

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 27TH SESSION: COUNCIL -
PART II**

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:

United States

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

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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.

1. The Authority, sponsoring States, the Enterprise and Contractors (...) from harmful effects ~~directly resulting from Exploitation in the Area or from shipboard dewatering immediately above a mine site of minerals derived from that mine site.~~ [which may arise from activities in the Area relating to exploitation], in accordance with the Rules of the Authority, and Standards and taking into account Guidelines referred to in regulation 45 (...).

(a)(i) Apply the precautionary ~~approach~~ principle, as reflected in principle 15 of the Rio Declaration on Environment and Development and ~~an the~~ ecosystem-based management approach (...).

(a)(iv) Ensure accountability and transparency in the assessment, evaluation and management of Environmental Effects and risks from Exploitation in the Area, including through Stakeholder participation and the timely public release of relevant environmental data and information at regular intervals and in an accessible format consistent with scientific best practices through the Authority’s website.

(c) In taking necessary measures to prevent, reduce and control pollution and other hazards to the Marine Environment (...) the timely public release of environmental data and information on their respective activities at regular intervals and in an accessible format consistent with best scientific practices. In so doing, the Enterprise and Contractors shall apply a priority order to avoid, minimize, mitigate, and remediate, harm to the marine environment, as well as adapt the necessary measures to reflect the latest Good Industry Practice, Best Available Scientific Evidence, Best Environmental Practices and Best Available Techniques newly emerged information and data.

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

In paragraph 1, we support the option “which may arise from activities in the Area,” as this formulation is more inclusive of a broader range of potentially harmful effects. We recommend modifying this option to read: “which may arise from activities in the Area relating to exploitation” to more clearly indicate the scope of these regulations. Additionally in paragraph 1, we recommend referencing “Standards, and taking into account Guidelines,” for consistency with other provisions of the regulations as currently drafted.

In 1 (a)(i), we support the terminology of “precautionary approach.” We propose using “an” rather than “the” prior to “ecosystem-based management approach,” as we are not aware of a universally accepted definition of this term and note the latest draft BBNJ text uses similar language.

In 1 (a)(iv) and (c), we suggest that “consistent with scientific best practices” be added, as data and information should be prepared according to scientific best practices in order to be interpretable and useable by the Authority and others. Additionally in 1(c), we request clarification on the phrase “as well as adapt the necessary measures to newly emerged information and data,” and suggest an alternate phrasing “as well as adapt the necessary measures to reflect the latest Good Industry Practice, Best Available Scientific Evidence, Best Environmental Practices and Best Available Techniques.” We are suggesting similar phrasing in other draft regulations in lieu of “internationally recognized standards” because it captures more precisely what is desired.