



Department of Energy

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(Submitted electronically via WyoTrack)

SUBJECT: U.S. Department of Energy, Office of Energy Dominance Financing, Section 106 Consultation, Dry Piney Helium and Carbon Sequestration Project, Sublette County, Wyoming

Dear BLM and SHPO staff,

Pursuant to its authority under Title XVII of the Energy Policy Act of 2005, as amended, which established a Federal loan guarantee program, the U.S. Department of Energy (DOE), Office of Energy Dominance Financing (EDF) is evaluating whether to provide a Federal loan guarantee to Blue Spruce Operating, LLC (BSO, or the Applicant) for the proposed Dry Piney Helium and Carbon Sequestration Project (the Project), in Sublette County, Wyoming. The Project is an undertaking subject to review under Section 106 of the National Historic Preservation Act (NHPA), 54 United States Code (U.S.C.) § 306108, and its implementing regulations, 36 Code of Federal Regulations (CFR) Part 800.

The purpose of this letter is to formally initiate consultation with your offices 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 descriptions of the undertaking, the Area of Potential Effects (APE), the efforts to identify historic properties; and seeks your concurrence with DOE's Finding of No Historic Properties Affected for this Project.

Technical memoranda summarizing the results of Class III cultural resource inventories are included as Attachments 1 through 3. A description of previous Federal and State reviews and consultations on the Project is provided below.

Description of the Undertaking

DOE EDF is evaluating whether to provide a Federal loan guarantee to the Applicant for the undertaking (i.e., the Project), which includes construction of the proposed Dry Piney Pipeline, Dry Piney Gas Processing Facility, and the Popeye Pad (formerly known as Steamboat Pad). The project is located within an area of existing oil and gas development and would occur on BLM-administered, state-owned, and privately owned lands. The purpose of the Project is to support helium extraction, natural gas processing, and associated carbon sequestration and acid gas disposal operations.

The Project consists of three main components, which have each been previously reviewed under applicable Federal or State jurisdiction prior to the involvement of DOE EDF:

1. The Gas Gathering Pipeline System and Utility Corridor, the Residue Gas Pipeline Corridor, and the Acid Gas Injection (AGI) Pipeline Corridor, and associated access roads and well pads; previously reviewed under BLM jurisdiction.
2. The Gas Processing Facility; previously reviewed under Wyoming Department of Environmental Quality (DEQ) jurisdiction pursuant to the Wyoming Industrial Siting Act.
3. The Popeye Pad; previously reviewed under the purview of the Wyoming Office of State Lands and Investments.

Description of the Area of Potential Effects

The Project APE encompasses a total of approximately 1,003.8 acres:

- 739 acres for the Pipeline, consisting of 728 linear acres within a 15.2-mile-long, 400-foot-wide corridor, and 11 block acres for additional temporary workspaces that fall outside the pipeline inventory corridor,
- 244 block acres for the Gas Processing Facility, and
- 20.8 block and linear acres for the Popeye Pad and access road.

BLM previously determined that no visual effects assessment is necessary for the pipeline portion of the Project due to existing development and the lack of historic properties or sites of Tribal significance that retain integrity of setting (see Attachment 1). The Gas Processing Facility and well pads lie within an area of extensive energy development, primarily oil and gas, which began historically in the early twentieth century. Existing well pads, pipelines, and plant facilities are within or near the plant facility and wells including three existing well pads within and two more located directly north and south. Therefore, because industrial development associated with oil and gas production dominates the existing landscape character in the Project area, which has resulted in previous visual alterations that are codominant with the natural landscape features, no visual effects assessment is required for the Gas Processing Facility and Popeye Pad.

Description of the Efforts to Identify Historic Properties

Prior Federal and State Reviews

The BLM previously reviewed this Project pursuant to the National Environmental Policy Act (NEPA) and issued a Final Environmental Assessment (EA) in December 2025 (DOI-BLM-WY-D010-2025-0046-EA). In the EA, the BLM cites its compliance with Section 106 of the NHPA through its completion of a Class III cultural resources inventory, measures to avoid eligible cultural resources, and efforts to consult with the Wyoming SHPO and federally recognized Native American Indian Tribes (Tribes). BLM initiated Section 106 consultation with the SHPO by a letter dated December 1, 2025, providing information on the identification of historic properties (DBI_WY_2025_298) and issuing a Finding of No Historic Properties Affected (DBU_WY_2025_1111) with authorization for the Project to move forward under specified stipulations (avoidance and monitoring). BLM's consultation with Tribes included letters and follow-up outreach on March 3, 2025, March 12, 2025, March 19, 2025, and August 19, 2025. In October 2025, the Wyoming State Office Tribal Liaison concurred that BLM's Tribal outreach constituted a good faith effort and fulfills BLM's responsibilities under Section 106 of the NHPA. As part of the coordinated NEPA process, BLM also invited state and local governmental representatives to participate as cooperating agencies, and the cooperating agencies convened a meeting to share information on April 29, 2025. A summary memo on the prior BLM review and the results of this Class III inventory is included as Attachment 1.

