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 **Conservation Groups File Motion to Pause Construction of High-Voltage Transmission Line That Threatens Protected Upper Mississippi River National Wildlife & Fish Refuge and Wisconsin Driftless Area**

***Court should decide case before more construction causes irreversible damage***

**Madison, WI** – Today, four conservation groups – the National Wildlife Refuge Association, Driftless Area Land Conservancy, Wisconsin Wildlife Federation and Defenders of Wildlife  – filed a motion for a preliminary injunction in the U.S. District Court for the Western District of Wisconsin in their lawsuits to temporarily halt construction of a new high-voltage transmission line that would threaten the protected Upper Mississippi River National Wildlife and Fish Refuge and Wisconsin’s Driftless Area. The requested preliminary injunction would continue until the court can decide the case on the merits later this year or early next year.

The preliminary injunction is in response to a notification from the utility companies building the 102-mile Cardinal-Hickory Creek transmission line that they intend to push forward with construction on the Wisconsin portion of the high-voltage line route as soon as October 25. Clear cutting of trees has already occurred on the Iowa side of the route up to the border of the Refuge, and now the companies plan to start clearing the right-of-way for their proposed route up to the border of the Refuge on the Wisconsin side of the Mississippi River. The apparent goal is to get as much of the line built as possible before the court can decide, so that any finding of illegality would be more difficult to enforce.

The lawsuit, filed last February, challenges the U.S. Fish and Wildlife Service’s decision to allow the companies to build this massive project across the Refuge under the National Wildlife Refuge System Improvement Act of 1997, which prohibits uses of Refuge land that interfere with or do not contribute to the Refuge’s wildlife purposes. It also challenges the permits granted by the U.S. Army Corps of Engineers to allow the project to damage protected wetlands, and it alleges that all of the federal agencies violated the National Environmental Protection Act (NEPA) by failing to “objectively evaluate and rigorously explore” reasonable non-wires alternatives and powerline upgrades to enhance the capacity of the existing transmission or potential routes north or south of the protected National Wildlife Refuge.

Environmental Law & Policy Center public interest attorneys represent the four conservation organization plaintiffs. The $500 million transmission line with up to 20-story high towers would start in Iowa, and then cut through the National Wildlife Refuge near Cassville, Wisconsin, and then run through the scenic landscapes, family farms and rural communities in the Driftless Area, the Military Ridge Prairie Heritage Area, and the Black Earth Creek Conservation Area before ending in Middleton, Wisconsin.

“All we are asking for with this motion is a temporary halt to construction so the court can decide this case before the project is already built,” said Scott Strand, Senior Attorney at ELPC. “Clearing a 150-foot-wide right-of-way through Wisconsin’s Driftless Area right up to the border of the Refuge will cause serious and irreparable environmental damage. With a construction pause, we can avoid those adverse environmental harms, and give the plaintiffs their day in court before the damage is done.”

**Geoffrey L. Haskett, President, National Wildlife Refuge Association:**

“This lawsuit to protect the Upper Mississippi National Wildlife and Fish Refuge is representative of a national effort to protect encroachment on units of the National Wildlife Refuge System nationwide. Wildlife refuges are not open lands, available to any private interest that wants to profit off of their protected status. The Upper Miss NWFR preserves the largest area of floodplain habitat in the country, stretched across four states. The transmission line at issue will bisect important habitat and interrupt migration corridors, trading public interest for private interest.”

**Lindsay Dubin, Staff Attorney Conservation Law, Defenders of Wildlife:**

“This construction through conservation lands, prairies, and waterways will result in immediate habitat destruction and disruption to wildlife. We are asking the court to halt construction to ensure that the project does not proceed until its impacts to the environment and to listed species are accounted for.”

**Mark LaBarbera, Executive Director, Wisconsin Wildlife Federation:**

“Wisconsin Wildlife Federation will not sit quietly and watch as the Fish and Wildlife Service allows private interests to damage the value and integrity of the refuge. Setting a precedent here affects the future of the refuge system nationwide. As a conservationist living in the Driftless Area who fishes and hunts up and down the Mississippi River, I know firsthand the value of its resources, including the viewscapes that are threatened by these unnecessary transmission lines and towers.”

**Jennifer Filipiak, Executive Director, Driftless Area Land Conservancy:**

“The Refuge is part of the unique Driftless Area of Wisconsin where we have been working to protect and restore land and habitat with many landowners and conservation partners for the last 20 years. DALC opposes this unnecessary and costly transmission line in part because it will permanently harm that Refuge. We should instead be pursuing better clean energy alternatives that can grow our local economies, support farmers and sustain our communities while avoiding the massive damage that this line and the others that could follow will have.”

**Howard Learner, Executive Director, Environmental Law & Policy Center:**

“The Upper Mississippi National Wildlife and Fish Refuge is a gem of the Midwest’s natural resources and landscape. Building a huge unneeded high-voltage transmission line to cut across this protected National Wildlife Refuge is just wrong as a matter of both law and common sense. The Environmental Law & Policy Center is proud to represent these four conservation groups who are committed to protect vital natural resources and preserve this National Wildlife and Fish Refuge for all of us to enjoy today and for future generations.”

The Upper Mississippi National Wildlife and Fish Refuge is the gem of the Midwest and among the most visited National Wildlife Refuges in the nation. According to the [U.S. Fish & Wildlife Service](https://www.fws.gov/refuge/Upper_Mississippi_River/about.html): “The refuge encompasses one of the largest blocks of floodplain habitat in the lower 48 states. Bordered by steep wooded bluffs that rise 100 to 600 feet above the river valley, the Mississippi River corridor and refuge offer scenic beauty and productive fish and wildlife habitat unmatched in the heart of America…The refuge is designated as a Wetland of International Importance (Ramsar) and a Globally Important Bird Area.” If built in the planned location, the huge transmission line would cut across a major migratory bird flyway used by hundreds of thousands of birds annually, including cranes and bald eagles.