, the requested minor route alteration will eliminate this temporary severance by shifting the route to the northern boundary of the property. In both Routes A and B, the update proposed project corridor could still potentially cause a temporary severance during construction on the south-eastern corner of the BVV Holdings property as it cuts up northeast to cross Old 89 Road (refer to Appendix A, Figure 1, Page 9).

Aligning the route with field boundaries can reduce the potential to sever an agricultural parcel. Post-restoration, many pre-existing agricultural land uses should be able to return, which further reduces the potential for permanent severance. The impacts of parcel severance may include crop damage, field access issues or loss, amongst others. During the pre-construction phase, landowners concerned about the impacts of parcel severance should communicate the location of property improvements such as structures, field access points, drain tiles or installed conservation practices, existing certifications (organic, etc.), management of livestock including the location of existing fencing within the project ROW, and plans to spread manure or other organic material on lands within the proposed project ROW with the project initiator. This information will ensure that construction may proceed in accordance with applicable mitigation practices identified in the project's Agricultural Mitigation Plan (Appendix B). The practices outlined in the Agricultural Mitigation Plan minimize the effects of parcel severance and impacts to agriculture, which include practices for restoration of fencing, repair of severed drain tiles, repair of existing erosion control facilities, etc.

Post-construction, the Project Initiator will impose certain land use restrictions within the ROW that will prevent the construction of agricultural related buildings and the growth of some agricultural commodities such as trees or other woody plants. While agricultural landowners can still access these lands, they may be prohibited from continuing pre-existing land uses within the ROW such as MFL, maple syrup production, Christmas tree production, etc. In these situations, land use restrictions create a non-physical barrier to agricultural production. Essentially, land use restrictions have the potential to sever a proportion of an agricultural parcel that may no longer contribute to an agricultural operation. Details of landowner/operator concerns are provided in Section 4.1.

4.2.2. Access

Acquisitions of farmland may remove existing points of access utilized by agricultural operations to enter their remaining farmland. Access to farmland may also be temporarily lost within the project ROW while the project is under 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. Lost access may also directly result in lost income if a field cannot be planted or harvested, or if an entire agricultural operation is hindered.

Construction may temporarily affect field access points along the selected route. To mitigate access impacts, it is recommended that the project initiator coordinate with affected landowners during the preconstruction phase to provide alternative access methods and locations during construction to the extent practicable. The Department recommends that the project initiator inform landowners of projected construction timelines well in advance of when and where construction will occur and for how long they could potentially lose access to all or a portion of the impacted farm fields. Landowners should disclose construction information to tenant operators where applicable.

4.2.3. Wasteland

Acquisitions and easements that sever farmland frequently create small remnant fields that may be difficult to access or are irregularly shaped. These small irregularly shaped remnant fields may also contain numerous obstacles that can make it difficult for agricultural equipment to navigate and reduce the amount of tillable acres. This in turn reduces agricultural productivity and decreases the economic viability of the land, which increases the potential of creating undeveloped land ([Wis. Stat. § 70.32\(2\)\(a\)\(5\)](#)) or what is commonly referred to as wasteland as shown in Figure 33. Above ground or surface-level structures in crop fields, such as valve assemblies, have the potential to alter travel patterns for agricultural equipment operators to maneuver around and may also create fragments of wasteland.

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. 32.05\(3m\)](#) should be addressed in the appraisal of each affected parcel.

The Department’s analysis found that the project will potentially create an irregularly shaped remnant on the property of R&R Ventures, between Interstate 43 and the permanent access road that will be installed prior to the Company’s planned activities (Refer to Appendix A, Figure 1, Page 13). The project initiator reported that the access road will be installed by Guardian Interstate, LLC prior to the project, and the landowner agreed to this access easement and proposed the location to allow room for future development (Charlie Nowakowski, Personal Communication, March 2026). As the potential remnant is part of a separate project, it is outside the Department’s scope to analyze this remnant or make recommendations concerning it.

