



Department of Energy

Washington, DC 20585

July 29, 2026

Joseph Bell
Executive Director and State Historic Preservation Officer
Texas Historical Commission
P.O. Box 12276
Austin, Texas 78711

cc:

Caitlin Visel, Uvalde County Historical Commission

SUBJECT: U.S. Department of Energy, Office of Energy Dominance Financing, Section 106 Consultation, American Electric Power, Uvalde to West Batesville 138 kilovolt (kV) Transmission Line Rebuild Project, Uvalde County, Texas

Dear Mr. Bell,

The United States Department of Energy (DOE), Office of Energy Dominance Financing (EDF) has executed a Federal loan guarantee agreement with American Electric Power (AEP or Borrower) pursuant to DOE's authority under Title XVII of the Energy Policy Act of 2005, as amended. The loan guarantee to AEP is intended to provide financing for many projects over the life of the Federal loan guarantee. Each project is reviewed and considered individually prior to being approved for financing under the Federal loan guarantee. AEP has identified the Uvalde to West Batesville 138 kilovolt (kV) Transmission Line Rebuild Project (the Project), located in Uvalde County, Texas, for potential inclusion in the loan guarantee.

The purpose of this letter is to formally initiate consultation with the Texas State Historic Preservation Officer (SHPO), represented by the Texas Historical Commission (THC), under Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended (54 United States Code [U.S.C.] 306108), and its implementing regulations, 36 Code of Federal Regulations (CFR) Part 800, "Protection of Historic Properties." This letter presents a description of the undertaking, the Area of Potential Effects (APE), the efforts to identify historic properties, and the undertaking's effects on historic properties; and seeks your concurrence with DOE's Finding of No Adverse Effect for this Project. A cultural resources report is included as Attachment 1, and a Request for SHPO Consultation Form is included as Attachment 2.

The parties listed above that are copied on this letter are invited to participate as consulting parties to the Section 106 consultation and may provide their comments on the undertaking to DOE EDF. In accordance with the confidentiality provisions of the Section 106 regulations at 36 CFR 800.11(c), to avoid the disclosure of potentially sensitive cultural resources information to the public, DOE EDF has respectfully withheld Attachment 1

from dissemination to those members of the public invited to participate as consulting parties. DOE EDF has made this consultation letter available for public view to solicit comments from the general public on the undertaking.

Description of the Undertaking

DOE's action is the issuance of a proposed Federal loan guarantee to the Applicant for the undertaking (i.e., the Project), which involves rebuilding approximately 2.4 miles of existing linear transmission line infrastructure in the general location of each pole structure within the existing 100-foot-wide right-of-way (ROW). The Project originates at the Uvalde Substation, proceeds west-southwest for approximately 2.4 miles, and terminates at Dead End Structure 27. A total of 27 new steel monopoles will be constructed and the existing 24 wood poles with cross bracing structures will be removed. All existing transmission structures, generally 50-foot-tall wood poles, will be removed from the ROW and replaced with new transmission structures, generally 80-foot-tall steel monopoles, and conductors. Existing roads and ROW will be used for construction. Construction activities consistent with transmission lines typically include erosion and sediment control, crane pad grading, foundation installation, structure assembly and erection, conductor and shield wire installation, and restoration activities following construction completion. Project maps are provided in the cultural resources report that is included as Attachment 1.

Description of the Area of Potential Effects

As defined in the Section 106 regulations (36 CFR § 800.16(d)), the APE is the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist. The dimensions of the APE are influenced by the scale and nature of an undertaking and may be different for different kinds of effects caused by the undertaking. Within the APE, DOE EDF distinguishes different survey areas for identifying archaeological and historic architectural resources (hereafter, the "archaeological survey area" and "architectural survey area"). The archaeological survey area is defined as the construction footprint of the Project where potential physical effects caused by ground-disturbing activities may occur, also known as the limits of disturbance (LOD). The architectural survey area includes the area in the Project LOD and may apply a distance buffer, as appropriate, within which potential non-physical effects (e.g., visual, vibrational, auditory, or atmospheric) could occur. These survey areas collectively comprise the APE for the Project.

The Project's archaeological survey area includes the approximately 2.4-mile-long and 100-foot-wide existing ROW corridor, totaling approximately 29.9 acres. The Project's architectural survey area includes the ROW and the area within a 0.25-mile radius of the Project.

