

Toolkit: NOAA Proposed Rule on Deep Sea Mining in International Waters

Prepared by National Ocean Protection Coalition – please customize to your needs. Document is subject to change.

Key Ways Partners Can Engage:

1. [Submit comments](#) in opposition - deadline is September 5!
 2. Attend and provide public testimony at [NOAA public hearings](#) on September 3 & 4 from 3-7pm ET. See below for registration links.
 3. Post / amplify on [social media](#) about opposition and encourage others to submit comments.
 4. Sign on to the [joint organizational letter led by NRDC](#) by Sep. 5 at noon ET!
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Background

On July 7, 2025, NOAA proposed revisions to its regulations governing deep seabed mining under the Deep Seabed Hard Mineral Resources Act (DSHMRA), specifically for exploration licenses and commercial mining permits for polymetallic nodules in waters outside of U.S. jurisdiction. The [proposed rule](#) would allow companies to submit a single application for both exploration and commercial exploitation permits.

Combining exploration and commercial mining permits makes no sense given that seabed mining would take place in the least explored part of the planet. We know that the unique life of the deep ocean is sensitive to disturbance; a key function of exploration is to document baseline environmental conditions against mining's potential impacts. Regulators and the public will not be able to get a full picture of the potential dangers before NOAA gives companies permission to mine, eliminating their chance to weigh in once all of the data - and risks - are known.

NOAA should also consider that commercial seabed mining in areas beyond national jurisdiction will undermine the international order for the ocean. The U.S. may not be a party to the United Nations Law of the Sea Convention (UNCLOS), but it relies upon this treaty to secure the freedom of navigation on which global trade and the U.S. military depend. Under UNCLOS, mining in areas

beyond national jurisdiction is regulated by a consensus-based international body called the International Seabed Authority. By accelerating a unilateral permit to mine in these waters, the Trump Administration is eroding the entire system, which gives U.S. competitors an excuse to ignore other treaty provisions and accelerate their own deep-sea mining with limited environmental oversight.

This is just the latest in the Trump Administration's reckless drive towards accelerated deep-sea mining:

- On April 24, President Trump signed an [executive order](#) aimed at making it easier for companies to mine the deep seafloor, saying it would create "a robust domestic supply for critical minerals." The executive order instructs federal agencies to expedite the process for reviewing and issuing permits for seafloor mining in both U.S. and international waters.
- On June 16, 2025 the U.S. Department of Interior's Bureau of Ocean Energy Management (BOEM) [initiated the first steps](#) that could potentially lead to a lease sale for mining in U.S. federal waters off American Samoa, near the Rose Atoll Marine National Monument. This process was in response to a [request](#) by California-based company Impossible Metals.
- On June 25, the Department of the Interior [announced](#) that it would fast-track permits for deep-sea mining, potentially with reduced environmental review.
- The Metals Company, one of the leading proponents of seabed mining, [told investors](#) in August that it was "surprised" by how strong the Administration's support has been, noting that they are invited to the White House "regularly" and are in "daily" contact with regulators at NOAA.

While there is currently no commercial-scale deep-sea mining anywhere in the world, companies have long eyed the ocean floor as a potential source of metals like nickel, cobalt, manganese and copper, which are used in batteries, for national defense, and other technologies. However, neither the numbers nor the science support deep-sea mining—the [economics](#) are weak, and the [environmental risks](#) are overwhelming.

Written comments on NOAA's proposed rule are due September 5th. NOAA will also be holding [virtual public hearings](#) on September 3 and 4:

- To register for the September 3, 2025 hearing, use the following link:
https://noaabroadcast.adobeconnect.com/e64l9m25orba/event/event_info.html.
- To register for the September 4, 2025 hearing, use the following link:
<https://noaabroadcast.adobeconnect.com/em945xdnvk15/event/registration.html>.

[ACTION: please speak up at a public hearing or submit a public comment to NOAA by September 5th.](#)

Messaging Guidance

NOAA's proposed rule creates a dangerous loophole that allows deep sea mining companies to skip science and avoid accountability.

- NOAA's proposed rule would allow companies to apply for both deep seabed exploration and commercial mining permits at the same time.
- This would sidestep critical oversight. Responsible permitting requires a separate exploration phase to ensure thorough environmental review before commercial mining is permitted.
- Instead, this change could give companies advance permission to proceed with commercial mining before the public or regulators can evaluate the environmental data collected during exploration.
- As a result, companies could potentially begin mining operations, even if later research shows the activity would cause severe damage to ocean ecosystems or harm coastal communities.

Deep sea mining is reckless, unnecessary, and driven by short-term gain at the expense of long-term planetary health.

