

**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 IV EIS Template – 2. Policy, legal and administrative context

**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.**

**2.1 Applicable mining and environmental legislation, policy, ~~and instruments~~rules, regulations and procedures of the Authority**

Outline the national ~~and international~~ legislation and policy adopted in accordance with article 209 of the Convention, regulations, Standards or guidelines as well as the Regional Environmental Management Plan of the Authority, if any that apply to the management or regulation of Exploitation in the Area, including how the proposed operation will comply with ~~implement~~ them.

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

In subsection 2.1, we propose removing “if any” in reference to the REMPs, to reflect that there will be a REMP in place in advance of the development of the EIS. We additionally suggest the phrase “comply with” be added to the last sentence of this subsection, which would match the language in section 2.2.

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Annex IV EIS Template – 3. Description of the proposed project

**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.**

**3.3.2 Mining Equipment**

Describe any equipment expected for mining and support operations (e.g., mining vessels/platforms, supply vessels, barges), including the anticipated frequency of vessel movements for these activities. Provide details of the technologies to be employed, including relevant diagrams and drawings, that address: the Mining Workplan, timelines and the general mining sequence, the technologies to be employed to recover the resource from the seabed, the depth of penetration into the seabed, the specific technologies developed to reduce the direct impact of mining activities (e.g. noise, light, plumes) and other details of the mining activities. Describe the energy requirements of the requisite machinery.

**3.3.4 On-site processing**

(...)

Include a description of the disposal and discharge of sediment, wastes or other effluents into the Marine Environment and the disposal of waste from general ship operations, including the specific technologies and methods to be adopted to reduce harmful impacts of such disposal to the marine environment. The handling and management of hazardous materials should also be described, together with a description of the nature of such material and its transportation, storage and disposal. Describe the energy requirements of the requisite machinery.

**3.3.5 Support equipment**

~~Describe any equipment expected for mining and support operations (e.g., mining vessels/platforms, supply vessels, barges). Describe the anticipated~~

~~frequency of vessel movements for these activities. Describe the energy requirements of the requisite machinery.~~

### **3.6 Decommissioning and closure**

Describe the steps that will occur when the mining operation is completed, including the decommissioning of offshore infrastructure ~~or the temporary suspension of mining activities~~, under a Closure Plan.

(...)

### **3.7 Other alternatives considered**

Provide an account of alternative options ~~that were considered if any, including a no-action alternative, that were considered and rejected in favour of the current proposal with justification as to why the alternatives were rejected~~. Aspects should include the selection of the mine site, mine production scenarios, equipment design and engineering decisions including technologies selected to reduce the direct impact of mining activities, transport and materials handling and shipboard processing.

### **3.7bis Environmental management measures to mitigate impacts**

Provide a summary description of reasonable measures taken to mitigate adverse impacts to the physical, chemical, geological, biological, and socioeconomic environment.

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

In subsections 3.3.2 and 3.3.5, we note that section 3.3.5 now seems redundant to 3.3.2 and therefore propose edits to merge 3.3.5 with 3.3.2.

In subsection 3.3.4, regarding on-site processing, we propose the addition of text to require the consideration of technologies and measures used to reduce the environmental effects of the disposal and discharge of sediment, wastes and other effluents, being mindful of the prominent role of a dewatering plume in current leading polymetallic nodule recovery designs.

In subsection 3.6, we propose the addition of text to include the description of steps for the temporary suspension of mining activities in the broader description of steps for decommissioning.

In subsection 3.7, we recommend the inclusion of a no-action alternative and the removal of the phrase “if any” after the requirement to “provide an account of alternative options that were considered,” since alternatives analysis should be required to ensure a robust environmental analysis is completed. In this subsection we further propose that the aspects of alternative options considered include “technologies selected to reduce the direct impact of mining activities.”

Finally, we recommend the addition of a new subsection 3.7bis to provide a description of any reasonable measures taken to mitigate adverse impacts—while mitigation measures specific to the physical, chemical, geological, biological, and socioeconomic environment can be treated in more detail in Sections 7, 8 and 9, we consider that it would be advantageous to include an overview of those measures in the context of the project description.

