

Appendix B: Consultation Letters, Other Correspondence, and Postings

This appendix contains copies of correspondence and postings associated with the Oneida Energy Recovery Project, including consultation letters between the DOE and the Wisconsin State Historic Preservation Officer (SHPO), the U.S. Fish and Wildlife Service (USFWS), and potentially affected Indian tribes. Items in this appendix are presented in the following order:

<u>Letter Date</u>	<u>Description</u>	<u>Page</u>
Undated	Notice of Scoping Postcard (mailed on March 31, 2011)	B-3
March 30, 2011	Notice of Scoping Letter – Posted on the DOE Golden Field Office Public Reading Room website as identified in the Postcard and sent to potentially affected Indian tribes.	B-4
March 8, 2011	Letter from DOE to the State of Wisconsin SHPO	B-10
April 25, 2011	Email from Wisconsin Historical Society (D. Duchrow) to DOE (M. Rossiter)	B-20
April 8, 2011	Letter from DOE to the Green Bay Ecological Services Office USFWS	B-21
May 12, 2011	Letter from Green Bay ES Field Office USFWS to DOE	B-24
August 3, 2011	Notice of Availability for the Draft EA (posted on the DOE Golden Field Office website August 3, 2011)	B-25
August 3, 2011	Notice of Availability Postcard (mailed on August 3, 2011)	B-26
September 15, 2011	Letter from Wisconsin Historical Society to DOE	B-27

**Notice of Scoping Postcard
Mailed on March 31, 2011**



NOTICE OF SCOPING

The U.S. Department of Energy (DOE) has published a Notice of Scoping and Public Meeting regarding the:

Oneida Seven Generations Corporation: Energy Recovery Project; Green Bay, Wisconsin - DOE/EA 1862

Oneida Seven Generations is proposing to use American Reinvestment and Recovery Act funds from DOE and a loan guarantee from the Bureau of Indian Affairs for the construction of a waste to energy facility. The facility will use pyrolysis, an advanced waste conversion technology to convert municipal solid waste into electricity. The project is proposed within the Bayport Industrial Center, in Green Bay, Wisconsin. The Notice of Scoping and Public Meeting is available for review on the Golden Field Office Public Reading Room website:

http://www.eere.energy.gov/golden/Reading_Room.aspx

A public scoping meeting will be held from 6 to 8:30 pm on April 12, 2011 at: Chappel Elementary School, 205 N. Fisk Street, Green Bay, WI. Interested persons are invited to submit comments on the potential impacts of the proposed action by **April 15, 2011**. Comments received will be considered in preparation of the Draft Environmental Assessment. Please mail comments to Melissa Rossiter, Department of Energy Golden Field Office, 1617 Cole Boulevard, Golden, CO 80401, or send them by email to Melissa.Rossiter@go.doe.gov.



Department of Energy
Washington, DC 20585

March 30, 2011

SUBJECT: Notice of Scoping – Oneida Seven Generations Corporation: Energy Recovery Project, Green Bay, Wisconsin (DOE/EA-1862)

The U.S. Department of Energy (DOE) and Bureau of Indian Affairs (BIA) are proposing to authorize the expenditure of Federal funds for a project in Green Bay, Brown County, Wisconsin. The Oneida Seven Generations Corporation, chartered and owned by the Oneida Tribe of Indians of Wisconsin, is proposing to construct a facility to process municipal solid waste and convert its energy content into electricity. Construction would include a facility to accommodate handling of solid waste, house three pyrolytic gasification systems, and three internal combustion engine generators that would be fired with the synthetic gas generated in the pyrolytic systems. The generators would have the capacity to produce a combined 5 megawatts of electricity, which would be used to power the facility with the excess being sold to the local utility company. The project would be beneficial to the country's energy objectives by providing electricity from a renewable resource, and it would convert the solid waste into a stable, reduced volume material that could be disposed in a landfill or potentially used in concrete or road beds. The facility also would be available for other tribes and municipalities to learn about the process of converting waste into electricity. The attached Project Description and Location provides additional information on the proposed project.

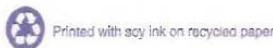
Pursuant to the requirements of the *National Environmental Policy Act* (42 U.S.C. 4321 et seq.; NEPA), Council on Environmental Quality regulations (40 CFR Parts 1500 to 1508), and DOE NEPA implementing procedures (10 CFR Part 1021), DOE, with the BIA as a cooperating agency, is preparing a draft Environmental Assessment (EA) to:

- Identify any adverse environmental effects and potential associated mitigation measures should the proposed action be implemented;
- Evaluate viable alternatives to the proposed action, including a no action alternative;
- Describe the relationship between local short-term uses of the environment and the maintenance and enhancement of long-term productivity;
- Characterize any irreversible and irretrievable commitments of resources that would be involved should this proposed action be implemented; and
- Analyze past, present, and reasonably foreseeable actions to evaluate potential cumulative impacts.

Probable Environmental Effects/Issues Scoped for the Environmental Assessment

The EA will describe and analyze potential impacts on the environment that would be caused by the project and, as applicable, will identify possible mitigation measures to reduce or eliminate those impacts. At a minimum, the EA will evaluate the impacts that could affect:

- Land Use;
- Air Quality;



- Water Resources;
- Waste Management and Hazardous Materials;
- Noise;
- Infrastructure;
- Traffic and Transportation;
- Aesthetics and Visual Resources;
- Health and Safety;
- Socioeconomics; and
- Environmental Justice.

Development of a Reasonable Range of Alternatives

NEPA requires DOE to consider a reasonable range of alternatives to the proposed action during an environmental review. The definition of alternatives is governed by the “rule of reason”; that is, an EA must consider a reasonable range of options that could accomplish the agency’s purpose and need and reduce environmental effects. Reasonable alternatives are those that could be feasible based on environmental, technical, and economic factors. The No-Action Alternative will be addressed as well.

