

February 12, 2024

**VIA ELECTRONIC FILING**

Karen Baker, Chief  
Office of Renewable Energy Programs  
Bureau of Ocean Energy Management  
Department of the Interior  
45600 Woodland Road, Mail Stop VAM-OREP  
Sterling, VA 20166

*Re: Notice of Availability of a Draft Environmental Assessment for Commercial Wind Lease Issuance and Site Assessment Activities on the Atlantic Outer Continental Shelf Offshore Delaware, Maryland, and Virginia*

To the Bureau:

We submit these comments on behalf of the North American Submarine Cable Association (“NASCA”) in connection with the above-referenced Notice of Availability of a Draft Environmental Assessment for Commercial Wind Lease Issuance and Site Assessment Activities on the Atlantic Outer Continental Shelf Offshore Delaware, Maryland, and Virginia (“Notice”)<sup>1</sup> to urge BOEM to recognize expressly the importance of submarine cable infrastructure—and the need to coordinate with the owners and operators of such infrastructure—throughout site assessment, project development, and project implementation stages, with a focus on the earlier stages of assessment and development, when coordination is more likely to be effective. While NASCA appreciates that BOEM has made some efforts to recognize submarine cable owners and operators as stakeholders with infrastructure deployed on the Outer Continental Shelf (“OCS”), it has yet to take more concrete steps to facilitate early-stage coordination.

As BOEM may recall, NASCA is the primary trade association for submarine cable operators, submarine cable maintenance authorities, and prime contractors for submarine cable

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<sup>1</sup> Notice of Availability of a Draft Environmental Assessment for Commercial Wind lease Issuance and Site Assessment Activities on the Atlantic Outer Continental Shelf Offshore Delaware, Maryland and Virginia, 89 Fed Reg. 2251 (Jan. 12, 2024).

systems operating in North America.<sup>2</sup> The submarine cable industry is a key stakeholder with respect to proposed uses of the Outer Continental Shelf (“OCS”), as its members have dozens of submarine cables deployed on the OCS on both coasts, including some that transit through the Central Atlantic OCS. Submarine telecommunications cables form the backbone of our modern digital infrastructure. Submarine cables—not satellites—continue to carry approximately 99 percent of the world’s Internet, voice, and data traffic.<sup>3</sup> Activities that rely upon submarine cables span the full range of economic and social activities: submarine telecommunications cable enable Internet connectivity and electronic commerce, global payment networks, mobile wireless backhaul, government and military communications, telemedicine, research, remote work and video conferencing, and communications with friends and family.<sup>4</sup> The global nature of the Internet and the networks that operate over it mean that even communications within a domestic or local area (such as communications up and down the Eastern seaboard) rely on submarine cable infrastructure to deliver communications and services. This reliance is growing—with more cables planned—as our cultural, social, economic and national security institutions and activities increasingly depend on digital, cloud-based platforms. It is imperative that the protection of submarine cable infrastructure be a key priority for BOEM as well as for existing and potential lease holders, including all those involved in planning, development, installation, and maintenance of the power transmission lines that will link renewable energy platforms to the coast.

As an interested stakeholder, NASCA filed comments on BOEM’s initial Notice for Comment on Central Atlantic Wind Energy Areas and BOEM’s Notice of Intent to Prepare an Environmental Assessment for Commercial Wind Lease Issuance and Site Assessment Activities on the Atlantic Outer Continental Shelf Offshore Delaware, Maryland, and Virginia,<sup>5</sup> to stress

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<sup>2</sup> NASCA’s members include Alaska Communications System; Alaska United Fiber System Partnership; Alcatel Submarine Networks; AquaComms; AT&T Corp.; C&W Networks; Edge Network Services; EXA Infrastructure; Global Cloud Xchange; Global Marine Systems Ltd.; GlobeNet; Lumen Technologies UK, Ltd; OPT French Polynesia; PC Landing Corporation; Rogers Communications; Seaborn Networks; Southern Caribbean Fiber; Southern Cross Cable Network; Tampnet Group; Tata Communications (Americas); SubCom; Verizon; Vodafone; and Zayo Group Ltd. *See* Member Companies, North American Submarine Cable Association, <https://www.n-a-s-c-a.org/member-companies/>.

<sup>3</sup> Doug Brake, *Submarine Cables: Critical Infrastructure for Global Communications*, Info. Tech. & Innovation Found., at 1 (Apr. 2019), <https://www2.itif.org/2019-submarine-cables.pdf>.

<sup>4</sup> *See* International Cable Protection Committee, *ICPC Calls on Governments and Industry to Facilitate and Expedite Submarine Cable Installation and Repair During the COVID-19 Pandemic in Order to Protect Internet Connectivity and Critical Communications* 1 (Apr. 3, 2020), <https://www.iscpc.org/documents/?id=3299>.

