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Governor’s Office of Planning & Research

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STATE CLEARINGHOUSE

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**RTI-I TRANSPACIFIC FIBER-OPTIC CABLES PROJECT
 DRAFT ENVIRONMENTAL IMPACT REPORT
 SCH #2019080175**

Dear Mr. Hortert:

The California Department of Fish and Wildlife (Department) received a Draft Environmental Impact Report (DEIR) from the City of Hermosa Beach (City) for the RTI-I Transpacific Fiber-Optic Cables Project (Project), pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines.¹

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that the Department, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

DEPARTMENT ROLE

The Department is California’s Trustee Agency for fish and wildlife resources and holds those resources in trust by statute for all the people of the state (Fish and Game Code, Section 711.7, subd. [a] & 1802; Public Resources Code, Section 21070; CEQA Guidelines Section 15386, subd. [a]). The Department, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (Id., Section 1802). Similarly for purposes of CEQA, the Department is charged by law to provide, as available, biological expertise during public agency environmental review

¹ CEQA is codified in the California Public Resources Code in section 21000 et seq. The “CEQA Guidelines” are found in Title 14 of the California Code of Regulations, commencing with section 15000.

efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources. The Department is also responsible for marine biodiversity protection under the Marine Life Protection Act in coastal marine waters of California and ensuring fisheries are sustainably managed under the Marine Life Management Act. Pursuant to our jurisdiction, the Department has the following comments and recommendations regarding the Project.

PROJECT DESCRIPTION SUMMARY

Proponent: City of Hermosa Beach

Objective: The objective of the Project is to install and operate up to two transpacific subsea cable systems more than three nautical miles offshore, across the Pacific Ocean, with United States landings in Hermosa Beach, California. The two marine fiber-optic cable systems would connect the United States to the western Pacific Rim to provide additional telecommunications capacity. The proposed Project has two phases that include terrestrial and marine components: Phase 1 includes the construction of the terrestrial facilities shared by both fiber-optic cable systems and installation and operation of one of the systems, and Phase 2 includes the construction of the remaining terrestrial facilities and installation and operation of the second subsea cable system. Project activities involve the terrestrial facility installation which includes underground landing pipes installed by horizontal directional boring that would emerge on the ocean floor approximately 3,000 feet from the landing site, a landing manhole, an ocean ground bed, a power feed equipment (PFE) facility, and buried terrestrial conduit system (i.e., innerducts, fiber-optic, power, ground cables, and intermediate manholes) using trenchless construction (i.e., boring) to connect landing facilities at either 6th Street or 10th Street to the PFE facility. After the land pipes are installed from the shore, the marine fiber-optic cables would be pulled to the shore through the landing pipes. The marine components of the Project include a marine conduit, cable regenerators, and the subsea cables, which would be installed by a cable-laying ship pulling a plow across the sea floor to bury the cables in areas of soft sediment. In the deep ocean, the proposed cable systems would be laid on the sea floor but would not be buried. A 100- to 200-foot construction work boat and a smaller, secondary work boat would support marine activities including the directional bore support, pre-lay grapnel run, cable pulling support, cable laying and plowing, and diver post-lay burial.

Location: The Project's marine cable alignments would traverse the California continental shelf and the Pacific Ocean from Hermosa Beach, California to locations on the western Pacific Rim such as Guam, Southeast Asia, China, Australia, or Japan. The United States landings in Hermosa Beach would be at either 6th Street (Option A) or 10th Street (Option B), and then the cable systems would connect to HMB IX's (Applicant) PFE facility at 1601 Pacific Coast Highway, Hermosa Beach.

Timeframe: The Project would be constructed in two phases to be completed approximately two years apart in 2024 and 2026.

BIOLOGICAL SIGNIFICANCE

Marine Biological Significance: The marine ecosystems of California's southern coast, commonly referred to as the Southern California Bight, host thousands of species

of marine plants, fish, invertebrates, seabirds and shorebirds, turtles, and mammals due to nutrient rich waters and varied topography. The southern coast's marine and coastal habitats include the sandy seafloor, beaches, kelp forests, estuaries, seagrass meadows, mudflats, rocky reef, and open waters. This variety of habitats provide fish and wildlife with nursery grounds, shelter, and areas to forage and reproduce, supporting the region's coastal economy, including numerous commercial and recreational fisheries.

Terrestrial Biological Significance: The terrestrial portion of the Project area lies within the City of Hermosa Beach (City). The area is largely urbanized, with no native vegetation. However, a portion of the terrestrial area is located on a 400-foot-wide sandy beach in the western portion of the City. The beach may provide habitat for federally threatened western snowy plovers (*Charadrius alexandrinus nivosus*) and state and federally endangered California least terns (*Sternula antillarum browni*).

COMMENTS AND RECOMMENDATIONS

The Department offers the comments and recommendations below to assist the City of Hermosa Beach in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct, and indirect impacts on fish and wildlife resources.