DOE EDF also acknowledges that Attachment 1 refers to the archaeological survey area as the "Direct APE" and the architectural survey area as the "Indirect APE", and notes that in accordance with the 2019 D.C. Circuit Court decision in *National Parks Conservation*

Association v. Semonite, visual effects that are caused by the undertaking are considered direct effects.

Description of Efforts to Identify Historic Properties

Tribal Outreach

In accordance with Section 106, DOE identified federally recognized Native American Indian Tribes (Tribes) that may have an interest in the Project area. DOE has notified the following five (5) federally recognized Tribes to see if they have an interest in the Project: Apache Tribe of Oklahoma; Comanche Nation, Oklahoma; Mescalero Apache Tribe of the Mescalero Reservation, New Mexico; Tonkawa Tribe of Indians of Oklahoma; and Wichita and Affiliated Tribes (Wichita, Keechi, Waco, and Tawakonie), Oklahoma.

By separate letter sent concurrently with this submission to the SHPO, DOE EDF has requested Tribal respondents to provide their comments on the undertaking, provide information regarding historic properties of religious or cultural significance to Tribes that may be present in the APE, and to identify any additional Tribes that may share an interest in the Project area so DOE EDF can promptly invite them to consult. DOE EDF will consider all comments received from Tribes during the 30-day consultation period and will coordinate with the SHPO and other consulting parties, as appropriate, if additional consultation is requested or necessary.

Records Search

As part of the Section 106 process, the Applicant contracted WSP, Inc. (WSP) to conduct cultural resource identification surveys. WSP prepared the cultural resources report that is included as Attachment 1 and summarized below.

Prior to the initiation of fieldwork, WSP conducted a file review for a 1-mile radius study area surrounding the Project. The online restricted-access Texas Historical and Archeological Sites Atlas was reviewed to identify previously recorded archeological and historical sites within the study area. In addition, previously recorded cultural resource data available online from the Texas Historical Sites Atlas were reviewed to identify the locations of historical sites, cemeteries, National Register of Historic Places (NRHP) properties, State Antiquities Landmarks, and Official Texas Historical Markers recorded within the study area. The Texas Department of Transportation (TxDOT) Historic Resources Aggregator was reviewed for resources that are listed or determined eligible for listing on the NRHP. NPS websites and data centers were reviewed to identify locations and boundaries for historic properties and historic trails. WSP also reviewed historical topographic mapping and aerial photography within the APE and study area.

The review indicated eleven (11) previous cultural resource surveys within the 1-mile radius study area, one (1) of which partially overlaps the APE. Five (5) previously recorded archaeological sites are documented within the study area, one (1) of which overlaps the Project ROW. Three (3) recorded cemeteries are mapped within the study area; of these cemeteries, none are within the Project ROW corridor, but two (2) of which are within the

0.25-mile radius APE. One (1) State Antiquities Landmark, one (1) Historic Texas Highway, and 23 Official Texas Historical Markers are mapped within the 1-mile radius study area; of these, the Project intersects the Historic Texas Highway (the “Old Spanish Trail”, now the modern US Highway 90) and two (2) of the Official Texas Historical Markers are within the 0.25-mile radius APE. Lastly, five (5) NRHP-listed historic properties and one (1) National Historic Landmark are mapped within the 1-mile radius study area, all of which are outside of the 0.25-mile radius APE. Additional details and maps are provided in Attachment 1.

Following the completion of background research, WSP completed Phase I cultural resource surveys to identify newly recorded archaeological sites and historic architectural resources within the APE. The results of the surveys are provided in Attachment 1 and summarized below.

Archaeological Resources

A Phase I archaeological survey was conducted to identify archaeological resources within the APE that could be affected by Project-related ground disturbance. The survey was conducted by qualified WSP archaeologists and in accordance with applicable state and federal guidelines. The survey consisted of an inspection of the ground surface by archeologists walking along roughly parallel transects spaced no more than 30 meters (100 feet) apart, and shovel testing where conditions allowed based on field conditions (i.e., disturbance, landform characteristics, soil conditions). A total of 123 shovel tests were excavated to an average depth of 47 centimeters below surface. Most shovel tests (n=93) were terminated in subsoils assumed to predate human occupation in the area. Twenty-six shovel tests (n=26) terminated in bedrock or dense gravels and four shovel tests (n=4) terminated at the water table.