<sup>5</sup> Comments of NASCA, Docket No. BOEM-2022-0072 (filed Dec. 16, 2022) (“NASCA 2022 Mid-Atlantic Comments”); Comments of NASCA, Docket No. BOEM-2023-0034-0001

the importance of ensuring that BOEM’s leasing program and potential lease holders take into account existing and planned infrastructure transiting in or near the proposed lease areas, and that BOEM ensure that coordination with submarine cable operators is an integral part of project planning from the earliest possible stages—which includes the site characterization and site assessment stages. NASCA submits these comments to restate its position and to emphasize the importance of developing a comprehensive approach to coordination and mitigation for submarine cable infrastructure near or within leasing areas—an approach that is even more necessary given the extensive transmission line infrastructure that is anticipated to be deployed both within and outside the proposed lease areas.

As NASCA has repeatedly explained in its comments, submarine cables are critical infrastructure, supporting vital economic, societal, and national security needs.<sup>6</sup> NASCA does not doubt that renewable energy projects similarly constitute critical infrastructure, and that uncoordinated development activities would be harmful to both.<sup>7</sup> This is underscored by Exhibits A, B, and C, each a screenshot taken of the National Oceanic and Atmospheric Administration (“NOAA’s) Marine Cadastre, showing submarine telecommunications cables in the mid-Atlantic region overlaid with existing and (some) planned renewable energy activities. Specifically, Exhibit A illustrates all such infrastructure and activities in the area, including submarine telecommunications cable areas (pink) overlaid with offshore wind turbine locations, offshore wind energy leases and lease blocks, offshore wind planning areas, and proposed offshore wind export corridors. Exhibits B and C focus on offshore Virginia and illustrate submarine cables (pink) overlaid with existing and planned wind turbines (blue) and planned export cable corridors (green), respectively. The potential for harm arising from uncoordinated activities is obvious, and underscores the need for potential lessees not only to be aware of the existence of submarine telecommunications cable infrastructure on the OCS (and in coastal waters), but to incorporate best practices and guidelines into their site characterization studies and site assessments.

While the draft environmental assessment (“DEA”) mentions submarine telecommunications cables as existing (and planned) infrastructure in the Mid-Atlantic OCS,<sup>8</sup> it does so in the context of identifying activities contributing to cumulative environmental impacts. Space conflicts or other coordination issues with this infrastructure are not addressed. NASCA appreciates that that BOEM does not contemplate granting any leases for construction at this

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(filed Aug. 31, 2023) (“NASCA 2023 Mid-Atlantic Comments and, with NASCA 2022 Mid-Atlantic Comments, “NASCA Comments”).

<sup>6</sup> NASCA 2022 Mid-Atlantic Comments at 4-6.

<sup>7</sup> *Id.* at 9-10; NASCA 2023 Mid-Atlantic Comments at 2.

<sup>8</sup> Draft Environmental Assessment and Appendices: Commercial Wind Lease Issuance and Site Assessment Activities on the Atlantic Outer Continental Shelf of the Central Atlantic, OCS EIS/EA, BOEM-2024-003 (Jan. 2024) at Section 3, p. 28 and Appendix D, Section D-2, p. D-3, D-5, Appendix G, Section G.2.5, p. G-8 (“DEA”).

stage,<sup>9</sup> but BOEM does contemplate that it may “issue leases that may cover the entirety of the WEAs, issue easements associated with each lease, and issue grants for subsea cable corridors and associated offshore collector/convert platforms.”<sup>10</sup> The rights-of-way and potential easements “would all be located within the Central Atlantic and may include corridors that extend from the WEAs to the onshore energy grid.”<sup>11</sup>

BOEM contemplates that after lease issuance, a lessee will conduct surveys and take measurements to characterize the site’s environmental and socioeconomic resources and conditions to determine suitability for commercial development and, if so, submit a Construction and Operations Plan (“COP”) for BOEM’s review, at which time BOEM would conduct a full analysis under the National Environmental Policy Act (“NEPA”), to assess environmental and socioeconomic consequences of the proposed project.<sup>12</sup> NASCA recognizes that the BOEM’s COP Guidelines expressly recommend that potential lessees identify submarine telecommunications cables in the area and coordinate as early as practicable with owners and operators of that infrastructure.<sup>13</sup> However, NASCA believes that lessees should be apprised of the need to coordinate with submarine telecommunications cable owners and operators well before they prepare a COP, with ready access to key recommendations and guidelines that underpin such coordination. This need is more acute when the planning entails energy transmission line deployment, extending beyond the WEA itself.

