

March 15, 2024



**RE: Comments on 137-CE-205: Application of American Transmission Company LLC, as an Electric Public Utility, for a Certificate of Public Convenience and Necessity to Construct a New Double-Circuit 138 kV Transmission Line to Serve a New Plymouth Utilities Distribution Substation in the Towns of Lyndon and Mitchell, Sheboygan County, Wisconsin**

To Whom It May Concern,

On behalf of Milwaukee Riverkeeper, I am providing these comments on our concerns regarding the American Transmission Company's (ATC) proposed Plymouth Electrical Reliability Project. We are very concerned about the impacts of this project to Nichols Creek, the North Branch of the Milwaukee River, and associated floodplain, wetlands, and forests that would be impacted from this project. We offer these comments to inform public scoping around an Environmental Analysis (EA) or Environmental Impact Statement (EIS) that will be completed for this project by the Public Service Commission.

**Purpose and Need**

The application states that this project is being done because Plymouth is expecting "significant new energy demand in 2025" and states that other electricity options investigated were more expensive, and had less reliability and capacity than connecting Plymouth with the Sauville/Elkhart Lake transmission line to the southwest. No additional information was provided in the application as to the purpose and need for this project. One of the appendices--Appendix D exhibit 1 - PSC# 488848—shows that there were several additional routes that were presented at the time Plymouth Utilities was reviewing this project. Several of these routes would have had less environmental and community impacts. It's unclear why only 2 alternatives are now under consideration. In addition, it is our understanding that We Energies has a substation near to Plymouth that could be utilized but is also not being considered as part of the environmental alternative analysis.

In addition, the application states that noncombustible, renewable energy options were deemed to not be possible because of the need for electricity storage, and this option was not looked at further. There are significant federal resources right now in the Bipartisan Infrastructure Act and Inflation Reduction Act that would fund many renewable energy projects, so this is somewhat befuddling. Any EA or EIS should look at the suite of alternatives to provide electricity to Plymouth, assuming the increased demand is documented in the EA/AIS, and this should include an apples to apples comparison of all alternatives relating to costs, aesthetics, environmental impacts, cultural/quality of life impacts, and impacts to health from the EMF and magnetic fields from these transmission lines. Only two alternatives are now on the table, so the community is left with two options, neither of which many residents find acceptable based on a quick perusal of the docket comments. This project has the potential to impact the North Branch Milwaukee River Wildlife and Farming Heritage Area, which is meant to protect outstanding natural resources as well as cultural and farming assets in this



beautiful part of the Kettle Moraine. We'd also suggest that any alternatives analysis also review options to bury these lines along existing roads to the maximum extent possible to protect the natural and cultural heritage of this area.

### **Impacts to Nichols Creek and the North Branch of the Milwaukee River**

The preferred alternative for this project will impact the North Branch of the Milwaukee River, which is an Outstanding or Exceptional Resource Water designated by WDNR. Most of the streams likely to be impacted in this area are cool-coldwater, headwater trout streams, with reproducing brook and brown trout. There are stream reaches downstream that are classified as cool-warm mainstem, but we are working with the Village of Cascade to remove the Mill Pond Dam, and hope this dramatically expands the extent of coldwater conditions as well as generally improves water quality and fisheries in this entire stretch of Nichols Creek and the North Branch of the Milwaukee River.

Of primary concern to our coldwater streams would be impacts from the *permanent* removal of an 80-foot swath of forest and vegetation, which is likely to warm water temperatures, which are already warming due to climate change, altered precipitation patterns, and changing land use. In addition, hazard trees would be removed within an additional 300-foot buffer to remove dead and dying trees that could disrupt the power lines. That is likely to remove significant additional trees due to emerald ash borer impacts. The preferred alternative for this project is proposed to remove over 9.56 acres of trees, with the alternate route proposed to impact 16 acres of forest. Those cumulative impacts could be very damaging to Nichols Creek, under either alternative, which is one of a handful of coldwater streams in the Milwaukee River Basin. Likewise, the alternate route has likely impacts to the Onion River, which is also designated similarly as a coldwater stream that is an Outstanding or Exceptional Resource Water. These types of waterways in southeastern Wisconsin are very limited and special, and should be treated as such.

