

**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:

Informal Working Group on Environment

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

Submitted by Nauru Ocean Resources Inc., Tonga Offshore Mining Ltd. and Blue Minerals Jamaica Ltd.

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

Draft Regulation 48Alt (2) and (3)

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.

Regulation 48 Alt. [IWG ENV]

Environmental Impact Statement

[...]

2. The Environmental Impact Statement shall document and report the results of the Environmental Impact Assessment carried out in accordance with Regulation 47 ~~ter~~ and shall provide the ~~[International Seabed]~~ Authority, its member States and other Stakeholders with ~~unambiguous~~ clear documentation of the potential Environmental Effects based on ~~[the Best Available Scientific Information,]~~ Best Environmental Practices, ~~[and Best Available Techniques,]~~ and Good Industry Practice ~~[on which the Authority can base its decision, and any subsequent approval that may be granted].~~

3. The Environmental Impact Statement shall be in a form prescribed by the Authority in the ~~applicable relevant~~ Standard and ~~in accordance with the relevant~~ Guidelines, ~~[and shall]:~~

[...]

~~(e) Be peer reviewed by competent independent experts, before submission,~~

[...]

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

- We do not consider that the standard for the Environmental Impact Statement should be the provision “unambiguous” documentation. This is too high a bar that would remove from consideration a range of potential sources regarding environmental impact. It is also

unclear who would determine what is 'ambiguous' in this context. We suggest replacing "unambiguous" in Draft Regulation 48Alt(3)(2) with the word "clear".

- We also oppose the inclusion of Draft Regulation 48Alt(3)(e), consistent with our earlier submission. Requiring outside review would usurp the Authority's assessment and regulatory role and add to the cost and time associated with the review of the EIS for no real benefit.