

**Comments of the Federated States of Micronesia
on draft guidelines for the establishment of baseline environmental data**

<i>Document reviewed</i>	
Title of the draft being reviewed:	Draft Guidelines for the establishment of baseline environmental data
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<i>General Comments</i>	
<p>As these and other Standards and Guidelines are being drafted while the exploitation regulations are still in draft form and are intended to be in place in time for the adoption of the latter, it is unclear to us how such Standards and Guidelines will take into account developments in the drafting and finalization of exploitation regulations. Will the Standards and Guidelines, once adopted, be subject to amendment once the exploitation regulations are adopted in case the latter deviate substantively from the former in relevant parts, and if so, what will be the timeline for such amendment? Or, will there be a presumption that in the case of inconsistency, the exploitation regulations will prevail once they are adopted?</p>	
<p>Micronesia underscores the critical importance of having robust environmental baseline data for, among other things, the development of environmental impact assessments (“EIAs”), environmental impact statements, and environmental management and monitoring plans. Micronesia also notes that the current draft Standard on EIAs covers a broad range of effects that would be subject to an EIA, including “socioeconomic” and “other relevant effects of development proposals.” Micronesia supports this expansive definition of an EIA. However, the current draft Guidelines for the establishment of baseline environmental data do not appear to consider such “socioeconomic” and “other relevant effects of development proposals” when determining what baseline environmental data to collect. One way to address this discrepancy is to explicitly reference in the current draft Guidelines specific outreach to Indigenous Peoples and local communities with relevant traditional knowledge, including traditional knowledge of culturally significant migratory marine species as well as of conditions of marine spaces (e.g., wave heights/incidences, Ocean surface temperatures, aggregation sites for certain marine species) encountered during traditional instrument-free navigation across such marine spaces.</p>	
<p>The draft Guidelines focus on deep-sea polymetallic nodules found in the central and northwest Pacific Ocean as well as the Indian Ocean, while noting that the document will be updated in the future to cover other types of minerals. What is the timing for this updating, especially in</p>	

light of the understanding that this particular set of Guidelines must be in place at the time of the adoption of the exploitation regulations? The draft also indicates that some of its content may not apply to all mineral types – is it possible to indicate what content applies to which mineral type(s), rather than leave their applicability vague?

Specific Comments

Page	Line	Comment
4	93	Please replace “Area” with “Marine Environment,” in order to ensure that the scope of the draft Guidelines captures the likelihood that impacts from activities in the Area will spread beyond the Area (as defined in the United Nations Convention on the Law of the Sea), including the water column above the Area.

Additional rows can be added to this table by selecting “Table” followed by “insert” and “rows below”

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