Public Scoping

DOE invites the public; Federal, State, and local agencies; and American Indian Tribes to identify issues they feel DOE should consider in the EA. DOE will post this letter, as well as the draft EA, when available, in the DOE Golden Field Office online reading room:
http://www.eere.energy.gov/golden/reading_room.aspx

A public scoping meeting will be held from 6 to 8:30 p.m. on April 12, 2011 at:
Chappel Elementary School
205 N. Fisk Street, Green Bay, WI.

The DOE Golden Field Office welcomes your input throughout the NEPA process. To ensure DOE receives your comments in time for consideration in the draft EA, please provide them on or before April 15, 2011, to:

Melissa Rossiter
NEPA Document Manager
U.S. Department of Energy, Golden Field Office
1617 Cole Boulevard
Golden, Colorado 80401
melissa.rossiter@go.doe.gov

We look forward to hearing from you.

Sincerely,



Melissa Rossiter
NEPA Document Manager

Attachment: Project Description and Location

ATTACHMENT – PROJECT DESCRIPTION AND LOCATION**ONEIDA SEVEN GENERATIONS CORPORATION: ENERGY RECOVERY PROJECT**

The U.S. Department of Energy (DOE) is proposing to authorize a loan of up to \$2 million in Federal funds through Wisconsin's Department of Commerce to the Oneida Seven Generations Corporation (Oneida) for the Energy Recovery Project. The Bureau of Indian Affairs (BIA) of the U.S. Department of Interior is similarly proposing to provide federal funding of up to \$584,000 for the project; additionally, BIA is considering providing a loan guarantee of up to \$19 million. The Oneida project would include the design, construction, and commissioning of a solid waste-to-electricity power plant in the Bayport Industrial Center in Green Bay, Brown County, Wisconsin.

When completed, municipal solid waste would be brought into the facility, shredded, and conveyed into one of three pyrolytic gasification systems. In these closed systems, the waste would be heated under controlled conditions to decompose through pyrolysis and produce flammable synthetic gas consisting primarily of hydrogen, carbon monoxide, and hydrocarbons such as methane, ethane, and propane. This synthetic gas would be collected and used as fuel to maintain operation of the pyrolytic systems and to fire three internal combustion engine generators. The three generators would have a combined capacity of 5 megawatts of electricity, which would be used to run the facility with the remainder being sold to the local electrical utility. The facility would have a natural gas connection to provide fuel to the pyrolytic systems during start-up and the facility's electrical connection could draw electricity from the grid when necessary; but once synthetic gas was being produced at full capacity, the facility would be energy-self-sufficient and there would be excess electrical energy going to the grid.

Waste from the pyrolytic gasification systems would be a carbon char and ash, in a volume of about 15 percent of the original municipal solid waste. Depending on the specific constituents in the waste product, it is expected that at least a portion of the waste stream would be usable as a concrete ingredient or as road bed material. The reduced-volume waste that cannot be reused would go to a state-approved landfill.

The proposed facility would process an estimated 150 tons of municipal solid waste per day. It is expected that this quantity of waste would require approximately 10 trucks of waste going in and out of the facility each day, five days per week. Although, the facility would operate 24-hours per day, five days per week (with the night shift used for maintenance activities), waste deliveries would be limited to Monday through Friday during day shift hours. Removal of processed waste and recyclable materials removed from the incoming municipal waste would be expected to require up to an additional 7 trucks per weekday. The proposed facility would be designed to accommodate up to 300 tons of municipal solid waste per day in case incoming waste is of low energy content. Such conditions would have a corresponding increase in truck traffic to and from the facility.

The proposed location for the Oneida facility is within the Bayport Industrial Center, adjacent to Hurlbut Street and Interstate 43 in the northern section of Green Bay near the bay. The land is currently a vacant industrial lot. The property is serviced by the City of Green Bay Water Utility and the Green Bay Metropolitan Sewerage District. Figure 1 shows the proposed project site in relation to the general region of Green Bay. Figure 2 shows an aerial view of the project site with an outline of the parcel of property where the facility would be constructed. Finally, Figure 3 provides a preliminary drawing of how the proposed facility and its access roads might be laid out within the identified parcel of property.

The building depicted in Figure 3 would be about 64,000 square feet in size with a 3,000 square-foot mezzanine. It would house the primary process equipment and the waste handling areas, as well as an area for offices and employee support facilities. Outside the building, there would be an outdoor area for exterior cooling units, fencing, employee parking, a truck scale, and access roads. The lot size is 5.88 acres and it is estimated that essentially all of the land will be disturbed during construction. In addition to the 64,000 square feet of building, there would be about 2.5 acres of asphalt or concrete surfaces installed to provide roadways, parking areas, access ramps, and equipment pads.

