



Veterans For Peace

Donald and Sally-Alice Thompson Chapter #63
Albuquerque, New Mexico

John E. Wilks, III
President, Chapter #63 (ABQ)



October 25, 2024

Michiko Martin
Regional Forester
333 Broadway Boulevard SE
Albuquerque, NM 87102

Via: Roxanne Turley
Regional Administrative Review Off.
roxanne.turley@usda.gov

Re: Objection to USFS Draft Notice of Decision (FONSI) and Final Environmental Assessment (EA) for Electrical Power Capacity Upgrade Project (EPCU PROJECT) for the Los Alamos Nuclear Weapons Component Plant, aka the Los Alamos National Laboratory (LANL)

Dear Reviewing Official Martin:

STANDING

The Albuquerque Chapter of Veterans For Peace, as a party with standing in this matter, having previously commented on 2/20/24 in this matter, timely files this objection to the Draft Notice of Decision (ND), (FONSI) and the Final Environmental Assessment (EA) of certain national forests within the southwestern regional national forests area.

OTHER PARTIES

While exercising this legal opportunity to object, we wish to highlight the fact that not only does the National Nuclear Security Administration

(NNSA) oversee the Los Alamos National Laboratory (LANL), but also the NNSA is the owner of the EPUC project as well as the lead government agency for the project and for compliance for the National Historic Preservation Act (NHPA), section 106, as well as coordination with USFS. Accordingly, we believe that any comment filed in this matter by the Department of Energy (DOE) should be disregarded or given cursory consideration. While the DOE holds the title for the land on which a third power tower will terminate, comments by the DOE should be not be considered because the DOE is merely the landlord and owner/operator of the Lab. In contrast, as departments within the executive branch, the Department of Agriculture and the Department of the Interior should be considered as equals and their comments should be accorded overriding consideration and preference. The Department of Energy, on the other hand, does not speak for the semi-autonomous NNSA in this matter. The NNSA is solely responsible only for nuclear weapon production, certification, and maintenance. Ongoing efforts by DOE to bully the USDA and BLM should be disregarded and rebuffed. It is in this context that Veterans For Peace, Albuquerque, comments on the EPCU Project and the EPCU project approval protocols.

PROJECT JUSTIFICATION

A third electrical transmission line is not needed at LANL! The Los Alamos Power Pool, created in 1985 by LANL and Los Alamos County provides for energy sharing of 80% to LANL vs 20% to the County. On February 21, one day *after* expiration of the initial comment period for the EPCU Project on February 20, 2024, it was announced the the Los Alamos Board of Public Utilities and San Juan County had reached an agreement to supply electrical power over a new, Foxtail Flats Line to the Lab.

OBJECTION TO EPCU PROJECT—NEPA VIOLATION

DOE held confidential negotiations and failed to disclose its secret talks aimed at acquiring an alternative source of electricity in an amount slightly less than the amount proposed by EPCU. Obviously secret negotiation were in progress during the just closed comment period. The failure of the parties to disclose the high probability of the availability of an alternate source of energy which would have directly affected options for the project under review, was a clear violation of NEPA and an act of bad faith by DOE and Los Alamos County. Had the parties revealed the advance state of negotiations, public comments on the draft documents could have addressed

that viable alternative. NEPA requires that all relevant information must be made available that may play a role in the decision-making process and the implementation of that process. USDA and BLM decision makers were required to examine the relevant data and articulate a satisfactory explanation for their decisions without reducing themselves to a rubber stamp agency action. By withholding this information from the public and the decision makers, DOE intentionally deprived all parties from making an informed decision or addressing this development in the public's comments to the deciding agencies.