Accordingly, NASCA urges BOEM to include in all relevant documentation in this proceeding express direction to potential lessees to conduct site characterizations and site assessments comprehensively, taking into account existing and planned submarine telecommunications cable infrastructure and the needs of both industries not only during development, but also post-development, with respect to repair and maintenance activities. At the same time, NASCA urges BOEM to develop and publicize best practices and guidelines based on internationally-accepted recommendations for coordination between the submarine cable and renewable energy industries (to include spatial separation guidelines and the need for proximity and cable crossing agreements).<sup>14</sup> At a minimum, BOEM should direct potential

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<sup>9</sup> DEA at 4.

<sup>10</sup> *Id.*

<sup>11</sup> *Id.*

<sup>12</sup> *Id.* at 4-5.

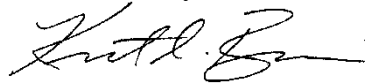
<sup>13</sup> See BOEM, Information Guidelines for a Renewable Energy Construction and Operations Plan (COP), Attach. G at 61 (May 27, 2020), <https://www.boem.gov/sites/default/files/documents/about-boem/COP%20Guidelines.pdf> (“COP Guidelines”).

<sup>14</sup> NASCA 2022 Mid-Atlantic Comments at 12-18 and 22-24 (arguing that well-established spatial separation recommendations should be used to develop guidelines for coordination between the submarine cable and renewable energy industries, including the recommendations of the International Cable Protection Committee and the Federal

licensees to existing recommendations, such as those developed and published by the International Cable Protection Committee (“ICPC”), in particular ICPC’s recommendation No. 2, Cable Routing and Reporting Criteria, and Recommendation No. 3, Telecommunications Cable and Oil Pipeline/Power Cables Crossing Criteria.<sup>15</sup>

In sum, NASCA believes that expressly identifying submarine cable infrastructure and incorporating coordination criteria in the site characterization and site assessment stage will strengthen such assessments and will go a long way to ensuring efficient and safe installation, operation, maintenance and repair of both submarine telecommunications cable and offshore wind infrastructure.

Yours sincerely,



Kent Bressie  
Colleen Sechrest  
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Submarine Cable Association*

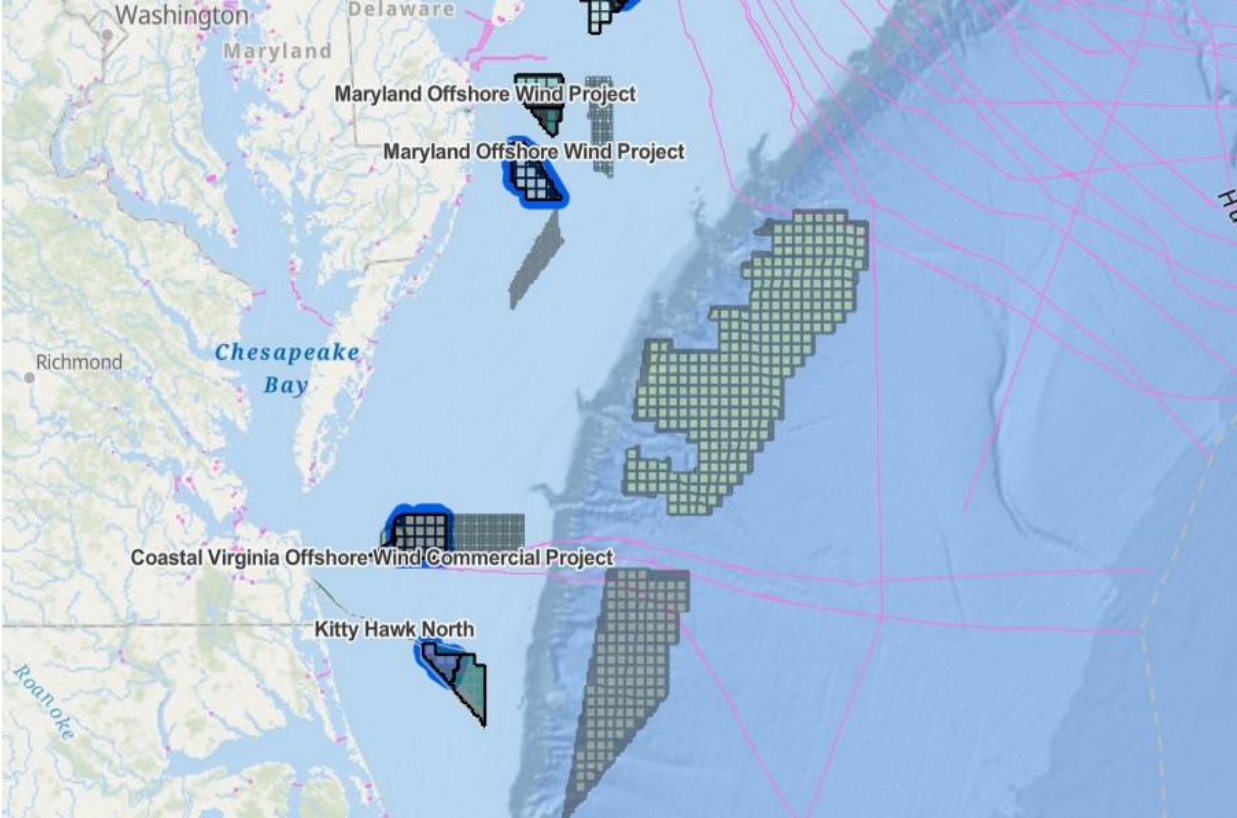
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Communications Commission’s Communications, Security, Reliability and Interoperability Council).