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Annex IV EIS Template – 4. Description of the existing oceanographic environment

**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.**

**4. Description of the existing ~~physiochemical oceanographic~~ physical, chemical and geological environment oceanography**

Give a detailed account of knowledge of the ~~environmental~~ oceanographic (~~physical, chemical, and geological, oceanographic~~) conditions at the ~~mine site~~ site and ~~impact area~~, which should include information from a thorough literature review as well as from on-site studies. The Guidelines on baseline data collection shall guide the drafting of this section by providing information on the minimum amount of detail required for an acceptable baseline description. The account will provide the baseline description of the ~~physical, chemical, geological~~ oceanographic conditions, including physical, chemical and geological oceanographic conditions, against which impacts will be measured and assessed.

(...)

**4.2 Regional overview**

Describe the general ~~baseline~~ environmental conditions of the site ~~and impact area~~, including ~~but not limited to~~ the ~~physical, chemical and geological and~~ oceanographic setting within a broader regional context and ~~refer in accordance with to~~ the applicable Regional Environmental Management Plan ~~if any~~. This should be a brief section that includes a map. (...).

**4.4 Meteorology and air quality**

Provide a general overview of the local ~~meteorology~~ ~~climatology~~ (e.g., wind directions and speeds, seasonal patterns and variability). (...).

**4.5 Geological ~~properties and habitat classification~~ setting**

Describe the nature and extent of the mineral resource and bedrock within a broader geological context. Describe the geological, petrographic, and geomorphological setting of the site, including sea floor mapping (~~high-resolution bathymetric maps and backscatter~~), ~~high-resolution sub-bottom profiling~~, and sedimentation rates, and refer to submarine features such as hydrothermal vents, seeps and seamounts. ~~Provide habitat classification using an appropriate system as prescribed in the relevant Standard or Regional Environmental Management Plan. Provide a baseline description of seabed substrate composition characteristics (to benthic subsurface layers), including specific gravity, bulk density, grain size, dissolved and particulate organic and inorganic carbon, nutrients, carbonate, physical and chemical composition of pore-water, redox regimes, and spatial (horizontal and vertical) and temporal (seasonal and interannual) variability in these characteristics. Substrate composition shall be described to a depth below the seafloor prescribed in the relevant Standard or Regional Environmental Management Plan.~~

#### **4.6 Physical oceanographic setting**

Provide a description of physical oceanographic aspects (...).

#### **4.8 Seabed substrate and sub-seabed characteristics**

Provide a description of seabed substrate and sub-seabed composition (to benthic subsurface layers), including physical and chemical properties, including ~~(e.g., specific gravity, bulk density, sediment composition, physical and chemical composition of pore-water and pore-water profiles, grain size, sediment mechanics, dissolved and particulate organic and inorganic carbon, nutrients, carbonates, redox regimes, and spatial (horizontal and vertical) and temporal (seasonal and interannual) variability in these characteristics)~~. Substrate composition shall be described to a depth below the seafloor prescribed in the relevant Standard or Regional Environmental Management Plan.

#### **4.10 Noise and light**

Provide a description of local ambient noise and light, including light intensity, backscatter, and attenuation, and spatial (horizontal and vertical) and temporal (seasonal and interannual) variability in these characteristics, indicating pertinence to fauna where known, and the influence of existing Exploitation, Exploration and maritime activity on conditions at the site and impact area.

#### **4.11 Greenhouse gas emissions and climate change**

Provide a description of the level of gas and ~~chemical- fluid~~ emissions from both natural and anthropogenic activities in the Area, as well as those affecting sea floor and water-column chemistry. Effects of mining on ocean climate mitigation functions and services should be described (including any anticipated alteration of CO<sub>2</sub> uptake and sequestration, or nutrient cycling.

#### **4.12 Summary of the existing physicochemical environment**

Summarize key findings and include notes on special considerations for [rare or sensitive habitats](#), hydrothermal vents, seeps, [ridges](#), seamounts and oceanographic fronts or eddies, [and other geological and oceanographic features described in this section](#). (...).

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

Regarding the title of section 4, we propose edits to clarify that physical, chemical, geological, and biological oceanography are all branches of oceanography, and to distinguish this section from the biological environment considered in Section 5 of the EIS template. We propose minor edits to subsection 4.2 for improved clarity, including to clarify the expectation that a REMF will be in place in advance of the development of the EIS.

