

March 2, 2026

## VIA ELECTRONIC FILING

Bureau of Ocean Energy Management, Alaska Region  
Office of Leasing and Plans  
3801 Centerpoint Drive, Suite 500  
Anchorage, Alaska 99503

*Re: Commercial Leasing for Outer Continental Shelf Minerals Offshore Alaska—  
Request for Information and Interest, Docket No. BOEM-2025-0318*

To the Bureau:

Due to the presence of submarine cable critical infrastructure in the proposed RFI Area offshore Alaska on the U.S. outer continental shelf (“OCS”), the North American Submarine Cable Association (“NASCA”) urges the Bureau of Ocean Energy Management (“BOEM”) to require (a) sufficient spatial separation between submarine cables and minerals exploration and exploitation activities consistent with industry recommendations and guidelines and (b) the use of other protection and coordination mechanisms and technologies, consistent with federal laws and policies and industry recommendations and guidelines to ensure cable protection.<sup>1</sup> Where such spatial separation, protection, and coordination is unlikely to be achieved, BOEM should limit the portions of the RFI Area available for leasing. As shown in the maps included at Exhibit A, significant submarine cable infrastructure transits the Alaska OCS and the RFI Area.

NASCA appreciates the importance of critical minerals to U.S. economic and national security, and the Secretary of the Interior’s directive to all bureaus and offices to “facilitate the identification, permitting, leasing, development, production, transportation, refining, distribution, exporting, and generation of domestic energy resources and critical minerals including, but not limited to, on Federal lands and the Outer Continental Shelf.”<sup>2</sup> At the same time, NASCA urges BOEM to establish a planning and leasing process for seabed mining on the OCS that also ensures the protection of infrastructure equally critical to U.S. economic and national security interests. In particular, NASCA urges BOEM to ensure submarine cable protection and coordination between submarine cables and mining at the earliest stages of mining project proposals and planning. NASCA notes with concern that the Alaska RFII makes no mention of submarine cables or their protection, even though the issue of submarine cable protection and

<sup>1</sup> See Commercial Leasing for Outer Continental Shelf Minerals Offshore Alaska—Request for Information and Interest, 91 Fed. Reg. 3923 (Jan. 29, 2026) (“Alaska RFII”).

<sup>2</sup> Dep’t of Interior, Order No. 3417, Addressing the National Energy Emergency (Feb. 3, 2025), § 4(a).

coordination is well known to BOEM across its programs for marine minerals, hydrocarbons, and renewables. NASCA therefore renews its request that BOEM coordinate at the programmatic level to ensure submarine cable protection.

## 1. Background on NASCA and Submarine Cables

NASCA is the primary trade association for submarine cable operators, submarine cable maintenance authorities, and prime contractors for submarine cable systems operating in or connecting to North America.<sup>3</sup> The submarine cable industry is a key stakeholder with respect to proposed uses of the OCS, as its members have dozens of submarine cables transiting the U.S. 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>4</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>5</sup> 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 potential lease holders for critical minerals exploration and exploitation on the OCS.

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<sup>3</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; FLAG Telecom; Global Marine Systems Ltd.; GlobeNet; Google, LLC; IT International Telecom; Lumen Technologies UK, Ltd; Mertech Marine; OPT French Polynesia; PC Landing Corporation; Rogers Communications; Seaborn Networks; Southern Caribbean Fiber; Southern Cross Cable Network; SubCom, LLC; Tampnet Group; Tata Communications (Americas); Telstra; Telxius Cable USA, Inc.; 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>4</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>5</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* at 1 (Apr. 3, 2020), <https://www.iscpc.org/documents/?id=3299>.

Although the United States has not signed the Law of the Sea Convention,<sup>6</sup> it is a party to the Convention on the Continental Shelf, which provides that “subject to its right to take reasonable measures for the exploration of the continental shelf and the exploitation of its natural resources, the coastal State may not impede the laying or maintenance of submarine cables or pipelines on the continental shelf.”<sup>7</sup> The United States has also long recognized as customary international law the freedom to install and maintain submarine cables beyond the limits of the U.S. territorial sea. Presidential proclamations by two different U.S. presidents expressly stated that the establishments of an Exclusive Economic Zone (“EEZ”) and a contiguous zone, respectively, did not infringe on the high-seas freedoms to lay and repair submarine cables.<sup>8</sup>

U.S. law establishes punishable offenses for willful, culpably negligent, or negligent damage to submarine cables.<sup>9</sup> These statutory provisions implement a U.S. treaty obligation dating back to 1888.<sup>10</sup> U.S. law recognizes the right of cable owners to sue for damages in addition to the existence of statutory offenses.<sup>11</sup> Nevertheless, submarine cable operators prefer to minimize the risk of damage in the first instance.

## 2. Risks of Damage and Route Foreclosure

Uncoordinated critical mineral mining poses a number of risks to submarine cables, including:

- Direct physical disturbance of cables due to the presence and movement of mining equipment on the seafloor and conduct of sampling, coring, drilling, dredging, scraping, grinding, and suction-based retrieval of minerals;
- Abrasion of cables through contact with minerals and sediments during exploration and extraction;

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<sup>6</sup> United Nations Convention on the Law of the Sea, 1833 U.N.T.S. 397 (Dec. 10, 1982) (entered into force on Nov. 16, 1994) (“UNCLOS”).

<sup>7</sup> Geneva Convention on the Continental Shelf, art. 4, 15 U.S.T. 471, T.I.A.S. 5578, 499 U.N.T.S. 311 (Apr. 29, 1958) (entered into force definitively for the United States on June 10, 1964) (“Continental Shelf Convention”).

