

September 5, 2025

Mr. Kerry Kehoe
Federal Consistency Specialist
Office for Coastal Management
National Oceanic Atmospheric Administration
Attention: DSHMRA Proposed Rule Comments.

RE: Deep Seabed Mining: Revisions to Regulations for Exploration License and Commercial Recovery Permit Applications, Docket No. 250630-0118

Dear Mr. Kehoe:

American Bird Conservancy is a nonprofit organization dedicated to conserving wild birds and their habitats throughout the Americas. With an emphasis on achieving results and working in partnership, we take on the greatest problems facing birds today, including deep-sea mining.

We are writing to express our opposition to the proposed *Revisions to Regulations for Exploration License and Commercial Recovery Permit Applications*. Current scientific understanding makes it clear that deep-sea mining would impact ocean ecosystems and wildlife. While this extends to all types of marine life for the purposes of this letter we will focus on impacts to seabirds. Based on current research we know that lighting on mining vessels can disrupt seabird behavior¹ but the extent of this impact is impossible to estimate without more information on the proposed activities. Another significant concern is the impact of sediment disruption and discharge during the mining process; this is likely to disrupt marine ecosystems and cause significant mortality of seabird forage items such as fish and squid. More research is necessary to determine the long-term environmental impacts on seabirds and other species from these activities. For example, there needs to be more research into food web integrity and how mining could impact food availability across pelagic zones and trophic levels². **The proposed consolidation of exploratory and commercial recovery permits is premature when there are not clear criteria for assessing these long-term impacts.**

Another concern of this rulemaking is how it would affect international rulemaking, law, and conservation. Under the United Nations Convention on the Law of the Sea (UNCLOS), the International Seabed Authority (ISA) is responsible for establishing international guidelines for seabed mineral extraction. The United States is not a party to UNCLOS, but has observed ISA discussions. Global governance is critical for the ocean because it is one global system, meaning that activities in one area can impact the environment in another. Ensuring that the integrity of ocean systems—that support commerce, recreation, and ecosystems—are upheld requires thoughtful and coordinated governance. This rulemaking and increased U.S. interest in deep-sea mining is precedent setting, with serious implications for the ocean and global governance.

¹ United Nations Environment Programme Finance Initiative (2022) Harmful Marine Extractives: Understanding the risks & impacts of financing non-renewable extractive industries. Geneva.

² Stratmann, T., Soetaert, K., Kersken, D. et al. Polymetallic nodules are essential for food-web integrity of a prospective deep-seabed mining area in Pacific abyssal plains. *Sci Rep* 11, 12238 (2021). <https://doi.org/10.1038/s41598-021-91703-4>

Contact

abcbirds.org
info@abcbirds.org
tel. 540.253.5780
fax 540.253.5782

Address

regular, registered, or certified mail:
P.O. Box 249, The Plains, VA 20198
physical address for deliveries:
**8255 E. Main Street, Suites D & E,
Marshall, VA 20115**

American seabird populations are in steep decline, facing threats from changing ocean conditions to human activity and marine pollution³. Deep-sea mining poses another compounding threat that would further hinder recovery of this bird group by degrading the ocean ecosystem. We urge the National Oceanic Atmospheric Administration to reconsider this rulemaking and uphold its mandate to conserve and manage coastal and marine ecosystems and resources.

Thank you for the opportunity to comment on this proposal.

Sincerely,

A handwritten signature in black ink that reads "Annie Chester". The signature is fluid and cursive, with a long horizontal stroke extending to the right from the end of the name.

Annie Chester
Policy Director
American Bird Conservancy

³ North American Bird Conservation Initiative. 2025. The State of the Birds, United States of America, 2025.
StateoftheBirds.org