In subsection 4.4, we propose that local meteorology be described, and that meteorological variability be considered given its relevance to surface operations.

In subsection 4.5, we propose adding sea floor mapping (including bathymetry and backscatter), as well as high-resolution sub-bottom profiling, as tools for the description of the site. Additionally, given this subsection's focus on habitat classification, we propose the addition of text to specify that the description of habitat is to be done using an appropriate classification system. We propose further edits to 4.5 and 4.8 to address redundancies in these two sections, which we largely address by moving text from 4.5 to consolidate with 4.8.

Additionally in subsection 4.8, given that porewater is considered and that sediment compaction is expected, we propose adding explicit reference to the sub-seabed in the title and body of the subsection.

In subsection 4.10, we propose specifying a "local" spatial extent for the description of ambient noise and light, and additionally recommend text to specify that the influence of existing Exploitation, Exploration and maritime activities is to be described for conditions at the scale of the site and impact area.

In subsection 4.11, we recommend moving the second sentence to Section 7.10 on the Assessment of impacts related to Greenhouse Gas Emissions and Climate Change.

Finally, in subsection 4.12, we propose consideration of "rare or sensitive habitats" in the summary of key findings on the physicochemical environment.

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Annex IV EIS Template – 5. Description of the existing biological environment

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**5. Description of the existing biological environment**

Give a detailed account of knowledge of the biological communities and ecosystem functions in the site and Impact Area, including information from a thorough literature review and baseline data collected, in accordance with the Regulations and the applicable Standard and taking into account the relevant Guidelines.

**5.2 Regional overview**

Provide general regional context, and include site-specific issues and characteristics, ~~existing~~ Regional Environmental Management Plan if any (...).

**5.4 Biological environment**

Address diversity, abundance, biomass, community-level analyses, connectivity, trophic relationships, resilience, ecosystem function as well as seasonality and spatial and temporal variability.

(...) For each depth zone, there should be a description of the main taxonomic/ecological groups (e.g., plankton, fish, marine mammals, marine turtles, (...)).

**5.4.2 Midwater**

Describe the pelagic fauna and their habitat in the open water from a depth of 200 metres down to 50 metres above the sea floor, and include zooplankton, nekton, mesopelagic, ~~and~~ bathypelagic and abyssopelagic fishes and deep-diving mammals.

**5.4.4 Ecosystem/community-level description**

Summarize existing community ~~or~~ and ecosystem studies that integrate elements of the above sections. The summary should consider [trophic relationships, ecosystem functioning, benthic-pelagic couplings.] ecosystem connectivity, early life- history stages, recruitment and behavioural information.

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

In the opening paragraph, we propose that the phrase “site and impact area” be used rather than “Impact Area,” for consistency with other parts of the template. In subsection 5.4, in describing the biological environment, we propose the consideration of seasonality in the assessment of spatial and temporal variability and the addition of marine turtles among the fauna included for description. We further propose consideration of abyssopelagic fauna in subsection 5.4.2, since nodules occur deeper than the bathypelagic zone. Finally, in subsection 5.4.4, we propose text to include ecosystem connectivity as part of the ecosystem description.



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Annex IV EIS Template – 7. Assessment of impacts on the oceanographic environment and proposed Mitigation

**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.**

**7. Assessment of impacts on the ~~physicochemical oceanographic~~ physical, chemical and geological environment and proposed Mitigation**

Provide a detailed description and evaluation of potential impacts ~~and Environmental Effects~~ of the operation to components of the physical, ~~chemical, and geological and oceanographic~~ environment identified in section 4. This may need to consider effects that could happen during the construction/development (pre-commissioning) ~~of the mine site~~, operational and decommissioning phases, ~~and following Closure of the site~~, as well as the potential for accidental events ~~and natural hazards~~. The ~~required preferred~~ approach for this template is to include for each component a description of:

(a) bis The nature, ~~duration~~ and extent of any actual or potential impact, including cumulative impacts;

(a) ter The methods used to determine impacts (including the assumptions ~~and limitations~~ of any impact modelling ~~or other analyses~~ undertaken);

**7.2 Description of potential impact categories**

Provide an overview and description of the categories of ~~general-potential~~ impacts caused by the ~~proposed~~ mining operation. This should introduce the major types of ~~effect~~potential impacts, such as habitat removal, the creation of sediment plumes ~~and dewatering plumes~~, noise and light, etc. ~~and be used in the subsequent descriptions and evaluations of potential environmental impacts and Environmental Effects from the proposed operation and alternatives considered to components of the physical, chemical, and geological, and oceanographic of the mine site and impact area environment identified in section 4.~~

(...)