- Deep sea mining technology is expensive, untested and unproven. There are no commercial deep sea mining operations anywhere in the world. Like all deep ocean operations, deep sea mining will have extraordinarily high up-front costs, and is unlikely to be competitive without government support. Deep sea mining should not be permitted without assurances that U.S. taxpayers will not be on the hook for environmental costs, as they have been in [offshore oil and gas drilling](#) and in [onshore toxic waste sites](#).
- The argument that deep-sea mining is necessary for the transition to renewable energy is [a false narrative](#).
 - We [already have](#) sufficient deposits of the metals needed for the renewable energy transition on land. It is also harder to extract metals from the seabed than on land – five hundred to 2,000 times more area of the seafloor [would need to be mined](#) to yield the same amount as the thick, denser veins of terrestrial mines.
 - Deep-sea mining would not reduce or provide an “ethical” substitute for land-based mining. There is [no evidence](#) that deep-sea mining will have any impact on the volume, location, or social impacts of terrestrial mining. Offshore industries are also rife with their own labor challenges and violations.
- More than 30 countries, major corporations, financial institutions, Indigenous groups, and nearly 1,000 marine experts are calling for a [moratorium](#) or pause on deep-sea mining.
- Until international deep-sea mining regulations are in place, environmental risks are fully understood, and alternatives are explored, the United States should not lead a race to the bottom.

Deep sea mining could cause widespread, irreversible harm to ocean ecosystems and the people who depend on them for sustenance, culture, and economic activity.

- Marine scientists have [confirmed](#) that [mining will damage the deep sea](#), along with the rest of the ocean. [According to NOAA](#), “DSM activities will potentially impact the ocean environment from the seafloor to the surface.”
- Mining could cause widespread, irreversible harm. While different mining technologies could have different effects, impacts could include the destruction of marine life and seafloor habitats that take thousands of years to grow, the smothering of wildlife under sediment, the introduction of toxins to the food web by wastewater sediment plumes that could travel hundreds of miles, increased noise and light pollution, and disturbance of long-term carbon stores in the deep.
 - Deep sea ecosystems take a very long time to recover. A test mining site in the Blake Plateau, off the East Coast of the US, [shows no recovery](#) after 50 years.
- Coastal and marine industries, such as fisheries and tourism, are likely to experience adverse effects from deep-sea mining. Science shows that tuna and other fish stocks will be [harmed](#) by the plumes and other destructive aspects of deep sea mining.
- The deep sea is the largest living space on Earth and it’s also the least explored. Deep sea habitats are very different from what we are familiar with on the surface, yet they are [critically important](#) to the health of the ocean and to all life on Earth.
 - The deep sea is integral in cycling nutrients, heat and oxygen all over our planet, so the health of the deep sea is tied to all life on Earth—even us. The deep sea also supports an astounding diversity of life, much of it little known. The deep ocean and its inhabitants form the basis of food chains that sustain billions of people, and help to cool the planet by safely locking away carbon.
 - The proposed area for mining lies near the National Marine Sanctuary of American Samoa’s Muliāva unit, which overlays the Rose Atoll Marine National Monument. It [contains](#) the Vailulu’u and Malulu seamounts. Vailulu’u Seamount is the only hydrothermally active seamount within American Samoa’s waters, and could eventually breach the surface within decades, forming a new island in the Samoan island chain. It supports a diverse biological community including polychaetes, crinoids, octocorals, sponges, and cutthroat eels. Much less is known about the much deeper Malulu Seamount.

Deep sea mining is opposed by the people most likely to be affected.

- The American Samoa government is [unified](#) in its opposition to mining off its coasts.
- Nearly all Pacific US States and US territories, including California, Washington, Oregon, Hawai’i, American Samoa, and Guam have either prohibited, banned, or restricted deep-sea mining within territorial waters.
- Pacific countries and non-U.S. territories have also called for a moratorium on deep sea mining, [including](#) Palau, Fiji, Samoa, Federated States of Micronesia, New Zealand, Vanuatu, Tuvalu, Marshall Islands, and the territorial governments of New Caledonia and French Polynesia.

- Multiple groups associated with the tuna fishery have already [called](#) for a pause on deep sea mining.

Key Points for Public Hearing

Please modify to suit your organization's needs and issue areas

Intro:

Thank you for the opportunity to comment today. I am [YOUR NAME] from [AFFILIATION IF ANY], and I am here to speak in strong opposition to NOAA's proposed revisions to the Deep Seabed Hard Mineral Resources Act.