<sup>8</sup> See Proclamation No. 5030, 48 Fed. Reg. 10605 (Mar. 10, 1983) (“Pres. Proc. No. 5030”) (establishing the U.S. EEZ); Proclamation No. 7219, 64 Fed. Reg. 48701 (Aug. 2, 1999) (establishing the U.S. contiguous zone).

<sup>9</sup> 47 U.S.C. §§ 21–22.

<sup>10</sup> Convention for the Protection of Submarine Telegraph Cables, arts. I–III, Mar. 14, 1884, 24 Stat. 989, 25 Stat. 1424, T.S. 380, (entered into force definitively for the United States on May 1, 1888) (“1884 Convention”).

<sup>11</sup> 47 U.S.C. § 28.

- Disturbance by mining activities to out-of-service submarine cables, over which active submarine telecommunications cables may be laid;
- Destabilization of the seabed, which can cause abrasion and suspension of cable segments (on which other equipment and ghost fishing nets can snag); and
- Impeded access to the water column and seafloor during repairs and recovery of out-of-service submarine cables (which are recovered both for route clearance and recycling purposes).

Designation of large and/or contiguous lease areas can also foreclose routes for future submarine cables, as the International Seabed Authority's designation of contiguous contract areas in the Clarion-Clipperton Zone has done in areas beyond national jurisdiction in the east-central Pacific Ocean Region.

### 3. Recommended Actions in this Proceeding

To mitigate the risks of damage from uncoordinated mining exploration and exploitation and of route foreclosure in the RFI Area, NASCA urges BOEM to take the following steps.

- ***Geographic Limitations and Disclosures.*** BOEM should exclude from the areas for leasing to be identified in the Proposed Leasing Notice ("PLN") those areas where exploration or exploitation pose potential risks of damage to existing submarine cables. In the alternative, BOEM should establish default separation distances prohibiting mining activities within a proscribed distance of an existing submarine cable absent evidence of coordination and agreement with the submarine cable operator adopting appropriate mitigation measures to protect the submarine cable. BOEM should rely on the guidance and distances identified by the Communications, Security, Reliability and Interoperability Council ("CSRIC") of the Federal Communications Commission ("FCC"), which recommended default spatial separation of submarine cables from each other and other marine infrastructure in ocean depths of more than 75 meters of the greater of (a) 500 meters or (b) two and half times of the depth of water, with closer proximity possible upon coordination between the affected parties.<sup>12</sup> As explained in some detail in the CSRIC Spatial Separation Report, these separation distances are dictated by the

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<sup>12</sup> See Communications Security, Reliability and Interoperability Council, Working Group 8, Submarine Cable Routing and Landing Final Report—Protection of Submarine Cables Through Spatial Separation at 58 (2014) ("CSRIC Spatial Separation Report"), [https://transition.fcc.gov/pshs/advisory/csric4/CSRIC\\_IV\\_WG8\\_Report1\\_3Dec2014.pdf](https://transition.fcc.gov/pshs/advisory/csric4/CSRIC_IV_WG8_Report1_3Dec2014.pdf); International Cable Protection Committee, Recommendation No. 2, Issue 12C, *Recommended Routing and Reporting Criteria for Submarine Telecommunications Cables in Proximity to Other Such Cables*; International Cable Protection Committee, *Government Best Practices for Protecting and Promoting Resilience of Submarine Telecommunications Cables* § 3, <https://iscpc.org/documents/?id=3733> ("ICPC Best Practices").

operational requirements of submarine cable repair, which involve grapnel runs to recover a damaged cable, repair on the ocean surface with splicing in of new and additional cable, and return of the repaired cable in a U-shaped configuration on the seafloor.

- ***Stakeholder Engagement and Diligence.*** The PLN should expressly identify submarine cable owners, operators, maintenance providers, and companies recovering out-of-service cables as stakeholders with whom lessees should coordinate early and regularly in the planning process for development of mining activities. Specifically, the PLN should note that uncoordinated mining activities pose those risks outlined in part 2 above. Even where there are no geographic exclusions, BOEM should identify in the PLN and Lease Notice (“LN”) proximate submarine cables to alert potential bidders of the need for submarine cable protection and coordination.
- ***Bid Requirements and Lease Terms.*** BOEM should require that bids specifically address submarine cable protection and coordination and prohibit mining activities within proscribed distances of existing submarine cables absent agreed mitigation with the submarine cable operator. BOEM should encourage the use of advanced technologies, including acoustic beacons and drones, to facilitate cable protection and potentially greater proximity of submarine cables and mining activities.
- ***Interagency Coordination.*** In addition to those agencies cited by BOEM in the Alaska RFII, BOEM should also consult and coordinate with those agencies with licensing and policy responsibilities for submarine cables and telecommunications sector critical infrastructure, including the FCC, the U.S. Department of Commerce’s National Telecommunications and Information Administration, and the U.S. Department of Homeland Security. The CSRIC Spatial Separation Report (which was drafted with input from both BOEM and the Federal Energy Regulatory Commission) urges the FCC and submarine cable operators to “work with other U.S. Government agencies and other stakeholders to consult with and among each other at the earliest possible time to address spatial requirements for submarine cables and their relationship to other proposed marine activities and infrastructure.”<sup>13</sup>

In taking these steps, NASCA asks that BOEM seek to ensure that coordination between submarine cables and mining companies takes place at the earliest stages of project planning, when the chances of modification and compromise are greatest.<sup>14</sup> BOEM should not defer coordination to the implementation phase (as it has done with its COP Guidelines for renewables projects), as coordination is much more difficult once a project has been designed and financed.

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<sup>13</sup> See CSRIC Spatial Separation Report at 57.

<sup>14</sup> See ICPC Best Practices § 6.