In September 2024, the NNSA published a fact sheet entitled: "Powering Los Alamos National Laboratory, Electrical Power Capacity Upgrade Project." (Refer to Enclosure #1) Although this document was presumably intended for consumption by the general public, it may be instructive to you in your review of this matter. The first page of the fact sheet contains many half-truths, lies, and misinformation. The second sentence of page one outlines a "fig leaf" of reasons for justification of this project. It lists many missions the lab is assigned, yet conveniently omits the production of nuclear weapons plutonium triggers, or "pits." In the tradition of the 1942 Manhattan Project, this lack of transparency is extremely significant because it lays the foundation for the remainder of the fact sheet to deceive the reader and to conceal the true need for the third electrical transmission line, *i.e.*, production of offensive military weapons. Paragraph two contains a not-so-subtle threat that if the transmission line is not approved, Northern New Mexico will suffer a loss of jobs due to the migration of jobs by the Lab to other states. Paragraph three states that failure to approve the project will result in a failure of the lab to continue operation and retain vital missions. Clearly the NNSA is playing hardball with the state of New Mexico, its elected officials, and the public!

We ask that you not be persuaded by this propaganda and standard scare tactics of the NNSA, but rather consider only applicable laws, legal precedent, and USDA agency regulations when reviewing this matter. We further urge you to ignore or discount any filings in support of this project from DOE because DOE is theoretically not a sponsor, a beneficiary, or manager of this project. We ask that you consider that the NNSA has not provided any discernible justification for this additional electrical power. In many vague and nebulous statements, the NNSA has admitted that a portion of the additional power will be allocated to the County of Los Alamos. Certainly that allocation is not in the interest of so-called national "defense,"

but is rather made in order to provide for the additional housing and other "off campus" infrastructure and logistical support necessary for NNSA's desperate effort to frantically increase employee recruitment and retention toward the production of "pits."

SPECIAL CONSIDERATIONS FOR THE FIBER OPTIC CABLE

We wish to highlight the inclusion in the Project to lay a fiber optic line "to improve communication between the [weapons plant] Lab and the Los Alamos townsite." The electric transmission towers will doubtlessly be very tall and spaced very far apart. It may be infeasible to hang the fiber cable from the towers along all or a portion of the 14-mile trace. Trenching may be the preferred alternative to suspending the fiber cable. There are certain special considerations when proposing trenching along the route of the proposed transmission line. Within the Caja del Rio there exists expansive basalt formations. Trenching will be difficult and may disturb heretofore undiscovered archaeological structures or sites. Among the sites that might be found and disturbed are "waffle gardens," a unique ancient form of agricultural architecture. The NNSA Fact Sheet (enclosed) on page 3 under the paragraph, "Will this route disturb cultural resources?" addresses only cultural surveys involving tribal monitors, in the context of the transmission line routing. The Fact Sheet appears to be silent on the inadvertent disturbance of culture property that is discovered while excavating a deep trench for the fiber optic cable. Lastly, this cable is not a matter of national "defense." The inclusion of the cable does not deserve your special consideration or approval, owing to the potential culture property disturbances that could occur while trenching.

AMENDMENT TO THE SFNF MANAGEMENT PLAN

We believe an amendment of the Santa Fe National Forest's Management Plan (Forest Plan) to provide for the establishment of a new management area, dubbed the S/N Transmission Line Utility Corridor Management Area (SNTUC), is unnecessary, bureaucratic waste, and provocative. Lastly, although we acknowledge that DOE has the right to improve its property, we take great offense at the fact that currently, prior to the EPCUP approval, DOE is constructing footings for the Project towers approaching LANL. It appears as if the DOE is assuming that USDA and BLM will approve this project and that there is no reason for DOE to deny preliminary construction. Again, we ask you to disregard this preemptive activity and to

not allow DOE to stampede the USDA into becoming a mere "rubber stamp" entity.

The NNSA, once again, figuratively blows bugles and waves Old Glory in the face of reason and fact in an attempt to intimidate the public and decision makers at all levels! We are not persuaded by those theatrical antics!

ABERRANT REVIEW PROTOCOL

We believe that an Environmental Impact Statement (EIS) should have been conducted rather than an Environmental Assessment (EA). Under the current review scheme, The NNSA, USDA, USFS, Santa Fe National Forest (SFNF) Bureau of Land Management (BLM), prepared a Final Environmental Assessment. Each agency will prepare its own Decision Notice (DN) and FONSI related to the project with its jurisdictional authority. Not only does an EIS require a more in depth and comprehensive study of the project and its potential ramifications, but also the current protocol for this project requires the public to repeatedly comment on the proposal to several decision makers.