I oppose these changes because [PICK 2-3 OF THE POINTS BELOW, OR WRITE YOUR OWN]:

Lack of public engagement:

- Allowing companies to submit a single application for both exploration and commercial mining would give companies permission to mine before all exploration data - and all environmental risks - are uncovered.
- Deep-sea mining is untested, unproved and needs more scrutiny - not less.
- [ADD YOUR INTEREST/COMMITMENT TO BEING INVOLVED IN THE PUBLIC PROCESS]

Environmental risk:

- Damage from seabed mining will cause immense and irreversible harm to the ocean and the people and businesses that depend on it.
 - Marine scientists have [confirmed](#) that [mining will damage the deep sea](#), along with the rest of the ocean. [According to NOAA](#), "DSM activities will potentially impact the ocean environment from the seafloor to the surface."
 - Coastal and marine industries, such as fisheries and tourism, are likely to experience adverse effects from deep-sea mining. Science shows that tuna and other fish stocks will be [harmed](#) by the plumes and other destructive aspects of deep sea mining.
 - [ADD YOUR PERSONAL OR ORGANIZATIONAL CONNECTION TO THE ENVIRONMENTAL PROBLEM]

Undermines international rule of law and stability:

- By accelerating a unilateral permit to mine in international waters, the Trump Administration is eroding the United Nations Law of the Sea Convention.
- The U.S. relies upon this treaty to secure the freedom of navigation on which global trade and the U.S. military depend.
- Unilateral U.S. action gives U.S. competitors an excuse to ignore other treaty provisions and accelerate their own deep-sea mining with limited environmental oversight.

- Deep sea mining is also widely opposed internationally, with many countries, experts, states and territories calling for a moratorium. Pushing it forward will isolate the U.S. and undermine the security of our oceans.

We must not lead a race to the bottom. I urge NOAA not to allow shortcuts and retain the original DSHMRA regulations and uphold strong environmental review and regulatory oversight of any use of our shared seabed resources.

Template Comment to NOAA

Mr. Kerry Kehoe
Office for Coastal Management
National Oceanic and Atmospheric Administration (NOAA)

Subject: Opposition to Revisions to Regulations for Exploration License and Commercial Recovery Permit Applications (Docket NOAA-NOS-2025-0108)

Dear Mr. Kehoe,

I am writing in strong opposition to NOAA's proposed revisions to the Deep Seabed Hard Mineral Resources Act (DSHMRA) (Docket NOAA-NOS-2025-0108). This attempt to start a new, speculative form of exploitation is reckless, unnecessary, and prioritizes the short-term gain of a few over ocean health needed for all.

The most egregious aspect of this proposed rule is that it would allow companies to submit a single application for both deep seabed exploration and commercial recovery permits. This would sidestep a critical, separate exploration phase that is needed to ensure that an environmental baseline can be established and a full environmental review conducted. By combining these permits, NOAA is creating a loophole that would allow companies to bypass transparency and accountability, eliminating NOAA and the public's chance to review the information collected during exploration - even where it shows catastrophic harm to ocean ecosystems or coastal communities.

Deep-sea mining risks irreversible harm to ocean ecosystems and the people who rely on them. The deep sea is Earth's least understood ecosystem - new species are discovered every year, including glowing sharks and armoured snails - but among its most fragile. For example, a test site on the Blake Plateau shows no recovery after over 50 years. NOAA scientists found mining impacts from seafloor to surface, which means that coastal industries like fisheries and tourism could also suffer. The Global Tuna Alliance and Sustainable Seafood Coalition are already expressing their concerns for impacts on the \$5.5 billion Pacific tuna industry.

A global consensus urges caution: 37 countries, over 65 major corporations, 37 financial institutions, and over 940 marine experts call for a moratorium on seabed mining, citing its environmental dangers and shaky economics.

Critically, those most affected by seabed mining oppose it. Nearly all U.S. Pacific States and territories, including California, Washington, Oregon, Hawaii, American Samoa, and Guam, have restricted or banned deep-sea mining. The American Samoa government is unified in its opposition.

The U.S. must not lead a "race to the bottom." Deep-sea mining technology is expensive, untested and unproven, with no commercial operations globally. High costs are assured, but returns are not. Taxpayers must not be left to foot the bill; the Nautilus Minerals project in Papua New Guinea, which resulted in bankruptcy and over \$100 million in alleged losses for Papua New Guinea, is a clear warning. Until the risks can be understood and properly controlled, the U.S. should continue to explore more sustainable pathways available to meet its critical mineral demands.

For these reasons, I urge NOAA not to allow shortcuts and retain the original DSHMRA regulations and uphold strong environmental review and regulatory oversight of any use of our shared seabed resources.

