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**October 26, 2024**

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USDA Forest Service Southwestern Region  
ATTN: Objection Reviewing Officer, Regional Forester Michiko Martin  
333 Broadway Blvd. SE  
Albuquerque, NM 87102

Submitted electronically via online web form at  
<https://cara.fs2c.usda.gov/Public//CommentInput?Project=63199>

**Re: Objection to Los Alamos National Laboratory Electrical Power Capacity Upgrade Project**

Dear Regional Forester Martin,

On behalf of the Pueblo de Cochiti, we write to formally object to the draft Decision Notice ("DN"), Finding of No Significant Impact ("FONSI"), and final Environmental Assessment ("EA") for the Los Alamos National Laboratory Electrical Power Capacity Upgrade ("EPCU") Project. Our objection is based on the significant, irreversible harm that the proposed transmission line would inflict upon the Caja del Rio, a sacred landscape intricately tied to the history, culture, and spiritual well-being of our people.

The Pueblo de Cochiti, as a sovereign tribal nation, continues to exercise its inherent responsibility to protect our ancestral homelands, even those beyond the present-day boundaries of our reservation. This includes the land known as the Caja del Rio, which is a vital part of our ancestral footprint. As highlighted in numerous tribal resolutions and inter-tribal association resolutions, the preservation of these homelands and their cultural and spiritual significance is central to the identity of our people and the protection of our heritage for future generations.

**I. Cultural and Spiritual Importance of the Caja del Rio**

The Caja del Rio is an extension of who we are as Pueblo people. It holds the stories of our ancestors, reflected in the countless cultural and archaeological features present across the landscape, including housing structures, ceremonial kivas, petroglyphs, and ancient irrigation systems. As recognized in National Congress of American Indians Resolution #NO-23-038, this area contains thousands of sacred sites that are deeply interconnected with our history and spiritual traditions. These sacred sites are not relics of the past— rather, they continue to serve as vital connections between our people and the Creator, supporting ongoing cultural practices and ceremonies. Our ancestors walked, prayed, and built upon this land, and the same practices continue today through story, song, pilgrimage, and prayer.

The preservation of this cultural landscape in its unaltered form is essential for our community to fulfill its responsibilities as stewards of the earth and to ensure that our cultural and religious practices can continue for generations to come. The Caja del Rio is a living cultural landscape, and

any disturbance especially one as significant as the construction of a new transmission line—threatens to disrupt its integrity and sever our connection to these sacred places.

#### **II. Inadequate Cultural and Environmental Considerations in the EPCU Project**

The draft Decision Notice, FONSI, and EA issued for the EPCU Project inadequately assess the cultural and environmental impacts of the proposed transmission line on the Caja del Rio. While the agencies acknowledge that adverse effects will occur, the proposed mitigation through a future Memorandum of Agreement (MOA) fails to address the depth and significance of these impacts. The reliance on outdated archaeological data, without incorporating traditional Indigenous knowledge or conducting comprehensive ethnographic studies, is a critical oversight.

The Pueblo de Cochiti, along with other Pueblos, has long requested that a tribally led ethnographic study be conducted to accurately identify and document the cultural resources that are at risk. Many of these resources are not simply archaeological in nature but are tied to spiritual and ceremonial practices that cannot be fully understood or captured by conventional surveys. By omitting such critical cultural insights, the environmental review process has fallen short of its obligations under the National Historic Preservation Act (NHPA) and the National Environmental Policy Act (NEPA).

Furthermore, the area of potential effects (APE) identified in the EA—a narrow corridor along the planned transmission route—does not adequately reflect the broader cultural and ecological significance of the Caja del Rio. This region is rich in biodiversity, providing habitat for species protected under the Endangered Species Act (ESA), such as the Mexican gray wolf and the southwestern willow flycatcher. Any impact to the Caja del Rio ecosystem would irrevocably impact the integrity of the entire landscape. The EA fails to provide sufficient baseline information on wildlife, plant communities, and migration corridors, thereby ignoring the project's cumulative impacts on the environment.

