



Department of Energy

Washington, DC 20585

July 28, 2026

Tricia Canaday
State Historic Preservation Officer
Wisconsin Historical Society
816 State Street
Madison, WI 53706

SUBJECT: U.S. Department of Energy, Office of Energy Dominance Financing, Section 106 Consultation, Wisconsin Electric Power Company, Paris RICE Project, Kenosha County, Wisconsin

WHS Reference #: 24-1951

Dear Ms. Canaday,

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 Wisconsin Electric Power Company (WEC-WEPCO, or the Applicant) for the Paris Reciprocating Internal Combustion Engine (RICE) Project (the Project) located in Kenosha County, Wisconsin.

The purpose of this letter is to formally initiate consultation with the Wisconsin 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.

Project Background and Degree of Federal Involvement

In June 2024, prior to any Federal involvement in the Project, WEPCO applied to the Public Service Commission of Wisconsin (PSCW) for a Certificate of Public Convenience and Necessity to construct and operate the Project (PSCW Docket # 6630-CE-316). In December 2024, PSCW completed an Environmental Impact Statement (EIS) for compliance with the Wisconsin Environmental Policy Act (WEPA) in accordance with PSCW filing requirements (Attachment 1). This EIS included an assessment of archaeological and historic resources informed by cultural resource studies provided by the University of Wisconsin-Milwaukee Cultural Resource Management (UWM-CRM). The

EIS concluded that no historic properties were located within the Project's APE, and no further consultation was required in accordance with Wis. Stat. § 44.40 and the PSCW-SHPO Interagency Programmatic Agreement.

However, PSCW did send a letter requesting SHPO review of the Project in accordance with Wis. Admin. Code § PSC 4.30(3)(f) on September 16, 2024 (see Attachment 1, Appendix A). This submission included UWM-CRM's original investigations of the Project's Proposed Site as well as an Addendum Letter Report (Attachment 2), in which UWM-CRM conducted a literature review and field surveys for Alternative Site 1 and Alternative Site 2. SHPO responded on September 30, 2024 (WHS #24-1951), indicating the Project would have no adverse effect on historic properties. Ultimately, PSCW selected Alternative Site 2, which did not include any previously recorded historic properties or archaeological sites.

After PSCW issued its approval of the Project in July 2025, WEPCO began construction of the Project that same month. Separately, WEPCO applied for a DOE EDF loan for a portfolio of projects, and this Project, specifically, was identified in January 2026. DOE EDF has initiated its environmental review to inform its decision on whether to provide Federal financial assistance to WEPCO for certain remaining components of their Project, such as prior design and survey work, long-lead equipment purchases, and the remaining construction, installation, and commissioning activities to occur post-September 2026. The ground-disturbing site preparation and construction activities which occurred prior to September 2026 pursuant to PSCW approval (such as grading, filling, underground utilities, foundations, concrete slabs, and building installation), are not included in the application for Federal financial assistance. However, even though DOE EDF's scope of Federal involvement does not include funding for construction activities associated with site preparation that have already been completed, DOE EDF understands that the Section 106 review must consider the entirety of the undertaking, including those activities that may not be Federally funded.

Because DOE EDF's involvement began much later than the PSCW state regulatory process and the associated approval to begin Project construction, we acknowledge DOE EDF's limited ability to avoid, minimize, and mitigate adverse effects that may have occurred during the construction activity that took place prior to the Federal involvement in the Project. However, DOE EDF has reviewed the information included in the PSCW's EIS (Attachment 1), and supplemental cultural resources letter reports provided by UWM-CRM (Attachments 2 and 3), and the Applicant's Unanticipated Discoveries Plan (Attachment 4), and has determined that the information therein is sufficient to meet the Federal responsibilities under Section 106 and to form the basis for DOE EDF's Finding of No Historic Properties Affected for the undertaking.

Description of the Undertaking

DOE's proposed action is the issuance of a Federal loan guarantee to the Applicant for the undertaking (i.e., the Project), which includes construction of seven (7) RICE generators located within a 78-acre parcel owned by WEPCO in the Town of Paris near Union Grove,

Wisconsin. Each RICE generator will have a nominal capacity of 18.8 megawatts (MW). The Project includes the following four (4) components:

1. Proposed RICE generating facility. The RICE facility will include total of approximately 41 acres of WEPCO-owned agricultural land. The permanent facility footprint is approximately 10 acres and includes the main engine hall, attached administration building, and radiator area. An additional 31 acres will be used for temporary disturbance areas associated with the primary laydown yard, trailer, and construction staging area.
2. 138 kilovolt (kV) overhead generator tie-line (gen-tie). The gen-tie line includes an overhead single-circuit interconnection line running approximately 3,600 feet south and then west from the RICE facility to the existing 138kV Paris Solar Collector Substation. The gen-tie line will include a total of approximately 2.49 acres. The permanent construction footprint of the gen-tie line includes approximately 0.93 acres, plus an additional 1.56 acres of temporary disturbance associated with matting and temporary workspace necessary for construction.
3. Driveway and access road. The facility site requires a new driveway and access road for site access, designed to avoid local wetland impacts. The site is accessible via Morrison Avenue (at the existing entrance) and a secondary entrance on 1st Street (County Road KR). The driveway and access road will include a total of 3.21 acres, including approximately 0.8 acres for permanent site roads and approximately 2.41 acres of temporary workspace for construction.
4. Natural gas pipeline tie-in. The proposed facility's natural gas tie-in will connect to the existing Lakeshore Lateral Project on-site gas conditioning equipment via a 1,500-foot-long 12-inch-diameter subsurface pipeline, which requires approximately 0.85 acres of trenching disturbance for installation.

A Project map is provided as Attachment 5.