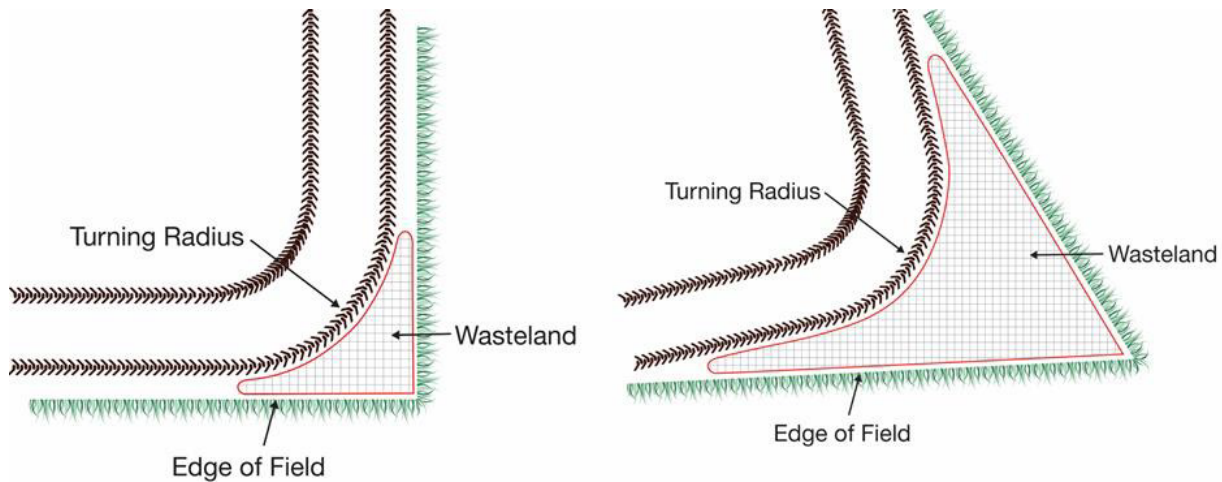


Figure A: Regular Shape

Figure B: Irregular Shape

Figure 3: Examples of agricultural wastelands created from regular shaped fields with square corners (Figure A) and irregular shaped fields with sharp or acute angles (Figure B) that may result from parcel severance.

4.3. Prime Farmland and Soils

Under Route B (including Route A as a common segment), the Project will impact approximately 57 acres of agricultural lands and soils. Under Route A, the Project will impact approximately 25.8 acres of agricultural lands and soils. The soils impacted by the proposed Project were cataloged and analyzed by farmland classification for each route alternative, using the NRCS prime farmland soils GIS layer. Farmland soil classifications impacted by the Project include prime farmland and prime farmland if drained (Table 4). Prime farmland is designated by the USDA according to section 622.3 of the National Soil Survey Handbook (USDA, 2024) and is based on the ability of the land and soil to produce crops. Definitions of prime farmland, prime farmland if drained and farmlands of statewide/local importance are provided under Table 3. The soil texture of agricultural soils impacted by the Project was analyzed, in general terms, across the project ROW.

Within Route B (excluding Route A as a common segment), 99% (or 31 acres) of the agricultural lands impacted by the Project have received Federal designation as Prime farmland or Prime farmland if Drained (Table 3). Within Route A, 84% (or 21.6 acres) of the agricultural lands impacted by the Project have received Federal designation as Prime Farmland or Prime farmland if drained (Table 3). The agricultural soils across the Project ROW under both routes, when classified by texture, are primarily silt loams of various soil series. In general, 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 best suited for crop production (UW-Extension, 2005). This soils analysis shows that the Company’s proposed Foundry Ridge Lateral Project will primarily impact prime farmland and high-quality soils under either route.

Table 3: Agricultural soils, by farmland classification, impacted by the proposed Foundry Ridge Lateral Project in Walworth County, WI.

