

Comments and Responses 1415 Tosaco Energy Block 1 Exploration Right EIA

Andy Pienaar

Date 2021/05/02 Method Email

Comment

Heil die Leser, Ons groet u en wens graag die volgende dringende versoek aan u te rig. Dat u as n saak van dringende noodsaaklikheid weer die inligtingsessie oor die moontlike eksplorasi en ontginning van die gasvelde aan die Namakwalandse kus, met die belanghebbende en geaffekteerdes van die area, sal kom hou. Ons rig hierdie versoek omdat u vorige poging as gevolg van laat en gebrekkige kennisgewing nie al ons mense bereik het nie en die opkoms SWAK was. Inderhalwe wil ons vra dat u van gevestigde structure soos ons radiostasie, CDW's en organisasies soos hierdie gebruik sal maak om vooraf kennis van die vergadering uit te saai. Geliewe, ons wil verder vra dat al u kommunikasie en insette verkieslik in Afrikaans gedoen word en dat u ons gemeenskappe sal bemagtig om die byeenkoms by te kan woon deur die subsidiering van transport. Gemeenskappe wat deur hierdie versoek geraak word is Hondeklipbaai, Soebatsfontein, Koiingnaas, Kleinzee, Komaggas en Buffelsrivier. Ons dank u en vertrou dat u dringende aandag aan ons oproep sal gee. Agtend Andy Pienaar Kobush Ontwikkelingsvereniging

Response

Dankie vir u e-pos. Ons neem kennis van u versoek en kan bevestig dat ons weereens publieke ope dae sal hou in die komende maand. Die details sal binnekort uitgestuur word aan alle geregistreerde belanghebbende en geaffekteerde partye. Ons sal in verbinding met u wees rakende die voorgestelde strukture en toepaslikheid rondom hierdie strukture vir die kennisgewing van die publiek ope dae.

Elizabeth Balcomb

Date 2021/03/24 Method Email

Comment

To you future eaters Please would you register me as an Interested and Affected Party for your drilling my ocean for oil and gas Offshore N cape. May you be plagued by all the flesh eating creatures our mother earth can send your way.

Response

Dear Elizabeth, Thank you for your correspondence. Kindly note that you have been registered on the I&AP database for the Tosaco Exploration Right Project. As a registered I&AP you will be provided with an opportunity to comment on the Scoping and EIA reports and associated appendices once they become available. Should you have any further comments or queries please feel free to contact EIMS.

Marcus Banga

Date 2021/03/18 Method Email

Comment

Good Morning Sir/Madam Please find our completed form where by we express our interest in the Offshore Exploration Project as advertised.

Response

Good Morning, Kindly note that you have been registered on the project database. As a registered I&AP you will be provided with an opportunity to comment on the Scoping and EIA reports once they become available. Should you have any comments or queries please feel free to contact EIMS.

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Refilwe Shelembe

Date 2021/03/24 Method Email

Comment

Dear Cheyenne I trust the you are well. Thank you for the notices of the EIAs. We are reporting to the DMRE (where these are submitted). We will be conflicted to comment on the same unless the DMRE request our technical input directly. If we comment – it will be DMRE who is the authority here commenting on what they will adjudicate. I am writing to you so that you do not get surprised when we do not respond. I have noted several of these as well. It is however good to know about the EIA's. Regards and keep well.

Response

Dear Mr Shelembe, Thank you for your correspondence. It is understood that comments will be directly submitted to the DMRE on this matter. Should you require any additional information please do not hesitate to contact EIMS.

Mr Adrian Pole

Date 2021/02/25 Method Email

Comment

Dear Ms Muthukarapan We have been asked by the Green Connection to assist it in participating in this EIA process. The Green Connection is a registered non-governmental organisation that believes that economic growth and development, improvement of socio-economic status and conservation of natural resources can only take place within a commonly understood framework of sustainable development. Green Connection aims to provide practical support to both the government and non-governmental/civil society sectors, which are an integral part of sustainable development. We would be grateful if you could register the Green Connection as an interested and affected party for the purposes of this EIA, and copy us in on any further project information and opportunities for participation.

Response

Dear Mr Adrian, Thank you for your correspondence and apologies for the delay in responding to you. Kindly note that you have been registered on the I&AP database on behalf of your client. As registered I&APs you will be provided with an opportunities to comment on the Scoping and EIA reports and associated appendices once they become available. Should you have any further comments or queries please feel free to contact EIMS.

Date 2021/03/24 Method Email

Comment

We refer to our email below, and would be grateful if you could confirm receipt thereof.

Response

My sincere apologies for the delay please can you confirm if you have received my correspondence relating to the confirmation of your registration. Should you have any further queries please feel free to contact EIMS.

Date 2021/04/29 Method Email

Comment

Dear Ms. Muthu and Ms. Muthukarapan Please find attached comments on the Tosaco Block 1 Exploration Right draft Scoping Report, submitted on behalf of the Green Connection. We would be most grateful if you could confirm receipt of the Green Connection's comments by

Response

Dear Mr Pole, Thank you for your correspondence. Kindly find attached EIMS response document to comments received. Should you have any queries please feel free to contact EIMS.

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Mr Adrian Pole

return of email.

Date 2021/04/29 Method Email

Comment

1. INTRODUCTION 1. These comments are submitted on behalf of the Green Connection, a registered non-governmental organisation, that believes that economic growth and development, improvement of socio-economic status and conservation of natural resources can only take place within a commonly understood framework of sustainable development. Green Connection aims to provide practical support to both the government and non-governmental/civil society sectors, which are an integral part of sustainable development.

Response

Comment noted. The Green Connection has been registered as an I&AP for this application.

