

TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 27<sup>TH</sup> SESSION:  
COUNCIL - PART I

*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:

Spain

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

Article 46 bis

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 46bis

Environmental impact assessment

1. An applicant or Contractor, as the case may be, shall carry out an environmental impact assessment **process on** of the potential effects on the marine environment of the proposed mining operation in accordance with these regulations, the applicable Standard and Guidelines, as well as Good Industry Practice, Best Available Scientific Evidence, Best Environmental Practices and Best Available Techniques.

2. The environmental impact assessment **process** shall include:

(a) **A Scoping process** to identify and prioritize the main activities and potential impacts associated with the proposed mining operation, in order to focus the Environmental Impact Statement on the key environmental issues. **It should include an environmental risk assessment and the results of the consultation process performed with key stakeholders and people interested, in line with the Standards and Guidelines;**

(b) **An Impact assessment and evaluation** to describe and predict the nature and extent of the Environmental Effects of the mining operation, including cumulative impacts and residual effects, using Best Available Scientific Evidence;

(c) **The identification of measures to prevent, mitigate **compensate** and manage harmful effects to as low as practicable, including through the development and preparation of an Environmental Management and Monitoring Plan; and**

(d) **The preparation of the Environmental Impact Statement in accordance with Regulation 47 and the relevant Guidelines.**

3. Screening shall also be part of **the environmental impact assessment **process in order to determine whether a revised Environmental Impact Statement is required**** when, following the approval of a Plan of Work, the Contractor modifies the Plan of Work in such a way that the proposed modification constitutes a Material Change in the Environmental Management and Monitoring Plan or Closure Plan, **in order to determine whether a revised Environmental Impact Statement is required.**

4. The environmental impact assessment process shall:

(a) Be based on relevant baseline data that captures temporal and seasonal variation;

(b) Include an environmental risk assessment that takes into consideration the region as a whole, in accordance with the objectives and measures of the relevant Regional Environmental Management and Monitoring Plan;

(c) Provide for stakeholder consultation; and

(d) Be subject to an independent scientific assessment prior to the submission of the proposed Environmental Impact Statement to the Authority.

5. A Contractor shall review periodically the impact assessments, performed, including for cumulative impacts of activities covered by the assessment and thereafter periodically and revise them thereafter whenever a change in the mining operation has occurred or there is relevant new information than can cause harmful effects to the Marine Environment.

5 bis. Shall be publicly available in the web site of the Authority;

5 ter. Shall contain a non technical summary where the contractor describes how all the environmental aspects are integrated their adequacy to the scoping process, the result of the consultations carried out and how these have been taken into consideration in the proposal for the Environmental Impact Statement.

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

The aim is to clarify specific aspects of the environmental impact assessment process and to strengthen publicity.