Soil Texture	Prime Farmland* (acre)	Prime Farmland if Drained^o (acre)	Farmland of Statewide Importance[‡] (acre)	Not Prime Farmland[§] (acre)	Total (acre)
Route A					
Loam	0.0	0.0	0.0	0.0	0.0
Sandy Loam	0.0	0.0	2.9	0.1	3.1
Silt Loam	19.8	1.8	0.6	0.5	22.7
<i>Route A Total</i>					25.8
Route B (distinct segment only)					
Loam	0.0	0.0	0.0	0.1	0.1
Sandy Loam	0.0	0.0	0.0	0.2	0.2
Silt Loam	31.0	0.0	0.0	0.0	31.0
<i>Route B (distinct segment only) Total</i>					31.3
Route B (including Route A segment)					
Loam	0.0	0.0	0.0	0.1	0.1
Sandy Loam	0.0	0.0	2.9	0.4	3.3
Silt Loam	50.8	1.8	0.6	0.5	53.6
<i>Route B (including Route A segment) Total</i>					57.0
<p>*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.</p> <p>^oPrime farmland if drained, indicates that if farmland is drained it would meet prime farmland criteria.</p> <p>[‡]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.</p> <p>[§]Not Prime farmland, indicates farmland is neither prime farmland nor of designated importance.</p>					

During a review of the materials provided by the Company, the Department noted potential impacts to two field-verified wetlands on the properties of BVV HOLDINGS LLC and ELISE M BROCKWELL, where the Company plans to use the open-trench method rather than the horizontal

directional drilling method for pipeline installation across the wetlands. The Department contacted the project contact for clarification on why the open-trench method was being used in the wetland, and the project contact indicated they were not recommending horizontal directional drilling due to the crossing angle of the proposed HDD, and the resulting need to acquire additional easement if the section were rerouted. The project contact also indicated that this section will be subject to further discussion in the Practical Alternative Analysis once a wetland disturbance application is submitted to WDNR. (Charlie Nowakowski, Personal Communication, March 2026). Refer to Appendix A: Figure 1, Page 9 for aerial images of the wetland disturbance.

5. AGRICULTURAL MITIGATION PLAN

The Company has voluntarily prepared an AMP for the Project and will utilize an agricultural inspector (AI) to ensure the AMP is adhered to during project construction and restoration phases (DATCP, 2026A). The Department reviewed the AMP to verify that it aligns with current agriculturally relevant BMPs and mitigation steps the Department seeks for the Project. A copy of the AMP is available in Appendix B: Agricultural Mitigation Plan.

In the following sections, the Department will review a slate of other BMPs that may provide additional protections for agricultural operations and mitigate agricultural impacts.

5.1. 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 increases 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; Shi et al., 2014).

5.1.1. Three-Lift Soil Handling

The three-lift soil handling procedure is recommended for cropland and pasture where the mixing of the subsoil layers from construction practices, such as pipeline trenching, may result in persistent crop yield reductions. For agricultural soils, the typical pipeline construction practice is to remove and stockpile only the topsoil (usually the top 12 inches) from the entire pipeline trench. In contrast, the three-lift soil handling method requires the stockpiling of the 1) topsoil, 2) subsoil and

3) substratum in three separate piles. After the pipeline has been placed within the trench, the excavated soils would be backfilled in the reverse order from which they were removed (i.e. last soil removed is the first soil backfilled). For more information on the three-lift soil handling method, refer to the Department's Three-Lift Soil Management publication [ARM-LWR-294](https://www.agimpact.wi.gov) available at [agimpact.wi.gov](https://www.agimpact.wi.gov).

The three-lift soil handling method is useful when the proposed trench will intersect both the B and C horizons of a soil profile and the C horizon is of poorer quality (gravel, rock, and/or sand) than the B horizon (silt, clay, and/or loam). Alternatively, this practice may be applicable to soil profiles with a distinct upper and lower B horizon, as opposed to a B and C horizon. Additional factors such as slope, soil drainage, thickness of the soil horizons, and acres of soil units crossed by the project are important in determining soil candidates for which the three-lift method could be beneficial for protection of crop yields. A key for identifying soil candidates for three-lift soil handling is provided in Appendix C: Three-lift soil Candidate Key.

