

# United States Senate

WASHINGTON, DC 20510

December 20, 2023

Dr. Jill Hruby  
Administrator  
National Nuclear Security Administration  
1000 Independence Ave., S.W.  
Washington, DC 20585

Dear Administrator Hruby,

As members of the New Mexico congressional delegation, we write to request the National Nuclear Security Administration (NNSA) extend the comment period for the agency's draft Environmental Assessment of the Los Alamos National Laboratory (LANL) Electrical Power Capacity Upgrade project. We have heard from numerous stakeholders in our state that the current 30-day comment period, ending on January 17, 2024, provides insufficient opportunity for NNSA to gather feedback on its proposal and consult with Pueblos who have cultural and spiritual ties to the Caja del Rio.

The draft Environmental Assessment analyzes upgrades to modernize LANL's electrical infrastructure, including the construction of a proposed power transmission line that will run through the Caja del Rio. All stakeholders deserve a chance to meaningfully engage in the Environmental Assessment process, but the current comment period falls on numerous federal and religious holidays and overlaps with multiple Pueblo feast days. In addition, the All Pueblo Council of Governors is in the midst of a leadership transition, and incoming Pueblo representatives should have an opportunity to comment on the proposal and engage directly with NNSA.

NNSA is designated as the lead agency to conduct this Environmental Assessment.<sup>1</sup> Council on Environmental Quality (CEQ) regulations provide broad authority when defining lead agency roles and responsibilities in the Environmental Assessment process,<sup>2</sup> including the setting of Environmental Assessment timelines. It is therefore our determination that NNSA has sufficient authority to reset the comment period closing date and establish a timeline that allows for comprehensive consultation.

We appreciate your consideration of our request, and we urge you to act quickly to extend the deadline to **March 17, 2024**. This new deadline would provide all stakeholders, and especially the incoming Pueblo leaders, the opportunity to evaluate NNSA's proposal and fully participate in the public comment process.

Sincerely,

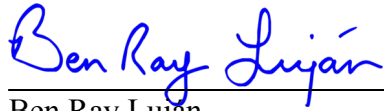
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<sup>1</sup> U.S. Department of Energy, Office of NEPA Policy and Compliance. *DOE/EA-2199: Draft Environmental Assessment*, 2023, pp. 1–7.

<sup>2</sup> 40 C.F.R. § 1501.7

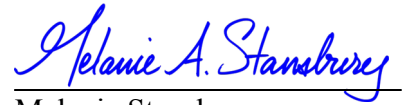
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Ben Ray Lujan  
United States Senator



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Melanie Stansbury  
Member of Congress



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Martin Heinrich  
United States Senator



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Teresa Leger Fernández  
Member of Congress

CC:

The Honorable Tom Vilsack, Secretary, U.S. Department of Agriculture

The Honorable Xochitl Torres Small, Deputy Secretary, U.S. Department of Agriculture