




US Army Corps of Engineers
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SAJ-2017-01507 (SP-DCM)

ATTACHMENTS

Posted 6/5/2017

 [Graphics](#)

TO WHOM IT MAY CONCERN: The Jacksonville District of the U.S. Army Corps of Engineers (Corps) has received an application for a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. §403) as described below:

APPLICANT: Mr. David R. Willis, President
Clean Ocean Initiative, Inc.
3075 State Road PR-64, Maní Ward
Mayagüez, Puerto Rico 00682

WATERWAY AND LOCATION: The project would affect navigable waters of the United States associated with the Atlantic Ocean along a corridor extending from waters approximately 1.9 nautical miles (2.19 miles) off the coast of Aguadilla, P.R., to oceanic waters at the outer limit of the Exclusive Economic Zone (EEZ), as depicted in the attached drawings.

APPROXIMATE COORDINATES:

Start Point: Lat. 18.515922° Lon. -67.175206°
End Point: Lon. 18.861686° Lon. -67.786833°

PROJECT PURPOSE:

Basic: Submarine Cable Retrieval

Overall: Retrieve a submarine decommissioned telecommunication cable from navigable waters of the U.S., which has a landing site in coastal waters of Aguadilla, P.R., to be sold for recycling purposes.

EXISTING CONDITIONS: Information available to the Corps indicates that various existing active and out of service communication cables (particularly, fiber optic cables) traverse the proposed project corridor. The cable proposed to be retrieved is a military underwater decommissioned coaxial cable that was installed in 1956, and has been out of service for an unknown period of time. The cable has landing sites at Aguadilla, P.R., and Cape Canaveral, Florida, U.S.A. Approximate water depths at the starting and end points of the proposed cable salvage corridor are 250 ft and 5,966 ft,

respectively. Based on the information provided by the applicant, the entire proposed cable retrieval corridor is located outside the depth zones of seagrass, federally listed corals and acroporid coral designated critical habitat. With regards to federally protected sea turtles and marine mammals, the proposed project corridor lies within the distributional range of the federally protected Green (Chelonia mydas), Loggerhead (Caretta caretta), Hawksbill (Eretmochelys imbricata), and Leatherback (Dermochelys coriacea) sea turtles, the federally protected Antillean manatee (Trichechus manatus manatus), and/or various federally protected whales, including the Blue whale (Balaenoptera musculus) and the Sperm whale (Physeter macrocephalus), among others.

PROPOSED WORK: The applicant seeks authorization to retrieve a segment of a submarine decommissioned telecommunication cable (identified as Ramey 1956) from navigable waters of the U.S. within the Atlantic Ocean. The cable retrieval corridor would start in waters ≥ 250 ft deep located approximately 1.9 nautical miles off the coast of Aguadilla, P.R., and would extend to oceanic waters at the outer limit of the EEZ. The extent of the particular cable segment proposed to be salvaged is approximately 41.6 nautical miles (47.87 miles). Please refer to the attached drawings, which provide specific information about the cable and illustrate the proposed cable retrieval corridor in relation to the 12 nautical miles limit of the US Territorial Sea and the EEZ. The cable retrieval operations would be conducted using a 275 ft long dynamically positioned pipe lay barge following the Reel S-lay method, which involves the use of a stinger to guide and support the cable as it is being pulled out of the water and onto the barge's reel and onboard spools. The barge will be towed by a tugboat at all times. The retrieval operations would be supported by remotely operated underwater vehicles (ROVs), as well as sonar and mapping systems. The ROVs would be used to locate, cut and prepare the cable for retrieval, and to film the cable corridor prior to and during the cable retrieval operations. The videos, together with the sonar and mapping systems would serve to locate/identify any structures or obstructions (such as sensitive aquatic resources, existing cables, cultural resources, and entanglements) along the corridor. The ROVs would use cutters to cut the cable right before and immediately past any obstruction, as to prevent damage or disturbance to sensitive aquatic resources, cultural resources, cables, or any other structures. The ROVs would also be equipped with clamps to grab the cable past any obstruction and re-attach it to the barge's reel system to continue with the retrieval operations. Upon completion of the cable salvage activities, the cable will be transported to Clean Ocean Initiative's land-based facility in Mayagüez, P.R., to be prepared to be sold for recycling purposes.