The Company has prepared a three-lift soil handling BMP (Appendix B: BMP-09) within the Project AMP that is consistent with the methodology set forth by the Department (Appendix C). To identify those soils that are candidates for three-lift soil handling, the Company will utilize criteria set forth by the Department (Appendix C).

The Company will compile a list of potentially affected farm owners whose land is eligible for three-lift soil handling through analysis of NRCS Soil Maps and/or original soil maps for each county. The Company will inform landowners who possess lands within the construction ROW that meet the three-lift soil handling criteria to offer it as a possible trenching procedure on their property during construction (see Appendix B: BMP-09).

5.1.2. Topsoil Segregation

Agricultural topsoil is an invaluable resource that should be preserved. Excavation activities required to create the open trench needed to install a natural gas pipeline 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 reduce the agricultural productivity of the impacted area. The Company has prepared a BMP for the management and segregation of agricultural topsoil as seen in Appendix B: BMP-02. Collectively, BMP-02 in conjunction with BMP-06: Soil Restoration conforms to many of the mitigation practices the Department seeks to preserve the quality of agricultural topsoil. This includes removing agricultural topsoil - to a depth of 12 inches, or the entire original topsoil depth if it is less than 12 inches - from the subsoil storage area, the trench area, and the rest of the temporary right-of-way, and segregating and storing the removed topsoil in designated on-site areas, separate from the subsoil layers. The topsoil will be replaced during the restoration phase of the project.

Additionally, the Department recommends that the Company take the following steps to prevent the mixing of agricultural topsoil with subsoil layers within the Project ROW:

- 1) Prohibit the spreading of mixed soils or segregated subsoils on undisturbed cropland, pastures or other agricultural fields, unless authorized by the landowner.
- 2) Remove any intermixed topsoil, within the top 12 inches, from the right-of-way (ROW) and replace with new clean topsoil that is comparable to the pre-existing *topsoil*.
- 3) Avoid working in areas with recently saturated soils.
- 4) If rutting occurs, allow sufficient time for the soil to dry before repairing the ruts.

In the Project Initiator Feedback Form (Appendix G), the Company indicated it cannot commit to avoiding working in saturated soils due to the potential for impacts to construction timeline and increased project costs. However, the Company states it commits to minimizing rutting during wet conditions by using wide-tracked and/or low-ground pressure equipment and timber matting, as well as repairing any ruts that do occur.

5.1.3. Soil Compaction

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

The Company has prepared a BMP for soil compaction management and soil decompaction as seen in Appendix B: BMP-06 and section K. BMP-06: Soil Restoration conforms to many of the mitigation practices the Department seeks to alleviate soil compaction issues. This includes the use of deep subsoil ripping on all traffic and work areas of agricultural ROW where the topsoil has been stripped, such as pipeline workspaces, temporary workspaces, and temporary access roads, but not the area over the trench or where drain tiles are located. Additionally, if the subsoil and/or topsoil are compacted during topsoil replacement activities, a penetrometer will be used to determine if additional decompaction is necessary through the topsoil. Company has stated that de-compaction of the subsoil will only be done when the subsoil condition is friable/tillable in the top 18-inches of the subsoil profile as determined by the Agricultural Inspector.

UW-Extension report A3367 states that heavy equipment with axle loads that exceed 10 tons increases 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. In general, using heavy equipment on dry or frozen soil reduces damage to vegetation and soil.

If development activities must occur on moist, non-frozen soil, potential soil compaction mitigation practices such as access mats can be used to redistribute the weight of heavy equipment over a large surface area. Access matting can aid in mitigating soil compaction, rutting and water infiltration issues (Thompson et al., 2023), though some scientific field studies document a potential imbalance in soil microbial communities in grasslands or pastures by altering soil moisture levels and increasing nutrient availability due to plant die-off under matting with prolonged use (Thompson et al. 2020; Thompson et al. 2023). Overall, access matting aids mitigation of soil compaction and rutting and should be used as needed with thought to avoid prolonged impact, especially on grasslands/pastures.