OBJECTION TO SFNF FOREST PLAN AMENDMENT

The NNSA is attempting to play the end against the middle by disrupting the orderliness of this important review process. Several sovereign indigenous nations, and federal, state, and local regulatory agencies are involved in the complex review process. As a result of several petitions and filings with various federal agencies in this matter, the USFS is now placing the cart before the horse. If a future amendment to the recently revised Forest Service land management plans is required to permit this ill-advised project, it should have been in place prior to the Forest Service's Environmental Assessment (EA). Amendments like these require opportunities for public participation that have not been met in this case. The very question decided by the Forest Service EA should have first been vetted with the public during the last revision of the forest service land management plan, or with a proposed amendment to the updated plan.

The Forest Service's Draft Notice of Decision, which if finalized would amend the Santa Fe NF's Land Management Plan (Forest Plan) to include a finding of No Significant Impact (FONSI), and Final Environmental As-

assessment (EA). We object to the USFS's because we believe that the Decision is premature by establishing a new management area known as the South-North Transmission Line Utility Corridor Management Area (SNTUC) and the concurrent approval of a Special Use Permit to LANL for the construction and continued operation of a 115-kilovolt (kV) 14-mile line.

Attempts to grandfather a future amendment to the Forest Service land management plan, or a special use permit, into this Environmental Assessment are contrary to the 1976 National Forest Management Act and 2012 Planning Rule that takes into account multiple uses and invites varied opportunities for broad public participation. Instead, the proposed land management plan amendments and special use permit should preclude the Forest Service from issuing FONSI for this project and demonstrate the need for a comprehensive environmental impact statement. The statement should address the historical, cultural, ecological, and environmental justice implications of this major federal project, along with any reasonable and feasible alternatives proposed by the affected communities and sovereign indigenous Nations.

PROJECT SCOPE

The proposed additional third transmission line to the nuclear weapon component production plant (LANL) is a major construction project. Although the trace of this proposed third electrical line follows the route of an existing corridor through the Caja del Rio *area* west of Santa Fe, it would entail a 100-foot right-of-way over state lands, Bureau of Land Management lands, national forest lands, and private property. Additionally, construction of the line could result in carving additional roads to support or facilitate construction or maintenance of the line. This would be the first electrical line actually through the Caja del Rio, an immensely sacred space for Navajo, Apache, and Pueblo people for millennia. Further, the provision for a fiber optic cable is also incorporated in the project.

SOWING CONFUSION WHILE RECKLESSLY MOVING AHEAD

The NNSA states, on page 3 of this Fact Sheet, that it requires completion of the transmission line no later than 2027. Additionally, "As presently envisioned, the power line will become operational in 2027." Also, it makes an urgent cry on page 1, when it states, "The power supply serving the lab that makes these efforts possible will reach capacity in 2027." *Note:*

The term “these efforts” means the list of missions and projects performed at the lab other than the manufacture of weapons components. Again, we point out that according to this Fact Sheet, none of the electricity delivered by the proposed line is dedicated to weapons production and therefore is not in the national “defense” interest. The NNSA continues advanced planning for an expedited beginning of construction while many in the public desire that decision makers would take a step back. The 23,000 comments filed on this project by the public strongly evidence that the public prefers, even at this late stage in the decision process, an Environmental Impact Study (EIS) rather than an Environmental Assessment (EA). All parties understand that conducting an EIS is a time-consuming endeavor that might delay construction of the proposed project. We strongly believe that thoroughness in this complex review should be the priority, not expediency.

The Santa Fe, Carson, and Cibola land management plans have all been recently revised to reflect common goals across agencies and interests. An initial assessment of ecological, social, cultural, and economic conditions on forest service lands and the surrounding landscape was published in 2015. The revisions were based on information gathered and was used to identify needed changes to existing land management plans, such as climate changes, wildfire effects with an emphasis on ecosystems restoration, and social and economic sustainability. All three plans emphasize partnerships and shared stewardship of local resources. The Forest Service acknowledges the need for government-to-government consultation with Tribes and coordination with other government agencies, including Acequias and Land Grants.