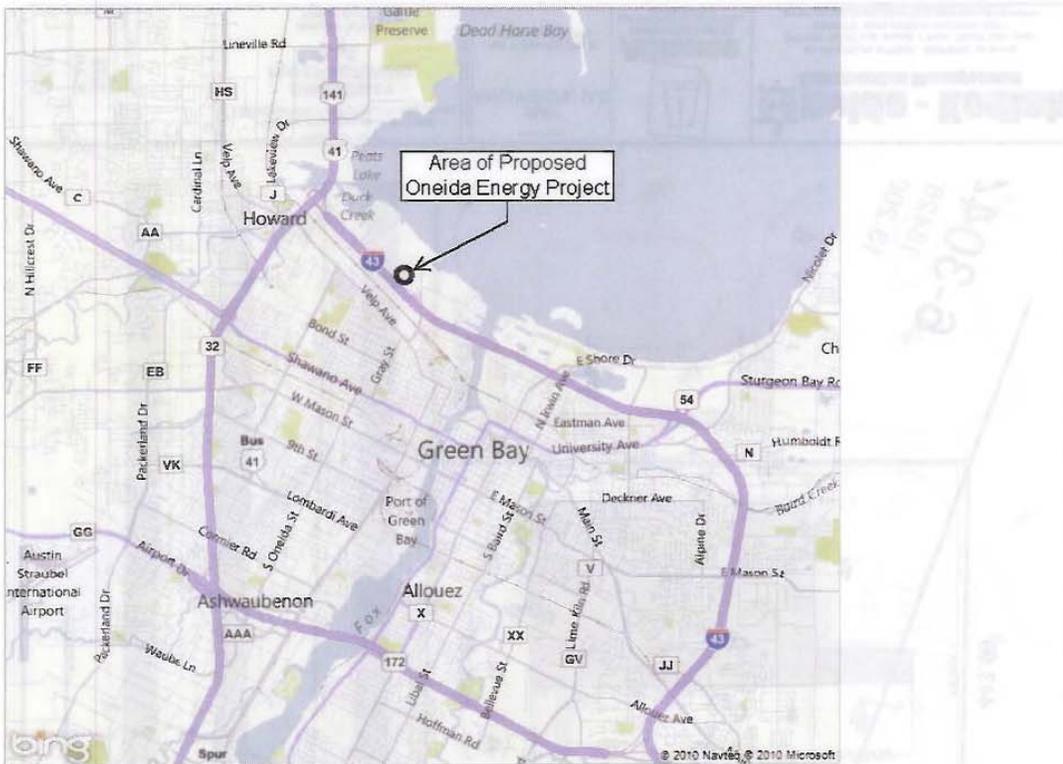


Figure 1. Map of Green Bay, Wisconsin, area and proposed project location.



Figure 2. Aerial view of proposed project location.



Department of Energy
Washington, DC 20585

March 8, 2011

Michael E. Stevens
State Historic Preservation Officer
Administrator, Division of Historic Preservation – Public History
Wisconsin Historical Society
816 State St.
Madison, WI 53706-1482

RE: Oneida Seven Generations Corporation’s Energy Recovery Project, Green Bay, Wisconsin

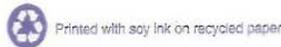
Dear Mr. Stevens:

The U.S. Department of Energy (DOE) is proposing to provide a loan through the Wisconsin Department of Commerce State Energy Program to the Oneida Seven Generations Corporation, chartered and owned by the Oneida Tribe of Indians of Wisconsin, for a project in Green Bay, Brown County, Wisconsin. Oneida is proposing to construct a facility to process municipal solid waste and convert its energy content into electricity. The Bureau of Indian Affairs (BIA) is also proposing to authorize expenditure of Federal funds for the same project. If approved, the proposed project would be partially funded by DOE through the *American Recovery and Reinvestment Act of 2009* (Pub. L. 111-5, 123 Stat. 115; ARRA). Therefore, this project must meet the requirements for a Federal undertaking under Section 106 of the *National Historic Preservation Act* (16 U.S.C. 470 et seq.; NHPA) as implemented by 36 CFR Part 800. The purpose of this letter is to fulfill part of DOE’s obligations under NHPA Section 106 by formally initiating consultation.

Attached to this letter is a completed “Request for SHPO Comment and Consultation on a Federal Undertaking” form obtained from the State of Wisconsin web site. A detail project description, maps, and other information requested in the form are provided as attachments to the form. DOE has no reason to believe the project would cause any adverse effects to historic or archaeological resources in the project area, which is within an area being developed as an industrial park, specifically the Bayport Industrial Center. The parcel of land proposed for the new facility is currently a vacant grassy area approximately one half mile from the shore of Green Bay of Lake Michigan. The area has been previously disturbed, including being covered with fill material.

DOE’s Golden Field Office, Colorado, is preparing an environmental assessment (EA) for the proposed project under the Council on Environmental Quality’s *National Environmental Policy Act* (NEPA) implementing regulations (40 CFR Parts 1500 to 1508) and DOE NEPA implementing procedures (10 CFR 1021). We are requesting any comments or concerns you might have on the potential for this project to affect important properties, or if you concur with the findings presented in the attached form that there would be no adverse affects, a response to that effect. Please provide any input you might have to:

Melissa Rossiter
NEPA Document Manager
Golden Field Office
U.S. Department of Energy
1617 Cole Blvd.



Golden, CO 80401-3305
Desk Phone: (720) 356-1566
Blackberry: (720) 291-1602
Melissa.Rossiter@go.doe.gov



DOE will include correspondence with your agency in an appendix to the EA. We will send a Notice of Availability for the draft EA to you and respond to any specific comments you have. Because this is an ARRA project, we would appreciate a quick response to our request for consultation. If you have any questions or require clarification, please contact me as noted above. Thank you in advance for your consideration.

Sincerely,


Melissa Rossiter
NEPA Document Manager

Attachment: Completed "Request for SHPO Comment and Consultation on a Federal Undertaking" Form (w/attachments)

Attached to this letter is a completed "Request for SHPO Comment and Consultation on a Federal Undertaking" form obtained from the State of Wisconsin web site. A detailed project description, maps, and other information requested in the form are provided as attachments to the form. DOE has no reason to believe the project would cause any adverse effects to historic or archeological resources in the project area, which is within an area being developed as an industrial park, specifically the Bayport Industrial Center. The parcel of land proposed for the new facility is currently a vacant grassy area approximately one half mile from the shore of Green Bay of Lake Michigan. The area has been previously disturbed, including being covered with fill material.

DOE's Golden Field Office, Colorado, is preparing an environmental assessment (EA) for the proposed project under the Council on Environmental Quality's National Environmental Policy Act (NEPA) implementing regulations (40 CFR Parts 1500 to 1508) and DOE NEPA implementing procedures (10 CFR 1021). We are requesting any comments or concerns you might have on the potential for this project to affect important properties, or if you concur with the findings presented in the attached form that there would be no adverse effects, a response to that effect. Please provide any input you might have to:

Melissa Rossiter
NEPA Document Manager
Golden Field Office
U.S. Department of Energy
1617 Cole Blvd.