Additionally, the Department recommends that the Company take the following steps to prevent soil compaction and/or de-compact agricultural topsoil:

- 1) Use only low-ground pressure and/or wide tracked equipment within ROW to reduce axle weight applied to soils.
- 2) Use construction matting in wet areas or areas prone to rutting within the ROW to spread out pressure.
- 3) Avoid working in areas with recently saturated soils.
- 4) When possible, conduct construction work during winter months when the ground is frozen.

5.1.4. Increased Soil Rock Content

Large stones at the surface can damage farm machinery and lead to added costs to landowners for removal. Many subsoil layers have a greater rock content than the topsoil. Trench excavations may bring up lower soil horizons with rocky subsoil, which may mix with upper soil layers. Even where three-lift soil handling is used, additional rocks may be spread through the subsoil layer during backfilling. Project initiators may also apply gravel or rock at access points to agricultural fields or access roads which may mix with soil within or adjacent to the ROW. The Company addresses mitigation practices regarding increased soil rock content in Appendix B: BMP 06, which states that the Company will ensure the size, density and distribution of rock remaining on the construction work area is the same as adjacent areas not disturbed by construction.

The Department recommends that the Company take the following step to prevent increased rock content in agricultural topsoil:

- 1) Unearthed rocks or excess rocks for construction activities should not be spread across the ROW, added to the topsoil pile, or added to other farm fields.

5.1.5. 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 the Company 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 AMP. As construction is expected to commence in January 2027 and to address potential impacts related to salt applications on temporary road matting over agricultural soils, the Company should consider adding the following BMPs to the Project AMP:

- 1) The Company 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, the Company should limit the sodium chloride application rate to the lowest level required to maintain a safe working environment.
- 3) The Company should prepare a spill response plan in the event sodium chloride or an alternative product is over applied or spilled onto agricultural soils.

5.2. Drainage

Maintaining proper field drainage and preserving soil health is vital to the success of an agricultural operation. However, pipeline construction activities have the potential to affect both surface and subsurface (i.e. drain tile) drainage patterns and the overall soil health of agricultural fields. Potential drainage impacts from the construction of a pipeline include broken or damaged drainage tile lines, alterations to the topography of existing grassed waterways, or changes to known surface water flowlines. When these impacts happen and go unrepaired, drainage may become impaired, leading to the buildup of standing water on fields. Standing water on agricultural fields has a broad range of negative impacts including crop losses, concentrating mineral salts, flood damage to farm buildings, or causing disease in livestock.

5.2.1. Drain Tile Repair

Construction activities – especially those that excavate soil – can disrupt, damage or break agricultural infrastructure including drainage tiles, grassed waterways, and drainage ditches. Project initiators have a duty to restore the agricultural landscape as near to pre-existing conditions as possible.

Under Appendix B: Best Management Practices – section I, The Company states that any drain tile damaged or severed during construction will be repaired. The initial repair may be temporary tubing with a permanent repair installed before backfilling the trench, or a permanent repair may be immediately installed. Additionally, the Department believes the Company may wish to consider implementing the following additional mitigation steps specific to drainage:

- 1) Should the Company damage or break a functional drain tile line, the Company should repair the drain tile line before backfilling the trench. Repairs should consist of installing a new piece of drain tile or rigid PVC to span the width of the trench and reconnect to the undamaged sections of drain tile. A steel channel or I-beam should also be installed under the drain tile or PVC to assure the pre-existing slope of the tile is maintained during backfilling.
- 2) Where construction activities have created new wet areas the Company should work with the landowner to determine the best means to return the agricultural land to pre-construction function.
- 3) the Company should consider using the techniques outlined in Section 5.1.3 “Soil Compaction” when crossing a known drain tile.

The Department also recommends that agricultural landowners consider:

- 1) Agricultural landowners should inform the Company 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.

5.2.2. De-watering

During excavation, trench dewatering may be necessary. Improper dewatering 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 comply with current drainage laws, local ordinances, WisDNR permit conditions, and the provisions of the Clean Water Act.