#### **III. The Need for Comprehensive Environmental Review and Tribal Consultation**

The Pueblo de Cochiti strongly urges the USDA Forest Service and the National Nuclear Security Administration (NNSA) to halt the EPCU Project until a full Environmental Impact Statement (EIS) is prepared. The significant and far-reaching impacts of this project on cultural resources, wildlife, and sacred sites demand a more comprehensive review than what has been provided in the EA.

Additionally, as emphasized in several tribal and inter-tribal resolutions, the Pueblo has an inherent right and responsibility to be directly involved in the stewardship of its ancestral lands. The lack of meaningful consultation with the Pueblo throughout this process is deeply concerning and fails to meet the federal government's trust responsibility to indigenous nations. We call for ongoing, meaningful consultation that includes the completion of a Cochiti led ethnographic study of the Caja del Rio landscape. Such a study would ensure that the voices of the Cochiti people are heard, and our cultural heritage is respected.

#### **IV. Threats to Cultural Integrity and Sacred Sites**

The proposed transmission line would not only physically disrupt the landscape but also introduce additional threats to the Caja del Rio's integrity. Existing transmission corridors in the area have already led to unmanaged off-highway vehicle (OHV) use, illegal dumping, poaching, and unregulated recreational shooting, all of which have severely degraded the cultural and environmental resources of the region. The EPCU Project would exacerbate these issues by

creating a new right-of-way, permanently altering the landscape and opening up additional areas to unauthorized use.

The cultural and archaeological resources within the Caja del Rio are fragile and irreplaceable. Any disturbance to these sites risks causing irreversible harm, not only to the physical remains of our ancestors and cultural resources but also to the spiritual connection that the Cochiti people maintain with this land. Pueblo de Cochiti's ongoing efforts to reacquire and protect these ancestral lands are driven by a commitment to safeguarding them from further desecration, as articulated in NCAI Resolution #NO-23-038. This transmission project is directly at odds with those efforts.

#### **V. Requested Remedy**

In light of the serious cultural, environmental, and legal concerns outlined above, the Pueblo de Cochiti respectfully requests that the USDA Forest Service adopt the No Action alternative and reject the proposed amendments to the 2022 Santa Fe National Forest Land Management Plan (LMP). We urge the agencies to explore alternative solutions that do not involve crossing the Caja del Rio, including modern energy strategies that prioritize renewable energy sources and reduce the need for large-scale transmission infrastructure in ecologically and culturally sensitive areas.

Should the agencies choose not to adopt the No Action alternative, we strongly recommend the following actions:

Conduct a Cochiti-led middle Rio Grande ethnographic study of the Caja del Rio to fully document the cultural resources and sacred sites that would be impacted by the EPCU Project.

Initiate formal consultation with the Pueblo de Cochiti and other affected Tribal Nations at every stage of the decision-making process.

Prepare a full Environmental Impact Statement (EIS) that thoroughly examines the cultural, environmental, and social impacts of the project.

Suspend the project until these critical steps have been completed and all legal requirements under NEPA, NHPA, and the ESA have been met.

#### **VI. Conclusion**

The Pueblo de Cochiti is committed to protecting its ancestral homelands, including the Caja del Rio, from unnecessary and harmful development. The EPCU Project threatens not only our cultural heritage but also the ecological health of this unique landscape. We ask that the USDA Forest Service and the NNSA reconsider their approach and work collaboratively with the Cochiti people to find solutions that respect our sacred lands and uphold the federal government's trust responsibilities.

We look forward to engaging in further consultation and discussion to ensure that the cultural and environmental integrity of the Caja del Rio is preserved for future generations.

Sincerely,



**Joel A. Arquero**  
**Governor, Pueblo de Cochiti**

#### **Attachments:**

**Attachment A:** NCAI Resolution #NO-23-038,

**Attachment B:** Pueblo de Cochiti Response to NNSA and USFS to the Proposed EPCU Project - 12/20/23,  
Pueblo de Cochiti Response to BLM and DOI Regarding Proposed EPCU Project - 12/11/23