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Comment

2. ROLE OF PASA IN NEMA EIA PROCESS 2. It is noted that the draft Scoping Report (DSR) indicates that Tosaco submitted an application for an exploration right (ER) to the Petroleum Agency South Africa (PASA) dated 5 May 2020, and that Tosaco subsequently submitted an application for environmental authorisation to PASA on 17 March 2020 . 3. The DSR indicates further that a full Scoping and Environmental Impact Assessment (S&EIA) application is being undertaken to accompany the ER application for NEMA EIA Listing Notice activity 18 (namely an activity including the operation of that activity that requires an exploration right as contemplated in s79 of the MPRDA). 4. In terms of the NEMA Environmental Impact Assessment (EIA) Regulations Listing Notice 2 of 2014, the Minister responsible for Mineral Resources is identified as the competent authority where the listed activity is or is directly related to (among other things) exploration of a petroleum resource. Section 42B of NEMA provides that the Minister responsible for Mineral Resources may in writing delegate a function entrusted to him/her in terms of the Act to the Director-General of the Department of Minerals and Energy; or any officer in the department of Minerals and Energy. It is relevant to note that s42B of NEMA does not empower the Minister responsible for Mineral Resources to delegate a function to state-owned agencies or companies, such as PASA. It is also relevant to note that s42B of NEMA also does not include a power to subdelegate. 5. On 18 June 2004, the then Minister of Minerals and Energy designated PASA to perform the functions set out in Chapter 6 of the Minerals & Petroleum Resources Development Act (MPRDA). It is relevant to note that the Minister was exercising powers conferred in terms of section 70 of the MPRDA. Section 71 of the MPRDA sets out the functions of PASA as the designated agency, which include (among other things) that the designated agency must: review and make recommendations to the Minister with regard to the acceptance of environmental reports and the conditions of the

Response

B2-7 B. ROLE OF PASA IN NEMA EIA PROCESS 2. It is noted that the draft Scoping Report (DSR) indicates that Tosaco submitted an application for an exploration right (ER) to the Petroleum Agency South Africa (PASA) dated 5 May 2020, and that Tosaco subsequently submitted an application for environmental authorisation to PASA on 17 March 2020 . 3. The DSR indicates further that a full Scoping and Environmental Impact Assessment (S&EIA) application is being undertaken to accompany the ER application for NEMA EIA Listing Notice activity 18 (namely an activity including the operation of that activity that requires an exploration right as contemplated in s79 of the MPRDA). 4. In terms of the NEMA Environmental Impact Assessment (EIA) Regulations Listing Notice 2 of 2014, the Minister responsible for Mineral Resources is identified as the competent authority where the listed activity is or is directly related to (among other things) exploration of a petroleum resource. Section 42B of NEMA provides that the Minister responsible for Mineral Resources may in writing delegate a function entrusted to him/her in terms of the Act to the Director-General of the Department of Minerals and Energy; or any officer in the department of Minerals and Energy. It is relevant to note that s42B of NEMA does not empower the Minister responsible for Mineral Resources to delegate a function to state-owned agencies or companies, such as PASA. It is also relevant to note that s42B of NEMA also does not include a power to subdelegate. 5. On 18 June 2004, the then Minister of Minerals and Energy designated PASA to perform the functions set out in Chapter 6 of the Minerals & Petroleum Resources Development Act (MPRDA). It is relevant to note that the Minister was exercising powers conferred in terms of section 70 of the MPRDA. Section 71 of the MPRDA sets out the functions of PASA as the designated agency, which include (among other things) that the designated agency must: review and make recommendations to the Minister with regard to the acceptance of environmental reports and the conditions of the environmental authorisations and

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environmental authorisations and amendments thereto. (emphasis added). 6. It is pointed out that these functions do not extend to PASA accepting or processing NEMA EIA applications. 7. EIMS is requested to clearly state the role and functions being performed by PASA in this NEMA EIA process.

amendments thereto. (emphasis added). 6. It is pointed out that these functions do not extend to PASA accepting or processing NEMA EIA applications. 7. EIMS is requested to clearly state the role and functions being performed by PASA in this NEMA EIA process. Thank you for your comments. It is our understanding that, Section 70 of the Mineral and Petroleum Resources Development Act (Act No. 28 of 2002, as amended, MPRDA), the Minister of Mineral Resources in June 2004, designated various duties pertaining to petroleum exploration and production to the Petroleum Agency of South Africa (PASA). This includes the receipt of applications for different types of permits and rights, some of which require environmental authorisations. Section 71(i) of the MPRDA provides that the designated agency must review and make recommendations to the Minister with regards to the acceptance of environmental reports and the conditions of environmental authorisations and amendments thereto. The application was prepared on the Department of Mineral Resources and Energy Application template. The DMR SAMRAD system does not cater for the submissions of Exploration Rights and this function is provided through the PASA's online portal which states that "Petroleum Agency SA (the Agency) has implemented an Online Application Portal for the submission of applications for permits/rights, and also, for lodging environmental authorization applications." At the time of submission of the application for Environmental Authorisation (EA), the PASA Online Portal mentioned the following: "Kindly note that the Online Portal is temporarily unavailable, and in the meantime manual application processes either at the Agency's offices or through registered mail to the Agency are to be followed for lodging an application." It is further noted that the Scoping Report has been submitted to the PASA for consideration and review. PASA will then make a recommendation on the acceptance or rejection of the Final Scoping Report (FSR) to the Department of Mineral Resources and Energy (DMRE), who will make the final decision, as part of the application for Environmental Authorisation (EA) in terms of Chapter 5 of the National Environmental Act (Act No. 107 of 1998, NEMA), as amended.

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3. NO EXPLORATION DRILLING INCLUDED IN APPLICATION FOR AUTHORISATION Background 8. It is noted that previous investigations and exploration activities have been undertaken within Block 1 in the past, firstly by PetroSA (who obtained an ER in 2008), and subsequently by Cairn South Africa (Pty) Ltd. An environmental management programme (EMPR) and Addendum Report are indicated as having been completed and approved for the undertaking of seismic surveys and exploration drilling of 4 to 6 wells (it is assumed this relates to the PetroSA ER). The DSR indicates further that exploration drilling also received environmental authorisation under NEMA. It is unclear whether this relates to PetroSA, but a DSR prepared on behalf of Cairn in 2014 indicates that PetroSA's proposed exploration drilling received environmental

Response

Thank you for your comment. Comment noted.

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authorisation in terms of NEMA. It is not known whether Cairn obtained environmental authorisation. 9. It is noted further that Tosaco was granted a Technical Co-Operation Permit (TCP) under the MPRDA to conduct desktop geotechnical review and studies for Block 1, and that the DSR indicates that a number of oil and gas plays and features were identified. The inner graben rift basin play in particular is indicated as having provided sufficient evidence to warrant the interest to convert the TCP into an ER. Gas potential is indicated as being greatest on the shelf, and oil potential greatest beyond the shelf. 10. Tosaco has designed a 3D seismic survey to specifically target the inner graben syn-rift basin to better define and outline these grabens in order to better understand the internal structure of possible reservoirs, traps, fault structures and possible sediment input points. 11. The DSR states that Tosaco is proposing to undertake the reprocessing of approximately 5000km of existing seismic lines taken previously in Block 1, as well as approximately 750 km² of 3D seismic data previously undertaken. Additional 3D seismic surveys may be conducted over an area of approximately 1340 km² should the analysis of the existing data indicate that this will be beneficial, and would take about 4 months to complete.

