

February 26, 2024

**VIA ELECTRONIC FILING**

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Division of Environmental Assessment  
Office of Environmental Programs  
Bureau of Ocean Energy Management  
Department of the Interior  
45600 Woodland Road, Mail Stop VAM-OREP  
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*Re: Notice of Availability of a Draft Programmatic Environmental Impact Statement  
for Expected Wind Energy Development in the New York Bight, Docket No.  
BOEM-2024-0001*

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 Programmatic Environmental Impact Statement (“PEIS”) for Expected Wind Energy Development in the New York Bight (“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 all stages of leasing activity, including the preparation of a PEIS, to ensure that siting coordination is a priority. 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. The extensive leasing activity planned for the New York Bight area—including the vast number of export and inter-array cables that will be deployed outside specific lease areas—underscore the need for early 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 Programmatic Environmental Impact Statement for Expected Wind Energy Development in the New York Bight, 89 Fed Reg. 2251 (Jan. 12, 2024) (“Notice”).

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 New York Bight. 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 proposed sale notice for the New York Bight area in 2021,<sup>5</sup> to stress the importance of incorporating cable

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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-2021-0033 (filed Aug. 13, 2021) (“NASCA NY Bight Comments”). *See also* Comments of NASCA, Docket No. BOEM-2018-0004 (filed Jul. 30, 2018) (“NASCA 2018 Comments”).

awareness and spatial separation standards in BOEM’s leasing program to ensure that potential lease holders take into account existing and planned infrastructure transiting in or near the proposed lease areas. NASCA submits these comments to restate its position and to emphasize the importance of developing a comprehensive approach to coordination and mitigation between offshore wind and submarine cable infrastructure, an approach that is even more vital 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 PEIS Figure 3.6.7-5, which shows the significant submarine cable infrastructure already deployed along with New York Bight and other BOEM lease areas. What this figure does not show is the anticipated export transmission line infrastructure. According to the PEIS, for the six New York Bight projects, BOEM anticipates “44 offshore export cables totaling 1.772 miles (2,852 kilometers), and 1,582 miles (2,546 kilometers) of interarray cables across the NY Bight lease areas.”<sup>8</sup> Deployment of such extensive export infrastructure across lease areas throughout the New York Bight will require carefully planned and coordinated siting activity to ensure the safe siting, operating, and maintenance of both new and existing infrastructure. Yet BOEM identifies the impact of proposed leasing activities on existing cables as minimal—and proposes no programmatic avoidance, minimization, mitigation, and monitoring (“AMMM”) mechanisms to address impact.<sup>9</sup> Instead, BOEM notes that the “potential for overlap of submarine cables in the geographic analysis area will be evaluated during the future COP NEPA stage.”

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>10</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

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<sup>6</sup> See NASCA 2018 Comments at 4. See also Comments of NASCA, Docket No. BOEM-2022-0072 (filed Dec. 16, 2022) (“NASCA 2022 Mid-Atlantic Comments”) at 4-6.

<sup>7</sup> NASCA 2022 Mid-Atlantic at 9-10; Comments of NASCA, Docket No. BOEM-2023-0034-0001 (filed Aug. 31, 2023) at 2.

<sup>8</sup> PEIS at ES-8.

<sup>9</sup> PEIS at Tables ES-2 and 2-4 at 3.6.7, pp. ES-12 & 2-37; Section 3.6.7.

<sup>10</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”).

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 lease areas.

Accordingly, NASCA urges BOEM to include in its final PEIS an AMMM directed at requiring early coordination with existing submarine cable infrastructure pursuant to best practices and guidelines. 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>11</sup> At a minimum, BOEM should direct potential 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>12</sup>

In sum, NASCA believes that expressly identifying submarine cable infrastructure and incorporating coordination criteria in the final PEIS 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,



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<sup>11</sup> NASCA 2022 Mid-Atlantic 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 Communications Commission’s Communications, Security, Reliability and Interoperability Council).

<sup>12</sup> For more information on these recommendations, please refer to the ICPC’s website, [www.iscpc.org](http://www.iscpc.org).