REQUEST FOR SHPO COMMENT AND CONSULTATION ON A FEDERAL UNDERTAKING

Submit one copy with each undertaking for which our comment is requested. Please print or type. Return to:

Wisconsin Historical Society, Division of Historic Preservation, Office of Preservation Planning, 816 State Street, Madison, WI 53706

Please Check All Boxes and Include All of the Following Information, as Applicable:

I. GENERAL INFORMATION

- Checkboxes for: This is a new submittal, This is supplemental information relating to Case #, This project is being undertaken pursuant to the terms and conditions of a programmatic or other interagency agreement. The title of the agreement is

- a. Federal Agency Jurisdiction (Agency providing funds, assistance, license, permit):
b. Federal Agency Contact Person: Melissa Rossiter Phone: 1-720-356-1566
c. Project Contact Person: Same as above Phone:
d. Return Address: 1617 Cole Blvd., Golden, CO Zip Code: 80401-3305
e. Email Address: Melissa.Rossiter@go.doe.gov
f. Project Name: Oneida Seven Generations Corporation: Energy Recovery Project
g. Project Street Address: 1230 Hurlbut Street (Parcel #6-3043)
h. County: Brown City: Green Bay Zip Code: 54303
i. Project Location: Township 24 N., Range 20 E., E/W (circle one), Section 23, Quarter Sections NE 1/4
j. Project Narrative Description—Attach Information as Necessary.
k. Area of Potential Effect (APE). Attach Copy of U.S.G.S. 7.5 Minute Topographic Quadrangle Showing APE.

II. IDENTIFICATION OF HISTORIC PROPERTIES

- Checkboxes for: Historic Properties are located within the project APE per 36 CFR 800.4. Attach supporting materials. Historic Properties are not located within the project APE per 36 CFR 800.4. Attach supporting materials.

III. FINDINGS

- Checkboxes for: No historic properties will be affected (i.e., none is present or there are historic properties present but the project will have no effect upon them). Attach necessary documentation, as described at 36 CFR 800.11. The proposed undertaking will have no adverse effect on one or more historic properties located within the project APE under 36 CFR 800.5. Attach necessary documentation, as described at 36 CFR 800.11. The proposed undertaking will result in an adverse effect to one or more historic properties and the applicant, or other federally authorized representative, will consult with the SHPO and other consulting parties to resolve the adverse effect per 36 CFR 800.6. Attach necessary documentation, as described at 36 CFR 800.11, with a proposed plan to resolve adverse effect(s).

Authorized Signature: _____ Date: _____

Type or print name: Melissa Rossiter, NEPA Document Manager

IV. STATE HISTORIC PRESERVATION OFFICE COMMENTS

- Checkboxes for: Agree with the finding in section III above. Object to the finding for reasons indicated in attached letter. Cannot review until information is sent as follows: _____

Authorized Signature: _____ Date: _____

ATTACHMENT 1 - TO REQUEST FOR SHPO COMMENT AND CONSULTATION ON A FEDERAL PROJECT

Item I.j – Project Narrative Description

Oneida Seven Generations Corporation: Energy Recovery Project

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When completed, municipal solid waste would be brought into the facility, shredded, and conveyed into one of three pyrolytic gasification systems. In these closed systems, the waste would be heated under controlled conditions to decompose through pyrolysis and produce flammable synthetic gas consisting primarily of hydrogen, carbon monoxide, and hydrocarbons such as methane, ethane, and propane. This synthetic gas would be collected and used as fuel to maintain operation of the pyrolytic systems and to fire three internal combustion engine generators. The three generators would have a combined capacity of 5 megawatts of electricity, which would be used to run the facility with the remainder being sold to the local electrical utility. The facility would have a natural gas connection to provide fuel to the pyrolytic systems during start-up and the facility's electrical connection could draw electricity from the grid when necessary; but once synthetic gas was being produced at full capacity, the facility would be energy-self-sufficient and there would be excess electrical energy going to the grid.

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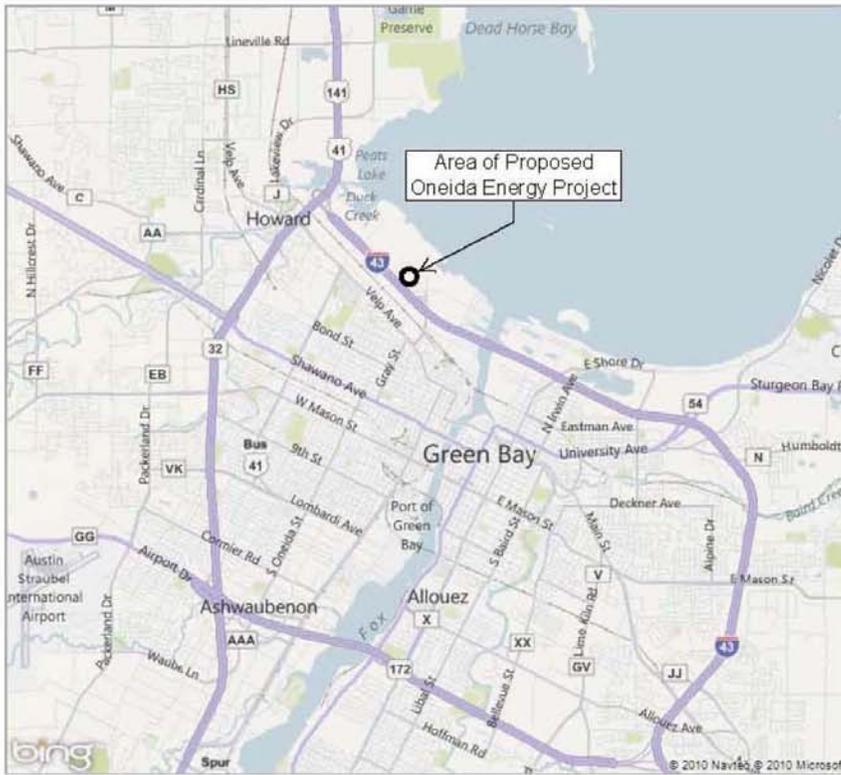


Figure 1. Map of Green Bay, Wisconsin, area and proposed project location.