### **7.5.3 Residual impacts**

Provide a description of any residual impacts that may remain following the application of mitigation measures, including the expected longevity of those impacts, and outline the measures that will be taken to ensure long-term site compliance with the environmental quality objectives, quantitative thresholds, and indicators in accordance with these regulations and the applicable Standard, and taking into account the relevant Guidelines.

(...)

### **7.6 Chemical oceanographic setting**

#### **7.6.1 Potential impacts and issues to be addressed**

#### **7.6.2 Environmental management measures to mitigate impacts**

#### **7.6.3 Residual impacts**

Provide a description of any residual impacts that may remain following the application of mitigation measures, including the expected longevity of those impacts, and outline the measures that will be taken to ensure long-term site compliance with the environmental quality objectives, quantitative thresholds, and indicators in accordance with these regulations and the applicable Standard, and taking into account the relevant Guidelines.

(...)

### **7.7 Seabed substrate characteristics**

#### **7.7.1 Potential impacts and issues to be addressed**

#### **7.7.2 Environmental management measures to mitigate impacts**

#### **7.7.3 Residual impacts**

Provide a description of any residual impacts that may remain following the application of mitigation measures, including the expected longevity of those impacts, and outline the measures that will be taken to ensure long-term site compliance with the environmental quality objectives, quantitative thresholds, and indicators in accordance with these regulations and the applicable Standard, and taking into account the relevant Guidelines.

(...)

### **7.8 Accidental events and Natural hazards**

Discuss any impacts of accidental events and the cumulative effects of the mining operation ~~on~~ and natural hazards and ~~plans to~~ the measures that will be taken to avoid, remedy or mitigate those impacts ~~deal with these hazards~~.

#### **7.8.1 Potential impacts and issues to be addressed**

#### **7.8.2 Environmental management measures to mitigate impacts**

#### **7.8.3 Residual effects**

Provide a description of any residual impacts that may remain following the application of mitigation measures, including the expected longevity of those impacts, and outline the measures that will be taken to ensure long-term site compliance with the environmental quality objectives, quantitative thresholds, and indicators in accordance with these regulations and the applicable Standard, and taking into account the relevant Guidelines.

### **7.9 Noise and light**

Provide a description of potential impacts and Environmental Effects from the proposed operation from, nNoise and light above existing levels especially the impacts of noise on marine mammals

and fish. Provide a description of the measures that will be taken to ensure compliance with applicable environmental quality objectives and quantitative thresholds for noise and light levels for relevant fauna, in accordance with these regulations and the applicable Standard, and taking into account the relevant Guidelines.

#### **7.10 Greenhouse gas emissions and climate change**

Provide an~~A~~ assessment of gas and chemical emissions from proposed operations, relative to emissions both natural and anthropogenic activities, ~~as well as those affecting sea floor and water column chemistry~~. Subsections should include estimated greenhouse gas emissions and a greenhouse gas emissions assessment where appropriate. Effects of mining on ocean climate mitigation functions and services should be described (including any anticipated alteration of CO2 uptake and sequestration, or nutrient cycling.)

#### **7.11 Maritime safety and interactions with shipping**

Provide a description of predicted maritime ~~Include project~~ safety issues and potential interactions with other vessels from the proposed activities, with reference to compliance with the relevant conventions.

#### **7.13 Cumulative impacts**

Provide a description of ~~The~~ source of, nature and extent of any interactions between various potential environmental impacts and Environmental Effects. ~~Where~~ Where they may have cumulative effects, they must be considered on both spatial and temporal scales over the lifetime of the proposed mining operation and in the post-Closure period.

