

TOWN OF LAKE MILLS, JEFFERSON COUNTY, WISCONSIN

RESOLUTION NO. 2026-0827B

A RESOLUTION OPPOSING GREENFIELD ROUTING OF THE BECI 765-kV TRANSMISSION PROJECT ACROSS THE TOWN OF LAKE MILLS AS INCONSISTENT WITH WISCONSIN'S STATUTORY SITING PRIORITIES AND WITH THE TOWN'S ADOPTED COMPREHENSIVE PLAN

WHEREAS, Wis. Stat. § 1.12(6) establishes a priority order for the siting of new electric transmission facilities, namely (a) existing utility corridors, (b) highway and railroad corridors, (c) recreational trails, and (d) new corridors, to be followed to the greatest extent feasible consistent with economic and engineering considerations, reliability of the electric system, and protection of the environment; and

WHEREAS, Wis. Stat. § 1.12(5) directs local governmental units to follow those priorities, and this Board intends by this Resolution to conform its own policy to them; and

WHEREAS, Wis. Stat. § 196.491(3)(d)3. requires a finding that the proposed route is in the public interest considering alternative sources of supply, alternative locations or routes, individual hardships, engineering, economic, safety, reliability and environmental factors; and

WHEREAS, Wis. Stat. § 196.491(3)(d)3r. requires, for a high-voltage transmission line proposed to increase transmission import capability into this state, a finding that existing rights-of-way are used to the extent practicable and that routing and design minimize environmental impacts in a manner consistent with achieving reasonable electric rates; and

WHEREAS, Wis. Stat. § 196.491(3)(d)6. requires a finding that a proposed facility will not unreasonably interfere with the orderly land use and development plans for the area involved; and

WHEREAS, Wis. Stat. § 196.491(3)(d)4. requires a finding that a proposed facility will not have an undue adverse impact on other environmental values, including but not limited to ecological balance, public health and welfare, historic sites, geological formations, the aesthetics of land and water and recreational use; and

WHEREAS, the Town of Lake Mills adopted its 2024–2034 Comprehensive Plan on March 12, 2024, more than two years before the commencement of BECI's public input phase on August 5, 2026, and that Plan is therefore not a reactive instrument; and

WHEREAS, Utilities and Community Facilities Goal 8 of that Plan directs the Town to "Protect the scenic rural character, continuity of environmental corridors, natural areas, agricultural land, and private property when siting utilities, facilities, and billboards in the Town of Lake Mills," with the express objectives to "Site new utilities along already existing utility and road corridors to minimize disturbance to residents, natural areas, and agricultural land" and to "Avoid utility construction on sensitive environmental areas and migratory bird flyways"; and

WHEREAS, Agriculture Goal 1 of the same Plan directs the Town to preserve its productive farmlands and requires contractors to work with farmers to minimize or repair damage to fields and tile lines and to maintain access to fields; and

WHEREAS, 17,024.90 acres, being 90.82 percent of the zoned land area of the Town, is zoned A-1 Exclusive Agricultural within a state-certified farmland preservation zoning district; and

WHEREAS, the Town of Lake Mills contains 1,249.80 acres of woody wetlands and 2,004.10 acres of emergent herbaceous wetlands, 10.1 square miles of floodplain, the Mud Lake Fen and Wet Prairie State Natural Area No. 604, the Bean Lake State Natural Area, approximately 2,800 acres of the Lake Mills Wildlife Area, and the Sandy Beach and Elm Point effigy mound groups and the Bean Lake Islands Archaeological District; and Mud Lake was listed as impaired for total phosphorus in 2018 and Rock Creek was listed as impaired in 2022; and

WHEREAS, published reporting states that the preferred route for BECI would rely on approximately 93 percent new corridor rather than existing corridor, a figure MGS has neither confirmed nor refuted to this Board; and

WHEREAS, the Town contains State Trunk Highway 89 running generally north and south through the Town, an existing American Transmission Company 138-kV corridor constructed to serve the Lake Mills area and placed in service in 2009, Interstate 94, and a county trunk highway network, each of which occupies a higher statutory siting priority than new corridor;

