

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

Informal Working Group - Environment

Please fill out one form for each textual proposal which your delegation(s) wish(es) to amend, add or delete.

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

Federal Republic of Germany

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

Draft Regulation 48

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

3. 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

Environmental Impact Statement

1. An applicant or Contractor shall prepare an Environmental Impact Statement in accordance with this regulation. Such an Environmental Impact Statement shall be considered by the Authority in accordance with Part II or Regulation 57 and is required for an application for a plan of work pursuant to Regulation 7(3)(d).

2. The purpose of the Environmental Impact Statement is to document and report the results of the environmental impact assessment carried out in accordance with Regulation 47bis and 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 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 and must:

(a) Include a prior Environmental Risk Assessment prepared during the environmental impact assessment,

(b) Describe the results of the environmental impact assessment including of the methodology used and evaluation of the identified environmental impacts,

- (c) Demonstrate that the proposed activities and mining operations are in accordance with all relevant environmental Standards and the Authority's environmental objectives and take into account the requirements of the relevant Regional Environmental Management Plan, environmental baseline data as well as any additional objectives as set by the Contractor and any results of the performed test mining study, where applicable,
- (d) Identify substantive comments received through public consultation on the environmental impact assessment and explain how each comment has been incorporated or otherwise addressed,
- (e) Be prepared in clear language and in an official language of the Authority together with an English-language version, where applicable,
- (f) Include a non-technical summary of the main conclusions and information provided to facilitate understanding of the nature of the activity by Stakeholders,
- (g) Be peer reviewed by competent independent experts, before submission and include a description of the experts, their qualifications, and the results of their review.

4. The Environmental Impact Statement should, but not limited to, entail the following elements, which are described in greater detail in [Annex IV/ Standard]:

- a) An executive summary to provide an overview of the project and a summary of the content of the Environmental Impact Statement for non-technical readers, including a description of the proposed project, its objectives, alternatives analysed, anticipated benefits, anticipated impacts and measures to minimize these, consultation efforts and linkage to the Environmental Monitoring and Management Plan and the Closure Plan,
- b) An introductory section containing information on the project background and history, project viability and proponents as well as a description of the report, including its scope and structure,
- c) An outline of applicable national and international legislation, procedures and policies, for example the Convention including the 1994 Agreement relating, relevant rules from the International maritime Organization and International Law in general,
- d) A description of the proposed project including information on location, associated activities, required infrastructure, mineral resources (type, size, shape, tonnage, volume, grade), technologies and (mining-)equipment to be used, project scale overview (spatial, temporal, operational depth), transport and handling of materials, on-site processing, commissioning, construction and operating standards, design codes, health and safety aspects, workforce, decommissioning and closure, other considered

alternatives and a timetable for the entire operation,

- e) Methodologies for **describing and** assessing the Marine Environment, the Environmental Effects of the proposed project and collecting baseline data,
- f) A description of the existing physiochemical and geological oceanography, including information on prior research/Exploration studies, meteorology, seabed and sub-seabed characteristics, natural hazards, noise, light and greenhouse gas emissions,
- g) A description of the existing biological environment, including information on biological properties and communities in the area, also taking into consideration studies and research on this,
- h) A description of the existing human activities socioeconomic and sociocultural environment in the area, containing information on fisheries, marine traffic, submarine cables, tourism, ongoing scientific research, sociocultural use,
- i) An assessment of impacts on the physical, chemical and geological environment and proposed Mitigation, including description of potential impact categories and pathways, as well as receptors and impacts,
- j) An assessment of impacts and Environmental Effects on the biological environment and proposed Mitigation, including description of key impact source, potential impact categories and pathways, receptors and impacts and cumulative operation effects,
- k) An assessment of impacts on the socioeconomic and sociocultural environment and proposed Mitigation, including description of potential impact categories and pathways and impact identification of existing use (fisheries, marine traffic, submarine cables, tourism, ongoing scientific research, sociocultural use, area-based management tools), gender impact and residual impacts,
- l) An outline of hazards arising from natural, accidental and discharge events, for example related to extreme weather, natural hazards, accidental events, maritime safety, emergency response, handling waste and blast water,
- m) A summary of key issues in the Environmental Management, and Monitoring Plan,
- n) A description of responsible product stewardship related to the intended use of the mineral-bearing ore once it leaves the Area, including how the Contractor will minimize effects on health, safety, environmental as well as socioeconomic and sociocultural impacts,
- o) A summary of consultation and stakeholder engagement and methods,
- p) A **summary description** of the study team outlining the people involved in the environmental impact assessment studies and in writing the Environmental Impact Statement,
- q) A list of glossaries, abbreviations, references, and appendices

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.]

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

The list of elements under Para 4 is considered too detailed and should rather form part of the relevant EIS standard.

We look forward to further intersessional work (as proposed by the UK) on streamlining the provisions for the EIA.