##### **7.13.2 Proposed operations impacts**

Cumulative within the ~~scope-~~ mine site and Impact Area of the mining proposed herein.

##### **7.13.2 Regional operation impacts**

Cumulative between activities, actions, or natural phenomena, where known in the region.

#### **7.15 Summary of residual effects**

Summarize key findings on potential environmental impacts and Environmental Effects, environmental management measures, residual effects, and any potential impacts and effects to areas under any State's national jurisdiction. A table may be a useful summary format to pull together the above elements in a simple visual mode. The table should include a column outlining the measures that will be taken to address potential environmental impacts and manage residual effects and ensure long-term site compliance with the environmental quality objectives, quantitative thresholds, and indicators in accordance with these regulations and the applicable Standard, and taking into account the relevant Guidelines.

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

We propose a range of modifications to Section 7; the rationale for more substantive edits and those not repeated in our other proposals are elaborated on here.

In the first paragraph, we propose that impacts also be considered in the post-closure period. In the last sentence of the opening paragraph, we propose language to indicate that the template is binding, rather than optional as the current wording suggests.

In paragraph (a)ter we suggest that the duration of impacts should be included together with their nature and extent, while in (a)ter, we suggest text to indicate that the methods used to determine

impacts include the assumptions and limitations of any impact modelling as well as other analyses undertaken, since not all methods to determine impact may use modelling as their approach.

Regarding Residual impacts, we propose the addition of guidance for a description of Residual impacts in 7.5.3 regarding the Physical oceanographic setting, and we also propose the addition of new, equivalent subsections in subsections 7.6, 7.7 and 7.8, since the parameters in those sections could also face longer-term impacts requiring ongoing maintenance.

We suggest that for consideration of each impact category, the subsections for analysis should be consistent. Accordingly, in subsection 7.6, we propose the addition of a new subsection 7.6.1 on Potential impacts and issues to be addressed, as well as 7.6.2 on Environmental management measures to mitigate impacts, as is done for the other potential impact categories such as meteorology and air quality, the geological setting and the physical oceanographic setting. We further propose the addition of equivalent sections for subsections 7.7 and 7.8 on Seabed substrate characteristics and Accidental events and Natural hazards.

In subsection 7.8, we propose broadening the scope of the section to include Accidental events together with Natural hazards.

In subsection 7.9, we propose that impacts to fish be considered, as well as propose text to require a description of the measures that will be taken to ensure compliance with applicable environmental quality objectives and quantitative thresholds for noise and light levels for relevant fauna.

In subsection 7.11, we propose that the text reference compliance with the relevant conventions for maritime safety and interactions with shipping.

In subsection 7.13 on cumulative impacts, we propose text to include consideration of the post-Closure period in order to capture longer-term impacts at the mine site and impact area.

In subsection 7.13.2 on Regional operation impacts, we recommend that the text be adjusted to clarify that “activities in the region” include “activities, actions, or natural phenomena” such as fishing, oil and gas, and carbon sequestration, and natural phenomena and events such as El Nino, volcanic eruptions, climate change, and pollution.

Finally, in subsection 7.15 regarding the Summary of residual effects, we propose the addition of text to specify that the summary table should include an overview of the measures that will be taken to manage the residual effects described.

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Annex IV EIS Template – 8. Assessment of impacts and Environmental Effects on the biological environment and proposed Mitigation

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**8. Assessment of impacts and Environmental Effects on the biological environment and proposed Mitigation**

Provide a detailed description and evaluation of potential impacts and Environmental Effects of the proposed operation and alternatives considered in section 3.7 to the biological environment components identified in section 5 in the mine site and Impact Area. ~~This may need to e~~Consider impacts and effects that could happen during the construction/development (pre-commissioning), operational and decommissioning phases, and following Closure of the site, as well as the potential for accidental events and natural hazards. (...).

(a) ter The methods used to determine impacts (including the assumptions and limitations of any impact modelling or other analyses undertaken);

(d) A description of the impacts and effects against ~~The~~the applicable environmental goals and objectives, indicators and threshold values as identified in the applicable Regional Environmental Management Plan, if any.

**8.2 Description of potential impact categories**

This section is an overview and description of the categories of general impacts caused by the mining operation. This is not expected to be detailed, but rather to introduce the major types of impacts and their effects, such as habitat removal, the crushing of animals, the creation biological effects of sediment plumes and dewatering plumes, noise and light, etc. (...)