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Lake Mills that this Board opposes the routing of the BECI project on new corridor across the Town of Lake Mills, including land zoned A-1 Exclusive Agricultural, wetlands, floodplain, state natural areas, public conservation lands and recorded burial sites; and finds that such routing, as presently depicted in the developer's study segments, would unreasonably interfere with the orderly land use and development plans for the area involved within the meaning of Wis. Stat. § 196.491(3)(d)6.; and further finds that such routing raises substantial questions under Wis. Stat. § 196.491(3)(d)4. that the present record does not answer, including groundwater effects on the Mud Lake Fen and Wet Prairie State Natural Area and incremental sediment and phosphorus loading to waters already listed as impaired.

BE IT FURTHER RESOLVED that this Board requests that any route selected within the Town be co-located within an existing utility corridor or, where that is demonstrably not practicable, within a highway or railroad corridor, in the order established by Wis. Stat. § 1.12(6), and that MGS be required to document, segment by segment, the basis for any deviation.

BE IT FURTHER RESOLVED that this Board observes that every BECI study segment depicted within Jefferson County — segments 29, 31, 33 and 43 — appears to occupy new corridor rather than any existing utility, highway or railroad corridor, and requests that MGS state in writing whether any existing-corridor alternative was included within its Jefferson County study area, and if not, the basis for its exclusion.

BE IT FURTHER RESOLVED that this Board directs the Plan Commission to prepare, for the Board's consideration, an inventory of every existing linear utility and transportation corridor within the Town, and to identify one or more specific co-location alternatives to the study segments now depicted, described with sufficient precision that the applicant can be asked to analyze them.

BE IT FURTHER RESOLVED that this Board requests that the Public Service Commission of Wisconsin and the Department of Natural Resources require, as part of the environmental review of this project and of the finding required by Wis. Stat. § 196.491(3)(d)4., a segment-level analysis of impacts to wetlands, waterways, floodplain, state natural areas, public conservation lands and burial sites within the Town, including groundwater effects on the Mud Lake Fen and Wet Prairie State Natural Area and incremental sediment and phosphorus loading to waters already listed as impaired; and a cumulative analysis of the agricultural, drainage and land-use effects of BECI together with the Guardian Pipeline system, the American Transmission

Company Jefferson County Reliability Project, and the MISO Tranche 2.1 facilities converging on the Jefferson substation.

BE IT FURTHER RESOLVED that the findings and recitals set forth herein are based upon information publicly available as of the date of adoption; that the Town expressly reserves the right to supplement or amend this Resolution as additional information is obtained; and that MGS is expressly invited to correct any factual statement contained herein, in writing, so that the correction may be entered in the Town's project file.

BE IT FURTHER RESOLVED that the Town reserves all rights available to it, including the right to seek party status and to intervene in any proceeding before the Public Service Commission of Wisconsin concerning this project, to apply for intervenor compensation under Wis. Stat. § 196.31, and to petition for judicial review under Wis. Stat. § 196.491(3)(j) and ch. 227; and that nothing in this Resolution shall be construed as consent to, or acquiescence in, any route or any aspect of this project.

BE IT FURTHER RESOLVED that the Town Clerk shall transmit certified copies of this Resolution as directed in Resolution No. 2026-0827A, and shall file it as a written comment in MGS's public input process on or before September 7, 2026.

BE IT FURTHER RESOLVED that if any provision of this Resolution, or its application to any person or circumstance, is held invalid, the remainder of this Resolution and the application of that provision to other persons or circumstances shall not be affected, and to this end the provisions of this Resolution are severable.

Roll Call Vote: Chairperson Kulow-aye, Supervisor Brandel-aye and Supervisor Thode-aye. Resolution 2026-0827B adopted by a 3-0 majority vote.

Adopted this 27th day of August, 2026.



Kyle Kulow, Town Chair



Robin Untz, Town Clerk