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4. Exploration drilling excluded 12. It is noted that the proposed seismic survey programme comprises of 2D and 3D applications/acquisitions, and that 'the current programme does not include any provision for exploration drilling'. 13. Section 1 of the MPRDA defines an 'exploration operation' as meaning: The re-processing of existing seismic data, acquisition and processing of new seismic data or any other related activity to define a trap to be tested by drilling, logging and testing, including extended well testing, of a well with the intention of locating a discovery. Within the context of this definition, exploration necessarily includes the re-processing of existing seismic data, acquisition and processing of new seismic data or any other related activity to define a trap to be tested by drilling, logging and testing, including extended well testing, of a well with the intention of locating a discovery. 14. Given that Tosaco's 'current programme' does not include any provision for exploration drilling, it is unclear how or when Tosaco intends to define a trap to be tested by (among other things) drilling of a well with the intention of locating a discovery. 15. In addition, Tosaco's application under the MPRDA for an ER is not included in the EIA document set, nor is it available on PASA's website. A notice under section 10 of the MPRDA has been published on PASA's website, but does not include any information regarding the scope of the ER applied for (and particularly whether the drilling of exploration wells has also been excluded from the ER application). 16. In light of the above, EIMS is requested to: - Provide details of Tosaco's ER application under the MPRDA to PASA in the final DSR and/or draft environmental impact assessment report (EIAR);

Response

Thank you for your comment. It is acknowledged that the definition of exploration operation does refer to the definition of a trap to be tested by drilling, of a well with the intention of locating a discovery. However, at this stage, it is understood that the intention is to first identify, through the re-processing of existing seismic data, acquisition and processing of new seismic data, whether there would be any merit in conducting further exploration activities, which would then include testing by drilling. As such, it is understood that there is currently no concrete intention to conduct such drilling. EIMS is conducting the impact assessment on the basis of the activities proposed by the applicant. It is our understanding that should Tosaco wish to extend their exploration activities to include drilling or other invasive exploration works which are not addressed in the current application, there would be a consequent need to apply for the relevant permissions. These would include a formal application to amend the approved Exploration Works Programme (EWP) in accordance with Section 102 of the MPRDA as well as either a new Environmental Authorisation or an amendment to the issued EA and approved EMPR (should such be issued). The impacts of such proposed activities would consequently require specific assessment and public consultation prior to approval. It is in our view premature to assess the likely impacts of further invasive exploration activities or production activities as the extent, duration, location, and magnitude applicable to these activities are unknown at this stage. There is provision in law for these activities to be assessed on their merits as and when they are proposed. Please refer to table 4 of the Scoping Report for the activities included in the EWP.

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and - State clearly in the final DSR and/or draft EIAR what Tosaco's intentions are with regard to the future drilling and testing of exploration and/or appraisal wells. If Tosaco does intend to drill and test any such wells, EIMS is further requested to indicate what the rationale is for not including drilling and testing of exploration and/or appraisal wells in this current EIA application, and what process Tosaco intends to follow in order to obtain NEMA environmental authorisation for same. 17. Assuming that Tosaco intends in the future to drill and test exploration wells with the intention of locating a discovery, the Green Connection submits that this exploration EIA should have sought authorisation for same. Applying for authorisation in a piecemeal fashion is potentially irregular as it prevents the competent authority from assessing (and I&APs from commenting on) the full scope of potential impacts, including cumulative impacts, of the planned exploration operation (such as the potential environmental and socio-economic impacts of a catastrophic oil spill arising from a wellhead failure or blowout).

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5. NEED AND DESIRABILITY 18. The NEMA EIA Regulations stipulate that a scoping report must include a motivation for the need and desirability for the proposed development including the need and desirability of the activity in the context of the preferred location. 19. With regard to need and desirability, a distinction is drawn between the 'general purpose and requirements' of the proposed activity and 'need and desirability'. The 2017 Guideline on Need and Desirability states as follows: In order to properly interpret the EIA Regulations' requirement to consider "need and desirability", it is necessary to turn to the principles contained in NEMA, which serve as a guide for the interpretation, administration and implementation of NEMA and the EIA Regulations. With regard to the issue of "need", it is important to note that this "need" is not the same as the "general purpose and requirements" of the activity. While the "general purpose and requirements" of the activity might to some extent relate to the specific requirements, intentions and reasons that the applicant has for proposing the specific activity, the "need" relates to the interests and needs of the broader public. ... The consideration of "need and desirability" in EIA decision-making therefore requires the consideration of the strategic context of the development proposal along with the broader societal needs and the public interest. The government decision-makers, together with the environmental assessment practitioners and planners, are therefore accountable to the public and must serve their social, economic and ecological needs equitably. Ultimately development must not exceed ecological limits in order to secure ecological integrity, while the proposed actions of individuals must be measured against the short-term and long-term public interest in order to promote justifiable social and economic development – i.e. ensuring the simultaneous achievement of the triple bottom-line. Considering the merits of a specific application in terms of the need and

Response

Thank you for your comment. Further to Item 20 of your comment letter, and as pointed out above, it cannot be said with absolute certainty that exploration drilling, let alone production activities, will be undertaken in the future. As such, it is not currently possible to address the need and desirability of such activities given that the specific details of these potential future activities are not known. It should further be noted that the life cycle of the current project is limited to the exploration activities as stated in the DSR and this will be the focus of the Scoping and EIA Process. It is in our view premature to assess the likely impacts of further invasive exploration activities or production activities as the extent, duration, location, and magnitude applicable to these activities are unknown at this stage. There is provision in law for these activities to be assessed on their merits as and when they are proposed.

