

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS FOR THE 28<sup>TH</sup> 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 and send to [council2022@isa.org.jm](mailto:council2022@isa.org.jm).*

**1. Name(s) of Delegation(s) making the proposal:**

Submitted by World Organization of Dredging Associations (WODA)

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

Draft Regulation 46ter Environmental monitoring, para 3.

**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.**

**Original text**

3. The Environmental Management and Monitoring Plan shall contain a monitoring programme for at least the first seven years of Exploitation, to be conducted by independent experts and in compliance with the applicable Standards.

**Proposed text to replace whole of the original text**

[delete paragraph 3 of 46ter]

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

The requirements in para. 3 relating to independent experts conducting monitoring programs duplicates Regulation 48.3bis.

Monitoring by independent experts raises several practical issues (e.g., qualifications of experts; safety responsibilities on site, duplication of activity on site, how the work is funded, what inputs the Contractor has into the details of the program, contingency if the independent expert cannot continue work etc) so it is recommended that the requirement be changed to verification of the monitoring program by ISA with outreach for review and comment by independent experts as deemed (by the ISA) to be necessary.

We suggest that the monitoring should be conducted by the Contractor but verified by the ISA who can reach out to independent experts for their assistance if they deem it necessary.