



## Legal and Technical Commission

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### Twenty-sixth session

Legal and Technical Commission session, part II\*

22 March–1 July 2021

Agenda item 18

### Other matters

## Review of the environmental impact assessment statement submitted by Nauru Ocean Resources Inc.

### Note by the secretariat

1. On 30 July 2021, the Secretary-General of the International Seabed Authority received an environmental impact statement from Nauru Ocean Resources Inc. (NORI) regarding its plans to carry out testing of a polymetallic nodule collector, in the NORI-D contract area of the eastern Clarion-Clipperton Zone, in the Central Pacific Ocean.
2. The objective of NORI is to test a prototype collector vehicle and riser system. Testing of the tracked vehicle will include locomotion and manoeuvrability and nodule collection efficiency, while testing of the riser system will involve installation, commissioning and integration, production and seawater discharge through the return water pipe at a depth of 1,200 m. During the full system testing, approximately 3,600 wet tons of nodules will be collected and pumped to the support vessel.
3. The collector test is intended to be conducted within an 8 km<sup>2</sup> field within a designated 150 km<sup>2</sup> collector test area, of which only 0.5 km<sup>2</sup> will be directly disturbed by the tracks of the prototype collector vehicle. The test is scheduled to be conducted in the third quarter of 2022.
4. When carrying out its testing activities, NORI intends to adhere to 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/25/LTC/6/Rev.1](#) and [ISBA/25/LTC/6/Rev.1/Corr.1](#), para. 38 and annex III).
5. Regarding environmental monitoring and reporting, NORI stated that its monitoring programme would start before the test began and continue after it was over and would focus on the technical performance of the collection system and short-term environmental impacts. Furthermore, NORI stated that the collector and riser tests would provide an opportunity to test assumptions made during the development of plume models and collector system design.

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\* Resumed meetings of part II of the twenty-sixth session of the Legal and Technical Commission, to be held in the virtual format.



6. Pursuant to paragraph 33 of the Recommendations, the technical tests proposed by NORI are activities that require a prior environmental impact assessment, as well as an environmental monitoring programme to be carried out during and after the activities, in accordance with paragraphs 33 and 38 of the Recommendations. In accordance with paragraph 34 of the Recommendations, the prior environmental impact assessment report, the information set out in paragraph 38 of the Recommendations and the relevant environmental monitoring programme must be submitted to the Secretary-General at least one year before the proposed activities take place.

7. In accordance with paragraph 65 of annex I to the Recommendations, the Legal and Technical Commission will review the environmental impact statement for completeness, accuracy and statistical reliability.

8. Furthermore, in line with paragraph 41 (b) of the Recommendations, in order to assist the Commission in that regard, the secretariat performed a preliminary review of the statement for completeness against the elements listed in paragraph 38 of the Recommendations.

9. As a result of the preliminary review, the secretariat requested that NORI provide the following additional information:

(a) **Definition of key terms used for describing planned testing activities.**

The environmental impact statement was prepared for the testing of the polymetallic nodule collector system components. However, the statement uses various terms to describe the planned activities, such as “test-mining”, “production” and “processing”. NORI was requested to provide definitions or clarifications, as appropriate, for the key technical terms used to describe its planned activities. Furthermore, with regard to the test-mining that NORI plans to conduct, the secretariat suggested to NORI that it submit temporal studies, as recommended in paragraph 46 of annex I to the Recommendations, before the start of the test-mining. Such temporal studies should make it possible to establish temporal variations at both the test-mining site and the selected preservation reference zone;

(b) **Status of environmental baseline studies.** In accordance with paragraphs 38 (o) and (q) of the Recommendations, the contractor should provide information on the status of regional and local environmental baseline studies and compare species composition in impact areas and the preservation reference zone. It is noted that data collection and analysis are still ongoing, that key categories of baseline environmental data (e.g. benthic and pelagic biological communities, bioturbation, connectivity and food web structure) were not available and that the comparison of species composition in the test field and the preservation reference zone was only made on the basis of preliminary biological data. The secretariat suggested that NORI provide an updated status of environmental baseline studies before the start of its planned activities, including an overview and synthesis of all environmental data;

(c) **High-resolution (metre-scale) bathymetry map for the test site.** In accordance with paragraph 38 (p) of the Recommendations, the secretariat suggested to NORI that it provide high-resolution (metre-scale) bathymetry data for the test site, as such detailed knowledge of local conditions in the test site (e.g. small ridges, metre-sized and deep scours) is essential for planning monitoring and minimizing risks of tool damage.

10. NORI was requested to respond to the aforementioned requests by 29 September, that is, within 30 days, as stipulated by the Recommendations. It must be noted, however, that, owing to the effort required, NORI is likely to be able to submit the updated environmental baseline (para. 9 (b)) only after that date.

*Stakeholder consultations*

11. In the light of paragraph 41 (d) of the Recommendations, NORI and its sponsoring State, Nauru, intend to initiate the stakeholder consultation, a process that will include posting the environmental impact statement on the website of the Government of Nauru for comments.

12. According to the schedule presented in the environmental impact statement, the stakeholder consultation will be conducted from September to November 2021 and will include the following: an invitation to stakeholders to comment and a review of those comments; the holding of a stakeholder workshop by the sponsoring State; and the submission to the Secretary-General of a summary of the stakeholders' comments and of the response of NORI to them. NORI indicated that it would also submit any revisions or updates to the statement resulting from the stakeholders' comments to the Secretary-General, who will share them with the Commission.

*Review by the Commission*

13. The review of the environmental impact statement, along with any other available information provided by NORI, will be initiated by the Commission at its next meeting, in September 2021.

14. Pursuant to the Recommendations, the Commission is requested to:

(a) Review the environmental impact statement for completeness, accuracy and statistical reliability;

(b) Provide recommendations to the Secretary-General as to whether the environmental impact statement should be incorporated into the programme of activities under the exploration contract of NORI.

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