The Company has prepared BMP-05 for trench dewatering as can be referenced in the AMP. BMP-05: Trench Dewatering conforms to the mitigation practices sought by the Department. The Department recommends the following to mitigate the impacts of construction water discharge on agricultural lands:

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

5.3. Yield & Crop Loss

5.3.1. Yield Compensation

The Department's soil health analysis, seen in Section 5.1, has indicated the potential for the Foundry Ridge Lateral Project to impact soil health and crop yields for years to come. As livelihoods of agricultural operations are irrevocably linked to the productivity of the soil and crop yields, project initiators have an obligation to compensate impacted agricultural landowners for the future yield reductions across the project ROW. Compensation for yield loss generally occurs at the time of easement contract negotiations.

The Department recommends that agricultural landowners request at least 200% of crop value within the ROW for reimbursement. Project initiators may structure this reimbursement over a 2 – 4-year timeframe, but the total reimbursement should be no less than 200%. An example agreement may reimburse an agricultural landowner for 100% crop loss the year of construction, followed by a 60% reimbursement the second year and 40% for the third year. Agricultural landowners should also work with the project initiator 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.

The Company has prepared a systematic plan for determining the value of the impacted crop and compensating the impacted farm operation as seen in Appendix B: BMP-08. BMP-08 conforms to the mitigation practices the Department seeks when advocating for crop loss/yield reduction

compensation. Specifically, the Company states in BMP-08 that, *“the landowner/renter will be compensated a total of 200% of the value of the crop based on the calculation in Item 2 above. 100% of the value of the crop during the year of construction, 60% the first year after construction, and 40% the second year after construction.”*

The Department also recommends that agricultural landowners 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 Project damages occur.

5.3.2. Feed Supply

The construction of a natural gas pipeline 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.

The Department did not find mention of mitigation or compensation practices related to the disruption of feed supply for dairy operations within the Project’s AMP. We Energies shared within the project initiator feedback form (Appendix G), that it compensates landowners for crop damage that is a direct result of Project activities, and secondary losses that may result from crop losses (such as a loss in animal feed) are generally not considered for compensation as part of normative business practices.

The Department recommends agricultural landowners and operators document all potential impacts to their farm operation and share them with We Energies when negotiating for compensation.

5.4. Erosion and Conservation Practices

Pipeline construction activities 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 has 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.

The Company has prepared a BMP to address erosion and repairs to existing agricultural erosion control facilities as seen in Appendix B: Best Management Practices – sections I and F. Collectively, these conform to the mitigation practices sought by the Department. The Department wishes to highlight the following mitigation practices contained in these sections, as they align with

Department priorities to control soil erosion and mitigate impacts to agricultural conservation practices & facilities:

- *Existing agricultural facilities, such as diversion terraces, grassed or lined waterways, outlet ditches, water and sediment control basins, vegetated filter strips, etc., damaged due to construction activities will be restored to pre-construction conditions. Photographs and elevation surveys may be taken as necessary prior to construction activities at the site to ensure final restoration is satisfactory (Appendix B: Best Construction Management Practices - I).*
- *Erosion controls such as silt fence, staked hay bales, and erosion matting will be used to prevent surface runoff from carrying sediment laden water onto adjacent lands. Dewatering may be required to remove standing water from trench or bore pit areas. Erosion control and dewatering technical standards are described on the Wisconsin Department of Natural Resources website <https://dnr.wisconsin.gov/topic/Stormwater/standards>. These standards will be met or exceeded at all times. It is not permissible to allow soil or water runoff to occur from non-organically farmed fields onto organically farmed fields at any time even if both fields are owned by the same landowner (Appendix B: Best Construction Management Practices - F).*

5.4.1. Construction Noise and Dust

During each phase of the Project, noise and dust are likely to be generated. Landowners near the Project ROW may experience noises and dust associated with construction techniques and the movement of heavy equipment. 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.

