

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 28TH SESSION:
COUNCIL - PART I**

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.

1. Name of Working Group:

Protection and preservation of the marine environment

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

Norway

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

DR 47

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. An applicant or Contractor, as the case may be, shall prepare, ~~or commission the preparation of,~~ an Environmental Impact Statement in accordance with this regulation, ~~and in consultation with relevant Stakeholders throughout the process throughout the environmental impact assessment process, for approval by the Authority within the framework of the consideration and approval of the work plan.~~

3. (a) Include a prior ~~e~~Environmental ~~r~~Risk ~~a~~Assessment prepared during the environmental impact assessment scoping phase, and revisited and updated as the environmental impact assessment proceeds;

(b) ~~Be based on~~ Describe the results of the environmental impact assessment; ~~as well as those of the survey of the seabed to identify Underwater Cultural Heritage; including a description of the main elements of the methodology used for the identification and evaluation of the identified environmental impacts, and main uncertainties and knowledge gaps, and also identify include~~ comments received through the public Stakeholder consultation on the environmental impact assessment process and explain how such each comments hasve been incorporated or otherwise addressed considered they have been addressed;

(c) ~~include~~ Identify substantive comments received through the Stakeholder consultation process and an explanation of how such comments have been taken into account ~~considered and addressed by the applicant or Contractor, as the case may be, also including a description of the analysis of alternatives, including a no action alternative;~~

5. The Environmental Impact Statement of every project, including any revisions, should be available for at least 60 days on the official website

of the International Seabed Authority in the interests of transparency of the whole process.

~~6. Where predictive models have been used to inform an environmental impact~~

~~assessment:~~

~~(a) These shall be reviewed by competent independent experts, with the results provided to the Authority as annexures to the Environmental Impact Statement; and~~

~~(b) The monitoring programme proposed in the Environmental Impact Statement shall describe how predictions made by models will be validated.~~

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

- The duty to prepare an EIS is on the Contractor/applicant alone. The Contractor is responsible for the content of the EIS.
- Consultation requirements should be clearly outlined in DR93bis. Formal consultation requirements must also be clear stop points. Norway supports formal stakeholder consultations to be held at the scoping stage (scoping report) and on the EIS together with the Environmental Plans under DR11. “throughout the process” is unclear and risks making the consultations arbitrary.
- The Contractor shall prepare an Environmental Risk Assessment, but this is as a clear main rule a finished product.
- The EIS should describe also any identified underwater cultural heritage, as one of the important elements of the impact assessment. This is one of several elements to list in the Standard on the EIA.
- Norway supports the inclusion of methodology, main uncertainties and knowledge gaps.
- 3)c) the description of alternatives including the no-action alternative is a different topic than the substantive comments received. Analysis of alternatives should be included in the EIS, based on the EIA.
- 5) The EIS, as well as the other Environmental Plans, should be available permanently online (on or through the website of the Authority). The comment period should be 90 days.
- 6) Norway prefers deleting 6). The Contractor is responsible for the EIA and the content of the EIS. The assessment must be undertaken by experts with the relevant competence and expertise (DR46 bis 4. g)).