The updated forest service plans recognize the importance of this forest landscape to traditional communities that rely on forest resources for subsistence, cultural practices, and religious ceremonies. An EIS and Record of Decision (ROD) were issued for the revised plans in 2022, following opportunities to file objections to the draft ROD. Now the NNSA brings a proposal to upend the planning and consultations as it requests a special use permit and granting of a special status to facilitate and expedite its Electrical Power Capacity Upgrade Project.

SACRED SITE DEGRADATION

New Mexico was conquered and colonized by the US Department of War in 1846. Since that event, the federal government has appropriated and degraded Pueblo ancestral lands, water, and cultural resources. The War Department morphed into the Department of Defense and the NNSA derived from the Atomic Energy Commission; the names have changed, but the roles and intents have remained the same. With this project, the NNSA will inflict harm on a complex of sites which are sacred to Native Americans and outdoor enthusiasts. The proposed route approximates a direct route to its Nuclear Weapons Plant (LANL). The failure to require an Environmental Impact Statement (EIS), as opposed to the Environment Assessment (ES), led to a less than comprehensive analysis. An EIS would have explored other options outside of this one path that cuts through the landscape, sacred to a lot of the tribes in the area, and also important for wildlife habitat connectivity and landscape connectivity.

PUBLIC OPPOSITION TO THE EPCU PROJECT

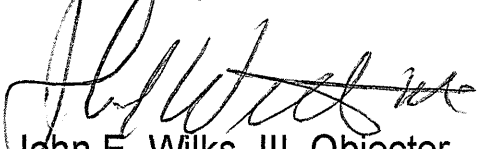
Since 1943 the Los Alamos National Laboratory has polluted and contaminated the Pajarito Plateau and the immediate surrounding lands. LANL has not been a good neighbor, it has a harmful legacy which this proposal perpetuates. With this EPCU Project, NNSA is acting in total disregard of the wishes of thousands of residents of Northern New Mexico and their ancestors. The history of the pueblos in this region and the many harms they continue to endure as a result of the Lab's nuclear weapons activities is appalling. It is time to take a more comprehensive view of the Lab's history on the Caja del Rio Plateau so that the harms endured by surrounding communities can be reconciled with that view. With that thought in mind, the LANL EPCU Project received more than 23,000 opposition statements during the public comment period; the Santa Fe City Council in 2022 passed a resolution supporting the long-term preservation of the Caja del Rio plateau; the Santa Fe County Board of Commissioners in 2022 expressed support for "the permanent protection, long-term preservation and responsible stewardship of the Caja del Rio landscape." Northern New Mexico Indigenous communities and environmental groups are calling for the reconsideration of federal plans to run a new (third) transmission line through an ecosystem they say is both vulnerable and critical to local tradition. Advocates are seeking to protect cultural and natural resources, vital biodiversity, and environments that are woven into the fabric of adjacent

Pueblo communities. The Pueblo Action Alliance, Tesuque Pueblo leaders, and members of the Caja del Rio Coalition are lobbying the USDA for a tribal-led ethnographic study prior to issuance of a final decision by the Forest Service.

FINAL REQUEST

We ask that the USDA not decide this matter, but rather request an EIS for this project. If the USDA is unable to decline to decide this matter, we request that the USDA amend the project to acknowledge or adopt the Foxtail Flats Line as an alternative power source in lieu of the Caja del Rio project.

Respectfully submitted,



John E. Wilks, III, Objector
For Chapter #63 (Albuquerque) Veterans For Peace
President, Chapter #63 VFP



Enclosure: NNSA Fact Sheet, "Powering Los Alamos National Lab", 09/24.

Powering Los Alamos National Laboratory

Electrical Power Capacity Upgrade Project

Los Alamos National Laboratory (LANL) operates unique scientific instrumentation to conduct world-class research and support its national security missions. It is home to top supercomputers used to model weapon performance, climate change, disease progression, wildfires, and more. It also has a particle accelerator that allows the study of materials in extreme conditions, produces vital medical isotopes, leads in radiographic imaging of components in unique environments relevant to nuclear weapons and other fields including aerospace design and nuclear nonproliferation.

