

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 29TH 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:

Environment

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

Federal Republic of Germany

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

Annex Xter

Red text is in original draft; **blue text** indicates Germany's textual proposals

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.

Annex Xter [IWG ENV]

**Design Criteria for Impact Reference Zones (IRZs) and
Preservation Reference Zones (PRZs)**

Annex [A.H.]

...

2. The applicant needs to demonstrate that the IRZ/PRZs are ~~ecologically~~environmentally similar before the commencement of mining. Additional PRZs and IRZs have to be introduced subsequently, once areas ecologically dissimilar from the primary PRZ are impacted, to warrant future comparability.

3. ~~To designate representative IRZs/PRZs requires characterisation of the pelagic and benthic environment including all sub-habitats that may be impacted by mining operations, and determination of regional distributions and patterns of connectivity of communities. Temporal variation must also be evaluated over multiple years.~~

...

5. ~~All types~~ For each type of impact from mining-related activities in any contract area identified in the Environmental Impact Statement, ~~there~~ must ~~be at least one~~ correspond~~ing~~ with at least one IRZ~~/IRZs~~ which will enable the Contractor to

monitor ~~{that}~~~~{these}~~ impacts. ~~{Designation of}~~~~{This is likely to require}~~ multiple IRZs ~~{(or a very large IRZ)}~~~~{is possible}~~ may be necessary for this purpose.

...

7. PRZs will be important in identifying natural variations in environmental conditions against which impacts shall be assessed and must be comparable to that of the impacted areas, in accordance with the relevant Standards [and], taking into account the relevant Guidelines. ~~The abiotic and biotic baseline data include but are not limited to the quantity and quality of mineral resources, species composition and habitat types.~~

8. PRZs must be areas that will not be impacted by mining activities from any contractor, including impacts from operational and discharge plumes and including during the post-closure period. PRZs must also be free [as far as possible] from impacts of other industrial activities~~. PRZs must have to remain unimpacted throughout the post-mining monitoring period.~~

...

13. The longevity of PRZs ~~{and duration of post-monitoring }~~~~{is}~~~~{are}~~ important~~. The~~ duration of post-mining monitoring should last until ~~monitoring results show a trajectory towards recovery. Post mining monitoring should be described in the final EMMP and/or Closure Plan.~~ no measurable difference between IRZ and PRZ can be detected anymore.

~~{13 Alt. Post mining monitoring shall continue until ecosystem function returns to the level of the pre mining condition agreed within the EMMP/Closure Plan and taking into account the time taken to reach a new equilibrium state.}~~

...

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

- Para 2: to be useful for any meaningful comparison, IRZs and PRZs need to be ecologically (incl. zoologically) comparable, because environmental (abiotic) comparisons would not suffice to protect the Marine Environment. Therefore, the comparison of IRZs and PRZs with one another requires similar species inventories in both areas to be comparable.
- Para 5: IRZs will be needed for all impacts to be monitored and not just for the ones anticipated in the EIS.
- Para 3: Germany supports the inclusion of para 3, which is directly relevant for PRZs/IRZs.
- Paras 11-16 require more technical detail which could be provided in an accompanying Standard.
- Para 13: Post-mining monitoring should occur until no measurable difference between IRZ and PRZ can be detected anymore. Anything less than that will imply

that the ISA tolerates a certain level of long-term harm to ecosystem functions, which would be problematic.

- In response to the Facilitator's comment, Germany strongly believes that all PRZs will need to be within a Contract Area.