

Intervention on the report of the Chair of the Legal and technical commission

Many thanks Chair.

The Deep-Ocean Stewardship Initiative wishes to commend the LTC on their progress despite challenging global conditions.

We wish to refer to points 20-22 of the report, regarding the environmental impact statement from Nauru Ocean Resources Inc. (NORI) for its plans to carry out testing of a polymetallic nodule collector in the NORI-D contract area in the eastern Clarion-Clipperton Zone.

While DOSI appreciates the decision of the LTC to request a more substantive monitoring plan for the collector test from NORI before continuing its consideration, we would like to express significant concerns beyond this particular shortcoming. During the stakeholder's consultation carried out by NORI, DOSI submitted an extensive list of general and technical comments and criticisms, most of which were not addressed or taken up in the revised version. In our expert opinion, the revised version still has many serious deficiencies that makes it unsuitable for the purpose of an EIS.

The most glaring issue is the insufficient baseline study, with most of the environmental knowledge included considered, at best, preliminary. Even after additional information was provided by NORI, the text still states that investigations are ongoing, and much of the results are not yet available.

NORI also mentioned in their EIS that the sample size for several of their analyses was insufficient for drawing any well-founded conclusions on, amongst others, the diversity, densities or connectivity in the areas studied. This is inadequate as this baseline information is required for meaningful impact assessment. In addition, DOSI is concerned about the differences present in the environmental baseline data between the Preservation Reference Zone and the Impact Reference Zone. This will make the reference zones not adequate for monitoring potential environmental impacts. DOSI recommends that the EIS is not accepted before an appropriate reference zone is included.

Throughout the EIS, it states that there will be "no significant impacts" on various aspects of the environment. As the environmental baseline is incomplete and no test has yet been undertaken, these are currently hypotheses that need to be verified through additional sampling and analyses. In addition, while there are currently no scientifically-informed thresholds, DOSI believes it should not be the Contractors themselves setting these thresholds. Instead, we suggest that the EIS should state that there is a high level of uncertainty and provide this value or remove the statements completely.

These are just some of the overall shortcomings of NORI's EIS that prevent it being fit for purpose. There is a long list of specific, technical issues that should be resolved also. As such, we once again strongly recommend that the EIS should be withdrawn, revised and re-submitted for re-evaluation, as well as additional stakeholder



consultation conducted over a sufficiently lengthy period, once the collected data have been analysed.

To conclude, we express grave concern at the process surrounding the review of the EIS and respectfully suggest that the LTC should not approve NORI's EIS until these deficiencies have been solved.

With regard to the northern Mid-Atlantic Ridge REMP, DOSI wishes to endorse the comments made by Germany, the Pew Charitable Trust, and others who have highlighted that clarity and consistency of the content development, approval, and review of REMPS via a standardized approach, and the need for an inclusive stakeholder consultation is crucial. For DOSI, the adoption of a strategy that guarantees a clear statement of environmental goals and objectives; an extensive assessment of scientific knowledge; the involvement of all stakeholders, including scientists; and that promotes accountability and transparency, are of the greatest priority for the development of comprehensive REMPS.

Thank you