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September 1, 2000
Operations Center

Magalie Roman Salas, Secretary
Federal Communications Commission
Portals II
445 12th Street, SW, Suite TW-A325
Washington, D.C. 20554

Re: Letter of Support i.c.o. PEER
Petition, RM-9913/

Dear Secretary Salas:

ReefKeeper International respectfully requests that the petition submitted by the Public Employees for Environmental Responsibility (PEER), RM-9913, be granted and that a notice of proposed rulemaking be issued to amend the environmental rules of the Federal Communications Commission (FCC). The laying of fiber optic cables across coral reef ecosystems has caused environmental damage to these fragile marine areas. As permit requests proliferate, the need to develop rules for adequate characterization and review of environmental impacts, including cumulative impacts, is acute.

ReefKeeper International, the non-profit coral reef conservation organization, has worked for over ten years to protect the coral reef ecosystems of the United States. ReefKeeper International has been working with the State of Florida and other regulatory agencies for the last two years on the issue of subaqueous fiber optic cable installations off the coast of south Florida.

The Reefs of Southeast Florida

In addition to the better-known coral reefs of the Florida Keys, irreplaceable coral reef habitats line Florida's east coast, from Fort Pierce to Miami. The Dade, Broward and Palm Beach offshore reefs make up an extension of the reef tract referred to as the "Northern Florida Reef Tract" (Goldberg 1973). The Northern Florida Reef Tract shows extensive coverage of benthic organisms including relatively high densities of hard corals and high densities of soft corals, algae and sponges (Blair 1992).

The hardbottom reef areas off Dade, Broward, and Palm Beach counties are thriving habitats which mark the northern extent of numerous hard coral species and serve as a transition zone between tropical, subtropical and warm temperate species. The hardbottom reef areas are essential habitat for over 500 species of fishes, invertebrates, and plants (Lindeman & Snyder, 1999). These areas are also important foraging habitats for endangered sea turtles (Lindeman, pers. comm.).

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Submarine Cables Damage Coral Reefs and Hardbottoms

In South Florida, fiber-optic communication cables are laid on top of fragile coral reefs and hardbottoms. As was evidenced during the laying of cables in Broward County last year (AT&T, 1999), damage to hard corals and other reef organisms does occur as cables are laid across coral reefs and hardbottom communities. Impacts to hard corals were categorized into four major types: dislocated and overturned corals; corals covered and shaded by cable; corals touched by cable; corals abraded by cable. The laying of the Americas 2 cable off Broward County resulted in 73 dislocated hard coral colonies, 78 shaded hard coral colonies, 45 hard coral colonies touched by the cable, and 12 hard coral colonies that were abraded. Damage to hard corals by the Columbus 3 cable was similar (16 dislocated, 56 shaded, 63 touched, 29 abraded). Damage to soft corals and other reef inhabitants was not quantified by the assessment but definitely occurred.

The bare concrete boulders placed offshore as "mitigation" do not replace these coral heads, which often grow as slowly as 0.5 to 1 millimeter per year. In some of the areas where cable projects are currently proposed, high relief coral reefs could be crushed by the cables.

In addition to the physical damage to individual corals posed by cable laying, a loss of economic and aesthetic value of the coral reef occurs. Scuba diving is an extremely important component of the economy of south Florida. Divers utilizing the area now see cables lying along the reef instead of a natural environment. The abundance of proposed cables in the South Florida area will limit the areas where divers can go without encountering these cables.

South Florida's coral reefs provide habitat that is essential for many commercially and recreationally important fish species as well as turtles. These species are adversely impacted by the cables. Fishing is a large and flourishing portion of the economic base of the region and can only be expected to be hurt by this activity.

Proliferation of Permit Applications

According to the Florida Department of Environmental Protection (FDEP, 2000), 5 submarine communication cables were permitted off the coast of south Florida prior to 1994. In 1994, an additional 7 cables were permitted, more than doubling the number of cables present on the seafloor.

Since the end of 1998, over 50 cables in the southeast Florida area alone have been permitted or are in the permitting process. This represents an order of magnitude increase since 1993 in the number of submarine cables to be laid over coral reefs in the area.

Potential Cumulative Impacts Unknown

Damage to corals was documented during the recent installation of cables off Broward County, Florida. Even if the damage caused by one or two cables is somehow considered "insignificant", the cumulative impact of many fiber optic cables installed in the southeast Florida area may not be "insignificant". In light of the known damage by one cable, the damage by many more cables is likely to be very significant.

As cable laying expands in this area, the locations where divers can visit free from cables is rapidly decreasing. This can only result in a decrease in the use and enjoyment of the resource, with associated economic consequences.

Coral Reef Protection Executive Order

Executive Order 13089 was signed by President Clinton on June 11, 1998. The Executive Order clearly states under Section 2 that:

"All Federal agencies whose action may affect U.S. coral reef ecosystems shall: ... (c) to the extent permitted by law, ensure that any action they authorize, fund, or carry out will not degrade the conditions of such ecosystems."

The placement of undersea fiber optic cables clearly falls under this provision. The FCC is obligated to ensure that these actions do not degrade coral reef ecosystems. Currently, the FCC is relying on industry self-certification and failing to fulfill its obligation under Executive Order 13089 to ensure that coral reefs are not harmed.

Conclusions

There can be no doubt that the laying of these subaqueous telecommunication cables adversely impact coral reefs and hardbottom environments. There can also be no doubt that the number of such cables laid across the fragile coral ecosystems of southeast Florida could easily exceed 40 cables over the next few years. Full review of the environmental consequences of these cables needs to be conducted.

ReefKeeper International therefore requests that the PEER petition be granted, and a notice of proposed rulemaking be issued to address amending the FCC's environmental rules. Environmental Assessments and/or Environmental Impact Statements should be required for these projects since the environmental impacts are not "negligible".

Sincerely,



Alexander Stone
Director

References:

AT&T (1999); Assessment of Stoney Coral Impacts Along Telecommunication Cables in Broward County; Appendix B of Exhibit I of the Consolidated Environmental Resource Permit Modification issues by the Florida Department of Environmental Protection; Permit Number ES 06-0114298-002; Issued July 8, 1999.

Blair, Steven M. (1992). Reef areas of southeastern Florida: Hardbottom reef communities of Dade, Broward, and Palm Beach counties. In: Coral Reef Coalition. Proceedings of the First Annual Conference. March 1992. Key West, Fl:67-78

Florida Department of Environmental Protection (2000); Powerpoint Presentation to Cabinet Aides; Tallahassee, Florida; June 14, 2000.

Goldberg, W. (1973). The ecology of the coral-octocoral communities off the south-east Florida coast: geomorphology, species composition and zonation. *Bulletin of Marine Science*. 23(3): 465-489.

Lindeman, K.C. and D.B. Snyder (1999); Nearshore hardbottom fishes of southeast Florida and effects of habitat burial caused by dredging; *Fish Bull* 97(3):508-525.