Figure 2. Aerial view of proposed project location.

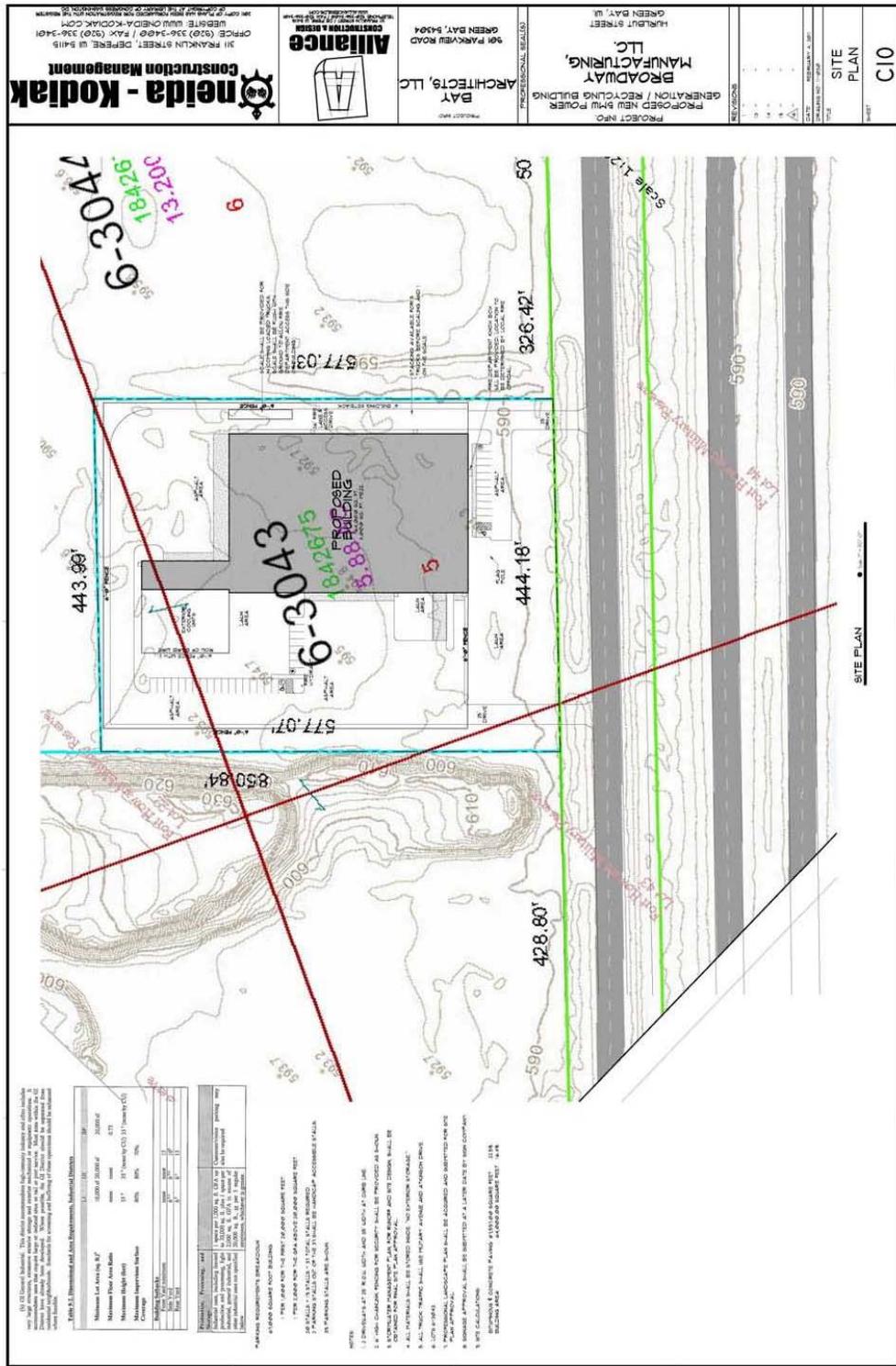


Figure 3. Preliminary drawing of proposed facility layout.
Oneida Energy Recovery Project

Attachment I, Page 4

**ATTACHMENT 2 - TO REQUEST FOR SHPO COMMENT AND CONSULTATION ON
A FEDERAL PROJECT**

**Item 1.k – Area of Potential Effect (APE),
Copy of U.S.G.S. 7.5 Minute Topographic Quadrangle Showing APE**

Enclosed is a copy of U.S.G.S. map “Green Bay West, WI” (44088-E1-TF-024, 1992) with the proposed APE marked. The proposed APE is the footprint (disturbed area) of the proposed project. Justification for this APE is provided in Attachment 3.

ATTACHMENT 3 - TO REQUEST FOR SHPO COMMENT AND CONSULTATION ON A FEDERAL PROJECT

Item II – Identification of Historic Properties, Supporting Materials

DOE performed a search of the National and State Registers of Historic Places to identify historic places near the proposed project site. The National Park Service has plotted the National listing into Google Earth layers so the properties can be located via the internet. Figure 3-1 provides the results of the data search for properties closest to the project site. The information obtained via Google earth was compared to a state listing for Brown County and determined to be consistent. (That is, the same historical properties were identified in both sources of information.) Table 3-1 provides pertinent information for the sites shown in the figure. As can be seen in the table, the closest registered historic property is well over a mile from the project site.