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desirability considerations, it must be decided which alternatives represent the “most practicable environmental option”, which in terms of the definition in NEMA and the purpose of the EIA Regulations are that option that provides the most benefit and causes the least damage to the environment as a whole, at a cost acceptable to society, in the long-term as well as in the short-term. (emphasis added) 20. Given that exploration operations are intended to define traps to be tested by drilling of a well with the intention of locating a discovery (of hydrocarbons below the seabed), and which in turn would likely lead to production operations should commercially exploitable hydrocarbon resources be discovered, the Green Connection is of the view that addressing the need and desirability within the context of ecologically sustainable development requires at the very least an initial assessment and consideration of the environmental health and safety consequences of the project, including an assessment of need and desirability, throughout its life cycle (rather than ring-fencing the assessment of impacts and the consideration of need and desirability to the reprocessing of seismic data and acquisition of new seismic data). This will necessarily entail a consideration of (among other things):

- Climate change impacts associated with exploration, production and use of hydrocarbons discovered in Block 1, including: its impact on South Africa’s ability to meet its international responsibilities to address climate change; whether the proposed project promotes increased dependency on non-renewable hydrocarbon resources or reduces such resource dependency; and whether the exploration for an subsequent exploration of new hydrocarbon resources will impact positively or negatively on future generations of South Africans;
- Ecological and socio-economic impacts associated with a major oil spill (such as an uncontrolled wellhead blowout), including potential impacts on small-scale fishers and coastal communities that depend on the ocean for their livelihoods; and
- Critical Biodiversity Areas and Ecological and Biologically Significant Areas located within Block 1 and within the proposed seismic survey area where ‘petroleum production is considered incompatible’.

21. It is noted that EIMS limits the consideration of need and desirability to the exploration for oil and gas (excluding drilling), indicates that the project ‘will not, at this stage, involve the use of natural resources identified as part of the proposed exploration project’, but also acknowledges that ‘[t]he proposed project aims to identify oil and gas resources to be used in the energy production and/or processing or manufacturing of materials’. 22. It is also noted that in relation to the question of whether a risk-averse and cautious approach was applied to socio-economic impacts, the DSR indicates that ‘[t]he level of risk is low as the project is not expected to have far reaching negative impacts on socio-economic conditions. Since the exploration activities will not include any drilling at this stage, a risk averse and cautious approach had been implemented to limit the impact on the surrounding environment’. 23. NEMA section 2(4)(a) (vii) stipulates that sustainable development requires the consideration of all relevant factors, including that a risk-averse and cautious approach is applied, which takes into account the limits of current knowledge about the consequences of decisions and actions. It is submitted that ring-fencing the EIA application to exclude reasonably foreseeable future impacts (i.e.

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climate change impacts or catastrophic oil spill impacts that could arise from future hydrocarbon exploration drilling and production activities should commercially exploitable resources be discovered) is not a rational application of the 'risk-averse and cautious approach' required by NEMA in relation to need and desirability. The approach taken in the DSR artificially removes potentially significant life cycle impacts from consideration in the EIA, notwithstanding that the proposed exploration is aimed at identifying oil and gas resources to be used in (among other things) energy production, and notwithstanding that that future exploration drilling and ultimately production activities are likely to follow.

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6. NO GO OPTION 24. With regard to the 'no go alternative', the DSR states as follows: The no go alternative would imply that no exploration activities are undertaken. As a result, the opportunity to identify potential oil and gas resources within the Block 1 and proposed 3D survey area. This will negate the potential negative and positive impacts associated with the proposed exploration activities. (wording as appears in DSR) 25. The Green Connection is of the view that the potential ecological and socio-economic risks associated with likely future exploration drilling and petroleum production activities (having regard to the global climate emergency and the potentially devastating impacts of a catastrophic oil spill) require a proper assessment and consideration of the "no go option". This assessment should necessarily include a consideration of alternative means to generate energy, and in particular renewable energy alternatives that do not pose a significant inter-generational ecological and socio-economic risk. It should also include a consideration of the benefits of the "no go option". These benefits include avoidance of the risk of significant ecological pollution should a catastrophic oil spill occur during future exploration and production operations (and would also avoid the associated risk to communities and small-scale fishers who depend on the ocean for their livelihoods), as well as the avoidance of additional greenhouse gas (GHG) impacts associated with extracting, processing and using any hydrocarbons discovered.

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7. NO CLIMATE CHANGE ASSESSMENT 26. It is noted that the DSR does not address climate change impacts associated with the exploration for, production of and ultimately end-use of oil and gas in Block 1. 27. Regarding atmospheric emissions, the DSR states that no further impact assessment is required in the EIA phase. 28. Having regard to the global Climate Emergency and South Africa's international commitment to 'working with others to ensure temperature

Response

Thank you for your comment. As pointed out above, it cannot be said with absolute certainty that exploration drilling, let alone production activities, will be undertaken in the future. As such, it is not currently possible to accurately assess the risks associated with these activities, given that the specific details of these potential future activities are not known. While it is acknowledged that the risks mentioned would need assessment, such assessment falls outside of the scope of the current application and would need to be assessed in detail during subsequent Scoping and EIA processes, should drilling or production be proposed. The significance of the likely potential ecological and socio-economic risks or impacts identified and assessed in the Scoping Report indicate that all impacts can be reduced to a level of low to medium significance. The application for exploration does not include drilling and production activities or any other activities which are likely to result in a catastrophic oil spill. The application for exploration does not include the generation of energy and as such alternatives means of energy generation have not been assessed.

Response

Thank you for your comment. As pointed out above, it cannot be said with absolute certainty that exploration drilling, let alone production activities, will be undertaken in the future. As such, it is not currently possible to accurately assess the risks associated with these activities, given that the specific details of these potential future activities are not known. On the basis of the exploration activities currently proposed it is unlikely that there will be significant climate change impacts.

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increases are kept well below 2°C above pre-industrial levels, which could include a further revision of the temperature goal to below 1.5°C in light of emerging science' by reducing greenhouse gas (GHG) emissions, Tosaco's proposed exploration for offshore oil and gas resources would, if additional commercially viable resources are found and developed to production phase, inevitably add to the South Africa's overall GHG emissions (South Africa's energy sector currently contributes an estimated 84% percent to the country's overall GHG emissions). 29. As a reasonably foreseeable future impact that may become more significant when added to the existing and reasonably foreseeable GHG impacts arising from similar offshore oil and gas exploration and production activities in South Africa's exclusive economic zone, it is submitted that the cumulative impacts of such GHG emissions need to be identified in the DSR, and the impact thereof assessed in the next phase of the EIA process. 30. Such an approach would be consistent with the NEMA environmental management principle set out in section 2(4)(e), which stipulates that responsibility for the environmental health and safety consequences of a policy, programme, project, product, process, service or activity exists throughout its life cycle. 31. The Green Connection submits further that the EIA should address the implications of climate change on oceans. The Intergovernmental Panel on Climate Change has identified that coastal systems will experience climate change-related impacts due to sea level rise and associated storm swells. In addition, there is medium agreement that the Benguela system will experience changes in upwelling intensity as a result of climate change. The Green Connection submits that the EIA should therefore include a study on the potential impacts that changes in ocean currents, increased severity of storms etc. could have on future exploration and production drilling activities.