<sup>15</sup> For more information on these recommendations, please refer to the ICPC’s website, [www.iscpc.org](http://www.iscpc.org).

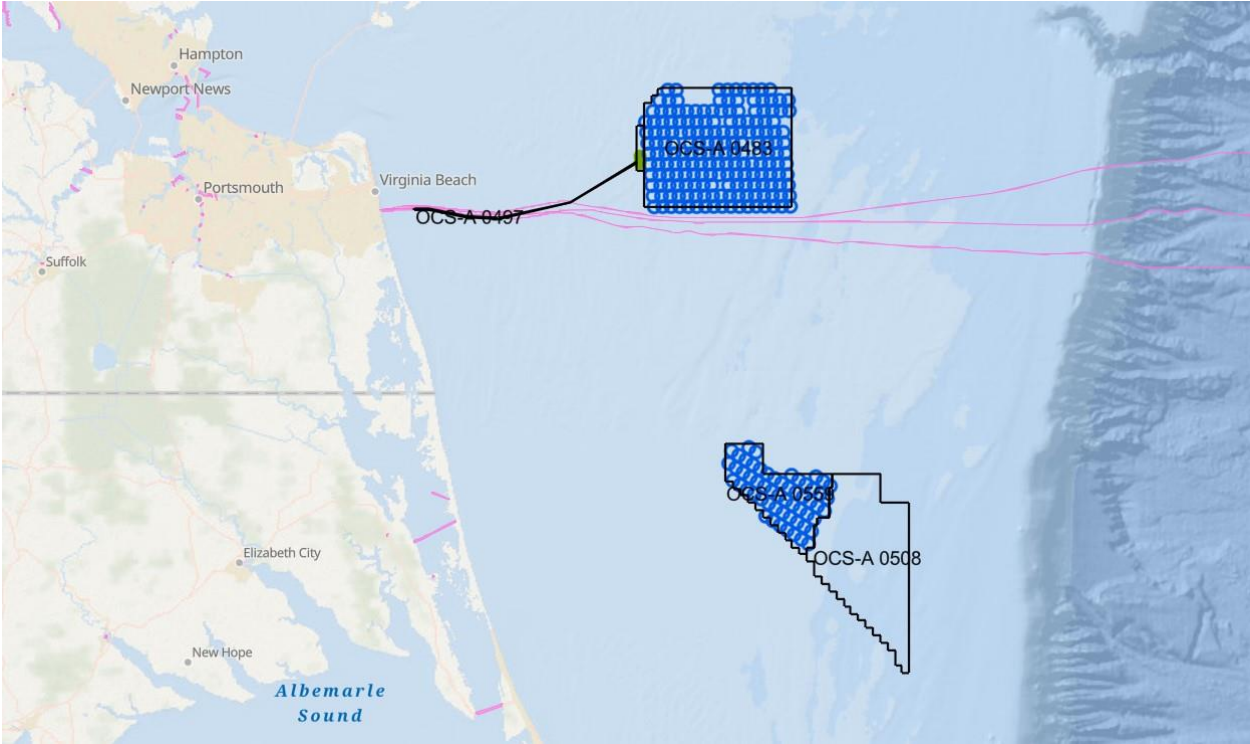
**EXHIBIT A:**

**Central Atlantic: Submarine Cables and Offshore Wind Infrastructure and Planning Areas**



**EXHIBIT B:**

**Virginia: Submarine Cables and Turbine Locations (Proposed or Installed)**





**EXHIBIT C:**

**Virginia: Submarine Cables and Offshore Wind Export Cable Corridors (Proposed)**