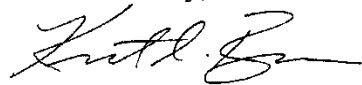
## 4. Call for Development of Comprehensive Cable Protection Regulations and Guidance

More generally, NASCA urges BOEM to establish a planning and leasing process for seabed mining on the OCS that ensures submarine cable protection and coordination between submarine cables and mining at the earliest stages of mining project proposals and planning. In particular, NASCA urges BOEM to use government and commercial mapping resources to identify potential overlaps between existing and planned submarine cables and U.S. OCS mineral resources. Submarine cable protection should constitute a key component of the emerging regulatory regime for deep seabed mining on the U.S. OCS. Such forward-thinking and comprehensive measures would incorporate the items identified in part 3 above into BOEM regulations and lease documents in order to achieve more consistent cable protection and promote regulatory certainty for both submarine cable operators and mining companies.

\* \* \* \* \*

NASCA appreciates the opportunity provided by BOEM to comment in this proceeding and urges BOEM to undertake the actions noted above to ensure protection of submarine cables in the RFI Area and more generally.

Yours sincerely,



Kent Bressie  
Colleen Sechrest

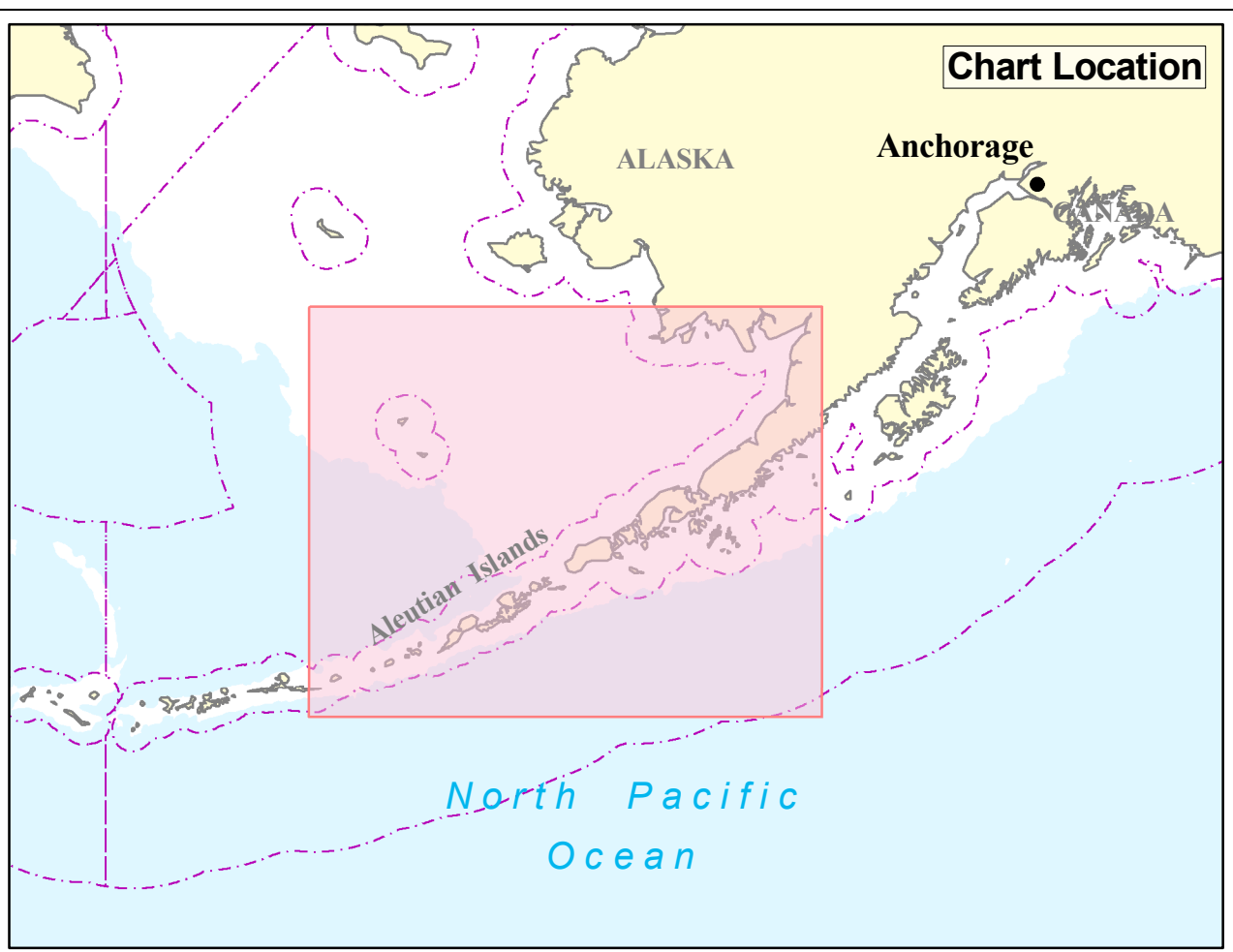
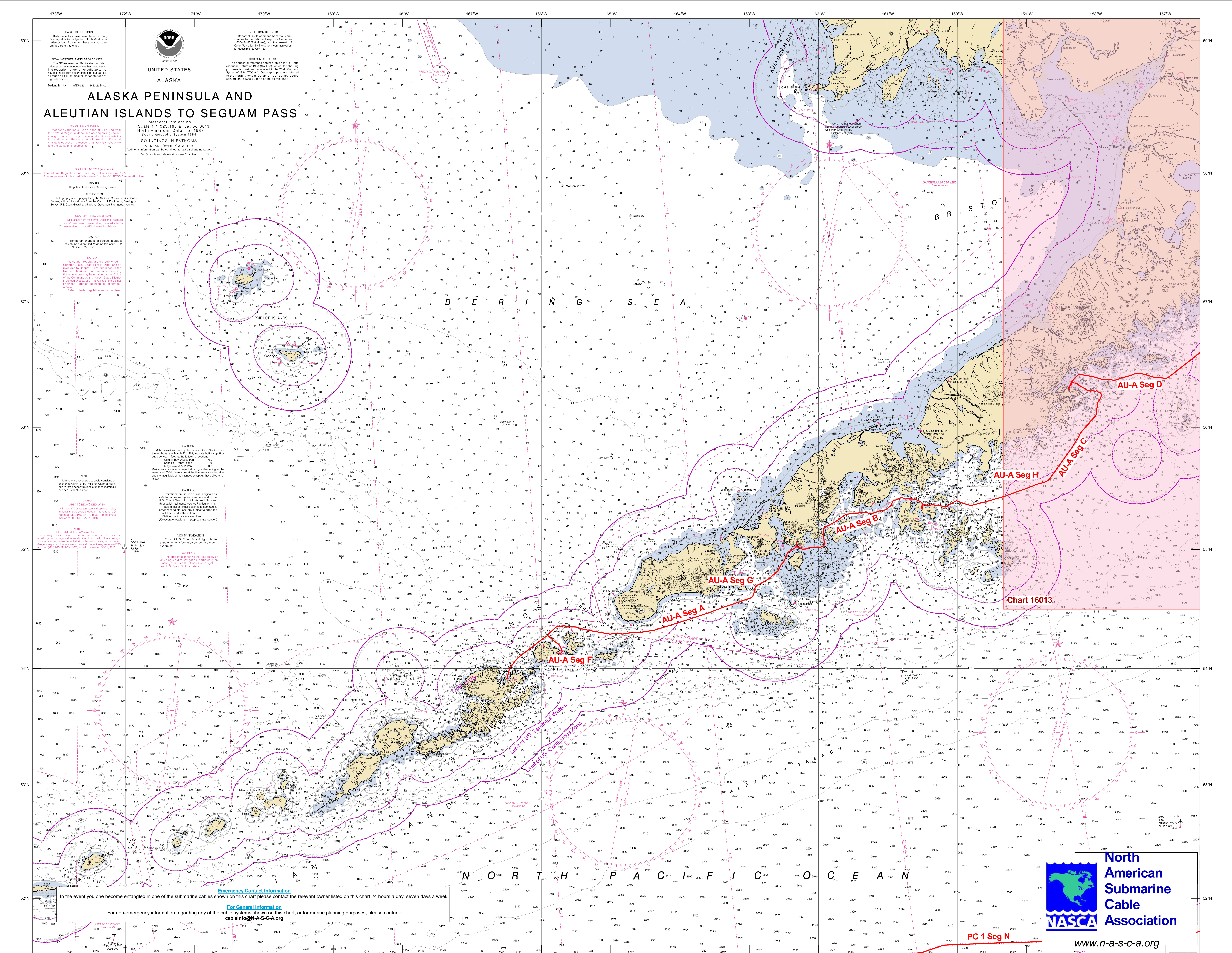
*Counsel for the  
North American Submarine Cable Association*