Wyoming DEQ consulted the SHPO regarding the Class III cultural resources inventory survey for the Gas Processing Facility (DBI_WY_2025_523). In a letter dated October 2, 2025 (DBPR_WY_2025_929), SHPO concurred that none of the identified resources in the APE are eligible for the National Register of Historic Places (NRHP) and concurred with a Finding of No Historic Properties Affected (see Attachment 1). A summary of the results of this Class III inventory is included in Attachment 1, and an abridged version of the Class III inventory report is included as Attachment 2.

Although BSO completed a cultural resources inventory survey for the Popeye Pad in 2024, no prior SHPO consultation was conducted on the Popeye Pad. The survey concluded that no new cultural resources were noted during the inventory, and no existing cultural resources have been recorded within the inventory area. Furthermore, the Popeye Pad used an existing well pad from a well that was drilled in 1999 by another operator; the study area is previously disturbed. A summary memo on the results of this Class III inventory is included as Attachment 3.

Tribal Outreach

The BLM initiated tribal consultation for the Project in March 2025 by sending letters to the leadership and Tribal Historic Preservation Officers (THPOs) of interested tribes, which included the following eight (8) Tribes: Comanche Nation; Ute Tribe of the Uintah and Ouray Reservation; Northern Arapaho Tribe; Shoshone-Bannock Tribe of the Fort Hall

Reservation; Blackfeet Nation Tribal Business Council; Eastern Shoshone Tribe of the Wind River Reservation; Fort Belknap Reservation; and Crow Creek Sioux. Follow-up emails were sent on March 12 and 19, 2025. BLM consulted and informed the Tribes not just about the pipeline under BLM jurisdiction, but all aspects of the Project. The Tribes were also provided with Project maps and the completed Class III Inventory report.

The Northern Arapaho Tribe responded, requesting a site visit and tribal monitoring for all eligible cultural sites potentially impacted by the Project. In response, BLM coordinated with the Project's environmental consultants and the Applicant to avoid all eligible sites. In August 2025, the project was rerouted to ensure complete avoidance of these sites. On August 19, 2025, BLM provided an update to all consulted tribes, including a revised Project report showing the avoidance measures would result in no impacts to eligible sites and revising the determination of effect to "No Historic Properties Affected." The Comanche Nation responded in September 2025, concurring with the updated determination and declining further consultation.

Additional Federal Involvement

The BLM and DEQ consultations were conducted prior to the additional DOE EDF involvement in the Project. BSO's application for a Federal loan guarantee from DOE EDF for the Project introduces an additional nexus of Federal involvement triggering Section 106 review of this undertaking by DOE EDF. DOE EDF is responsible for documenting its compliance with Section 106 as part of the environmental review procedure for consideration of whether to provide a Federal loan guarantee for the Project.

DOE EDF has reviewed the undertaking and the prior consultation record and has determined the additional Federal involvement (Federal financing) does not materially alter the undertaking, the APE, the identification of historic properties, or the conclusion of previous consultations with a Finding of No Historic Properties Affected. The collective efforts of the BLM, DEQ, SHPO, and the Applicant are sufficient for DOE EDF to comply with Section 106 and no further consultation is necessary. This correspondence serves to document DOE EDF's fulfillment of its responsibilities under Section 106.

Conclusion and Next Steps

With this letter, DOE EDF seeks to notify the BLM and Wyoming SHPO of the additional DOE EDF involvement in the undertaking and to:

1. Document DOE EDF's agreement with the established undertaking and APE, and DOE EDF's agreement that the prior efforts to identify historic properties are sufficient to substantiate the Finding of No Historic Properties Affected for the undertaking; and
2. Request BLM and SHPO's concurrence that the additional Federal involvement of DOE EDF (Federal financing) does not materially alter the undertaking, the APE, the identification of historic properties, or the Finding of No Historic Properties Affected, and no further action is necessary to fulfill DOE EDF's Section 106 responsibilities.

Given the previous review and prior consultation completed for this Project, DOE EDF respectfully requests BLM and SHPO's comments and consensus on the above **within fifteen (15) days if possible, or no later than thirty (30) days of receipt of this letter.**

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 BLM, 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 appreciate your time and look forward to hearing from you. If you have any questions or would like to discuss this project further, please contact me at 202-913-3477 or via email at EDF_Environmental@doe.gov.

Sincerely,

Donald Brown
Environmental Project Manager
Office of Energy Dominance Financing

References

BLM Environmental Assessment: <https://eplanning.blm.gov/Documents/?id=1ac775e8-a7f2-f011-8407-001dd80bcf93&spid=ee21198f-a8f2-f011-8407-001dd80c29f3#>

Attachments:

- Attachment 1. 2026 Technical Memorandum, Project Summary
- Attachment 2. 2025 Class III Inventory Report for Gas Processing Facility (abridged)
- Attachment 3. 2024 Technical Memorandum on Class III Inventor for Popeye Pad