

Document reviewed		
Title of the draft being reviewed:	Draft Standard and Guidelines for environmental impact assessment process Developed by the Legal and Technical Commission	
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General Comments		
<p>We are aware that these draft documents refer to draft Regulations which have not yet been finalised and, in some cases, also refer to other Standards and Guidelines which may not yet have been drafted or agreed. Following consideration of stakeholder comments, the draft Standards and Guidelines will need to be reviewed again once the relevant exploitation Regulations have been agreed, and other relevant draft Standards and Guidelines are available.</p> <p>As an example, when tracking through baseline data requirements from the draft baseline Guidelines, through to what is required in the EIA, EIS and EMMP, there are currently some gaps. As the EIA, EIS and EMMP are based on data from the baseline, it will be important to check that the data required for EIA, EIS and EMMP (as laid out in Regulations, Standards and Guidelines) are consistent across these documents. It would also be useful to clarify the link between this document and ISBA/25/LTC/6/Corr.1 and Rev.1 (which includes recommendations regarding environmental impact assessment).</p> <p>We note the clear distinction between standards and guidelines in this document, and would recommend that other drafts aim for a similarly clear distinction.</p> <p>We note the Commission's explanation in paragraph 3 of the background to this document about whether detail on stakeholder consultation should be included at this stage in these draft EIA standards and guidelines, as it not currently a requirement in the draft exploitation Regulations. We note the Commission's intention to raise this matter when presenting its recommendations on standards and guidelines as part of the Council's consideration of the draft regulations on exploitation, and we support the requirement of stakeholder consultation during the preparation of an EIA as best-practice in the Regulations. This may then result in stakeholder consultation being changed from a Guideline to a Standard.</p>		
Specific Comments		
Page	Line	Comment
Standard		
2	68-83	We welcome the inclusion of this clear figure to illustrate the steps of

		the EIA process. It may be useful to match this flowchart up to the life-cycle of the mining process.
3	103	Insert the word 'exploitation' as follows: "... at the outset of the <i>exploitation</i> EIA process"
3	108-112	We recommend expanding on the requirements for consideration of alternatives, in order to ensure that all alternatives are being considered where necessary (for example, additional elements might include taking account of policy considerations and alternative methods for providing the requested resource). [See also lines 1018 – 1032]
3	125	We support the inclusion of scoping in the EIA process as it is common and best-practice across similar industries.
Guideline		
6	247-257	It would also be useful to clarify here the link between this document and ISBA/25/LTC/6/Corr.1 and Rev.1 (which includes recommendations regarding environmental impact assessment).
6	258-261	We support the inclusion of this paragraph, but consider that this is a requirement of the EIA process, and therefore this should be part of a Standard not a Guideline - particularly as Regulation 47 3(c) of the draft exploitation Regulation requires that: "The Environmental Impact Statement shall be [...] in accordance with the objectives and measures of the relevant regional environmental management plan".
8	290	We recommend that the Authority might also provide feedback on an environmental scoping report, as is common and best practice for the regulator in other industries.
8	307-308	[See general comment above – we support the inclusion of stakeholder consultation during the preparation of an EIA as best-practice in the Regulations and also here in the Guidelines]
11	444	[See separate comment sheet about ensuring that the 'ISA Guideline on Hazard Identification and Risk Assessment' – which is cross-referenced here - is comprehensive enough regarding risk assessment techniques for the marine environment.]
Table 1a	502	We recommend that the spread of categories in this table could be reconsidered, as the difference between the final two entries is considerably wider than between other categories.
Table 1b	505	We recommend that this useful table could be refocused so that it refers to deep-sea mining, rather than fisheries.
Table 1c	506	We recommend that examples with specific numbers are not given in the guideline, particularly if they are included as examples only.
20	659	Replace 'must' with 'should' here.
26	869	We recommend that consideration of animal welfare should be included alongside the wider population-level and biodiversity impacts.
26	890	Life history traits are not currently in the 'draft Guidelines for the establishment of baseline environmental data'. This is an example of

		where we note that it will be necessary to cross-check between the set of standards and guidelines to check that data required at each stage is also required by the previous stage, so that gaps do not occur.
26	892	Functional traits are also not currently included in the baseline guidelines [see comment above].
28	922-944	We recommend that these useful major / moderate / minor paragraphs may benefit from some further consideration, so that they are appropriate for meiofauna / bacteria as well as mega and macrofauna. Currently there is separation based on number of generations taken for a trajectory to recovery and this may not be appropriate for meiofauna / bacteria.
32	1084-1088	We recommend that further clarification is required here to explain how a potential link is being determined between offset areas and IRZs/PRZs and APEIs.
32	1095	We recommend that an alternative phrase is used instead of “catastrophic change”.
35	1214	We recommend that throughout this document where draft exploitation Regulations are referred to, the specific regulation should be referenced. Also, when quoting content of the regulations, we recommend copying the language as closely as possible.
Appendix 1		We recommend reconsidering the value of the table provided in Appendix 1 once all the Standards and Guidelines have been considered together.
<i>Additional rows can be added to this table by selecting “Table” followed by “insert” and “rows below”</i>		

Comments should be sent by e-mail to ola@isa.org.jm