### Attachments

cc: Denise Coca (FCC)  
Thomas Sullivan (FCC)  
Aris Kourkomelis (DHS)  
Joseph Alm (DHS)  
Dillon McGregor (DHS)

**EXHIBIT A:**

**NASCA SUBMARINE CABLES ON THE OUTER CONTINENTAL SHELF  
OFFSHORE ALASKA**

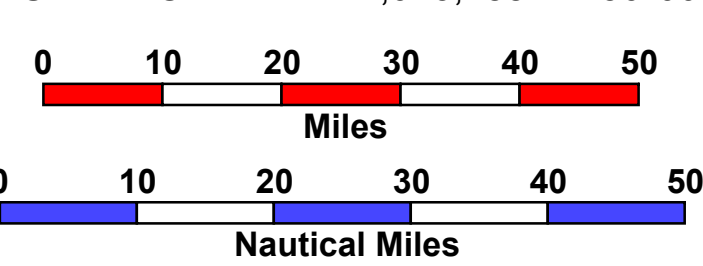


| Chart Location      |
|---------------------|
| Anchorage           |
| Aleutian Islands    |
| North Pacific Ocean |

#### CABLE & CONTACT INFORMATION

| Cable System   | Status     | Owner           | Emergency Contact No.            |
|----------------|------------|-----------------|----------------------------------|
| AU-A Segment A | In Service | GCI             | 1-888-442-8662 or 1-907-868-5555 |
| AU-A Segment B | In Service | GCI             | 1-888-442-8662 or 1-907-868-5555 |
| AU-A Segment C | In Service | GCI             | 1-888-442-8662 or 1-907-868-5555 |
| AU-A Segment D | In Service | GCI             | 1-888-442-8662 or 1-907-868-5555 |
| AU-A Segment F | In Service | GCI             | 1-888-442-8662 or 1-907-868-5555 |
| AU-A Segment G | In Service | GCI             | 1-888-442-8662 or 1-907-868-5555 |
| AU-A Segment H | In Service | GCI             | 1-888-442-8662 or 1-907-868-5555 |
| PC 1 Segment N | In Service | PC Landing Corp | +44 7800 626888                  |