In addition, we are concerned about impacts to the floodplains of the Milwaukee River, as there are 2 structures proposed for floodplains, and 2 proposed waterway crossings under the preferred alternative, with similar impacts proposed as part of the alternate route. Most of the mitigation efforts mentioned in the application included taking precautions while dewatering (for construction of the electric tower foundations) and employing good erosion control, which is the bare minimum. There are also several temporary clear span bridges proposed under each alternative scenario, which is a big concern as there are likely significant impacts to both the bed and banks of the Milwaukee River (or Onion River) as well as impacts to adjacent natural areas. The application notes that a waiver would be sought by ATC if construction occurred within important spawning windows, but this should not be allowed given the importance of these aquatic resources.

### **Wildlife Impacts**

In addition to impacts on fish, there are 2 state threatened mussel species in this part of the Milwaukee River per the Natural Heritage Inventory, which could be severely impacted by any construction activities, or even sedimentation from construction. In addition, there are 4 state threatened birds in the project area and several species of state concern bees, plants, salamanders,

and dragonflies. The USFWS has also identified that the Northern long-eared bat (endangered) and Tricolored bat (proposed endangered) could be found in the project area along with monarch butterfly and rusty patch bumblebee, which are proposed to be listed under the federal Endangered Species Act. We are very concerned about any waterway crossings at all over these streams. It seems that routing these lines using existing bridge crossings would make better sense to minimize any impacts to the Milwaukee River, floodplains, and wetlands.

### **Wetland Impacts**

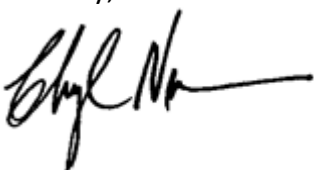
The preferred alternative would impact 3.49 acres of wetland, and the alternate would impact 12.94. The application does state that impacts to wetlands are minimized by using existing corridors, but wetlands are very prevalent in this area. We would hope this project could avoid any impact to W-08 and W-09, which are designated as wetlands that are Areas of Special Natural Resource Interest (ASNRI) due to their association with the North Branch of the Milwaukee River as part of the preferred route. Additional ASNRI wetlands would be impacted along the alternate route as well, and should be protected if either of these routes is selected.

The alternate route has likely impacts to the Nichols Creek State Wildlife Area, which range from aesthetic to removing forested and vegetated buffers along the road that protect this area from stormwater runoff and other pollution. The complex of coniferous swamps and sedge meadows provides base flow to Nichols Creek, and have been designated as a “Wetland Gem” by Wisconsin Wetlands Association; and two portions of the SWA have been designated as State Natural Areas by WDNR for their regionally significant, high quality wetland communities (e.g., calcareous fen, cedar swamp) and the presence of hydrologically intact, cold-water springs. WDNR has designated Nichols Creek SWA as an Area of Special Natural Resource Interest as well.

The North Branch Milwaukee River is also designated a priority watershed by WDNR that provides outstanding recreational opportunities, supports valuable fisheries and wildlife habitat, and has good water quality. Out of 110 monitoring locations in the Milwaukee River Basin that we coordinate, our site in the SWA consistently has the best water quality. We are very concerned that either route could impact the North Branch of the Milwaukee River and associated natural areas and wildlife species of concern.

Thank you for your consideration of these comments. If you have any questions, please feel free to contact me at (414) 287-0207 ext. 2 or [cheryl\\_nenn@milwaukeekeeper.org](mailto:cheryl_nenn@milwaukeekeeper.org).

Sincerely,



Cheryl Nenn  
Riverkeeper