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 47.55 acres. The Project's architectural survey area includes the area within the Project LOD and the surrounding legal parcels that intersect or are adjacent to the Project.

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 ten (10) federally recognized Tribes to see if they have an interest in the Project:

1. Citizen Potawatomi Nation, Oklahoma
2. Forest County Potawatomi Community, Wisconsin
3. Fort Belknap Indian Community of the Fort Belknap Reservation of Montana
4. Lac Vieux Desert Band of Lake Superior Chippewa Indians of Michigan
5. Little Traverse Bay Bands of Odawa Indians, Michigan
6. Match-e-be-nash-she-wish Band of Pottawatomi Indians of Michigan
7. Menominee Indian Tribe of Wisconsin
8. Miami Tribe of Oklahoma
9. Ottawa Tribe of Oklahoma
10. Prairie Band Potawatomi Nation

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 UWM-CRM to conduct cultural resource surveys. UWM-CRM prepared the cultural resources letter report that is included as Attachment 1 and summarized below.

UWM-CRM conducted a search of the Wisconsin Historic Preservation Database (WHPD) and the National Register of Historic Places (NRHP) to identify previously recorded cultural resources and historic properties within the APE. Attachments 1 and 2 provide summaries of the initial records search and limited field identification surveys for the original Proposed Site and Alternatives 1 and 2. The Applicant ultimately selected Alternative 2 for the Project, and UWM-CRM provided a supplemental cultural resources

letter report focused solely on the selected alternative for the Project (Attachment 3) that that comprises the APE for the current DOE EDF undertaking in order to support DOE EDF's Section 106 consultation, as discussed below.

No NRHP-eligible or listed historic properties are located within the APE. No previous reports of cultural resource surveys were identified within the APE. No WHPD previously recorded archaeological sites are located within the APE. Five (5) previously recorded WHPD Architecture History Inventory (AHI) resources were identified in parcels adjacent to the Project, one (1) of which was determined to be within the APE and four (4) of which (comprising one farmstead with four individually recorded structures) were determined to be outside of the APE.

Archaeological Resources

Because the cultural resource studies supporting the PSCW review were conducted pursuant to Wis. Stat. § 44.40 and the PSCW-SHPO Interagency Programmatic Agreement, and because PSCW requested SHPO review of the Project in accordance with Wis. Admin. Code § PSC 4.30(3)(f) (see Attachment 1, Appendix A), and on September 30, 2024 the SHPO found that the Project would have no adverse effect on historic properties (WHS #24-1951), no field identification survey for archaeological resources was required for the Project to receive approval from the PSCW.

DOE EDF reviewed historic aerial photographs of the Project location, which revealed that the APE has historically been used for agriculture since at least the 1950s. The gen-tie line is sited along the southern boundary of the Project parcel (see Attachment 5) and collocated with an existing transmission line, and interconnects to an existing substation facility. While the portions of the APE that coincide with previously constructed facilities (gen-tie, substation) would have low or no potential for presence of archaeological resources, agricultural areas such as the proposed RICE facility site may retain moderate potential for sub-plow-zone preservation of archaeological deposits. Because no archaeological field survey was conducted prior to construction, and the RICE facility site has not been the subject of previous surveys or significant prior disturbance aside from agricultural use, DOE EDF cannot confirm the presence or absence of archaeological resources within this portion of the APE.

In the UWM-CRM 2026 supplemental letter report for the Project APE (Attachment 3), a literature review did not identify any archaeological or burial sites coinciding with the APE. The report notes that construction activities in the current Project phase are limited to above-ground construction and thus, there is no potential for the Project to affect archaeological resources. However, as noted above, even though DOE EDF's scope of Federal involvement does not include funding for construction activities associated with site preparation that has already been completed, DOE EDF understands that the Section 106 review must consider the entirety of the Project, including those activities that may not be Federally funded. That said, DOE EDF finds that the previous desktop assessment of the Project and implementation of the Unanticipated Discovery Plan (see Attachment 4) provides assurance that any previously unidentified cultural resources, including burial

sites, would have been appropriately consulted on by the Applicant and the SHPO to address adverse effects in the event of an inadvertent discovery during construction, and are sufficient to determine that no archaeological historic properties that may be eligible for the NRHP are present within the APE.

Historic Architectural Resources

In the PSCW EIS (Attachment 1), no catalogued historic properties were identified at Alternative Site 2 (the Project APE). In the UWM-CRM 2026 letter report (Attachment 3), UWM-CRM provided supplemental cultural resources information for the purpose of informing DOE EDF's Section 106 review, including field reconnaissance surveys to identify new historic architectural resources. Attachment 3 indicates that one (1) previously recorded AHI resource in the APE is no longer extant. Additionally, one (1) newly recorded AHI resource was documented, the Jensen-Naylor Farmhouse (AHI# 248895). Attachment 3 provides additional information and NRHP evaluations for AHI # 248895, along with Project maps and resource photographs. AHI# 248895 is recommended as not eligible for the NRHP. In conclusion, no historic properties were identified within the APE.

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). As part of the Section 106 process, DOE EDF requests the concurrence of the Wisconsin SHPO on the Finding of No Historic Properties Affected, as well as any comments you may have on the APE or the Project **within 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 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 240-474-2403 or via email at EDF_Environmental@doe.gov.

Sincerely,

Christina Gomer
Environmental Project Manager
Office of Energy Dominance Financing

Attachments:

Attachment 1. PSCW Environmental Impact Statement

Attachment 2. UWM-CRM 2024 Supplemental Cultural Resources Letter Report

Attachment 3. UWM-CRM 2026 Supplemental Cultural Resources Letter Report

Attachment 4. WEPCO Unanticipated Discoveries Plan

Attachment 5. Project Map