

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 27TH 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:

ITALY

2. Please indicate the relevant provision to which the textual proposal refers. 46bis

DR 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. ~~1.~~ — An applicant or Contractor, as the case may be, shall carry out an environmental impact assessment 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.

1-2. In the conduct of the environmental impact assessment, the Sponsoring State and Contractor shall maintain consultations, including a system of prior notification, with any coastal State across whose jurisdiction resource deposits in the Area lie, with a view to avoiding infringement of their rights and interests, in accordance with Regulation 4.

2. The environmental impact assessment shall include:

(a) Scoping 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;

(b) 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) Identification of measures envisaged to avoid, to prevent, reduce mitigate or if possible, offset any possible significant adverse effect on the environment and manage those effects harmful effects to as low as practicable, including through the development and preparation of an Environmental Management and Monitoring Plan; and

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

3. Environmental Screening shall also be undertaken part of an environmental impact assessment when, following the approval of a Plan of Work, in case 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 an update of the

Environmental Impact assessment process is required as part of a revised Environmental Impact Statement ~~is required.~~

4. The environmental impact assessment 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 Plan;
 - (c) Provide for ~~stakeholder~~ public consultation; and
 - (d) Be subject to an independent scientific assessment prior to the submission of the Environmental Impact Statement to the Authority.
5. A Contractor shall review impact assessments every five years, including for cumulative impacts of activities covered by the assessment, periodically and revise them thereafter whenever a change in the mining operation has occurred or there is relevant new information.
6. ~~An environmental impact assessment and Environmental Impact Statement shall be considered in accordance with Part II or regulation 57, as the case may be.~~
7. ~~In the conduct of the environmental impact assessment, the Sponsoring State and Contractor shall maintain consultations, including a system of prior notification, with any coastal State across whose jurisdiction resource deposits in the Area lie, with a view to avoiding infringement of their rights and interests, in accordance with Regulation 4.~~

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

The EIA is relevant as it is a process allowing for timely and continuous stakeholder and public engagement. In this respect, a revised public engagement strategy is greatly needed. This means that para 4 (c) has to be clearly operationalized. Further details on how the public consultation should proceed is needed.

As it relates to obligations already expressed elsewhere, we do not see a need for para 6.

Para 7 is useful and balanced, but cooperative approach with coastal states relate not only to EIA/EIS, but the whole phase. It is therefore appropriate to include it in the general principles.