One (1) previously recorded archeological site (41UV68) was revisited during the survey, and four (4) newly recorded archeological sites (41UV524, 41UV525, 41UV526, and 41UV527) and two (2) isolated finds (IF-001 and IF-002) were recorded during the investigation. The isolated finds are considered not eligible for inclusion on the NRHP, and three (3) of the newly recorded archaeological sites are also considered not eligible for inclusion on the NRHP. Previously recorded site 41UV68 and newly recorded site 41UV526 both extend beyond the Project ROW and could not be fully delineated or investigated during the survey. The previously recorded site has been previously determined eligible for inclusion on the NRHP, and the newly recorded site remains unevaluated for the NRHP due to incomplete delineation of site boundaries; the undertaking’s effects on these historic properties are discussed in the following section, below.

Additional details on the archaeological survey methods and results, maps, photographs, and site descriptions are provided in the cultural resources report that is included as Attachment 1.

Historic Architectural Resources

WSP conducted a reconnaissance-level survey to document historic-age resources (at least 50 years old) within the APE. A total of 18 historic resources were identified within the APE, including nine (9) historic age residential structures, five (5) historic age outbuildings, and four (4) modern structures that have replaced now-raised historic age residential structures. Construction dates of the newly recorded architectural resources ranged from ca. 1942 to ca. 1983, primarily representing vernacular versions of early twentieth century architectural house designs, which included Ranch, Folk, and Spanish styles. None of the 18 historic resources recorded during this investigation indicated a significant association with events, patterns of history, or individuals, nor did they exhibit a distinct architectural style or rarity of preservation that would have made them eligible for the NRHP. Therefore, WSP recommends that the 18 newly recorded above-ground historic resources are not eligible for listing on the NRHP, either individually or as contributing resources to a potential historic district.

Description of the Undertaking's Effects on Historic Properties

Previously recorded archaeological site 41UV68 and newly recorded archaeological site 41UV526 (unevaluated for the NRHP) both overlap the Project ROW, and both sites extend beyond the limits of the ROW and therefore they could not be fully delineated or investigated during the current survey. Site 41UV68 has been previously determined eligible for the NRHP, and site 41UV526 remains unevaluated for the NRHP. However, the investigated portions of the sites within the APE were found to lack depositional integrity and significant data potential; therefore, the portions of the sites within the APE would not be considered to contribute to the overall significance of either site were they to be fully delineated and evaluated in the future. Furthermore, because the Project is a rebuild of an existing transmission line, the Project would not cause any new visual intrusions or other changes to the setting that would diminish the integrity of its character-defining features. Therefore, the proposed Project would have no adverse effect on the two (2) identified archaeological historic properties in the APE.

Requesting your Concurrence and Next Steps

Based on DOE's review of the efforts to identify historic properties and conclusions drawn from this information, DOE is issuing a Finding of No Adverse Effect, consistent with 36 CFR § 800.5(d)(1). As part of the Section 106 process, DOE EDF requests the concurrence of the Texas SHPO on the Finding of No Adverse Effect, as well as any comments you may have on the APE or the Project **within thirty (30) days of receipt of this letter**.

The parties listed above that are copied on this letter are invited to participate as Section 106 consulting parties and may provide their comments on the undertaking to DOE EDF **within thirty (30) days of receipt of this letter**. In accordance with the confidentiality provisions of the Section 106 regulations at 36 CFR 800.11(c), to avoid the disclosure of potentially sensitive cultural resources information to the public, DOE EDF has

respectfully withheld Attachment 1 from dissemination to those members of the public invited to participate as consulting parties. DOE EDF has made this consultation letter available for public view to solicit comments from the general public on the undertaking.

In the event of a post-review unanticipated discovery of cultural resources and/or human remains during construction, DOE EDF will determine actions to resolve adverse effects and notify the SHPO, any Tribe that might attach religious and cultural significance to the affected property, and the Advisory Council on Historic Preservation (ACHP) within 48 hours of the discovery, pursuant to 36 CFR 800.13(b)(3).

We look forward to consulting with your office throughout the Section 106 process. If you have any questions or would like to discuss this project further, please contact me at 240-687-7266 or via email at EDF_Environmental@doe.gov.

Sincerely,

Molly R. Cobbs
Environmental Project Manager
Office of Energy Dominance Financing

Attachments:

Attachment 1. Cultural Resources Report

Attachment 2. Request for SHPO Consultation Form