While it is acknowledged that the risks mentioned would need assessment, such assessment falls outside of the scope of the current application and would need to be assessed in detail during subsequent Scoping and EIA processes, should drilling or production be proposed. The environmental consequences applicable to the planned exploration activities have been identified and assessed in the Scoping Report. There is provision in law for future activities (including exploration drilling and production) to be assessed and decided upon, on their merits as and when they are proposed, and prior to commencement of such.

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8. SPECIALIST STUDIES (SEISMIC SURVEYS) 32. The DSR indicates that specialist studies are being undertaken to address the key impacts that require further investigation, namely a Marine Ecological Impact Assessment and a Fisheries Impact Assessment. The DSR indicates further that these studies 'involved the gathering of data relevant to identifying and assessing preliminary environmental impacts that may occur as a result of the proposed project'. 33. A Marine Faunal Specialist Assessment (prepared by Pisces Environmental Services (Pty) Limited) and a Specialist Fisheries Assessment (prepared by CapMarine) have already been conducted, and are attached to the DSR. 34. These specialist reports seem to have already concluded that the proposed seismic survey will not impact significantly on marine fauna and fisheries (including small-scale fisheries). For example: - The Marine Faunal Specialist Assessment rates the significance of preliminary impacts identified as negligible, very low or low. It states further that if all environmental guidelines, and appropriate mitigation measures recommended are

Response

Thank you for your comments. Further to comment 35, both EIMS and the specialists appointed for this Scoping and EIA process are independent and satisfy the requirements of independence as specified in the EIA Regulations, 2014, as amended. As such, it is our opinion that an independent reviewer will not add any additional value at this stage. Furthermore, the terms of reference for each specialist is detailed in their respective reports which have been made available to registered I&APs for comment. The conclusions and significance ratings contained in the specialist reports are in line with other similar specialist studies undertaken for seismic surveys over the past 10 years.

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implemented, 'there is no reason why the proposed seismic survey should not proceed'. Various and detailed recommendations to mitigate potential impacts are also included in the Marine Faunal Specialist Assessment; and - The Specialist Fisheries Assessment includes a section on small-scale fishers, and states that the small-scale fisheries rights cover the nearshore area (i.e. within close proximity of the shoreline) and are unlikely to extend more than 3 nautical miles from the coast. The report states that 'There is no impact of temporary exclusion of fishing operations expected, as the proposed seismic acquisition area lies beyond the expected range of the linefish and rock lobster catch areas'. 35. Given that the specialist reports seem to have already concluded at this DSR stage that the proposed seismic survey will not impact significantly on marine fauna and fisheries the Green Connection submits that a credible peer review mechanism should be established as part of the EIA process for the specialist reports and impact assessments. The Green Connection submits further that the terms of reference for each specialist study and impact assessment should be clearly stated, together with the details of each specialist and suggested peer reviewers. The Green Connection believes that I&APs should be afforded a reasonable opportunity to comment on the terms of reference and proposed peer reviewers.

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9. Notwithstanding the above, it is relevant to note that the DSR acknowledges that insufficient information is available in some instances and that gaps in knowledge exist. For example, the DSR and/or Marine Ecological Impact Assessment indicate that: - A 2018 National Biodiversity Assessment for the marine environment points out that very few national IUCN Red List assessments have been conducted for marine invertebrate species to date owing to inadequate taxonomic knowledge, limited distribution data, a lack of systematic surveys and limited capacity to advance species red listing for these groups. - South Africa's seamounts and their associated benthic communities have not been extensively sampled by either geologists or biologists. - 33 species of whales and dolphins are known to occur in these waters, including the blue whale (critically endangered) and fin and sein whales (endangered). 17 species are listed as data deficient. 'The offshore areas have been particularly poorly studied with almost all available information from deeper waters (>200m) arising from historic whaling records prior to 1970. Current information on the distribution, population sizes and trend of most cetacean species occurring on the west coast of southern African is lacking. Information on smaller cetaceans in deeper waters is particularly poor and the precautionary principle must be used when considering possible encounters with cetaceans in this area'. While it is claimed that increasing numbers of southern right and humpback whales suggests that seismic surveys conducted over the past 17 years have not negatively influenced the distribution patterns of

Response

Thank you for your comments. Comments noted. As per the requirements in the EIA regulations, assumptions made, any uncertainties or gaps in knowledge must be stipulated in the specialist reports. Based on discussions with the relevant specialists and with due consideration of the extent, duration, and magnitude of the proposed exploration activities it is understood that there is adequate information to be able to make a reasonable assessment of the likely impacts .