The power supply serving the lab that makes these efforts possible will reach capacity in 2027. Without more electricity, LANL will not be able to sustain its mission, and some missions may need to relocate outside of northern New Mexico to obtain sufficient electricity, potentially leading to job losses at LANL.

After studying energy sources and transmission options, and working with local stakeholders and Tribal governments, the National Nuclear Security Administration (NNSA) – the government agency that oversees LANL – determined that a new transmission line and internal system upgrades are needed to ensure the lab can continue to operate and retain vital missions.

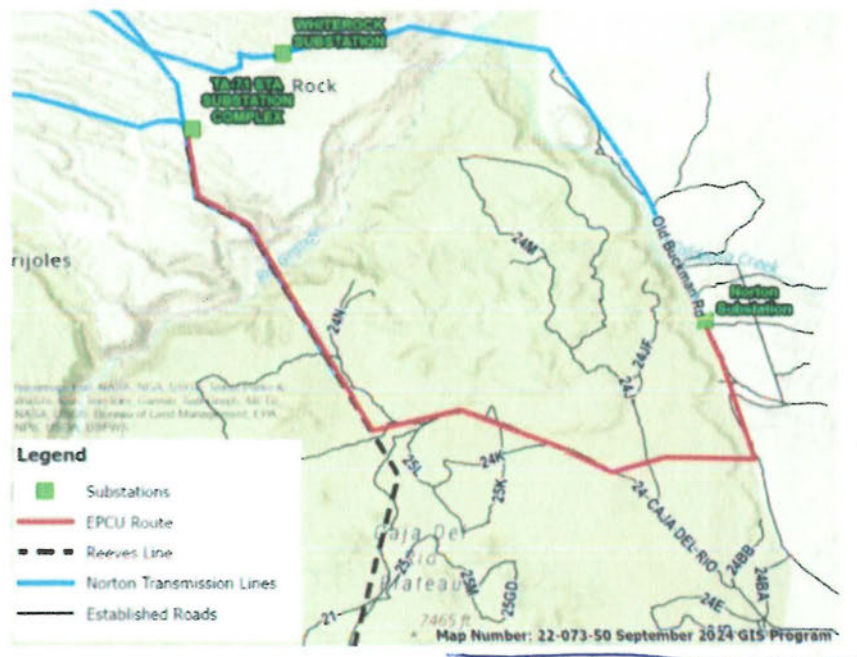
The project to build an additional transmission line to increase capacity is called the [Electrical Power Capacity Upgrade](#) (EPCU) Project.

Key facts: Proposed additional transmission line

- **Length:** 14 miles
- **Route:** Existing electrical power corridor through the Caja del Rio area west of Santa Fe, NM
- **Right of way width:** 100 feet
- **Electricity supplied:** Approximately 200 megawatts (MW) of power



The existing electrical transmission line crossing the Rio Grande to LANL (called the Reeves Line). The proposed path forward would cross at the same location.



Powering Los Alamos National Laboratory

Electrical Power Capacity Upgrade Project

Frequently asked questions

Who owns the EPCU project?

NNSA owns the project and partners with the U.S. Department of Agriculture, Forest Service (USFS) and Department of the Interior's Bureau of Land Management (BLM) to execute the National Environmental Policy Act (NEPA) regulatory process. NNSA is the lead agency for the project and for National Historic Preservation Act (NHPA) Section 106 compliance, in coordination with USFS.

When will the proposed power line be built?

As presently envisioned, the power line will become operational in 2027. This is when LANL is projected to no longer have sufficient power to meet mission demands.

How does power get to Los Alamos?

The Public Service Company of New Mexico (PNM) transmission system, which serves all of New Mexico, provides power to LANL. Through this network of transmission lines and substations, power is transmitted from an array of generation resources to provide power to Los Alamos County, including LANL. Transmission lines transmit power from where it is generated to where it is needed. Power is generated at sites where it can be most efficiently and economically produced, often hundreds of miles from the customer. All the power LANL requires is already produced regionally, so transmission capacity is the only limiting factor. Two transmission lines serve Los Alamos County: the Reeves Line and the Norton Line. Los Alamos County is also served by two onsite power generating resources: a 1 MW solar power site owned and operated by Los Alamos County and 20-27 MW combustion gas turbine generator owned and operated by LANL.