**8.3 Surface**

(...)

**8.3.3 Residual impacts**

Provide a description of any residual impacts that may remain following the application of mitigation measures, including the expected longevity of those impacts, and outline the measures that will be taken to ensure long-term site compliance with the environmental quality objectives, quantitative thresholds, and indicators in accordance with these regulations and the applicable Standard, and taking into account the relevant Guidelines.

#### **8.4 Midwater**

(...)

##### **8.4.3 Residual impacts**

Provide a description of any residual impacts that may remain following the application of mitigation measures, including the expected longevity of those impacts, and outline the measures that will be taken to ensure long-term site compliance with the environmental quality objectives, quantitative thresholds, and indicators in accordance with these regulations and the applicable Standard, and taking into account the relevant Guidelines.

#### **8.5 Benthic**

(...)

##### **8.5.3 Residual impacts**

Provide a description of any residual impacts that may remain following the application of mitigation measures, including the expected longevity of those impacts, and outline the measures that will be taken to ensure long-term site compliance with the environmental quality objectives, quantitative thresholds, and indicators in accordance with these regulations and the applicable Standard, and taking into account the relevant Guidelines.

#### **8.6 Ecosystem/community level**

(...)

##### **8.6.3 Residual impacts**

Provide a description of any residual impacts that may remain following the application of mitigation measures, including the expected longevity of those impacts, and outline the measures that will be taken to ensure long-term site compliance with the environmental quality objectives, quantitative thresholds, and indicators in accordance with these regulations and the applicable Standard, and taking into account the relevant Guidelines.

#### **8.7 Cumulative impacts**

The nature and extent of any interactions between various impacts where they may have cumulative effects must be considered. This should include an evaluation of the spatial and temporal intensity of mining and its effects on other impacts, including existing uses considered in the Assessment and described in Section 9 of the EIS, as well as an evaluation of the resulting cumulative effects to nature and spatial and temporal extent of any potential and actual interference with the ecological balance of the marine environment, including the spatial and temporal extent of such effects.

(...)

#### **8.8 Summary of residual effects**

A table may be a useful summary format. The table should include a column outlining the measures that will be taken to address potential environmental impacts and residual effects and ensure long-term site compliance with the environmental quality objectives, quantitative thresholds, and indicators in accordance with these regulations and the applicable Standard, and taking into account the relevant Guidelines.

#### **8.9 Accidental events and Natural hazards**

Discuss any impacts of accidental events and the cumulative effects of the mining operation and natural hazards and the measures that will be taken to avoid, remedy or mitigate those impacts.

#### **8.9.1 Potential impacts and issues to be addressed**

#### **8.9.2 Environmental management measures to mitigate impacts**

#### **8.9.3 Residual effects**

Provide a description of any residual impacts that may remain following the application of mitigation measures, including the expected longevity of those impacts, and outline the measures that will be taken to ensure long-term site compliance with the environmental quality objectives, quantitative thresholds, and indicators in accordance with these regulations and the applicable Standard, and taking into account the relevant Guidelines.

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

We proposed a range of edits to Section 8, many of which are functionally equivalent to those proposed for Section 7. For those edits, we refer to the Rationale provided for Section 7. Here, we elaborate on the Rationale for additional edits specific to Section 8.

In subsection 8.7 on Cumulative impacts, we propose text to indicate that cumulative impacts considered include the existing uses considered in Section 9, including fishing, submarine cables, and others, together with climate change. Additionally, we recommend the addition of a new subsection 8.9 on Accidental events and Natural hazards, for symmetry with Section 7.