Comments and Responses 1415 Tosaco Energy Block 1 Exploration Right EIA

Mr Adrian Pole

these two migratory 36. Notwithstanding the above, it is relevant to note that the DSR acknowledges that insufficient information is available in some instances and that gaps in knowledge exist. For example, the DSR and/or Marine Ecological Impact Assessment indicate that: - A 2018 National Biodiversity Assessment for the marine environment points out that very few national IUCN Red List assessments have been conducted for marine invertebrate species to date owing to inadequate taxonomic knowledge, limited distribution data, a lack of systematic surveys and limited capacity to advance species red listing for these groups. - South Africa's seamounts and their associated benthic communities have not been extensively sampled by either geologists or biologists. - 33 species of whales and dolphins are known to occur in these waters, including the blue whale (critically endangered) and fin and sei whales (endangered). 17 species are listed as data deficient. 'The offshore areas have been particularly poorly studied with almost all available information from deeper waters (>200m) arising from historic whaling records prior to 1970. Current information on the distribution, population sizes and trend of most cetacean species occurring on the west coast of southern African is lacking. Information on smaller cetaceans in deeper waters is particularly poor and the precautionary principle must be used when considering possible encounters with cetaceans in this area'. While it is claimed that increasing numbers of southern right and humpback whales suggests that seismic surveys conducted over the past 17 years have not negatively influenced the distribution patterns of these two migratory species at least, '[i]nformation on the population trends of resident species of baleen and toothed whales is unfortunately lacking, and the potential effects of seismic surveys on such populations remains unknown'. 37. It is also relevant to note that Block 1 and/or the proposed seismic survey area intersect Marine Protected Areas (MPAs), provide habitat or migratory routes to a number of critically endangered, endangered or threatened species, and also include Ecologically or Biologically Significant Areas (EBSAs), Critical Biodiversity Areas (CBAs), Ecological Support Areas (ESAs) and Vulnerable Marine Ecosystems (VMEs). For example, the DSR indicates that: - Seamounts provide an important habitat for commercial deep water fish stocks such as Patagonian toothfish, which aggregate around these features either for spawning or feeding. 'Consequently, the fauna of seamounts is usually highly unique and may have a limited distribution restricted to a single geographic region, a seamount chain or even a single seamount location. As a result of conservative life histories... and sensitivity to changes in environmental conditions, such biological communities have been identified as Vulnerable Marine Ecosystems (VMEs). They are recognised as being particularly sensitive to anthropogenic disturbance (primarily deep-water trawl fisheries and mining), and once damaged rare very slow to recover, or may never recover'. - The fish most likely to be encountered on the shelf and in the offshore waters of Block 1 are large migratory pelagic species, such as tuna, billfish and sharks, 'many of which are considered threatened by the International Union for the Conservation of Nature (IUCN), primarily due to overfishing'. - Leatherback turtles are the most likely turtle species to be encountered in the offshore waters

Mr Adrian Pole

of west South Africa. Leatherback turtles are listed as 'critically endangered' by the IUCN, and 'are in the highest categories in terms of need for conservation in CITES... and CMS'. The 2017 South African lists of Threatened and Endangered Species (TOPS) similarly list the species as 'critically endangered', while the National Assessment listed them as 'endangered'. 'South Africa is thus committed to conserve these species at an international level'. - A number of conservation areas and a MPA exist along the coastline of the Western Cape. The DSR states that 'the only conservation area in the vicinity of the project area in which restrictions apply is the McDougall's Bay rock lobster sanctuary near Port Nolloth... The Orange River Mouth wetland located at the northern corner of Block 1 provides an important habitat for large numbers of a great diversity of wetland birds and is listed as a Global Important Bird Area (IBA) The area was designated as a Ramsar site in June 1991, and processes are underway to declare a jointly-managed transboundary Ramsar reserve. Various Marine IBAs have also been proposed in South African and Namibian territorial waters, with a candidate trans-boundary marine IBA suggested off the Orange River mouth.... Block 1 lies south of the Atlantic Southeast 21 marine IBA and overlaps with the candidate Orange River Mouth Wetland IBA.' - Block 1 overlaps with the Orange Shelf Edge and Namaqua Fossil Forest MPA. According to figure 74, the proposed 3D seismic survey area overlaps part of the Namaqua Fossil Forest EBSA, recognised as globally important and declared as an EBSA in 2014. - A number of 'endangered' and 'vulnerable' ecosystems types are currently not well protected. 'Currently... most of the Southern Benguela Sandy Shelf Edge and Southeast Atlantic Upper- and Mid-Slope are poorly protected... whereas the Southeast Atlantic Lower Slope receives no protection at all'. - 'As part of a regional Marine Spatial Management and Governance Programme (MARISMA 2014-2020) the Benguela Current Commission (BCC) and its member states have identified a number of EBSAs... with the intention of implementing improved conservation and protection measures within these sites'. 3 trans-boundary EBSA's are shared with Namibia. 'The principal objective of these EBSAs is identification of features of higher ecological value that may require enhanced conservation and management measures. They currently have no legal status'. - Regarding EBSA's, Figure 76 indicates critical biodiversity areas and an ESA in the proposed 3D seismic survey area. The DSR indicates that 'Future activities that may be prohibited in the conservation zone of these EBSAs includes mining construction and operations, although non-destructive or highly localised prospecting activities may be conducted in the impact management zone. Block 1 and the proposed 3D survey area overlaps with the southern portion of the Namaqua Fossil forest EBSA biodiversity conservation zone in which non-destructive exploration and destructive localised impacts such as exploration wells will be conditionally permitted, but petroleum production is considered incompatible. It must be noted however, however, that the EBSA Zone boundaries are subject to ongoing revision based on discussions with the National EBSA Working Group. These zones have been incorporated into the most recent iteration of the national Coastal and Marine Critical Biodiversity Area (CBA) Map... released on 26 February 2021 (Figure 76). This indicates that CBA1 and CBA2 regions extend south and offshore of the

Comments and Responses 1415 Tosaco Energy Block 1 Exploration Right EIA

Mr Adrian Pole

Namaqua Fossil Forest MPA and across the proposed 3D survey area. CBA 1 indicates irreplaceable or near-irreplaceable sites that are required to meet biodiversity targets with limited, if any, option to meet targets elsewhere, whereas CBA 2 indicates optimal sites that generally can be adjusted to meet targets in other areas. Ecological Support Areas (ESAs) represent EBSAs outside of MPAs and not already selected as CBAs. Sea-use within the CBAs and ESAs reflect those specified by the EBSA biodiversity conservation and management zones described above'. (emphasis added) 38. The Assumptions and Limitations section of the DSR indicates that information gaps with regard to marine ecology include: - Details of the benthic macrofaunal communities and potentially vulnerable species on deep water habitats; and - Current information on the distribution, population sizes and trends of most pelagic seabird, turtle and cetacean species occurring in South African water and the project area in particular. 39. With regard to fisheries, the same section of the DSR indicates that '[t]he effect of seismic sound on the CPUE [catch per unit effort] of fish and invertebrates have been drawn from the findings of international studies. To date there have been no studies focused directly on the species found locally. Although the results from international studies are likely to be representative for local species, current gaps in knowledge on the topic lead to uncertainty when attempting to accurately quantify the potential loss of catch for each type of fishery. Research into the effects of seismic sound on marine fauna is ongoing.'

