

**TEMPLATE FOR SUBMISSION OF TEXTUAL PROPOSALS DURING THE 28TH SESSION:
COUNCIL - PART II**

Please fill out one form for each textual proposal which your delegation(s) wish(es) to amend, add or delete and send to council@isa.org.jm.

1. Name of Working Group:

Informal Working Group on the Protection and Preservation of the Marine Environment

2. Name(s) of Delegation(s) making the proposal:

USA

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

Draft Regulation 51

4. 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.

A Contractor shall, in accordance with these regulations, implement and adhere to its Environmental Management and Monitoring Plan ~~[and these regulations.]~~ and shall:

(a) Monitor continuously in accordance with the applicable Standard, ~~[on Environmental Monitoring]~~ release and submit [environmental] monitoring data ~~publicly~~, in accordance with regulation 46~~ter~~bis, paragraph 4 in an accessible format consistent with best scientific practice, ~~[in real time]~~[or at monthly intervals] ~~[on a monthly basis]~~ and report annually under regulation 38 (2) (g) on the Environmental Effects of its activities on the Marine Environment, including a comparison between baseline data and monitoring data, as well as a comparison between baseline data and threshold values, to document the actual effects on the Marine Environment (...).

(b) Please indicate the rationale for the proposal. [150-word limit]

In paragraph (a), we propose updating this text reflect that the regulation previously known as 46ter has now been moved to 46bis, and we additionally propose adjustments to this text to align with our proposed revision to DR 46bis (submitted in the corresponding textual proposal), to specify that the Contractor must submit environmental monitoring data to the Secretary General to support regular verification of environmental conditions. Additionally, “or at monthly intervals” should be added to DR 51 for consistency with DR 46bis.

We further recommend that the text specify that monitoring data is to be compared not only to baseline data, but also to threshold values, in order to understand and manage effects on the marine environment.