NATURAL SCALE 1:1,023,188 at 56°00'N



SPHEROID & DATUM: WGS84

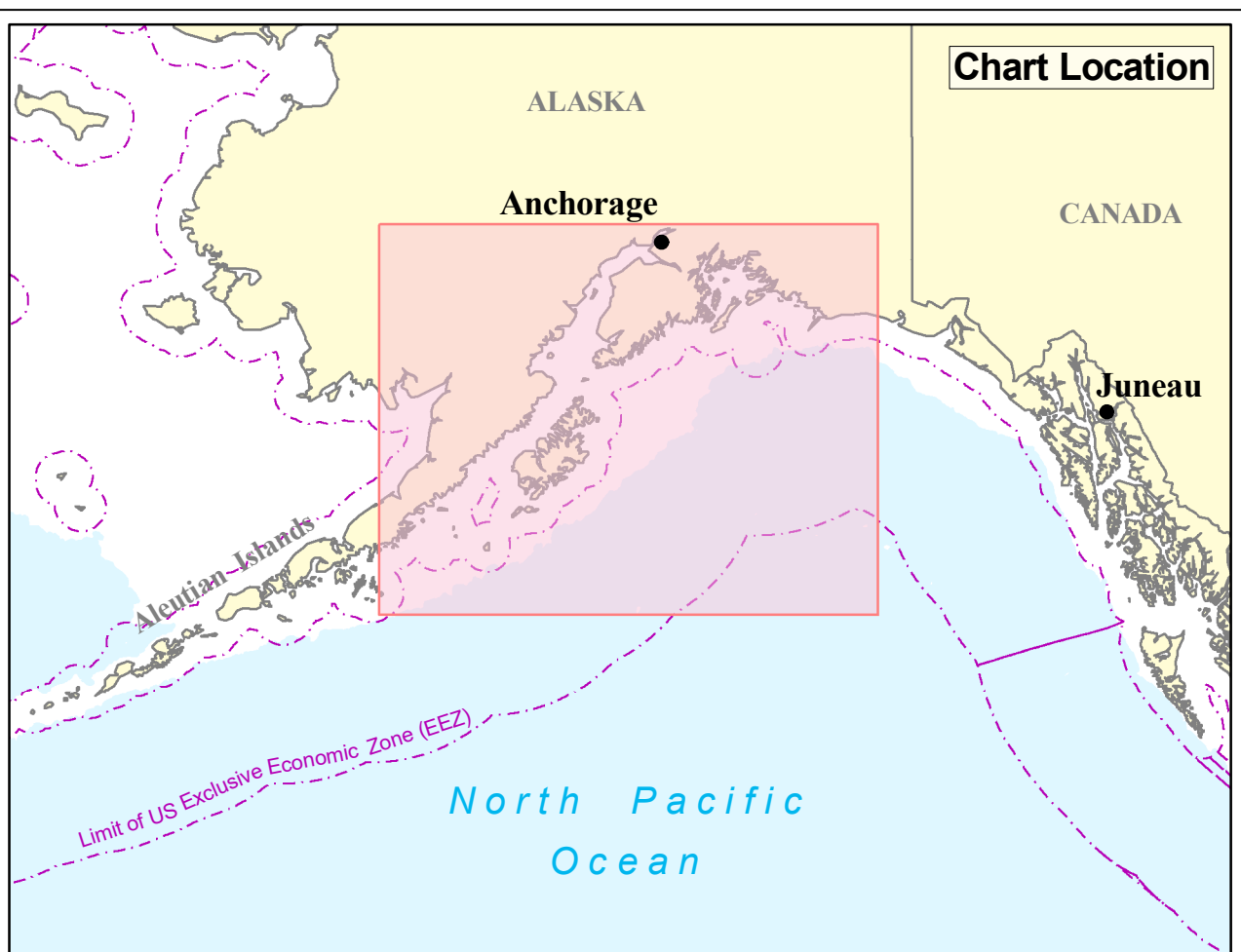
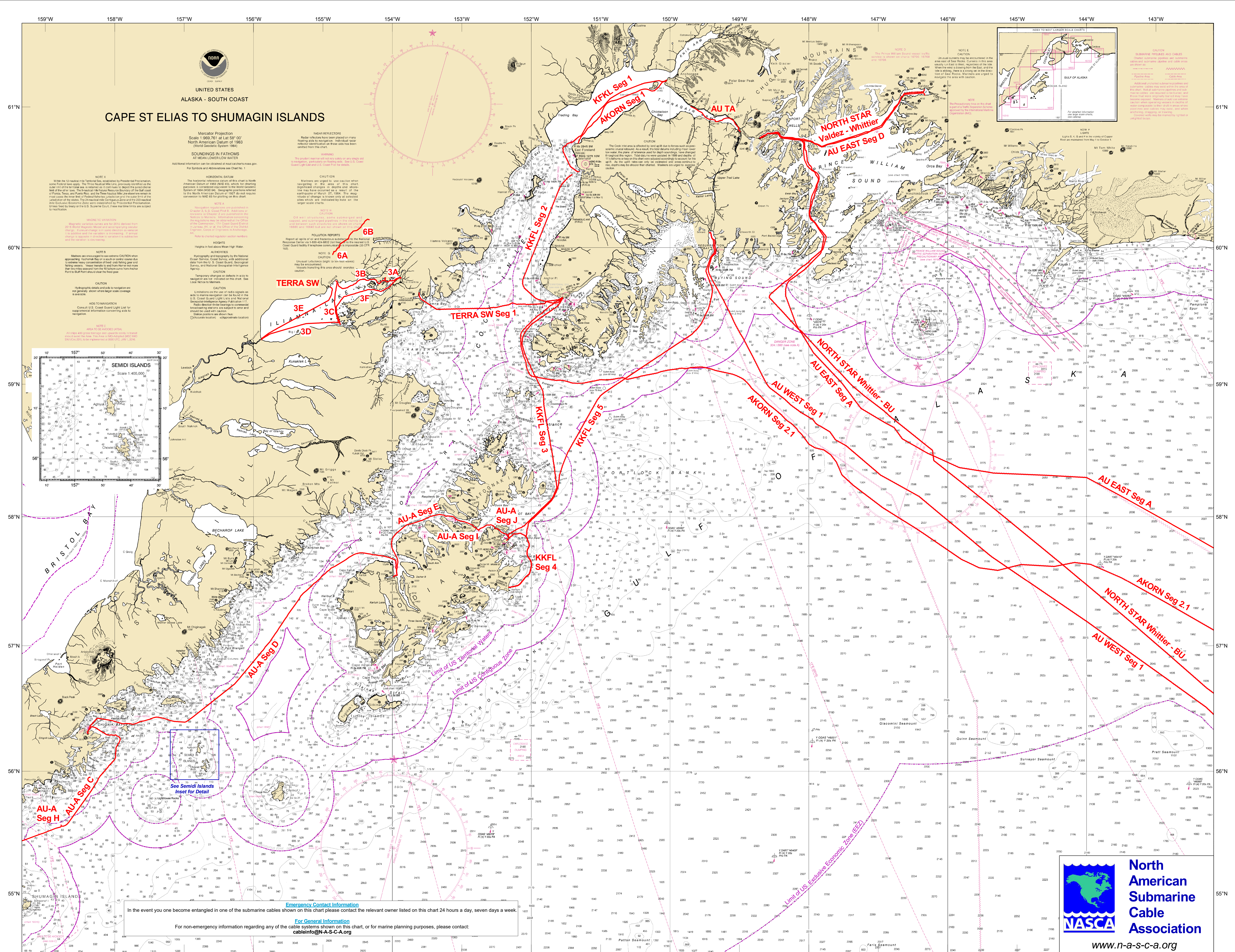
PROJECTION: MERCATOR