Area of Potential Effect (APE)

The APE is proposed as the footprint of the project; that is, the approximately 444-foot wide and 577-foot deep lot designated Parcel #6-3043 at 1230 Hurlbut Street in Green Bay, Wisconsin. Ground disturbing activities will be limited to the area within the 5.88-acre lot and the short access roads that would connect the lot to Hurlbut Street (going through Hurlbut Street's right-of-way). Although the project would permanently alter the appearance of the property, there are no historic properties in close proximity that would be adversely affected. Once constructed, it is unlikely the proposed facility would be visible from the nearest historic properties (Figure 3-1), but even if it were, its visual impact would be consistent with other industrial facilities in the immediate area. The site is surrounded by property owned and used by Peters Concrete Company, Northeast Asphalt Company, and Martell Construction.

The project site itself is not known to be of any historical or archaeological significance. The entire property was verified by the Wisconsin Department of Natural Resources (DNR) and the U.S. Army Corps of Engineers to be fill land. This is consistent with environmental analysis documents prepared by the Corps in the mid-1970s. Property starting approximately 0.3 mile to the north of the proposed project site is now designated as the Bayport Confined Disposal Facility (CDF). This property is used for disposition of dredge materials removed during maintenance of Green Bay Harbor and which are deemed unsuitable for open water disposal due to contaminants that have reached the harbor sediments. Prior to this designation, a larger 400-acre tract of land that included the Bayport CDF as well as the proposed project site, was called the Green Bay Diked Disposal Area. In the Corps' 1976 Final EIS, *Maintenance Dredging and Continued Disposal of Dredge Materials at Green Bay Harbor*, it was indicated that when the 400-acre tract was originally designated by the City of Green Bay "it was predominantly in a wetland condition, however, its exact quality and condition was not well documented." The Final EIS then states "the entire site has been filled to varying depths obliterating its original condition."

Oneida also performed a review of Wisconsin DNR and Green Bay Historical Preservation Commission records and found no evidence to indicate the proposed project would have any cultural impacts. Oneida's review indicates that the most recent use of the property, before being developed for industrial purposes, was for growing vegetables in a truck farm operation.

Conclusion

In summary, the APE is proposed as the project footprint because that would be the extent of ground disturbing activities and there are no nearby historical properties that would be adversely affected. The project footprint has no known or suspected historical or archaeological significance because it has been completely disturbed and altered over the last 40 to 50 years. Therefore, there would be no historic properties affected within the APE.



Figure 3-1. Locations of properties on the National and State Register of Historic Places.

Table 3-1. Historic properties closest to the proposed project site.

ID	Historic Place Name	Address	NPS Ref. No. and National Listing Date	State Listing Date	Distance to Project Site (miles)
A	Rioux, Angeline Campeau, House	2183 Glendale Ave., Howard	94001251 10/1994	06/1994	2.1
B	Grassy Island Range Lights	100 Bay Beach Rd. Green Bay	04001484 01/2005	11/2004	1.4
C	Broadway – Dousman Historic District	Part of 200 and 300 block N. Broadway, 300 and 400 block Dousman St, part of 300 block N. Chestnut St., Green Bay	99000330 03/1999	01/1999	1.7
D	Oakland – Dousman Historic District	Roughly bounded by Dousman St., Oakland Ave., Shawano Ave., Antoinette and Francis Sts., Green Bay	88000455 04/1988	01/1989	1.8
E	Fisk, Joel S., House	123 N. Oakland Ave., Green Bay	78000420 08/1978	01/1989	1.9
F	Broadway – Walnut Historic District	100 N. and part of 100 S. block Broadway; 100 N. block Pearl St.; 400 block W. Walnut St., Green Bay	99000817 07/1999	01/1999	1.9
G	Chicago and North Western Railway Passenger Depot	202 Dousman St., Green Bay	99001633 12/1999	04/1999	1.9
Not shown in the Figure - several other historic properties in Green Bay to the southeast, across the Fox River					

-----Original Message-----

From: Duchrow, Daniel J - WHS
[mailto:Daniel.Duchrow@wisconsinhistory.org]
Sent: Monday, April 25, 2011 1:40 PM
To: Rossiter, Melissa
Subject: Oneida Seven Generations Corp. - DOE/EA 1862

Good Afternoon, Melissa. I just wanted to contact you about the above referenced project. If this project is located within the reservation boundaries of the Oneida Nation of Wisconsin, you need to contact Ms. Corina Williams, Tribal Historic Preservation Officer. Her contact info is: 3703 Hillcrest Dr., P.O. Box 365, Oneida, WI 54155 - phone (920) 490-2095.

If this project is not located within the reservation boundaries, please forward hard copies only (not via email) of the EA (draft and final) and other relevant information, when this information becomes available. You may send them directly to my attention. Thank you.

Dan Duchrow

Operations Program Associate

Wisconsin Historical Society

Division of Historic Preservation and Public History

816 State Street, Room 303

Madison, WI 53706

608-264-6505 (voice)

608-264-6504 (fax)

Dan.Duchrow@wisconsinhistory.org <<mailto:o@wisconsinhistory.org>>

www.wisconsinhistory.org <<http://www.wisconsinhistory.org/>>

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Department of Energy

Golden Field Office
1617 Cole Boulevard
Golden, Colorado 80401-3393

April 08, 2011

Louise Clemency, Field Supervisor
U.S. Fish and Wildlife Service
Green Bay Ecological Services Office
2661 Scott Tower Drive
New Franken, WI 54229

Dear Ms. Clemency:

RE: U.S. Department of Energy Request for Informal Consultation for the Oneida Seven Generations Corporation's Energy Recovery Project, Green Bay, Brown County, Wisconsin

The U.S. Department of Energy (DOE) is proposing to authorize a subgrant through the Wisconsin Department of Commerce State Energy Program to the Oneida Seven Generations Corporation, chartered and owned by the Oneida Tribe of Indians of Wisconsin, for Oneida's proposed project: construction and operation of the Energy Recovery Project in Green Bay, Brown County, Wisconsin. Oneida proposes to construct a facility to process municipal solid waste and convert its energy content into electricity. The Bureau of Indian Affairs is also proposing to authorize expenditure of Federal funds for the same project and would be a cooperating agency. If approved, the proposed project would be partially funded by DOE through the *American Recovery and Reinvestment Act of 2009* (Pub. L. 111-5, 123 Stat. 115; Recovery Act).