The Department did not find mention of mitigation practices related to noise and dust within the Project AMP. To address impacts resulting from construction noise and dust the Company should consider adding the following BMPs to the Project AMP:

- Identify agricultural livestock operations with sensitive animals within and adjacent to the Project ROW and provide them appropriate advance warning of construction activities, so they may take steps to safeguard their animals.
- The Company should clean all roadways (private, county, state etc.) of construction debris, dirt and rocks.
- The Company should use tracking pads at frequently used access points.
- Apply water over the dust generating areas to reduce dust output.

Nearby agricultural landowners may also wish to consider the following recommendations:

- Livestock owners & operators within the Project ROW who are concerned about the noise potential for the Project should inform the Company or their representatives during the easement negotiation process. Additionally, they may wish to remind the Company of their concerns just prior to the start of construction.

5.4.2. 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. The debris from various woody trees species, such as cherry or walnut trees, can be toxic to livestock.

To mitigate the potential impact of construction debris, the Company has proposed various BMPs in Appendix B: Best Construction Management Practices -section K and BMP-06. Collectively, these BMPs contain the mitigation practices the Department recommends for to mitigate the impact of construction debris.

5.4.3. 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.

The Company has prepared a BMP to address impacts to weed control as seen in Appendix B: Best Construction Management Practices - H. However, the Department believes the Company may wish to consider implementing the following additional mitigation steps to strengthen its weed control BMP:

- The Company should offer agricultural landowners, during easement negotiations, the ability to state whether they do or do not give the Company express written consent for herbicide to be applied within the ROW they own.
- The Company should use tracking pads at frequently used access points.
- The Company 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, the Company should contact the operation to discuss the appropriate methods required to minimize the risk of accidental exposure.

- 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/>.

5.4.4. Restoration

Restoration is final step in assuring an impacted agricultural area is restored as close as possible to preconstruction conditions. In general, restoration activities include soil restoration, soil grading and seeding. 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.

The Company has proposed various BMPs in Appendix B: Best Construction Management Practices and Appendix B: BMP-07 to restore the impacted agricultural lands as close as reasonably possible to their pre-construction conditions. Collectively, these BMPs contain the majority of mitigation practices the Department supports. Department believes the Company may wish to consider implementing the following additional mitigation step to strengthen restoration efforts:

- The Company should monitor the ROW for soil erosion and maintain erosion control practices to mitigate soil erosion. Only after restoration activities are complete should temporary erosion control devices be removed.