I. Project Level Impacts and Other Considerations

Unburied Cable in Hard Substrate Communities

Comments: It is the Department's understanding that, at water depths less than 5,904 feet, the cable will be buried in soft substrate to a depth of 3.3 feet. The Department appreciates Mitigation Measure MM BIO-06 and BIO-07, which specify that the Project will minimize the crossing of hard-bottom substrate communities and that there will a mitigation fund to compensate for impacts to hard-bottom substrate communities, respectively. However, if hard substrate cannot be avoided in certain areas, the cable will be left unburied and lay directly on the ocean bottom, conforming to the seafloor. As is stated in the DEIR, placement of the cable directly on the substrate could impact the habitat and its associated biological communities. The impact could worsen if the cable becomes suspended and moves around in these areas, leading to repeated scour of the substrate and any attached organisms. While the cable may be placed to minimize suspension, suspension could still occur due to currents or wave action, especially given the cable's relatively small diameter (less than 2 inches).

Recommendations: To minimize potential impacts to hard substrate communities that cannot be avoided by the Project, the Department has the following recommendations:

- If hard bottom communities cannot be avoided by the Project, the Department recommends increasing the stability of the cable in these areas to avoid suspension and scour. The Department is aware of multiple methods to accomplish this, such as encasing the cable in a ductile cast iron pipe

(articulated pipe) or clamping the cable to the seafloor at regular intervals. The ideal method would likely depend on substrate type and relief and could vary along the cable route. The Department recommends consulting with resource and permitting agencies to determine the best method.

- In addition, the Department recommends adding a Mitigation Measure for the inspection and burial of the cables, including an annual monitoring and reporting requirement for any unburied sections of cable in depths less than 5,904 feet within at least state waters. This will allow for early detection and remediation of cable suspension and any associated impacts to the substrate, biological communities, and reduction in potential fishing or other gear interactions surrounding the cable.

II. Editorial Comments and/or Suggestions

Mitigation Measure BIO-1: Avoidance of Roosting Western Snowy Plovers or California Least Terns

Comments: As currently written, BIO-1 in the DEIR may not fully mitigate for impacts to special status birds. The Department primarily recommends avoidance of impacts to nesting birds for the entirety of nesting season, if feasible. In addition, the nesting season for both the western snowy plover and California least tern is estimated from April through September.

Recommendations: The Department recommends modifying Mitigation Measure BIO-1 to include underlined language and remove language with strikethrough:

“To protect nesting birds that may occur adjacent to the Project boundary, CDFW recommends that no construction activities occur from February through September. If the beach OGB site is selected, and beach construction/installation activities must be completed during the roosting season (~~September~~ October through March), a qualified biologist approved by the City will contact USFWS and CDFW to determine if the site is within a Special Protection Zone for roosting western snowy plovers. If the beach OGB site is within a Special Protection Zone, construction activities will not be allowed until western snowy plovers are no longer present. If the area is not within a Special Protection Zone, a qualified biologist will survey the beach OGB work area plus a 300-foot buffer for western snowy plovers and California least terns using established protocols. If present, no work will be completed within the 300-foot buffer. ~~without coordination~~ The Lead Agency will notify and consult with the CDFW and USFWS if a roost is detected in the Project area. The buffer may be adjusted by the qualified avian biologist based on existing conditions, planned construction activities, and the behavior of the birds. If western snowy plovers and California least terns are not detected within the 300-foot buffer, work may proceed as long as the qualified biologist is present during all work activities to ensure that western snowy plovers or California least terns are detected should they arrive in the area subsequent to work commencing. The beach OGB site will include fencing/walls that will prevent western snowy plovers or California least terns from entering the work areas. The biologist will conduct daily site visits to ensure that fence/walls are intact

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until construction activities are finished at the site and all equipment is removed from the beach. The results of the preconstruction survey will be submitted to the City prior to the establishment of the beach OGB site. All biological monitoring efforts will be documented in monthly compliance reports to the City.”

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDDB). The CNDDDB field survey form can be filled out and submitted online at the following link: <https://wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The types of information reported to CNDDDB can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>.

ENVIRONMENTAL DOCUMENT FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of environmental document filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by the Department. Payment of the environmental document filing fee is required in order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.)

CONCLUSION

The Department appreciates the opportunity to comment on the NOP to assist the City of San Diego in identifying and mitigating Project impacts on biological resources. Questions regarding this letter or further coordination on marine issues should be directed to Leslie Hart, Environmental Scientist at Leslie.Hart@wildlife.ca.gov. Questions or further coordination on terrestrial issues should be directed to Felicia Silva, Environmental Scientist at Felicia.Silva@wildlife.ca.gov.

Sincerely,



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REFERENCES

[CDFW] California Department of Fish and Wildlife. 2015. State Wildlife Action Plan: A Conservation Legacy for Californians. Available from:
<https://wildlife.ca.gov/SWAP/Final>.

[CDFW] California Department of Fish and Wildlife. 2017. California Terrestrial and Vernal Pool Invertebrates of Conservation Priority. Available from:
<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=149499&inline>.

Fisheries Hydroacoustic Working Group. 2008. Interim Criteria for Injury of Fish

Exposed to Pile Driving Operations: Memorandum. Washington: Federal Highway Administration.

NMFS. 2014. California Eelgrass Mitigation Policy, National Marine Fisheries Service,
https://archive.fisheries.noaa.gov/wcr/publications/habitat/california_eelgrass_mitigation/Final%20CEMP%20October%202014/cemp_oct_2014_final.pdf.