Department of Energy
Washington, DC 20585

October 29, 2026

Daryl Bohac
State Historic Preservation Officer & Director
Nebraska State Historical Society
1500 R Street
Lincoln, NE 68508

SUBJECT: U.S. Department of Energy, Office of Energy Dominance Financing, Section 106 Consultation, Meadowlark Fertilizer Complex Project, Dawson County, Nebraska

HP#s: 2405-010-01; 2506-078-01

Dear Mr. Bohac,

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 JWC Gburg, LLC (the Applicant) for the Meadowlark Fertilizer Complex Project (the Project), located in Dawson County, Nebraska.

The purpose of this letter is to document consultation with the Nebraska State Historic Preservation Officer (SHPO) 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), and the efforts to identify historic properties; and seeks your concurrence with DOE's Finding of No Historic Properties Affected for this Project.

Prior SHPO correspondence and associated cultural resource reporting is included as Attachment 1. A SHPO Project Review Form is included as Attachment 2.

Previous SHPO Review

The Applicant previously submitted the Project to the Nebraska SHPO as part of their environmental due diligence review, prior to the involvement of DOE EDF as lead federal agency, with a letter dated May 3, 2024. In a letter dated May 9, 2024, the SHPO requested a cultural resource survey report for the Project. The Applicant then provided a December 2024 report to SHPO, and in a response letter dated December 12, 2024, SHPO provided comments pursuant to Section 106 that a finding of no historic properties affected is appropriate for this undertaking (**HP# 2405-010-01**). The Applicant provided a follow-up submission to SHPO for the Project in a letter dated June 16, 2025; SHPO responded in a letter dated July 2, 2025, stating that the prior finding of no historic properties affected is

still appropriate for the undertaking (**HP# 2506-078-01**). The prior SHPO correspondence and associated cultural resource reporting is included as Attachment 1.

Now, the Project is before DOE EDF for consideration of a Federal loan guarantee. DOE EDF has reviewed all the Project materials and the SHPO consultation record, and DOE EDF has confirmed that the Project has not changed and is consistent with the area previously surveyed and reported to SHPO. As such, DOE EDF's finding of effect is consistent with the SHPO review that has already been completed.

DOE EDF concurs with SHPO's previous Section 106 findings and DOE EDF is not seeking for the SHPO to repeat its review but is seeking concurrence from SHPO on the previously stated Finding of No Historic Properties Affected. DOE EDF is providing the below descriptions only to inform the public in accordance with 36 CFR § 800.2(d) and to meet the documentation standards per 36 CFR § 800.11.

Description of the Undertaking

DOE's proposed action is the issuance of Federal financing to the Borrower for the undertaking (i.e., the Project), which includes the development and construction of a greenfield, integrated "blue" nitrogen fertilizer and diesel exhaust fluid (DEF) manufacturing complex situated on a 350-acre industrial site in Gothenburg, Nebraska, with a construction footprint of approximately 145 acres adjacent to the North Channel of the Platte River. This site is served by Union Pacific rail, sits adjacent to Interstate 80, and is located approximately 15 miles from the Rockies Express natural gas pipeline and the Tallgrass CO2 pipeline corridor.

Project development activities include initial site preparation, clearing, and grading (including a soil borrow pit area and stockpiles) as well as the installation of permanent access roads, an electrical substation, and supporting maintenance and loading facilities. The scope of Project work encompasses the engineering, procurement, fabrication, and construction of a processing complex featuring an air separation unit, an autothermal reforming front-end to convert natural gas to hydrogen, and downstream production units for ammonia synthesis, nitric acid, urea, ammonium thiosulfate (ATS), and DEF, alongside associated product storage, logistics infrastructure, and the construction of pipeline laterals to connect the facility to the regional Rockies Express and Trailblazer systems.

As mentioned above, the Project under review by DOE EDF is consistent with the area previously surveyed and reported to the SHPO under HP#s 2405-010-01 and 2506-078-01 (see Attachment 1). DOE EDF has reviewed all the Project materials and the SHPO consultation record, and DOE EDF has confirmed the Project has not changed and is consistent with the consultation already conducted.

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 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 area where potential ground disturbance would occur, totaling approximately 145 acres. The Project's architectural survey area includes the visible area of parcels adjacent to the Project site.