6. REFERENCES

- Cornell University (Cornell). 2017. Soil Health Manual Series Fact Sheet Number 16-04: Soil Texture. Retrieved from https://cpb-us-e1.wpmucdn.com/blogs.cornell.edu/dist/f/5772/files/2016/12/04_CASH_SH_Series_Texture_Fact_Sheet_072717-286kw9f.pdf (accessed 13 April 2026).
- Corsi S. R., D. Graczyk, S. Geis, N. Booth and K. Richards. 2010. A fresh look at road salt: Aquatic toxicity and water-quality impacts on local, regional, and national scales. *Environ Sci Technol.* 44:7376–7382. doi.org/10.1021/es101333u
- Culley, J. L. B., and B. K. DOW. 1988. Long-term effects of an oil pipeline installation on soil productivity. *Canadian Journal of Soil Science*, 68:177-181. doi.org/10.4141/cjss88-018
- Invenegy. 2026. Application for CPCN – Foundry Ridge Energy Center CPCN Application. PSC Docket #9835-CE-100. PSC REF # 568187. Madison, WI: Public Service Commission Electronic Records Filing System.
- James, K., Bork, E., Carlyle, C., Najafi, F., and Quideau, S. 2016. Access Mats Reduce Mixedgrass Prairie Soil Physical Responses to Industrial Traffic. University of Alberta, Department of Renewable Resources. Retrieved from <https://rri.ualberta.ca/wp-content/uploads/sites/48/2024/07/James-Bork-2016-ii.pdf> (accessed 24 April 2026).
- Richburg, J. A., W. A. Patterson III and F. Lowenstein. 2001. Effects of road salt and *Phragmites australis* invasion on the vegetation of a western MA calcareous lake-basin fen. *Wetlands.* 21, 247–255. doi.org/10.1672/0277-5212(2001)021[0247:EORSAP]2.0.CO;2
- Shi, P., Xiao, J., Wang, Y. et al. 2014. The effects of pipeline construction disturbance on soil properties and restoration cycle. *Environ Monit Assess.* 186, 1825–1835. doi.org/10.1007/s10661-013-3496-5
- Thompson, K.A., Bent, E., James, K., Carlyle, C.N., Quideau, S., Bork, E.W. 2020. Access mats partially mitigate direct traffic impacts on soil microbial communities in temperate grasslands. *Applied Soil Ecology* 145: UNSP 103353. DOI: 10.1016/j.apsoil.2019.09.003
- Thompson, K.A., James, K., Carlyle, C., Quideau, and S. Bork, E. 2022. Timing and duration of access mat use impacts their mitigation of compaction effects from industrial traffic. *Journal of Environmental Management*, Volume 303. <https://doi.org/10.1016/j.jenvman.2021.114263>.
- U.S. Department of Agriculture (USDA). 2024. Title 430 - National Soil Survey Handbook: Part 622 – Interpretive Groups. Retrieved from <https://www.nrcs.usda.gov/resources/guides-and-instructions/national-soil-survey-handbook> (accessed 13 April 2026).
- U.S. Department of Agriculture (USDA). 2026. Farm Service Agency: Conservation Reserve Program. Retrieved from <https://www.fsa.usda.gov/tools/informational/fact-sheets/fsa-crp-factsheet-26v3> (accessed 13 April 2026).
- United States Geological Survey Protected Areas Database of the United States (USGS PAD-US). USGS PAD-US Application. <https://maps.usgs.gov/padusdataexplorer/> (accessed 13 April 2026).
- University of Wisconsin-Extension (UW-Extension). 2005. A3588: Management of Wisconsin Soils. Madison, WI. Retrieved from <https://soilsextension.webhosting.cals.wisc.edu/wp-content/uploads/sites/68/2014/02/A3588.pdf> (accessed 13 April 2026).

- Walworth County. 2019. Multi-Jurisdictional Comprehensive Plan Update for Walworth County: 2035. Retrieved from [2035 Multi-Jurisdictional Comprehensive Plan & Update | Walworth County, WI](#) (accessed 31 March 2026).
- Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP). 2023. *Walworth County Farmland Preservation Plan*. Department of Agriculture, Trade and Protection. Madison, WI, USA.
- Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP). 2019a. CREP: Conservation Reserve Enhancement Program. Retrieved from <https://datcp.wi.gov/Documents/CREPBrochure.pdf> (accessed 13 April 2026).
- Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP). 2019b. Drainage Districts in Wisconsin. Retrieved from <https://datcp.wi.gov/Documents2/DrainageProgram Factsheet.pdf> (accessed 13 April 2026).
- Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP). 2026a. Agricultural Impact Notice for Pipeline Projects DARM-BLWR-003 rev 5/22: Foundry Ridge Lateral Project. Department of Agriculture, Trade and Protection. Madison, WI, USA.
- Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP). 2026b. Designated Agricultural Enterprise Areas (AEAs). https://datcp.wi.gov/Pages/Programs_Services/DesignatedAEAs.aspx (accessed 13 April 2026).
- Wisconsin Department of Natural Resources (WisDNR). 2017. Wisconsin's Managed Forest Law: A Program Summary PUB_FR-295. Rev April 2022. <https://dnr.wisconsin.gov/topic/forestlandowners/mfl> (accessed 13 April 2026).
- Wolkowski, R., and B. Lowery. 2008. A3367: Soil Compaction: Causes, concerns, and cures. University of Wisconsin-Extension. Retrieved from <https://cdn.shopify.com/s/files/1/0145/8808/4272/files/A3367.pdf> (accessed 13 April 2026).

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