December 2017

Working draft - Exploitation regulations (ISBA/23/LTC/CRP.3)

International Seabed Authority

14-20 Port Royal Street

Kingston, Jamaica

<u>Comments by the Benioff Ocean Initiative on the Draft Regulations on</u> <u>Exploitation of Mineral Resources in the Area</u>

The Benioff Ocean Initiative would like to thank the International Seabed Authority for providing public access to these draft regulations, and for soliciting comments.

Comments:

We recognize that the Authority is soliciting comments from stakeholders as to the overall structure, and coherence of content for this version of the draft. In this light, we recommend that the Authority consider the incorporation of Automatic Identification Systems in the draft regulations, as well as requesting specific vessel identifying information for all vessels engaged in mining and support activities. The inclusion of AIS serves not only as a safety feature for all vessels involved in activities relating to mining and support operations, but provides an additional, independent form of fine-scale vessel monitoring supplementary to the electronic monitoring system proposed in Draft Regulation 31. We have provided a summary of AIS technology, and describe for Draft Regulations. We also suggest that Contractors identify all vessels that will be engaged in mining or in support of mining activity per Annex V, Section 3.3.5.

Automatic Identification Systems Technology Summary

Automatic Identification Systems (AIS) were originally developed as safety devices to prevent collisions at sea and are required by the International Maritime Organization (IMO) for vessels of varying sizes, with all vessels greater than 300 gross tonnage required to have their AIS turned on when engaged on an international voyage. The device transmits information about the vessel's current position, speed and course. These signals can be picked up by other vessels with AIS devices and satellites equipped with AIS receivers, providing high spatial and temporal resolution data on vessel movements within the Area. The AIS data collected by satellites is consolidated and sold at moderate cost through several commercial data vendors. Depending on the needs of the consumer, AIS data for a vessel can be provided in near real time by most commercial data vendors.

Draft Regulation 34 - Safety, labour and health standards

 In addition to Contractors complying with international rules and standards as described in Draft Regulation 34, the Authority should consider mandating that all vessels engaged in mining and support operations be required to carry an Automatic Identification System (AIS), regardless of the vessel size (current International Maritime Organization regulations require all vessels greater than 300 gross tonnes to carry AIS).

Draft Annex V - Environmental Impact Statement

Section 3.3.5 Support Equipment

We recommend that along with a description of the "anticipated frequency of vessels movements for support, supply, barge removal, etc", an official description of each vessel that will be engaged in any mining and support operations be provided by the Contractors. This should include the name of the vessel and any relevant vessel identifiers (i.e. International Maritime Organization (IMO) number, Maritime Mobile Service Identity (MMSI), etc). The electronic monitoring system outlined in Draft Regulation 31 is restricted to mining vessels and mining collectors. Should an incident or dispute at sea occur that involves support vessels beyond the mining vessel, the Authority will have a record of all involved vessels, and thus the ability to obtain AIS data for the vessel in question if necessary.

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