

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 27<sup>TH</sup> SESSION:  
COUNCIL - PART III**

*Please fill out one form for each textual proposal which your delegation(s) wish(es) to amend, add or delete and send to [council@isa.org.jm](mailto:council@isa.org.jm).*

**1. Name of Working Group:**

Informal working group on the protection and preservation of the marine environment – IWG ENV

**2. Name(s) of Delegation(s) making the proposal:**

United States

**3. Please indicate the relevant provision to which the textual proposal refers.**

Annex IIIbis Scoping Report

**4. Kindly provide the proposed amendments to the regulation or standard or guideline in the text box below, using the “track changes” function in Microsoft Word. Please only reproduce the parts of the text that are being amended or deleted.**

[A Scoping Report should be submitted to the Authority in accordance with the relevant Standards and taking into account the relevant Guidelines, and should include:

...

(bbis) A description of information for the project that is not yet known but must be, or should be known, including baseline data, and a plan for gaining that information prior to commencement of the exploitation activities;

...

(g) An environmental risk assessment, which includes:

(i) the environmental consequence for each identified potential impact, ~~the~~ the magnitude of the impact, the duration of the impact, and the receptor characteristics),

...

(ibis) A description of the cumulative effects of the project, combined with other authorized, anticipated, or expected activities, actions, or natural phenomena;

...

(l) Consideration of reasonable ~~feasible~~ alternative means of carrying out the project that will be examined in detail in the EIA, including a no-action alternative, and any others that have been not carried forward for further analysis at this stage, and the reasons for that selection;

**5. Please indicate the rationale for the proposal. [150-word limit]**

- In considering baseline data, the Scoping Report should include consideration of any gaps in the necessary baseline data and information and the steps that will be taken to address them. We have suggested text to this effect in a new bbis.
- In part (g)(i), impact duration as well as magnitude should be considered in the environmental risk assessment.
- The identification of high priority risks should include cumulative effects involving the project together with authorized, anticipated, or expected activities, actions and natural phenomena, and we have suggested text to this effect in a new ibis.
- In part (l), the consideration of alternatives to be examined in detail in the EIA should be those that are *reasonable* rather than “feasible”, and include consideration of a no-action alternative. Even where there are no technically or economically feasible alternatives, the EIA should still consider the alternative of “no action” as a means of meaningfully assessing the effects of the proposed action from the environmental baseline.
- Finally, in part (l), we consider that in presenting which alternatives have been selected for detailed examination in the EIA, that the phrase “not carried forward for further analysis” be used rather than “discounted,” for clarity.