



THE UNDER SECRETARY OF DEFENSE

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WASHINGTON, DC 20301-3000

ACQUISITION,
TECHNOLOGY
AND LOGISTICS

The Honorable David J. Hayes
Deputy Secretary
Department of the Interior
Washington, DC 20240

MAR 19 2013

Dear Secretary Hayes:

The Department of Defense (DoD) appreciates the New Mexico Bureau of Land Management (BLM) State Director's January 28, 2013, letter regarding the Sun Zia Southwest Transmission Project Draft Environmental Impact Statement (EIS). In his letter, the State Director committed to re-opening the National Environmental Policy Act (NEPA) process to analyze alternative transmission line routes north of the preferred alternative routing identified in the May 2012 Draft EIS.

While BLM considered – but did not carry forward for further study – routes that would be more compatible with the critical national defense missions performed at the White Sands Missile Range (WSMR), it is essential that BLM now study these routes. The State Director's letter noted that these more northerly routes were excluded from further consideration due to potentially adverse effects on the Sevilleta National Wildlife Refuge (NWR). To resolve these concerns, we propose that BLM analyze the route on the enclosed map, identified as the "DoD Preferred Alternative Route," which does not cross the Sevilleta NWR. This route was first identified as a possible alternative at a December 2010 meeting of the cooperating agencies in Las Cruces, New Mexico.

The Department strongly objects to BLM's intent to proceed to a Final EIS that selects the preferred alternative route identified in the Draft EIS. This route presents an unacceptable risk to national security. If a bulk power transmission line is constructed following this route, it would preclude the capability to fully test the Joint Integrated Air and Missile Defense Architecture and other weapon systems under realistic threat environments at WSMR. This is due to the vertical obstruction such power lines would pose to low-level missile flight tests. It is possible that a missile could inadvertently strike the power line or catastrophically fail and shower debris on the power line. It should be clearly understood that no other location exists in the United States where it is possible to conduct flight tests of missile systems with these footprint requirements.

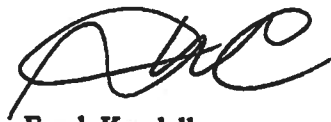
I consequently urge you to re-open the NEPA process to study both WSMR Route 2B and the DoD Preferred Alternative Route. By doing so, you will both ensure that BLM has considered all reasonable alternatives in the EIS and enable BLM to make a fully informed decision in the eventual Record of Decision that will not compromise WSMR's critical military missions.

However, Alternative Route 2B is minimally acceptable to the Department only if the following four mitigation features are incorporated in the right-of-way agreement with the developer:

1. Burial of the transmission line at the developer's expense where the line would otherwise affect existing low-level flight routes into WSMR;
2. Incorporation of a Hold Harmless Clause whereby the developer accepts all risks and liability if the transmission line is damaged or destroyed in the course of test events;
3. Non-interference with WSMR test operations during power line construction and maintenance; and
4. Micro-siting of the power line to avoid interference with test operations.

I am prepared to discuss this important issue with you at your convenience.

Sincerely,



Frank Kendall

Enclosure:
As stated

cc:
The Honorable Katherine Hammack (ASA/IE&E)
Mr. Roger Natsuhara (PDASN/EI&E)

*Dave)
The ability to conduct
these tests is important
to DoD. Let's see if
we can find a way
to resolve this. I'll
give you a call.*