Date 2021/04/29 Method Email

Comment

10. In light of the data and information gaps and lack of certainty acknowledged in the DSR, and having regard to the EBSAs, CBAs, ESAs and VMEs located in the proposed seismic survey area, the Green Connection submits that it is appropriate that a risk averse and cautious approach is properly applied that takes into account these limits in current knowledge about the consequences of decisions and actions relating to the proposed 3D seismic surveys. Lack of data and information gaps do not imply a lack of harm. The Green Connection submits that in order to protect the environment for the benefit of current and future generations, a proper application of a risk averse and cautious approach requires that where there are limits in current knowledge about the potential for and significance of impacts of 3D seismic surveys, it is better to err on the side of caution and prevent environmental harm which may become irreversible. Accordingly, the Green Connection is of the view that the proposed 3D seismic surveys should not proceed until sufficient information and knowledge is available. 41. The Green Connection reserves its rights to make further comment on these specialist reports during the comment period for the EIAR phase.

Date 2021/04/29 Method Email

Response

Thank you for your comment. It should be pointed out that the CBAs and EBSAs currently carry no legal status. However, despite this, the specialist has assessed the impacts on the various organism groups and identified mitigation measures that reduce the residual risk of the proposed activities, despite the information gaps. As such, the mitigation measures proposed provide the necessary risk averse and cautious approach.

Comments and Responses 1415 Tosaco Energy Block 1 Exploration Right EIA

Mr Adrian Pole

Comment

11. POLICY AND LEGISLATIVE CONTEXT MPRDA 42. It is noted that the DSR makes reference to an EIA being required '[a]s per Section 22(4)(a) and (b) of the MPRDA'. 43. It is submitted that this reference is incorrect, as section 22 of the MPRDA deals within mining right applications (as opposed to petroleum exploration right applications). 44. Section 79 of the MPRDA deals with petroleum exploration right applications, and section 80(1)(c) stipulates that the Minister (DMRE) must grant an exploration right if the Minister has (among other things) issued an environmental authorisation (defined as having the meaning assigned to in in NEMA).

Response

Thank you for your comment. This section has been updated accordingly.

Date 2021/04/29 Method Email

Comment

12. NEMA It is noted that the DSR makes reference to NEMA Listing Notice 2 activity 14 as requiring environmental authorisation for activities (including the operation of the activity) which require an exploration right as contemplated in s79 of the MPRDA. 46. It is submitted that this is incorrect. 47. NEMA Listing Notice 2 activity 18 requires environmental authorisation for activities (including the operation of the activity) which require an exploration right as contemplated in s79 of the MPRDA.

Response

Thank you for your comment. This section has been updated accordingly. The application for EA and all other associated documentation makes the correct reference to Activity 18 of Listing Notice 2.

Date 2021/04/29 Method Email

Comment

13. International Marine Conventions 48. No mention is made of the Benguela Current Convention in section 4.7.3 of the DSR.

Response

Thank you for your comment. This section has been updated accordingly .

Date 2021/04/29 Method Email

Comment

14. PUBLIC PARTICIPATION 49. It is noted that while various notices were published in English and Afrikaans, the DSR and specialist reports appear to have only been made available to the public in English. Given that many community members, and small-scale fishers in particular, along the West Coast adjacent to Block 1 are Afrikaans-speaking, the Green Connection submits that an Afrikaans version of these documents should have been made available. It is pointed out that section 2(4)(f) of NEMA stipulates that the participation of all interested and affected parties in environmental governance must be promoted, and all people must have the opportunity to develop the understanding, skills and capacity necessary for achieving equitable and effective participation, and participation by vulnerable and disadvantaged persons must be

Response

Thank you for your comment. EIMS Would like to point out that open days were held during the DSR comment period which afforded the opportunity for local communities to obtain the information in their own language. The presentations done during these open days were conducted in Afrikaans and English. No requests were made during the public consultation process for the provision of documentation in other languages.

Comments and Responses 1415 Tosaco Energy Block 1 Exploration Right EIA

Mr Adrian Pole

ensured.

Ms Jennifer Olbers

Date 2021/03/07 Method Email

Comment

Good day, I would like to register as an I&AP for the TOSACO BLOCK 1 EXPLORATION RIGHT (Ref:1415/GP/cm).

Response

Dear Jennifer, Thank you for your correspondence regarding the above mentioned project. Kindly note that you have been registered on the I&AP project database. As a registered I&AP you will be provided with the opportunity to comment on the Scoping and EIA reports and associated appendices once they becomes available. Should you have any further comments or queries please feel free to contact EIMS.

Mr Willem Louw

Date 2021/02/21 Method Email

Comment

Dear Ms Muthukarapan, I would like to register as Interested and affected party (I&AP) to participate in the EIA for the proposed Tosaco Block 1 Exploration Right EIA Project. Project Ref No. 1415

Response

Dear Mr Louw, Thank you for your correspondence. Kindly note that as a registered I&AP you will be provided with the opportunity to comment on the Scoping and EIA reports and associated appendices once they become available. Should you have any queries or comments please feel free to contact EIMS.

Ms Natasha Higgitt

Date 2021/03/24 Method Email

Comment

Good morning, Please note that all development applications are processed via our online portal, the South African Heritage Resources Information System (SAHRIS) found at the following link: <http://sahra.org.za/sahris/>. We do not accept emailed, posted, hardcopy, faxed, website links or DropBox links as official submissions. Please create an application on SAHRIS and upload all documents pertaining to the Environmental Authorisation Application Process. As per section 24(4)b(iii) of NEMA and section 38(8) of the National Heritage Resources Act, Act 25 of 1999 (NHRA), an assessment of heritage resources must form part of the process and the assessment must comply with section 38(3) of the NHRA. Once all documents including all appendices are uploaded to the case application, please ensure that the status of the case is changed from DRAFT to SUBMITTED. Please ensure that all documents produced as part of the

Response

No response required. Project Documents uploaded to SAHRIS

Comments and Responses 1415 Tosaco Energy Block 1 Exploration Right EIA

Ms Natasha Higgitt

EA process are submitted as part of the application.

Reason Nyengera

Date 2021/03/07 Method Email

Comment

Please find attached completed I&AP registration form and questionnaire. We would like to get involved and comment on the possible short-term and long-term direct and indirect impacts of the proposed TOSACO Block 1 (EIMS Ref #: 1415) oil exploration on coastal and pelagic seabirds. Therefore, we request to get registered. We will send our preliminary comments as soon as possible.