Notes:

This chart is intended for general reference only and NOT FOR NAVIGATION PURPOSES.

Please be aware that other cables may exist in addition to those shown on this chart.

SOUNDINGS IN FATHOMS  
AT MEAN LOW WATER



**LEGEND**

- NASCA Member Cables In Service
- NASCA Member Cables Out of Service
- Maritime Boundaries

**General Note**

These cables are plotted based on the best available data from cable owners and members of the North American Submarine Cable Association (NASCA) at the time of production.

Please be aware that there may be other cables in the area that are not depicted on this chart.

| CABLE & CONTACT INFORMATION     |            |                      |                                  |
|---------------------------------|------------|----------------------|----------------------------------|
| Cable System                    | Status     | Owner                | Emergency Contact No.            |
| AKORN Segment 1                 | In Service | Alaska Cable Systems | 1-503-466-8513                   |
| AKORN Segment 2.1               | In Service | Alaska Cable Systems | 1-503-466-8513                   |
| AU-A Segments C, D, E, H, I & J | In Service | GCI                  | 1-888-442-8662 or 1-907-868-5555 |
| AU EAST Segment A & D           | In Service | GCI                  | 1-888-442-8662 or 1-907-868-5555 |
| AU TA                           | In Service | GCI                  | 1-888-442-8662 or 1-907-868-5555 |
| AU WEST Segment 1               | In Service | GCI                  | 1-888-442-8662 or 1-907-868-5555 |
| KFKL Segments 1 - 5             | In Service | GCI                  | 1-888-442-8662 or 1-907-868-5555 |
| NORTH STAR Whittier - BU        | In Service | Alaska Cable Systems | 1-503-466-8513                   |
| NORTH STAR Valdez - Whittier    | In Service | Alaska Cable Systems | 1-503-466-8513                   |
| TERRA SW Segment 1              | In Service | GCI                  | 1-888-442-8662 or 1-907-868-5555 |
| TERRA SW Segments 3A - 3F       | In Service | GCI                  | 1-888-442-8662 or 1-907-868-5555 |
| TERRA SW Segments 6A & 6B       | In Service | GCI                  | 1-888-442-8662 or 1-907-868-5555 |

NATURAL SCALE 1 : 969,761 at 53°00' N

0 10 20 30 40 50 Miles

0 10 20 30 40 50 Nautical Miles

SPHEROID & DATUM : WGS84

PROJECTION : MERCATOR

Notes:

This chart is intended for general reference only and **NOT FOR NAVIGATION PURPOSES.**

Please be aware that other cables may exist in addition to those shown on this chart.

SOUNDINGS IN FATHOMS AT MEAN LOW WATER

**CHART HISTORY**

Produced by Charting Services  
Global Marine Systems Limited, Chelmsford,  
United Kingdom

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**EDITION No. 4 May 2023**

CHART BACKGROUND:

**NOAA Chart 16013, 31st Edition, June 2015**

For more information see:  
[www.nauticalcharts.noaa.gov](http://www.nauticalcharts.noaa.gov)