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Annex IV EIS Template – 9. Assessment of impacts on the socioeconomic environment and proposed Mitigation

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**9. Assessment of impacts on the socioeconomic environment and proposed Mitigation**

~~As in the preceding sections, p~~Provide a detailed description and evaluation of potential impacts and Environmental Effects of the operation to the socioeconomic components identified in section 6. This may need to consider effects that could happen during the construction/development (pre- commissioning), operational (including maintenance) and decommissioning phases, as well as the potential for accidental events. A description of the benefits to mankind may be included. The preferred approach for this template is to This section shall include for each component a description of:

**9.2.1.1. Fisheries**

~~A description of potential impacts and issues to be addressed, along with proposed management measures and a description of residual impacts.~~

**9.6 Accidental events and Natural hazards**

~~Discuss any impacts of accidental events and the cumulative effects of the mining operation and natural hazards, and the measures that will be taken to avoid, remedy or mitigate those impacts.~~

**9.6.1 Potential impacts and issues to be addressed**

**9.6.2 Environmental management measures to mitigate impacts**

**9.6.3 Residual effects**

~~Provide a description of any residual impacts that may remain following the application of mitigation measures, including the expected longevity of those impacts, and outline the measures that will be taken to ensure long-term site compliance with the environmental quality objectives,~~



quantitative thresholds, and indicators in accordance with these regulations and the applicable Standard, and taking into account the relevant Guidelines.

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

In the opening paragraph, we propose text to indicate that the template is binding, rather than optional, and reference the opportunity to describe benefits to mankind—text that we propose to move from Section 1 (Introduction) to this Section 9. In section 9.2.1.1 on Fisheries, we propose guidance text for symmetry with the other categories considered in Existing uses. Finally, we propose the addition of a new section 9.6, to consider the possible impacts to other ocean uses resulting from accidental events and natural hazards at the mine site (e.g., effect of a hazardous spill on fisheries), and for symmetry with the structure of sections 7 and 8.

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United States

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Annex IV EIS Template – Executive Summary

**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.**

**Executive Summary**

(b) Economic, financial and other benefits to be derived from the project, and the beneficiaries for each;

(c) Anticipated impacts of the activity [including but not limited to] (physicochemical, oceanographic, geological, biological, socioeconomic), including the expected duration of impacts and cumulative impacts;

(d) Measures to mitigate ~~Mitigation measures to minimize~~ environmental impacts and a description of any residual impacts;

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

In part (b), we recommend that the description of economic, financial and other benefits to be derived from the project include specifying the beneficiaries for each. In part (c), we recommend that the information provided on the anticipated impacts of the activity include consideration of the expected duration of those impacts. In part (d), we propose edits to the text to broaden mitigations measures from minimization (as the current text indicates) to the full mitigation hierarchy.

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Annex IV 1. Preparation of an Environmental Impact Statement

**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.**

1.

(b) Provide information, in accordance with the relevant regulations, [requirements of regional environmental management plans](#), and Standards, and [Guidelines and taking into account the relevant- relevant Guidelines applicable regional environmental management plan](#), corresponding to the scale and potential magnitude of the activities, to assess the likely Environmental Effects of the proposed activities.

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

In paragraph 1(b), we suggest modifying the text to distinguish between parts of the Mining Code that are legally binding and those that are not.

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Annex IV 2. Template for Environmental Impact Statement

**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.**

**2. Template for Environmental Impact Statement**

The ~~required~~ ~~recommended~~–format for an Environmental Impact Statement is outlined below. It is intended to provide the International Seabed Authority, its member States and other stakeholders with unambiguous documentation of the potential Environmental Effects based on the Best Available Scientific Evidence and Best Available ~~Technology~~ Techniques on which the Authority can base its ~~assessment~~ decision, and any subsequent approval that may be granted. Further detail for each section is provided following the overview.

(...)

**Contents**

3. Description of the proposed ~~development~~project

3bis Methods

4. Description of the existing ~~physicochemical~~ ~~oceanographic~~–physical, chemical and geological ~~environment~~ oceanography

7. Assessment of impacts on the ~~physicochemical~~ ~~oceanographic~~ physical, chemical and geological environment and proposed Mitigation

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

In the first paragraph of this section, we support the template being mandatory rather than recommendatory in nature, and therefore propose specifying that the EIS format be “required” as part of the legally-binding regulations. We additionally propose replacing “assessment” with

“decision” in the second sentence of this paragraph to clarify that the objective of the Authority’s consideration of the EIS is to make a decision on whether or not the activity can go forward.