The proposed facility would process about 150 tons of municipal solid waste per day. The waste brought into the facility would be shredded and sorted to remove recyclables (such as metals and plastics), dirt, and glass. The remaining waste stream would then be conveyed into one of three identical gasification systems. In these closed systems, the waste would be subjected to controlled high-heat, low-oxygen conditions to decompose, through a process called pyrolysis, and produce flammable synthetic gas consisting primarily of hydrogen, carbon monoxide, and hydrocarbons such as methane, ethane, and propane. This synthetic gas would be collected and used as fuel to maintain operation of the pyrolytic systems as well as to fire three internal combustion engine generators. The three generators, with a combined capacity of 5 megawatts, would provide enough electricity to power the facility and allow Oneida to sell power to the local electrical utility.

The proposed facility would be located in the Bayport Industrial Center, adjacent to Hurlbut Street and Interstate 43 in the northern section of Green Bay near the bay. The 5.88-acre parcel of land is currently a vacant industrial lot in the northeast quarter of Section 23, Township 24 North, Range 20 East. Figure 1 shows the proposed project site in relation to the general region of Green Bay. Figure 2 shows an aerial view of the project site with an outline of the parcel of property where the facility would be constructed. Past use of this property includes disposal of dredge materials removed from the nearby harbor. When the general area was evaluated in the mid-1970s by the U.S. Army Corps of Engineers for continued use for dredge spoils, the site had already been filled to varying depths, obliterating its original condition.

To comply with Section 7(a)(2) of the *Endangered Species Act*, DOE reviewed the U.S. Fish and Wildlife Service (USFWS), Midwest Region's online list of Federally endangered and threatened species (at <http://www.fws.gov/midwest/endangered/>) that are known to occur in Brown County, Wisconsin. The only listed species identified from this review was:



- Dwarf lake iris (*Iris lacustris*) – threatened

The same USFWS website identified 12 additional species the Midwest Region considers as candidate species for listing. Of those 12, only the following 3 were noted with known ranges that included Wisconsin:

- Eastern massasauga rattlesnake (*Sistrurus catenatus catenatus*) – candidate
- Sheepnose (mussel) (*Plethobasus cyphus*) – candidate
- Spectaclecase (mussel) (*Cumberlandia monodonta*) – candidate

DOE is requesting verification of this information on listed and candidate species that could potentially be associated with Brown County, Wisconsin, and identification of any other listed or proposed species or designated or proposed critical habitat that may be present in the proposed project area.

DOE is currently preparing an environmental assessment for this project to meet the requirements of the *National Environmental Policy Act*. Based on a preliminary review of information on USFWS and State of Wisconsin websites, it appears that the known ranges for the listed species and the candidate species identified above do not include the proposed project site; this will be presented in the draft environmental assessment, which you will be able to review during the public comment period. DOE will include correspondence with your office in an appendix to the environmental assessment and will send notification of availability of the draft assessment to your office and respond to any specific comments you might have. At this time, we anticipate implementing a 15-day public comment period on the draft document.

Please forward the results of your review and any requests for additional information to the DOE's Golden Field Office using the contact information provided below:

Melissa Rossiter
NEPA Document Manager
Golden Field Office
U.S. Department of Energy
1617 Cole Blvd.
Golden, CO 80401-3305
Office: (720) 356-1566
Cell: (720) 291-1602
Melissa.Rossiter@go.doe.gov

Because this is a Recovery Act project, we would appreciate a quick response to our request for informal consultation. If you have any questions or require clarification, please contact me as noted above. Thank you in advance for your consideration.

Sincerely,



Melissa Rossiter
NEPA Document Manager

Enclosure: Site location map and aerial view of proposed project location

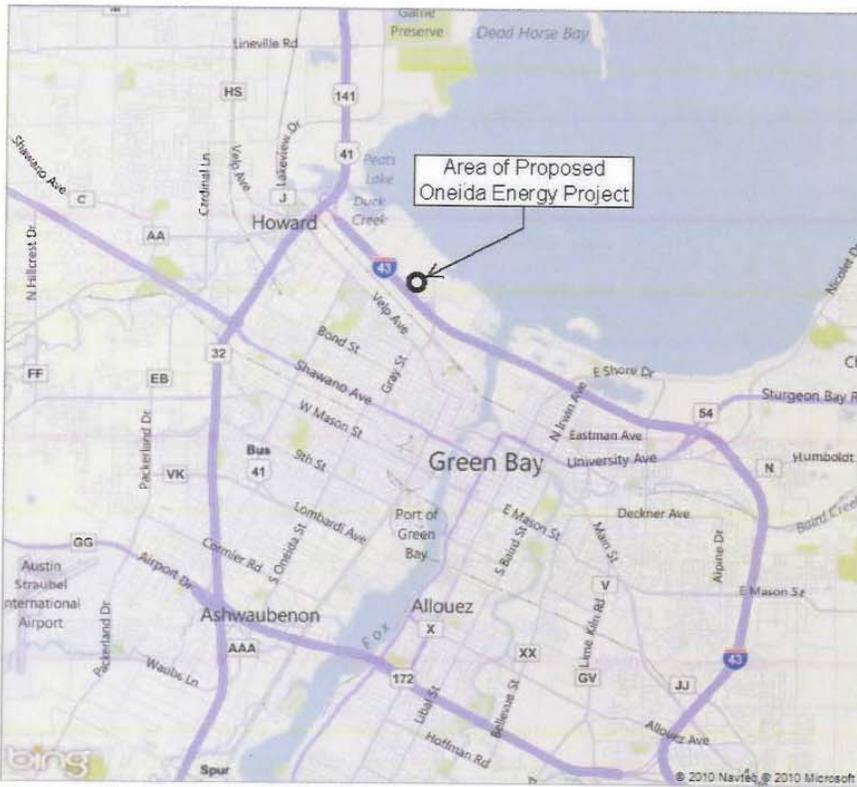


Figure 1. Map of Green Bay, Wisconsin, area and proposed project location.



