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Other matters

Review of environmental impact assessments for the testing of collector components in the exploration area

Note by the secretariat

1. In February 2018, the German Federal Institute for Geosciences and Natural Resources (BGR) and Global Sea Mineral Resources (GSR) informed the secretariat that they intended jointly to test collector components and carry out associated environmental monitoring in their respective contract areas, commencing in April 2019. Environmental monitoring of the tests would be conducted during the second phase of the Joint Programming Initiative Healthy and Productive Seas and Oceans (JPI Oceans) MiningImpact project.
2. The Commission was informed of the proposed tests during the first part of its twenty-fourth session, in March 2018, and of the opportunity that it would have to review the environmental impact assessments to be submitted by the contractors, as well as their associated monitoring plans, during the second part of that session, in July 2018. The Commission's attention was drawn to paragraph 19 of the recommendations for the guidance of contractors for the assessment of the possible environmental impacts arising from exploration for marine minerals in the Area ([ISBA/19/LTC/8](#)), in which it is stated that the testing of collection systems and equipment requires a prior environmental impact assessment and an environmental monitoring programme to be carried out during and after the specific activity, as well as to paragraph 51 of annex I to the recommendations, in which it is stated that the environmental studies conducted during exploration, including the monitoring of environmental parameters, are to be based on a plan proposed by the contractor and reviewed by the Commission for completeness, accuracy and statistical reliability.
3. On 28 and 30 March 2018, respectively, the Secretary-General received from BGR and GSR environmental impact assessments relating to the proposed testing of collector system components in their contract areas. According to the submissions, an in situ technical test of a pre-prototype nodule collector vehicle under development by GSR was planned for April 2019 in the contract areas of BGR and GSR in the Clarion-Clipperton Fracture Zone. Both submissions were in line with the

* [ISBA/25/LTC/L.1](#).



requirement in paragraph 20 of the recommendation that the prior environmental impact assessment must be submitted by the contractor to the Secretary-General at least one year before the proposed activity takes place and at least three months in advance of the annual session of the Authority. On 20 April 2018, the Secretary-General acknowledged receipt of the electronic and hard-copy versions of both submissions and informed BGR and GSR of the procedures for their review, including making them available to members of the Commission on its secure website, posting them on the Authority's public website for access by the general public at a later date, placing them on the agenda of the Commission for its consideration and communicating the comments of the Commission to the contractors at the earliest opportunity. The matter was accordingly placed on the agenda of the Commission for its meeting in July 2018.

4. With a view to assisting the Commission in its consideration of the assessments, the secretariat conducted an initial technical review of both submissions for completeness, accuracy and statistical reliability. In the absence of an assessment template approved by the Commission for testing components during exploration, the secretariat based its review on the requirements stipulated in paragraph 52 of the recommendations, in which the key components of a plan for the testing of collector systems are outlined, and on annex V to the draft regulations on exploitation of mineral resources in the area in the form in which they had been circulated in 2017 ([ISBA/23/LTC/CRP.3*](#)), which contains a template for an environmental impact statement and was considered a useful point of reference for this purpose. As a result of its review, the secretariat identified the need for additional documentation relating to the proposed environmental monitoring programme. This was requested of each contractor on 17 May 2018, and the requested information was received from GSR and BGR on 1 and 14 June 2018, respectively.

5. The secretariat then continued its evaluation in the form of a peer review of the submissions by two internationally recognized external experts. Detailed evaluation reports by technical experts of the secretariat and by the external experts were made available to the Commission during its meeting in July 2018. On 20 June 2018, those reports were also sent to BGR and GSR for their comments. Responses were received from BGR and GSR on 28 and 29 June 2018, respectively, and circulated to the Commission. Furthermore, on 27 June 2018, the environmental impact assessments submitted by BGR and GSR were posted on the Authority's website and made available to the general public.

6. At its meeting in July 2018, the Commission considered both assessments and their associated monitoring plans, as submitted by BGR and GSR, as well as the additional documentation provided by the secretariat. The Commission noted with appreciation that the contractors had followed the recommendations. It decided to establish an informal working group to continue the review process intersessionally to ensure the completeness, accuracy and statistical reliability of both submissions and agreed to communicate its comments to the Secretary-General at the earliest opportunity.

7. On 18 July 2018, during the twenty-fourth session of the Council, the delegation of Belgium announced that its Government, as the sponsoring State of GSR, would open a public consultation in Belgium from 1 July to 31 August 2018, and invited members of the Council and other stakeholders to take part in the process. A consultative meeting on deep-sea mining was held in Brussels on 27 September 2018 to discuss the comments received during the public consultation. On 2 October, BGR informed the secretariat that the Government of Germany, as the sponsoring State of BGR, would be opening, for a period of three weeks, a public consultation in that country on the environmental impact assessment submitted by BGR for the testing of a pre-prototype collector vehicle in its contract area. The consultation was described

as a national initiative in which interested stakeholders were invited to submit written comments and recommendations to the Government for further consideration. An information event for stakeholders was convened in Hannover, Germany, on 29 October 2018, with the aim of addressing some of the issues raised by stakeholders in their comments.

8. On 11 December 2018, the Secretary-General received a communication from the Permanent Mission of Belgium to the Authority concerning the official response of the Government of Belgium to the comments received during the public consultation on the environmental impact assessment submitted by GSR. Seven comments had been received in total and, after their careful consideration, the Government requested GSR to provide an updated executive summary of its assessment, as well as a separate document containing answers to the questions and remarks relating to the content of the assessment, and undertook to respond to the questions that were addressed to it and provide recommendations to GSR, as appropriate. The Secretary-General was also informed that GSR had already updated its executive summary and provided tables with answers to the comments received.

9. On 17 December 2018, BGR informed the Secretary-General in writing that the Government of Germany had given its approval for the testing of a pre-prototype collector vehicle in the BGR contract area in April 2019 without imposing additional obligations. However, a note concerning the importance of long-term monitoring was included in the approval letter, appealing to BGR to integrate future monitoring programmes for the test area into future exploration cruises and, if relevant, third-party-funded research cruises to the best of its ability. BGR informed the Secretary-General that it had taken due note of this request.

Recommendation

10. The Commission is invited to take note of the information provided in the present document and of the material supplied by the contractors and their sponsoring States since July 2018. In the light of paragraph 6 above, the Commission is also invited to note that, unless it has further comments and suggestions to make to the contractors that are specific to the test of a pre-prototype nodule collector vehicle, this concludes the process of review required under the recommendations.