In the Table of Contents, we recommend the addition of a Methods section to follow the Description of the proposed project, which would address the methods used for both the Description of the environment sections (in Sections 4, 5 and 6), and the Assessment of Impacts section (in Sections 7 8 and 9) of the EIS. The rationale for edits to the titles of Sections 4 and 7 is presented in the textual proposal specific to Section 4.

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Annex IV Section 10 Accidental events and natural hazards

**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.**

**10. 4bis. Accidental events and natural hazards**

~~Environmentally hazardous discharges resulting from accidental and extreme natural events are fundamentally different from normal operational discharges of wastes and wastewaters.~~  
This section should outline the possibility/probability of accidental events and natural hazards occurring, the impact they may have to the mine site and impact area, the measures taken to prevent or respond to such an event and the residual impact should an event occur. This should include an overview of potential environmentally hazardous discharges resulting from accidental and extreme natural events, as these are fundamentally different from normal operational discharges of wastes and wastewaters.

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

- We propose moving this section to be placed directly after Section 4, the Description of proposed project. This way, this Accidental events and natural hazards section can provide an overview of the relevant issues. Then, the impacts to the various environments can each be considered in more detail in the appropriate subsections of Sections 7, 8 and 9, respectively.
- We propose moving the first sentence to later in the paragraph since it treats a subset of the issues at hand (discharges), as well as a slight rephrasing to be clear that this is a subset of the issues to be considered.

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Annex IV Section 11.3.1 Mitigation and Management

**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.**

Summarize the mitigation and management measures that will be taken, based on actions and commitments that have arisen from the impact minimization and mitigation analysis undertaken as part of the environmental impact assessment and as described in the environmental impact statement in Sections 7, 8, and 9. strategies.

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

We suggest the summary of mitigation and management measures be based not only on the EIA, but also on the analysis described further up in the EIS, in particular in sections 7, 8, and 9, since the EIS template instructs Contractors to include consideration of "Environmental management measures to mitigate impacts" to the physical, chemical and geological oceanographic environment, the biological environment, and socioeconomic environment.

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United States
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Annex IV Section 11.4 Reporting  
Annex IV Section 11.4.1 Monitoring
- **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.**

**11.4 Reporting**

Outline how data collected at the mine site and impact area will meet reporting requirements and best scientific practices outlined in Annex VII on the Environmental Management and Monitoring Plan.

**11.4.1 Monitoring**

Outline how the results of monitoring studies will be reported to the Authority, as well as the frequency and format of data releases in accordance with the regulations and any relevant Standards and taking into account any relevant Guidelines.

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

- We propose including a description in 11.4 cross-referencing Annex VII on the Environmental Management and Monitoring Plan and how data collected at the mine site and impact area will meet reporting requirements and best scientific practices therein.
- In 11.4.1, we propose not only a description of how results will be reported, but also the frequency and format of data releases in accordance with other relevant rules of the Authority.



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Annex IV Section 11 Environmental management, monitoring, and reporting

**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.**

Provide sufficient information to enable the Authority to anticipate possible environmental management, monitoring and reporting requirements for an environmental approval. Information listed include a description of the applicant’s environmental management system and should reflect the proponent’s environmental policy and the translation of that policy to meet the requirements of this section and previous sections during different stages of the project life (i.e., from construction to decommissioning and closure and the post-closure period).

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

We propose consideration of the post-closure period here, too, as long-term management, monitoring and reporting may be required in the mine site and impact area.

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Annex IV Section 13.1 Consultation Methods
- **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.**

Describe the mechanism(s) used to consult with different groups and how this aligns with ~~any~~the relevant ~~consultation obligations~~[Standards and Guidelines]. [including in the Regulations and Standards] [Regulations, Standards, and Guidelines].

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

We propose replacing “any” with “the” and adding a new option of “Regulations, Standards, and Guidelines” to be inclusive of the relevant rules of the Authority.

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Annex IV EIS Template – 1. Introduction

**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.**

**1.2 Project viability**

Provide information on the viability of the proposed development, its economic context and why the project is needed, ~~and include a description of the benefits to mankind.~~

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

In subsection 1.2 of the Introduction, on Project Viability, we recommend removing the reference to a description of the benefits to mankind in this part of the Template. Instead, we suggest this material would be better suited to Section 9, which is dedicated to the Assessment of impacts on the socioeconomic environment.