Figure 2. Aerial view of proposed project location.



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Green Bay ES Field Office

2661 Scott Tower Drive

New Franken, Wisconsin 54229-9565

Telephone 920/866-1717

FAX 920/866-1710

May 12, 2011

Ms. Melissa Rossiter
Department of Energy
Golden Field Office
1617 Cole Boulevard
Golden, Colorado 80401-3393

re: Oneida's Seven Generations Corporation's
Energy Recovery Project
City of Green Bay
Brown County, Wisconsin

Dear Ms. Rossiter:

The U.S. Fish and Wildlife Service (Service) has received your letter dated April 8, 2011, requesting comments on the subject project. The project involves the construction of a facility to process municipal solid waste. This site is located in the City of Green Bay, Brown County, Wisconsin. We have reviewed the information provided in your letter and our comments follow.

Federally-Listed Species, Proposed and Candidate Species, and Critical Habitat

Due to the project location, no federally-listed, proposed, or candidate species would be expected within the project area. No critical habitat is present. This precludes the need for further action on this project as required by the 1973 Endangered Species Act, as amended. Should additional information on listed or proposed species or their critical habitat become available or if project plans change or if portions of the proposed project were not evaluated, it is recommended that you contact our office for further review.

We appreciate the opportunity to respond. Questions pertaining to these comments can be directed to Ms. Jill Utrup 920-866-1734.

Sincerely,

Jill Utrup
Acting Field Supervisor



NOTICE OF AVAILABILITY

The U.S. Department of Energy (DOE) and the Bureau of Indian Affairs (BIA) are proposing to provide Federal funding to the Oneida Seven Generations Corporation (Oneida) to construct and operate a solid waste-to-electricity power plant on a vacate property within the Bayport Industrial Park.

**ONEIDA SEVEN GENERATIONS CORPORATION
ENERGY RECOVERY PROJECT
GREEN BAY, WISCONSIN
DOE/EA-1862**

DOE's Golden Field Office has prepared a Draft Environmental Assessment (EA) in accordance with the *National Environmental Policy Act* (NEPA). Interested persons are invited to submit written comments on the Draft EA for consideration by DOE by **September 3, 2011**. All comments received will be considered in preparation of the Final EA. DOE encourages your participation in this process.

You can submit comments by either mail or email. Melissa Rossiter, DOE Golden Field Office, 1617 Cole Blvd, Golden, CO 80401, or by email to: melissa.rossiter@go.doe.gov.

The Draft EA, with appendices is available for your review on **the Golden Field Office** website:

http://www.eere.energy.gov/golden/Reading_Room.aspx



NOTICE OF AVAILABILITY

The U.S. Department of Energy (DOE) and the Bureau of Indian Affairs (BIA) has prepared a draft Environmental Assessment to analyze and describe the impacts associated with the:

Oneida Seven Generations Corporation: Energy Recovery Project; Green Bay, Wisconsin - DOE/EA 1862

Oneida Seven Generations is proposing to use American Reinvestment and Recovery Act funds from DOE and a loan guarantee from the Bureau of Indian Affairs for the construction of a waste to energy facility within the Bayport Industrial Center, in Green Bay, Wisconsin. Interested persons are invited to submit written comments on the draft EA for consideration by DOE by September 3, 2011. All comments received will be considered in preparation of the final EA. The draft EA is available for review on the DOE Golden Field Office website:

http://www.eere.energy.gov/golden/Reading_Room.aspx

Please mail comments to Melissa Rossiter, Department of Energy Golden Field Office, 1617 Cole Boulevard, Golden, CO, or send them by email to Melissa.Rossiter@go.doe.gov.



September 15, 2011

Ms. Melissa Rossiter
U.S. Dept. of Energy
Golden Field Office
1617 Cole Boulevard
Golden, CO 80401

IN REPLY PLEASE REFER TO CASE #11-0888/BR
RE: Oneida Seven Generations Corp. Energy Recovery Project
ID: DOE/EA-1862

Dear Ms. Rossiter:

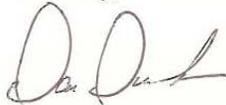
Thank you for providing our office with a "hard copy" of the draft Environmental Assessment (EA) for the above referenced project. We have reviewed the draft EA as required for compliance with Section 106 of the National Historic Preservation Act and 36 CFR Part 800: Protection of Historic Properties, the regulations of the Advisory Council on Historic Preservation governing the Section 106 review process.

We agree with the conclusion presented in the EA, in that the project, as currently proposed, will not affect any properties listed in, or eligible for inclusion in the National Register of Historic Places.

We remind you that the regulations of the Advisory Council on Historic Preservation include the requirement that you seek information, as appropriate to the undertaking, from parties likely to have knowledge of or concerns with historic properties in the project area - such as Indian tribes, local governments, local landmark commissions and public and private organizations.

When the final EA is prepared, it would be appreciated if a hard copy of the document be forwarded to our office to complete our file. If there are any questions concerning this matter, I may be reached at (608) 264-6505.

Sincerely,



Dan Duchrow
Division of Historic Preservation
and Public History

Collecting, Preserving and Sharing Stories Since 1846

816 State Street Madison, Wisconsin 53706

wisconsinhistory.org