

October 24, 2005

Carol Bernthal
Superintendent (Pc-1 Cables Remediation Review)
115 E. Railroad Ave. Suite 301
Port Angeles, Washington 98362

Re: Comments on the Draft Environmental Assessment for Analysis of Remediation Alternatives for the Pacific Crossing-1 North and East Submarine Fiber Optic Cables in the Olympic Coast National Marine Sanctuary

Ms. Bernthal,

The North American Submarine Cable Association (NASCA) is pleased to file these comments on the Draft Environmental Assessment for Analysis of Remediation Alternatives for the Pacific Crossing-1 North and East Submarine Fiber Optic Cables in the Olympic Coast National Marine Sanctuary (hereinafter referred to as the PC-1 DEA). NASCA is a 401 (c) corporation whose members (listed on the left) own, operate or maintain submarine cables that land in the U.S. or Canada. (The owners of PC-1 are not members of NASCA.) These comments are based on NASCA's review of the DEA, knowledge of submarine cables generally, and of PC-1 in particular.

In short, NASCA's members believe that the DEA is flawed by reliance on inaccurate assumptions, and therefore greatly overstates the negative effects to the environment and to fishing activities of leaving the cable in place. The preferred alternative identified by the DEA will result in more damage to the Sanctuary environment than if the cable is simply left alone. Our bases for this conclusion are outlined below.

The PC-1 DEA assumes that problems exist because the cable is not buried to the full extent that NOAA anticipated. The PC-1 routes in the Olympic Sanctuary are estimated to have 1.7% to 2.8% of the routes are unburied.¹ However, the analysis does not identify the actual impact of the segments of unburied cable, but rather only speculates that there are possible conflicts. These comments address three types of alleged

¹ To put that in perspective, we note that the EIR for a scientific cable in the Monterey Bay National Marine Sanctuary, the MARS cable, indicates (at page 4-22) that 17.5% of that cable's total route through the Monterey Sanctuary will be unburied. Of course, the fact that it is a scientific cable does not reduce its environmental impact compared to if it were a commercial cable.



Alaska United Fiber
System Partnership

Alcatel Submarine
Networks

Apollo Submarine
Cable System, Ltd.

AT&T Corp.

Global Crossing Ltd.

Global Marine
Systems Limited

GlobeNet
Communications
Group Limited

Hibernia Atlantic

Level (3)
Communications,
LLC

MCI

New World Network
USA, Inc.

Southern Cross
Cable Network

Sprint
Communications
Corporation

Teleglobe Canada
ULC

Tyco
Telecommunications
(US) Inc.

adverse impacts: on the seafloor environment, on commercial fishing, and on Native American fishing rights.

Seafloor environment

The perception that exposed cables or shallowly buried cables present a continued degradation to the seafloor environment or to free-swimming species is unproven and has no basis. To the contrary, a cable provides additional structure for attachment of sessile life forms.

Commercial fishing

The DEA exaggerates the impact of PC-1 on commercial fishing in several ways. First, although it lists several bottom-contact fishing methods, pot and longline fishing are not affected by a cable after it is placed on the seafloor. Rather, trawling is the only fishing method that would have any significant interaction with a modern telecommunications cable.

Second, the DEA exaggerates the potential impact on trawling of a shallow-buried cable. It states that a trawl board can penetrate the seafloor in soft sediments. It is true that excellent cable burial is achieved in soft sediments, often to greater than 0.6 meters. However, in areas where cable burial is difficult, the bottom is typically stiff, and in these places a trawl door will not penetrate the sea bed. One of our members with a cable in the same general area as PC-1 indicates that the seafloor is a stiff glacier till with large rocks and boulders present. In that type of sediment, just as burial is difficult, so also the trawl boards will not penetrate the bottom, and the gear is designed to bounce off bottom obstacles.

Third, to the extent that bottom conditions like this occur throughout the Sanctuary, it is unlikely that recovering the cable and relaying it will affect any greater degree of burial, and may actually achieve less. In that case, there would be disturbance to the seabed from ripping the cable out of its current route, disturbance of the new route, and no improvement in the amount of burial.

Fourth, actual experience over the last several years shows that PC-1 is not significantly impeding trawl fishing. One of NASCA's members has had conversations with the local fleet, indicates that they fish over this cable with trawl gear, and reports that this cable gets significant fishing effort on it. The PC-1 DEA supports this anecdotal evidence. However, over several years of heavy fishing there has been very little interaction between the cables and the local trawlers.

Fifth, the DEA fails to recognize the historic and continuing success, in connection with other cables, of the technique of establishing a working

committee composed of commercial fishermen and cable representatives, to ensure there is continued shared information between the two groups. Such efforts have enabled commercial fishing to continue near and along submarine cables, protecting both cables and fishing productivity. Exposed cables do not prohibit bottom contact fishing, although prudent fishing practices need to be followed.

Native American fishing rights

Treaty rights guaranteed to Native American tribes plays a major part in the analysis and we have no quarrel with this. However, since much of the PC-1 cable lies outside of U.S. Territorial Waters, the DEA should also consider the international treaties that guarantee certain freedoms to submarine cables on the High Seas. We believe those treaties protect that portion of PC-1 from any attempt to amend its route or burial characteristics.

Conclusion

The analysis seems not to have been a fair and unbiased review of the existence of cables in the OCNMS, but rather seems to have been targeted to supporting option 6. The final environmental assessment should correct the flaws identified here. We believe that upon doing so, it will become obvious that moving the cable can not rationally be justified.

Thank you for considering these comments. If you would like additional information from NASCA, please contact me.

Sincerely yours,

A handwritten signature in cursive script that reads "Gerald Tourgee". The signature is written in black ink and is positioned below the "Sincerely yours," text.

Gerald Tourgee

for Robert Wargo
President of NASCA