



Department of Energy
Washington, DC 20585

September 10, 2026

Andrew Moses
Environmental
Blue Spruce Operating, LLC
219 East Pine Street, Suite 206
Pinedale, Wyoming 82941

Subject: U.S. Department of Energy, Office of Energy Dominance Financing,
Completion of Environmental Review for a Proposed Federal Loan
Guarantee to Blue Spruce Operating, LLC (BSO) for Dry Piney Helium
Project in Sublette County, Wyoming

Dear Mr. Moses:

The United States Department of Energy (DOE), Office of Energy Dominance Financing (EDF), may provide Federal financial assistance (i.e., a loan or loan guarantee) under Title XVII of the Energy Policy Act of 2005 ("Title XVII") Public Law 109–58, title XVII (2005), as amended; 42 U.S.C. 16511 et seq.

DOE is considering whether to issue Federal financial assistance to Blue Spruce Operating, LLC (BSO) pursuant to its authority. In its application for Federal financial assistance, BSO has identified the Dry Piney Helium Project (Project) in Sublette County, Wyoming.

BSO proposes to construct, operate, and maintain the Project within and immediately adjacent to the existing Dry Piney Unit, approximately 10 miles northwest of La Barge, Wyoming. The Project is within an area of existing oil and gas development and would be on Bureau of Land Management (BLM)–administered, state-owned, and privately owned lands.

The Project is an integrated helium production, natural gas processing, and carbon sequestration development designed to expand domestic helium supply while permanently sequestering associated carbon dioxide (CO₂) and hydrogen sulfide (H₂S) from the Madison Formation, one of the largest conventional gas reservoirs in North America. The Project includes production wells, a large-scale gas processing complex, and Class II acid gas injection infrastructure.

The Project consists of several components within two different jurisdictions: under BLM jurisdiction is the Gas Gathering Pipeline System and Utility Corridor, the Residue Gas Pipeline Corridor, and Acid Gas Injection (AGI) pipeline corridor, access roads, and well pads; and under the Wyoming Industrial Siting Act jurisdiction is the plant facility. Together, these components will allow for the extraction, transport, processing, and disposition of raw gas produced from the Dry Piney Unit.

Components on BLM-administered lands and minerals are subject to review by BLM under the National Environmental Policy Act (NEPA) (completed December 2025).

EDF, in coordination with BSO, identified that the following environmental reviews and consultations are required by the applicable and relevant environmental statutes and Executive Orders (EOs) associated with its proposed Federal financial support:

1. Section 7 of the Endangered Species Act (16 USC 1536)
2. Section 106 of the National Historic Preservation Act (54 USC 306108)
 - a. Executive Order 13175, Consultation and Coordination With Indian Tribal Governments
3. E.O. 11988, Floodplain Management, and 10 CFR 1022, Floodplains

EDF completed the environmental reviews and consultations associated with the Project, as summarized below.

Section 7, Endangered Species Act

In accordance with Section 7(a)(2) of the Endangered Species Act (ESA), EDF reviewed its proposed action, Federal financial support for the Project, to ensure that such action would not be likely to jeopardize the continued existence of federally listed threatened or endangered species, or result in the destruction or adverse modification of designated critical habitat. EDF reviewed completed natural resource surveys, previous BLM ESA analysis, Wyoming Industrial Siting review, USFWS coordination, groundwater depletion evaluation, and updated IPaC results. EDF reached a *no effect* determination for the Canada lynx, Grizzly bear, North American wolverine, Western, yellow-billed cuckoo and the Whitebark pine, based on the absence of suitable habitat. For the proposed monarch butterfly and Suckley's cuckoo bumble bee, EDF has determined the Project would be *Not Likely to Jeopardize* the species.

Section 106, National Historic Preservation Act

In accordance with Section 106 of the National Historic Preservation Act (NHPA), EDF reviewed its proposed undertaking, Federal financial support for the Project, to identify if such an undertaking would have the potential to cause effects on historic properties. BLM and Wyoming Department of Environmental Quality (DEQ) conducted consultations on the Project prior to EDF involvement. EDF reviewed the undertaking and the prior consultation record and 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. On August 10, 2026, EDF notified the BLM and Wyoming SHPO of the additional EDF involvement in the undertaking and that EDF finds that the prior identification of historic properties and consultations are sufficient to substantiate the Finding of No Historic Properties Affected for the undertaking. On August 31, 2026, BLM concurred with EDF's assessment and affirmed the prior Finding of No Historic Properties Affected. No response was received from SHPO within the 30-day period. In accordance with 36 CFR 800.3(c)(4), if the SHPO fails to respond within 30 days of receipt of a request for review of a finding or determination,

the agency official may proceed to the next step in the process.

On August 10, 2026, EDF sent 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. On August 12, 2026, EDF received comments from the Eastern Shoshone Tribe; those comments were shared with BLM and SHPO. On August 19, 2026, EDF acknowledged the importance of meaningful Tribal consultation and informed the Tribe of EDF's coordination with BLM Pinedale Field Office and the Applicant. On August 31, 2026, the BLM provided EDF a summary of BLM's administrative record and position regarding the four points raised by the Eastern Shoshone Tribe; EDF shared BLM's response with the Tribe on August 31, 2026. No further comments were received during the 30-day consultation period. Therefore, EDF's responsibilities under Section 106 of the NHPA are fulfilled.

E.O. 11988, Floodplain Management, and 10 CFR 1022, Floodplains

There are approximately 3.2 acres of permanent right of way and 0.7 acres of temporary construction right of way in Zone A, totaling 3.9 acres of the 100-year floodplain along the Project route.

The 1977 FEMA flood zone map shows that the floodplain of Dry Piney Creek and Beaver Dam Creek intersect the Project footprint at four locations along the pipeline corridor. The permanent gas processing facility is located outside of mapped floodplains therefore, floodplain interactions are limited to pipeline crossings of Dry Piney Creek and Beaver Dam Creek. The Project has been designed to avoid floodplains where practicable. Where crossings are unavoidable, impacts are expected to be temporary and minimized through design measures, permitting, restoration, and compliance with applicable federal and state requirements.

The new pipeline placement will meet local and federal floodplain management requirements. The new pipeline will be designed to not affect base flood elevations. Work areas will be temporary and will not require modifications to site elevations. Temporary erosion controls will be installed and maintained until the work areas are restored and stabilized. Base flood elevations will not be affected by the Project.

EDF published a Notice of Floodplain Action and Floodplain Assessment (Notice), including a Proposed Statement of Findings, on August 21, 2026. Additionally, EDF notified relevant county and Federal emergency management departments and Tribes with a known interest in the Project area. The Notice was available for a 15-day review and comment period. No comments were received.

This letter serves as EDF's final statement of findings. EDF's obligations for review, analysis, and public notice are complete.

Conclusion

EDF notes that BSO is responsible for obtaining permits, approvals, and/or authorizations required for the construction and/or operation of the Project.

With this letter, EDF confirms that it has completed the environmental reviews and consultations required by the applicable and relevant environmental statutes and EOs associated with its proposed Federal financial support.

Respectfully,

Don Brown
Environmental Project Manager
Office of Energy Dominance Financing

cc: Max Slaiman & Joe Mullin, EDF Critical Minerals Vertical Leads
Todd Stribley, EDF Director of Environmental Programs
Nils Mellquist, EDF Deal Lead