



# Oregon

Kate Brown, Governor

## Parks and Recreation Department

Coastal Region Office

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[www.oregonstateparks.org](http://www.oregonstateparks.org)



July 16, 2020

Cameron Fisher  
48 North Solutions  
909 NE Boat St.  
Seattle WA 98105

**RE: Ocean Shore Alteration Permit #2900-18; Permit Status**

Dear Cameron,

Thank you for providing the Oregon Parks and Recreation Department (OPRD) with details regarding the mechanical failure that occurred on **March 28, 2020** while attempting to install the Jupiter cable at Tierra Del Mar. It is our understanding that the failure consisted of a broken drilling shaft which has resulted in loss of the drill head and associated drilling shaft, and that a portion of the shaft and empty conduit remain at various depths under the ocean shore. You have stated that these components cannot be recovered. It is also our understanding that the breakdown did not result in any inadvertent drilling fluid release onto the ocean shore, which is fortunate.

During our June 17, 2020 phone conversation with Subcom representatives, you asked if a second attempt to install the cable in January 2021 may be allowed under the terms and conditions of the existing permit. After OPRD review, we have determined that the permit remains valid, but the following permit conditions require updated verifications and new information:

1. *This approval does not affect any obligation the Permittee might have to other persons or agencies, local, state or federal regulations, including the acquisition of necessary permits from Tillamook County, the Oregon Department of State Lands and U.S. Army Corps of Engineers, prior to initiating the project. This permit shall not be valid until all other necessary permits have been awarded allowing installation of the complete fiber optic line system both seaward and landward of the ocean shore.*

**Tillamook County, Oregon Department of State Lands, and U.S. Army Corps of Engineers permits must remain valid. The permittee must provide OPRD verification that these permits from other agencies are current prior to resumption of drilling activities.**

3. *The Permittee shall finalize any required proprietary easement agreement from the Oregon Department of State Lands prior to installation of the cable and conduit on the ocean shore or waters of the state.*

**The proprietary easement agreement with Oregon Department of State Lands must remain valid or be updated if necessary. The permittee must provide OPRD verification that the easement is current prior to the resumption of drilling activities.**



5. *Permittee shall provide OPRD conduit and cable installation plans prepared by a registered Professional Surveyor verifying that the proposed conduit and cable route does not cross private property not owned by the Permittee, including privately owned land on the ocean shore. If the proposed conduit and cable route crosses private property not owned by the Permittee, this permit will be suspended until the Permittee provides proof of an easement or other acceptable form of owner permission to cross the affected property.*

**Permittee will provide OPRD a new survey which illustrates the revised conduit and cable installation plans in relation to property lines and extreme low water of the Pacific Ocean. This updated survey is not required if the drilling path is merely moving deeper.**

11. *If an unforeseen erosion event or other phenomena occurs that causes the cable or conduits to be exposed, constitutes a hazard to the public or is in any way detrimental to the preservation of the economic, scenic, and recreational value of the ocean shore, the permittee or subsequent owner of the cable and related facilities shall, at the request of the Department, re-install the conduit and cable to an adequate depth to eliminate such exposure, hazard or detrimental condition.*

**Permittee will provide OPRD an independent hazard analysis evaluating potential impacts to the economic, scenic, and recreational values of the ocean shore that may be caused by leaving the existing failed equipment, conduit/bore hole, and any remaining drilling fluid/chemicals under the ocean shore.**

12. *The project shall be completed prior to March 26, 2020. If it appears that, due to unforeseen circumstances, the project cannot be installed by the expiration date, the Permittee or authorized representative may request a permit extension. A time extension may be granted based on the submission of a revised construction schedule.*

**OPRD has approved one request for a time extension, and the permit remains valid until March 26, 2021. Please provide OPRD with an estimated completion date and if necessary, a time extension request.**

Feel free to contact me directly if you have any questions about your permit status. You may contact me directly at (541) 270-3226 to discuss the above permit conditions and OPRD requirements to move the project forward. I am available generally between the hours of 8:00 am to 5:30 pm, Monday through Thursday.

Sincerely,



Jay Sennewald (Jul 16, 2020 15:22 PDT)

Jay Sennewald  
Ocean Shores Coordinator

Copy: Blake Helm, DSL  
Sarah Absher, Tillamook County  
Kinsey Friesen, USACOE