Were renewable energy sources at Los Alamos Site considered as an alternative?

Yes, a variety of renewable energy options at Los Alamos were considered and deemed insufficient. Off-site options are feasible but would require transmission lines.

- **Solar:** A 2017 feasibility study identified nine sites totaling 795 acres as potentially suitable, each with unique challenges (ongoing environmental remediation efforts, archaeological resources, floodplains, and endangered species habitat) that affect feasibility or time required for development. Over 2,000 acres (>3 square miles) would be required to generate sufficient and reliable power.
- **Wind:** The LANL campus is not ideal for wind power generation based on an analysis of the average 30-meter height wind velocity using National Renewable Energy Laboratory data.
- **Geothermal energy production:** This is technically feasible but would involve large-scale clearing of forest land in Santa Fe National Forest and the Valles Caldera National Preserve to accommodate the required wells, generator buildings, and access roads, as well as a new transmission line and a seismic study. A geothermal option would require hundreds of acres, and the removal of significant water rights from public usage.

Powering Los Alamos National Laboratory

Electrical Power Capacity Upgrade Project

- **Nuclear power:** Micro-reactors would not produce sufficient energy, and Small Modular Reactor technology is not yet licensed or ready for deployment.

The EPCU project does not mean other options for clean power generation on site won't be pursued. However, none of the options explored could meet the demand by 2027.

Why not recondutor the existing lines?

Reconductoring the existing transmission lines to increase the system's overall capacity was thoroughly analyzed. The Norton and Reeves Lines would both need to be reconducted to meet the equivalent power capacity of a new third transmission line. This requires replacing the wires and assessing the existing poles to determine if they can carry the larger size wire.

- **The traditional method** requires the power line to be taken out of service during the reconductoring process. This poses risk of damages and potential safety issues at LANL facilities and in the county.
- **The energized method** requires constructing a new, temporary line parallel to the existing lines to carry the load and maintain power supply to the site during the reconductoring process. While the adverse impacts to land would be temporary, the affected land route is substantially longer – 51 miles of existing power lines. Those lines go through the Pueblos of Cochiti, San Felipe, San Ildefonso, Santo Domingo, and the Caja del Rio. This technology is not typically deployed on such a complex terrain, and adding a live, energized line poses significant construction safety concerns.

Were Pueblos and Tribes consulted?

Yes, NNSA has conducted tribal outreach activities. Input from the surrounding Tribes and Pueblos on the EPCU project has been integral to our decision making. NNSA plans to continue government-to-government consultations, information sharing meetings, technical briefings, field visits, notifications, and coordination meetings.

As the project progresses through the NEPA and NHPA Section 106 process, Tribes and Pueblos will be involved in consultation. In addition to the formal Section 106 consultation efforts, NHPA Section 106 Tribal consultation will continue throughout the project, including during construction.

Will this route disturb cultural resources?

NNSA completed cultural resource surveys of the entire transmission line route. Four tribal monitors from Pueblos of Cochiti, San Ildefonso, and Tesuque, participated in these cultural surveys along the proposed transmission line route, and, with Pueblo input, NNSA rerouted the line to avoid or minimize impact on cultural sites. The evaluation determined that the project was unable to avoid some visual and other impacts to cultural resources, and NNSA and USFS are consulting with Tribes and Pueblos to develop mitigations to address these impacts. NNSA will have tribal monitors from the Pueblos available and on site during the construction phase of this project.

John E. Wilks, III
President, Chapter #63 (ABQ)



9589 0710 5270 2069 7291 41

Roxanne Turley
Regional Administrator
333 Broadway Boulevard SE
Albuquerque, NM 87102



Retail

RDC 99



87102

U.S. POSTAGE PAID
FCM LG ENV
WINSTON, NM 873
OCT 25, 2024

\$6.89

S2324P504817-01

OCT 28 2024