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 three (3) federally recognized Tribes to see if they have an interest in the Project: Apache Tribe of Oklahoma; Cheyenne and Arapaho Tribes, Oklahoma; and Pawnee Nation of 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 identification process, the Applicant contracted JEO Consulting Group, Inc. (JEO) to conduct cultural resource surveys. The results of JEO's investigations are summarized below and are included in Attachment 1.

JEO conducted a search of various archival sources, the Nebraska SHPO inventory database, and the National Register of Historic Places (NRHP) to identify previously conducted surveys and previously recorded cultural resources and historic properties within a 1-mile radius of the Project. This background research identified five (5) previous cultural resource surveys conducted in the study area, one (1) previously recorded

archaeological site in the study area, and five (5) potential historic architectural resources within the study area; all of which are located outside of the Project APE. No previously recorded historic resources, NRHP-listed historic properties, or historic cemeteries are located within the study area or the Project APE (see Attachment 1).

Following the completion of background research, JEO completed Phase I cultural resources surveys to identify newly recorded archaeological sites and historic architectural resources within the APE. JEO submitted the survey report to the SHPO for advance review as part of the Applicant's environmental due diligence review (see Attachment 1). The results of these investigations are summarized below.

Archaeological and Historic Resources

An intensive (100% coverage) archeological surface survey of the entire APE was completed by JEO on October 22-23, 2024. The survey proceeded at 10- to 20-meter-wide intervals. At the time of the survey, the overall surface visibility of 25 percent or greater precluding the need for any systematic shovel testing. No archeological sites were identified during the survey.

A statewide model for predicting the likelihood of buried soils or paleosols in alluvial settings lists the entire APE as having low probability of buried soils. The entire APE is characterized by the remnants of formerly active Platte River channel migration and braiding which would have damaged or destroyed any archeological sites that might have ever existed. LiDAR imagery clearly shows the extent of former channels in the APE. Accordingly, deep mechanical testing with coring equipment or a backhoe in search of deeply buried archeological deposits was not warranted.

The examination of a series of historic maps dating between 1869 and 1970 did not reveal any former farmsteads or potential historic architectural resources in the APE. The Mormon and California National Historic Trails ran across the northern portion of the APE paralleling but slightly south of what is now US-30 and the Union Pacific Railroad. Field examination and review of lidar imagery failed to reveal any evidence of surface ruts or swales associated with the trail. It is very likely that decades of channel migration have erased any surface evidence of these trails.

Related Non-Federal Actions

The undertaking includes the future construction of pipeline laterals to connect the facility to the regional Rockies Express and Trailblazer systems. These pipelines will be designed, funded, constructed, and operated by a third party separate from the Applicant and are not included in the DOE EDF loan application. As DOE EDF is not involved with the pipelines and their location and siting are currently unknown, there is insufficient information for DOE EDF to consider what reasonably foreseeable future effects the pipelines will have on historic properties. However, these pipeline projects will undergo future reviews for state permitting purposes that may require consideration of cultural resources, including review and comment of developer-provided materials by the SHPO.

Requesting your Concurrence and Next Steps

Based on DOE EDF's review of the efforts to identify historic properties and conclusions drawn from this information, DOE EDF is issuing a Finding of No Historic Properties Affected, consistent with 36 CFR § 800.4(d)(1).

DOE EDF is not seeking for the SHPO to repeat its previously completed review of this Project (HP#s 2405-010-01 and 2506-078-01; see Attachment 1). As part of the Section 106 process, DOE EDF requests the concurrence of the Nebraska SHPO on the Finding of No Historic Properties Affected on the Project **within thirty (30) days of receipt of this letter**. In accordance with 36 CFR § 800.3(c)(4), DOE EDF will proceed if no response is received within 30 days, recognizing that SHPO has already reviewed and commented on this Project (HP#s 2405-010-01 and 2506-078-01).

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 via email at EDF_Environmental@doe.gov.

Sincerely,

WHITNEY DONOGHUE

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Date: 2026.10.29 15:22:56 -04'00'

Whitney Donoghue
Environmental Project Manager
Office of Energy Dominance Financing

Attachments:
Attachment 1. Prior SHPO Correspondence and Cultural Resource Reporting
Attachment 2. Nebraska SHPO Project Review Form