**Global Marine**

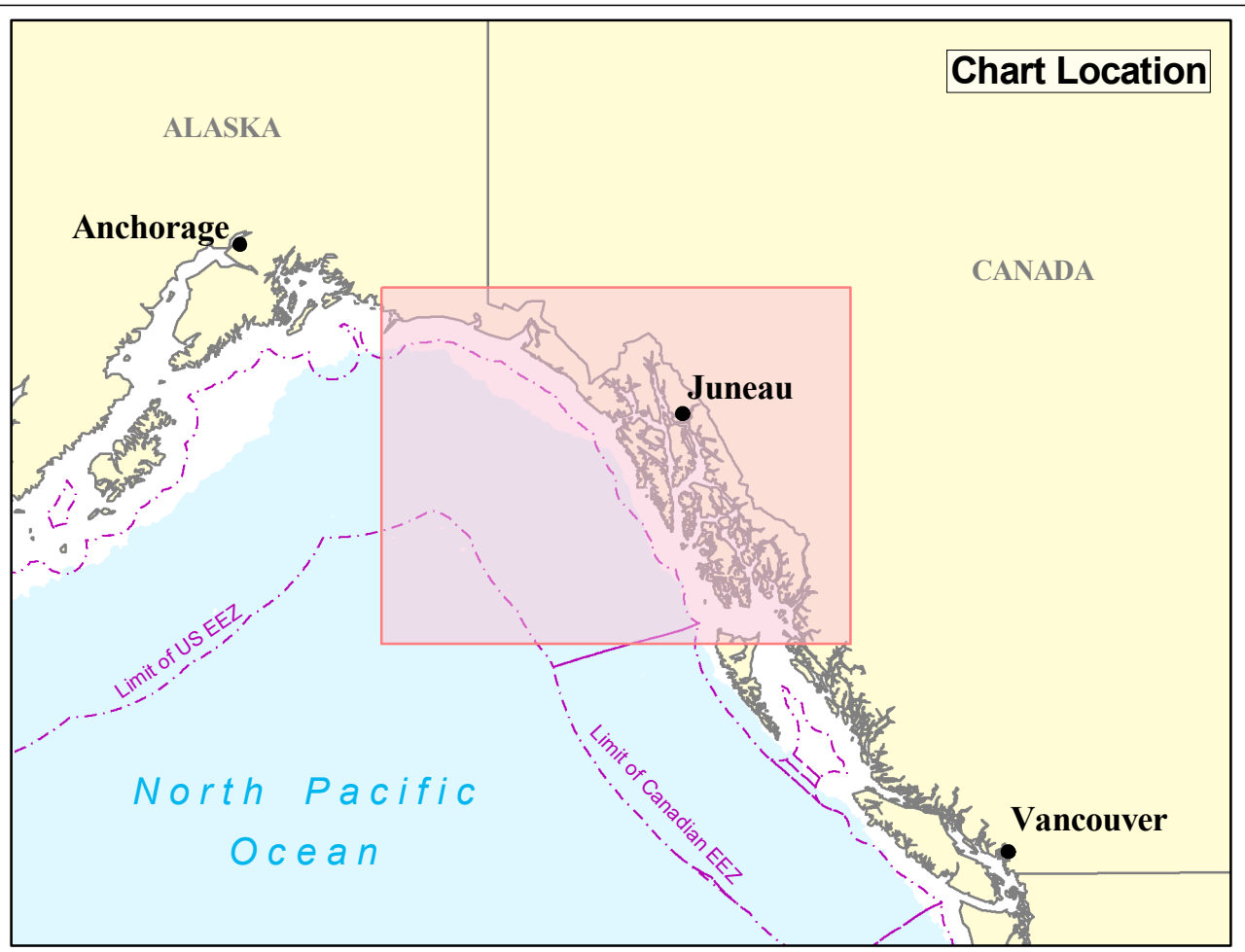
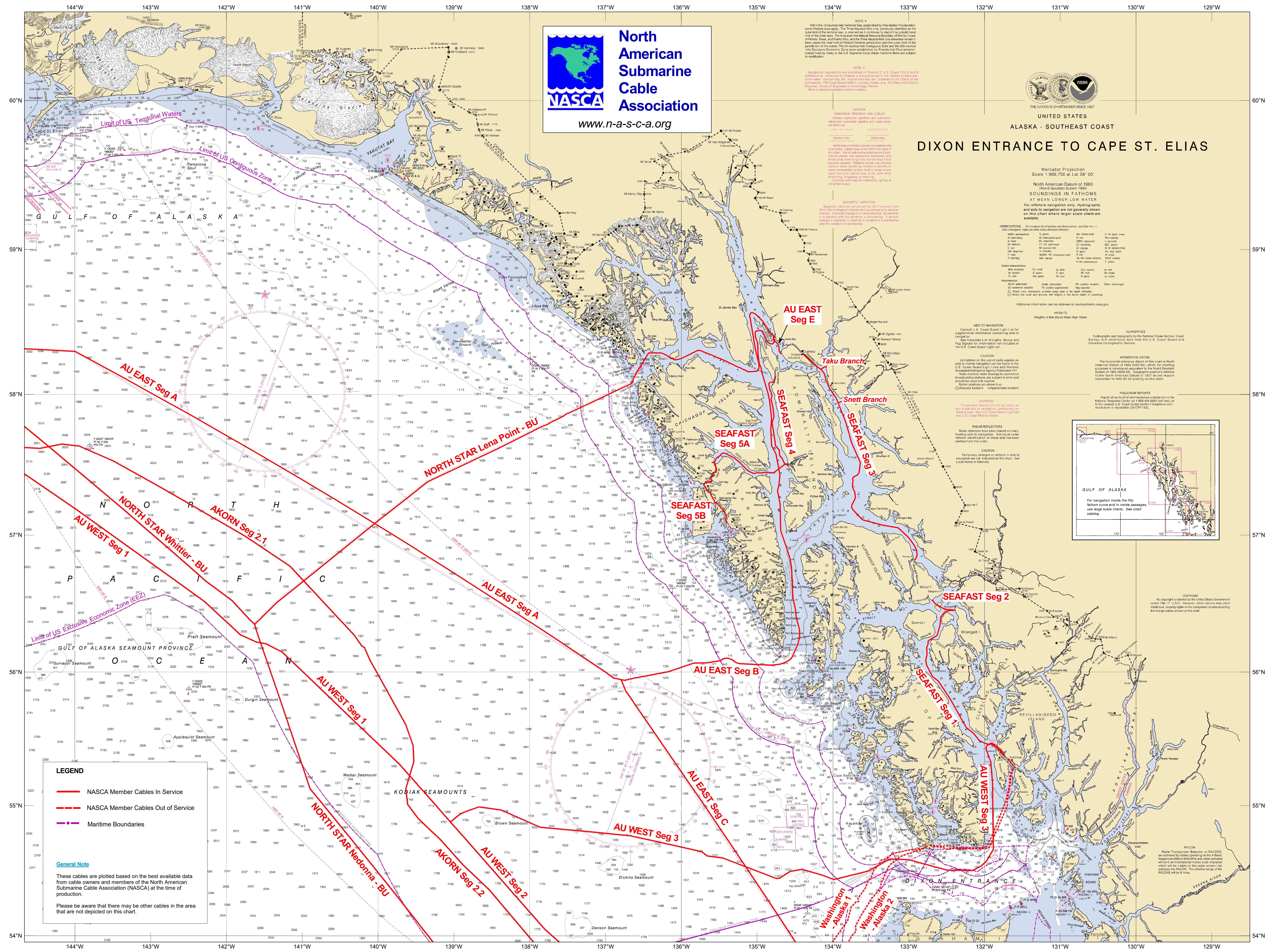
**NASCA Cable Awareness Chart**

