

10/29/13

Administrative Judge Ronald M. Spritzer
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Re: Comments for Public Hearing

Greetings,

My name is Jessie Pauline Collins and I live about a dozen air miles from the proposed reactor on Lake Erie right beside the operating reactor, Fermi 2. My objections to the licensing of Fermi 3 are manifold. But only two of my concerns will be heard at the hearings which start tomorrow.

One concern, now called a "legal contention", is the failure of DTE Energy to provide Quality Assurance, and the other is the endangerment of the Eastern Fox Snake. Since five minutes would not be enough to cover both contentions, my comments will be on the little Eastern Fox Snake.

I read the documents used in DTE's Environmental Review of the Fox Snake. A study done for the Michigan Nature Conservancy by C.A. Weatherby on the Eastern Fox Snake documented four main, isolated populations in Southeastern Michigan, two of which are in Monroe County on Lake Erie.

In Michigan, the Eastern Fox Snake is protected by the Michigan Endangered Species Act...and is administered by the Michigan Department of Natural Resources Bureau of Fisheries, which plainly states, "It is unlawful to take an Eastern Fox Snake from the wild...Public land managers and the general public should be informed that this species is protected and should not be collected or harmed."

So, one of the four isolated population areas of this species is in the way of an unnecessary proposed nuclear reactor. Is the narrow view of this, big money versus little snakes? Or do we look at a larger picture and wonder if money can buy the right of DTE to violate the laws of Michigan? Is it possible that DTE employees could go onto the proposed site and club ever Fox Snake to death just to rid the hearings of that one contention?

People, I say to you today that the laws of the land must be obeyed by the wealthy as well as the poor. I won't even imagine what would happen to me if I killed a Fox Snake. I once went to jail on Christmas Day because I walked on Fermi property, after a guard stood aside to let me in.

I couldn't believe the treatment and sentence I received. The sentence included being barred from the George Armstrong Custer statue. Since I am a Native American, how racist was that? Maybe the experience gave me apathy for this little snake. DTE has stated all will be well with the fox

snakes because they will monitor the mortality rates. The injustice of it all.

A survey by J.H. Harding Amphibians and Reptiles of the Great Lakes Region states, “Eggs are usually laid in late June or July, and possible into August... and hatching occurs from mid-August to early October.” There seems no way to build the proposed reactor without killing off this species?

Unfortunately, DTE’s Biological Assessment assessed the Eastern Massasauga Rattlesnake, which hasn’t been seen in the area, instead of our little snake in whose homeland they invade. FEIS states the state-endangered reptile has been sighted several times in recent years. And yet, DTE’s Conservation & Monitoring Plan calls for periodic monitoring for Eastern Fox Snake mortality during the operation period (5.3.1.4.) DTE’s plan is to flood some former wetlands in which the snakes could live in peace. How will they get there without DTE breaking the law by collecting them?

As if killing off an endangered species is an everyday event, 5.3.1.4. states, “There appears to be no need for other terrestrial monitoring activities related to the operation of Fermi 3.” However, section 5.3.1.5. states, “Except for impacts on Eastern Fox Snake habitat, impacts ... are expected to be minor.”

Both the NRC Authorized construction impact and the pre-construction impact are listed as Moderate because of the little snake. There is no way to build or run the reactor without destroying it. However, there are several ways to produce electricity and let the Eastern Fox Snake live.

The Atomic Safety and Licensing Board have a choice of decisions before them. It seems the right choice would be for them to obey the existing law saying the Fox Snake must be protected by rich and poor citizens alike, or they can make the wrong choice and get around the existing law in favor of the money. The choice will be put to each judge and their conscience. Their decision is something they have to live with.

Thank you for allowing me to participate in Democracy here today.

Jessie Pauline Collins

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From: [Williams, Onika](#)
To: [Docket, Hearing](#)
Subject: Collins Limited Appearance Statement (Fermi)
Date: Monday, November 04, 2013 9:14:19 AM
Attachments: [Collins Fermi Comments.docx](#)
[image001.png](#)

May we have this statement placed in Fermi's Limited Appearance Statement folder?

Thank you,

Onika

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