CULTURAL RESOURCES:

The Corps is not aware of any known historic properties within the permit area. By copy of this public notice, the Corps is providing information for review. Our final determination relative to historic resource impacts is subject to review by and coordination with the State Historic Preservation Officer.

ENDANGERED SPECIES:

The Corps has determined the proposed project may affect, but is not likely to adversely affect the federally protected Green (*C. mydas*), Loggerhead (*C. caretta*), Hawksbill (*E. imbricata*), and Leatherback (*D. coriacea*) sea turtles, the federally protected Antillean manatee (*T. manatus manatus*), and various federally protected whales, including the Blue whale (*B. musculus*) and the Sperm whale (*P. macrocephalus*), among others. The Corps will request U.S. Fish and Wildlife/National Marine Fisheries Service concurrence with this determination pursuant to Section 7 of the Endangered Species Act.

ESSENTIAL FISH HABITAT (EFH): This notice initiates consultation with the National Marine Fisheries Service on EFH as required by the Magnuson-Stevens Fishery Conservation and Management Act 1996. The proposal would impact marine bottom utilized by various life stages of some of the federally managed species within the U.S. Caribbean. Our initial determination is that the proposed action would not have a substantial adverse impact on EFH or federally managed fisheries in the U.S. Caribbean. Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the National Marine Fisheries Service.

NOTE: This public notice is being issued based on information furnished by the applicant. This information has not been verified or evaluated to ensure compliance with laws and regulation governing the regulatory program. The jurisdictional line has not been verified by Corps personnel.

AUTHORIZATION FROM OTHER AGENCIES: A Coastal Zone Management Consistency Certification from the P.R. Planning Board will be required.

COMMENTS regarding the potential authorization of the work proposed should be submitted in writing to the attention of the District Engineer through the Antilles Permits Section, Fund. Ángel Ramos Annex Building, Suite 202, 383 Franklin Delano Roosevelt Ave., San Juan, Puerto Rico 00918, within 30 days from the date of this notice.

The decision whether to issue or deny this permit application will be based on the information received from this public notice and the evaluation of the probable impact to the aquatic environment. This is based on an analysis of the applicant's avoidance and minimization efforts for the project, as well as the compensatory mitigation proposed.

QUESTIONS concerning this application should be directed to the project manager, Mrs. Deborah J. Cedeño-Maldonado, in writing at the Antilles Permits Section, Fund. Ángel Ramos Annex Building, Suite 202, 383 Franklin Delano Roosevelt Ave., San Juan, Puerto Rico 00918; by electronic mail at Deborah.J.Cedeno-Maldonado@usace.army.mil; or, by telephone at (787) 289-7036.

IMPACT ON NATURAL RESOURCES: Coordination with U.S. Fish and Wildlife Service,

Environmental Protection Agency (EPA), the National Marine Fisheries Services, and other Federal, State, and local agencies, environmental groups, and concerned citizens generally yields pertinent environmental information that is instrumental in determining the impact the proposed action will have on the natural resources of the area.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including cumulative impacts thereof; among these are conservation, economics, esthetics, general environmental concerns, wetlands, historical properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food, and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people. Evaluation of the impact of the activity on the public interest will also include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act or the criteria established under authority of Section 102(a) of the Marine Protection Research and Sanctuaries Act of 1972. A permit will be granted unless its issuance is found to be contrary to the public interest.

The US Army Corps of Engineers (Corps) is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other Interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this determination, comments are used to assess impacts to endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

COASTAL ZONE MANAGEMENT CONSISTENCY: In Florida, the State approval constitutes compliance with the approved Coastal Zone Management Plan. In Puerto Rico, a Coastal Zone Management Consistency Concurrence is required from the Puerto Rico Planning Board. In the Virgin Islands, the Department of Planning and Natural Resources permit constitutes compliance with the Coastal Zone Management Plan.

REQUEST FOR PUBLIC HEARING: Any person may request a public hearing. The request must be submitted in writing to the District Engineer within the designated comment period of the notice and must state the specific reasons for requesting the public hearing.