**Alaska & Hawaii Region**

**Chart no. 16013**

**CAPE ST. ELIAS TO SHUMAGIN ISLANDS**

Global Marine Group  
Charting Services  
1 Emerald Way  
Chelmsford, Essex  
CM2 9PD  
Tel: +44 (0) 1245 712020  
[www.globalmarinegroup.com](http://www.globalmarinegroup.com)



| CABLE & CONTACT INFORMATION |            |                      |                                  |
|-----------------------------|------------|----------------------|----------------------------------|
| Cable System                | Status     | Owner                | Emergency Contact No.            |
| AKORN Segment 2.1           | In Service | Alaska Cable Systems | 1-503-466-8513                   |
| AKORN Segment 2.2           | In Service | Alaska Cable Systems | 1-503-466-8513                   |
| AU EAST Segment A           | In Service | GCI                  | 1-888-442-8662 or 1-907-868-5555 |
| AU EAST Segment B           | In Service | GCI                  | 1-888-442-8662 or 1-907-868-5555 |
| AU EAST Segment C           | In Service | GCI                  | 1-888-442-8662 or 1-907-868-5555 |
| AU EAST Segment E           | In Service | GCI                  | 1-888-442-8662 or 1-907-868-5555 |
| AU WEST Segment 1           | In Service | GCI                  | 1-888-442-8662 or 1-907-868-5555 |
| AU WEST Segment 2           | In Service | GCI                  | 1-888-442-8662 or 1-907-868-5555 |

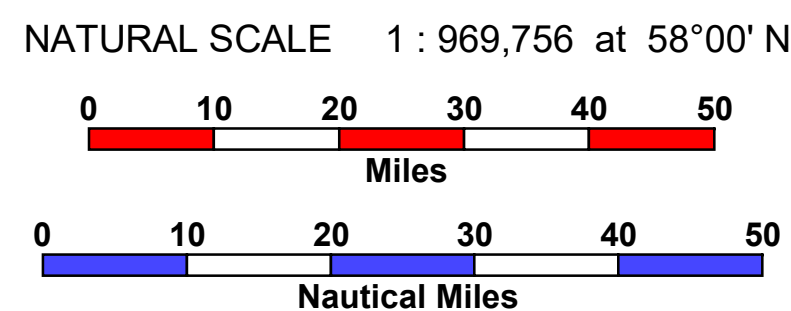
| Cable System               | Status     | Owner                | Emergency Contact No.            |
|----------------------------|------------|----------------------|----------------------------------|
| AU WEST Segment 3          | In Service | GCI                  | 1-888-442-8662 or 1-907-868-5555 |
| NORTH STAR Lena Point - BU | In Service | Alaska Cable Systems | 1-503-466-8513                   |
| NORTH STAR Nedonna - BU    | In Service | Alaska Cable Systems | 1-503-466-8513                   |
| NORTH STAR Whittier - BU   | In Service | Alaska Cable Systems | 1-503-466-8513                   |
| SEAFast Segments 1 - 5     | In Service | GCI                  | 1-888-442-8662 or 1-907-868-5555 |
| Washington - Alaska 1      | OOS        | AT&T                 | 1-866-466-2288, Prompt 5         |
| Washington - Alaska 2      | OOS        | AT&T                 | 1-866-466-2288, Prompt 5         |

#### Emergency Contact Information

In the event you one become entangled in one of the submarine cables shown on this chart please contact the relevant owner listed on this chart 24 hours a day, seven days a week.

#### For General Information

For non-emergency information regarding any of the cable systems shown on this chart, or for marine planning purposes, please contact: [cableinfo@N-A-S-C-A.org](mailto:cableinfo@N-A-S-C-A.org)



SPHEROID & DATUM : WGS84

PROJECTION : MERCATOR

#### Notes:

This chart is intended for general reference only and **NOT FOR NAVIGATION PURPOSES.**

Please be aware that other cables may exist in addition to those shown on this chart.

SOUNDINGS IN FATHOMS  
AT MEAN LOWER WATER

#### CHART HISTORY

Produced by Charting Services  
Global Marine Systems Limited, Chelmsford,  
United Kingdom

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EDITION No. 3 October 2021

CHART BACKGROUND:

NOAA Chart 16016. 22nd Edition, August 2012

For more information see:  
[www.nauticalcharts.noaa.gov](http://www.nauticalcharts.noaa.gov)



## NASCA Cable Awareness Chart

Alaska & Hawaii Region

Chart no. 16016

DIXON ENTRANCE TO  
CAPE ST ELIAS

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Tel: +44 (0) 1245 702000  
[www.globalmarine.group](http://www.globalmarine.group)