



Template for the review of the draft standards and guidelines associated with the draft regulations on exploitation of mineral resources in the Area

I. Background

1. The draft regulations on exploitation of mineral resources in the Area ([ISBA/25/C/WP.1](#)) require that certain issues are addressed in accordance with, or taking into account, standards and guidelines to be developed by the organs of the Authority. The standards will be adopted by the Council and will be legally binding on Contractors and the Authority, whereas the guidelines will be issued by the Legal and Technical Commission or the Secretary-General and will be recommendatory in nature.
2. Stakeholder consultation is an integral part of the process decided upon by the Commission for the development of the standards and guidelines ([ISBA/25/C/19/Add.1](#)).
3. The Legal and Technical Commission will consider the comments received through stakeholder consultation during its current session.
4. The drafts include a cover page containing background and contextual information on the approach taken by the Legal and Technical Commission in developing each standard and guidelines. Please note that stakeholder comments are not sought on this cover note.
5. Issues of format and consistency across the standards and guidelines will be reviewed by the secretariat and the Legal and Technical Commission once the content of the various standards and guidelines is finalized following stakeholder consultation.

II. Submitting Comments

6. To ensure that your comments are given due consideration, please send them by e-mail to ola@isa.org.im, at your earliest convenience but **no later than the date announced on the ISA website for the relevant draft standards and guidelines**.
7. When submitting comments, please adhere to the following guidance as much as possible:
 - a. Please provide all comments in writing and in an MS Word .doc or .docx format using the table provided below.
 - b. The table format allows for an unlimited number of comments to be added. To add more comments, you may add more rows.

- c. Please provide full contact information for the individual/Government/organization submitting the comments.
 - d. Please avoid commenting on issues related to format, grammar, spelling or punctuation, unless it affects the overall meaning of the text, as the document will be formatted and edited when the final draft is prepared by the Legal and Technical Commission.
 - e. To facilitate the revision process please be as specific as possible in your comments. In areas where you feel additional or alternative text or information is required, please suggest what this text may look like or what information should be included.
 - f. Text may be copied from the draft into the table if stakeholders wish to use "track changes" in editing text (this is encouraged to ensure accuracy and avoid numbering errors).
 - g. If you refer to additional sources of information, please include these with your comments when possible or provide a complete reference or hyperlink.
 - h. All review comments will be posted on the ISA website, unless otherwise requested by the submitting entity.
8. Should you have any questions regarding the review process, please contact ola@isa.org.jm.

III. Template for Comments

- 9. Please use the review template below when providing comments.
- 10. Line and page numbers have been provided in the drafts. Please use these as a reference as illustrated in the table below.

TEMPLATE FOR COMMENTS

<i>Document reviewed</i>	
Title of the draft being reviewed:	Draft Standard and Guidelines for environmental impact assessment process
<i>Contact information</i>	
Surname:	Langman
Given Name:	Robert
Government (if applicable):	
Organization (if applicable):	MarineSpace Ltd
Country:	United Kingdom

E-mail:	Rob.Langman@marinespace.co.uk	
General Comments		
We suggest definitions and acronyms are placed up front to ensure they are fully understood by everyone from the outset.		
We suggest a definition for “Environment” should be included, and explained that it includes all biological, physical and socioeconomic factors.		
The definition of “ <i>environmental effects</i> ” on line 1233 suggests only effects within the marine environment (i.e. biological, physical and chemical) rather than including the human environment also (commercial fisheries, navigation etc). It would be useful to ensure a clear definition of what is intended by “ <i>environmental effects</i> ” when used throughout the document.		
The Draft Guidelines makes comment that the Environmental Impact Statement (EIS) will be divided into two sections, the Environmental Impact Assessment (EIA) and the Environmental Risk Assessment (ERA). The EIA will identify relevant effects, and the ERA will evaluate their extent and level of risk. Can it be confirmed that the EIS will remain as a single document and that the EIA and ERA are not spit into separate individual documents but only separate sections Our experience is that a single document providing the baseline information, Environmental Impact Assessment and Environmental Risk Assessment together allows the process to be followed in a more logical and coherent way. Therefore, we suggest that these elements are kept together, and updates to the ERA that may be required following licensing should be conducted through the Environmental Monitoring and Mitigation Plans.		
Specific Comments		
Page	Line	Comment
4	151	“Regional scale” is a broad term, especially within the context of international waters. Further clarification as to the scale at which impact assessment should be conducted is needed, especially if the EIS shows the effects are highly localised.
8	343	As deep-sea mining technologies are developing rapidly, it may be difficult to initially define a specific mining plan, as changes to available mining techniques may occur during the EIA process or first years of operation. We suggest the definition of a project envelope to allow a realistic worst case scenario to be tested through the EIA that provides some latitude on the production options available to the contractor.
8	348	It is important to include the ability to screen out issues within the scoping report that will not be considered further in the EIS. Therefore, we suggest a bullet is added to paragraph 15 to state that well-reasoned arguments, backed by scientific evidence for the scoping out of issues not relevant to the project will be presented and considered within the scoping report.
11	414	We suggest that the ERAs remain under review through the lifetime of the project, enabling monitoring results and scientific evidence of effects and impacts collected to be fed back into the ERAs as part of the EMMPs. This will allow the constant improvement of monitoring program, and focus the monitoring on the effects and impacts most relevant to the project.
17	565	We suggest the final sentence is amended to: “...and if not, to advise the scope, nature and priority of future studies required to fully inform the EIA and actions following fulfilment of these studies.”

19	594	It would be useful to provide indicative timescales for these consultations, to ensure that reasonable time is allowed for consultation, but that the applications are not held up unduly.
19	621	There is also often a requirement to publicise the EIA. If this is going to be a requirement, some indication of how this can be achieved should be provided.
25	850	We suggest the second bullet is amended as follows: <ul style="list-style-type: none"> • volumes of sediment removed/area of seabed disturbed;
29	983	Threshold criteria definition will need substantial baseline data to ensure a sufficient time series is available to make these threshold judgements. Therefore, these should be established at the baseline stage, and made adaptable to allow changes as new data is added. Adaptive management should also be mentioned here to ensure that any thresholds and monitoring conditions can be amended as required to suit the management, mitigation and monitoring are all based on the latest and best data available.
31	1066	It is important to note that restoration may not in all cases be the preferred options, as it can itself further disturb the seabed and, importantly, set back any recovery that has occurred since the cessation of the activity.
35	1199	It will be important to understand the languages consultation will need to be conducted in to be inclusive, but not too onerous. Reasonable timescales for stakeholders to respond to any consultations should also be included to ensure timely, inclusive consultations.
36	1229	Suggest the addition of “effect” into the list as defined by IEMA: “ <i>Impacts are defined as the changes resulting from an action, and effects are defined as the consequences of impacts.</i> ” Subsequently, ensure that this is applied consistently through the document.
<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