Sincerely,

[Your Name/Organization Name]

Sample social:

Graphics and Photos: [NOAA 2018 DeepCCZ Expedition](#);

X/Bluesky

- Deep sea mining threatens our oceans & all who depend on it. 🚨 NOAA's proposal to weaken its regulations and give companies a shortcut to exploit our ocean is reckless & unscientific. Speak up before Sep 5! Submit your comment to @NOAA and tell them to rescind the proposed rule on DSHMRA. #DefendTheDeep #ProtectOurOcean
- Untested, unproven, and potentially catastrophic. Deep sea mining poses irreversible harm to fragile ocean ecosystems and coastal communities. 🌊 NOAA confirms impacts from seafloor to surface, yet wants to make it easier for companies to mine. Let's protect our planet, not plunder it for short-term gain. Comment to @NOAA by Sep 5! #DefendTheDeep #ProtectOurOcean

- More than 1,000 marine scientists are unified in opposition to deep sea mining. Join them! Nearly all US Pacific states/territories oppose this risky venture. Stand with coastal communities & marine experts. Submit your opposition to @NOAA by Sep 5.
#DefendTheDeep #ProtectOurOcean

Instagram

 Our oceans are under threat! NOAA is considering giving companies a shortcut to mine the seafloor in U.S. and international waters. This isn't just about minerals; it's about the health of our planet and the livelihoods of coastal communities.

Deep sea mining is:

- ❌ Reckless and unproven.
- ❌ A false narrative for renewable energy (we have land-based alternatives!).
- ❌ A danger to unique, fragile ecosystems that take millennia to recover (some test sites show no recovery after 50+ years!).

Over 30 countries and 1,000 marine experts are unified in their opposition to deep sea mining. Let's stand with them!

ACTION: Submit your comment in opposition to NOAA's proposed changes to its regulations by September 5th! Link in bio to learn more and easily submit your voice. Every comment makes a difference.

#DefendTheDeep #ProtectOurOcean

LinkedIn

NOAA has proposed a dangerous change to deep-sea mining regulations. The new rule would let companies apply for exploration and commercial mining permits at the same time, skipping critical environmental review.

This is a reckless shortcut. The deep sea is the least explored part of our planet, and we need a separate exploration phase to understand the environmental risks before any mining begins.

This proposal goes against the global call for a moratorium on deep-sea mining from over 30 countries and 1,000 marine experts. It also ignores the opposition from U.S. Pacific states and territories like Hawaii and American Samoa.

Why is this a bad idea?

- **Undermines International Law:** The U.S. relies on the United Nations Convention on the Law of the Sea (UNCLOS) for global trade and military navigation. By accelerating a unilateral permit, the Trump Administration is eroding this system, giving other countries an excuse to ignore treaty provisions and accelerate their own offshore mining with limited environmental oversight.
- **Irreversible harm:** Mining will destroy habitats that took thousands of years to form and release toxic sediment plumes. A test site still shows no recovery after 50 years.
- **Unproven industry:** There are no commercial deep-sea mining operations in the world, and the technology is expensive and untested.
- **Threat to communities:** The fishing and tourism industries could be severely damaged.

Don't let the U.S. lead a "race to the bottom."

Public comments are due by September 5, 2025. You can also attend virtual public hearings on September 3 and 4.

Will you join the call to protect our oceans?

#DefendTheDeep #ProtectOurOcean

Resources

- NOAA [Deep Seabed Hard Minerals Mining webpage](#)
- NOAA [State of the Science Fact Sheet](#) (Jan. 2025)
- World Resources Institute - "[What We Know About Deep-Sea Mining — and What We Don't](#)"
- Resources from the Deep Sea Conservation Coalition
 - [Defend the Deep Toolkit](#)
 - [Reactive and High Level Talking Points from DSCC](#)
 - More in-depth [Talking Points](#)
 - [Letter](#) from 50 Organizations Calling on the Biden Administration to Say No to Deep-sea Mining
 - [Petition](#) against deep-sea mining with 300k+ signatures
- Resource from Coalition of Law Students Against Deep Sea Mining
 - [Resources for NOAA's virtual public comment hearings on DSHRMA's rulemaking](#)
- Resources on deep sea ocean ecosystems:
 - NOAA Fact Sheet - [Deep Sea Corals: Rainforests of the Deep](#)
 - NOAA Office of Ocean Exploration [Fact Sheets](#)
 - NOAA Okeanos Explorer [2017 American Samoa Expedition](#)
- Media:
 - The Conversation: [We don't need deep-sea mining. or its environmental harms.](#)

- The Guardian: [U.S. federal agencies clears way for deep-sea mining - and companies are lining up](#)
- Newsweek: [Deep-Sea Mining Threatens U.S. Security and Ocean Peace](#)
- Seabed Spotlight: [Exploring the seabed? Here, have an exploitation permit too.](#)