Response

Thank you for your registration. Kindly note that you have been registered on the project I&AP database. As a registered I&AP you will be provided with the opportunity to comment on the Scoping and EIA reports for the project once they are made available. Should you have any comments or queries please feel free to contact EIMS.

Lindsey Smith

Date 2021/03/24 Method Email

Comment

I trust that this email finds you well. Please will you register BirdLife South Africa as an I&AP for this application, as we will be interested to see the assessment documents. I do apologise for only registering now, your email was sent to our junk mail.

Response

Thank you for your correspondence. Kindly note that you have been registered as an I&AP on the project database. As a registered I&AP you will be provided with an opportunity to comment on the Scoping and EIA reports once they are made available. Should you have any further comments or queries please feel free to contact EIMS.

Sherelee Odayar

Date 2021/05/04 Method Email

Comment

To Cheyenne Muthukarapan Please see I&AP registration form to register the South Durban Community Environmental Alliance (SDCEA) as an I&AP for the Proposed Tosaco Energy Block 1 Exploration Right Tosaco Energy (Pty) Ltd. Also please see comments on the draft scoping report from SDCEA. A follow up email was sent later in the day: "Please can I get a receipt to say that you have received these comments. "

Response

Thank you for your correspondence. Kindly find attached EIMS response to your comments submitted. Should you have any queries with regards to the attached please feel free to contact EIMS.

Elise Tempelhoff

Date 2021/03/17 Method Email

Comment

Response

Comments and Responses 1415 Tosaco Energy Block 1 Exploration Right EIA

Elise Tempelhoff

Will you please register me as an I&AP on this project, please

Thank you for your correspondence. Kindly note that you have been registered on the project I&AP database. As a registered I&AP you will be provided with an opportunity to comment on the Scoping and EIA Reports when they become available. Should you have any queries or comments please feel free to contact EIMS.

Date 2021/03/24 Method Email

Comment

Dear Cheyenne, Thank you for your rapid response. What documents are available at the moment? Please send them to me for background information.

Response

Kindly find attached the BID for the project. Please note that the Scoping Report and associated appendices will be made available in due course. As a registered I&AP you will be provided with the opportunity to comment on the Scoping and EIA reports and associated appendices.

Date 2021/04/01 Method Email

Comment

Please be so kind and send me the scoping report.

Response

Thank you for your correspondence. Kindly find attached the Scoping Report as requested. The associated appendices can be downloaded from the EIMS website: <https://www.eims.co.za/2021/03/25/1415-tosaco-exploration-right-application/> Should you have any further comments or queries please feel free to contact EIMS.

Trevor Wilson

Date 2021/03/07 Method Email

Comment

Kindly be informed the intended area of exploration falls within the scope of the Large Pelagic long line operations. Be advised Tuna long liners who operate in the area, once their fishing gear is deployed their lines are naturally exposed to the sea current conditions and may drift uncontrollable in any direction. We trust you will keep us informed of daily planned activities.

Response

Dear Trevor, Thank you for your correspondence regarding the above mentioned project. Kindly note that your initial comments as per below has been passed onto the project team for their consideration. Should you have any further comments or queries please feel free to contact EIMS.

Adeleen Cloete

Date 2021/04/06 Method Email

Comment

Please register me as an I

Response

Thank you for your correspondence. Kindly note that you have been registered on the project I&AP database. Kindly note that the Scoping is currently available for public review and comment until the 29th April 2021. A copy of the report can be downloaded from the EIMS website:

Comments and Responses 1415 Tosaco Energy Block 1 Exploration Right EIA

Adeleen Cloete

<https://www.eims.co.za/2021/03/25/1415-tosacoexploration-right-application/>. Furthermore, please note that public open days will be held next week from 10am to 3pm as per the notification attached. Should you have any comments or queries please feel free to contact EIMS.

Date 2021/05/04 Method Email

Comment

Please find the scoping phase comments attached.

Response

Thank you for the comments on behalf of the Department. Kindly find attached the EIMS response to your comments provided. Should you have any comments or queries please feel free to contact EIMS.

Date 2021/05/04 Method Email

Comment

1.. 1. Background Tosaco Energy (Pty) Ltd (hereafter Tosaco) has applied for an Exploration Right for offshore oil and gas in Block 1, located off the West Coast of South Africa. Environmental Impact Management Services (Pty) Ltd (EIMS) has been appointed by Tosaco to prepare and submit an application for Environmental Authorisation as per the requirements of the Environmental Impact Assessment (EIA) Regulations, 2014, as amended and promulgated under the National Environmental Management Act (Act No. 107 of 1998- NEMA) and the requirements of the Minerals and Petroleum Resources Development Act (Act No. 28 of 2002 – MPRDA). Comments will be from a coastal management (guided by the Integrated Coastal Management Act -Act 18 of 2008, as amended).and scientific perspective respectively.

Response

Thank you for your comment. Comment noted

Date 2021/05/04 Method Email

Comment

2. Coastal Management Comments 2.1 Specialist Studies The specialist studies will include a Marine Ecological Impact Assessment and a Fisheries Impact Assessment to address the key impacts that require further investigation. "The Block 1 application area, and the proposed 3D Seismic Survey, intersects with the Namaqua Fossil Forest Marine Protected Area - The MPA provides evidence of age-old temperate yellowwood forests from a hundred million years ago when the sea-level was more than 200 m below what it is today; trunks of fossilized yellowwood trees covered in delicate corals. As such, it has been recommended that the 3D Seismic area falling within the MPA, as well as the recommended 5 km buffer, be excluded from the 3D Seismic area." I want to reiterate the recommendation that the 3D Seismic area falling within the MPA and the recommended 5 km buffer, be excluded from the 3D Seismic area. It will also be important to continuously consult the Department of Forestry, Fisheries and the

Response

Thank you for your comment. The MPA and buffer zone will be excluded from the 3D Survey area. Please note that the Department of Forestry, Fisheries and the Environment (DFFE) have been registered as a key Interested and Affected Party (I&AP)

Comments and Responses 1415 Tosaco Energy Block 1 Exploration Right EIA

Adeleen Cloete

Environment, as the competent authority responsible for MPA's

Date 2021/05/04 Method Email

Comment

2.2. Employment Opportunities "A small amount of skilled employment will be created during the planning and operational phases related to the planning of the survey, and related exploration activities." Ensure that local people are aware of, and considered for, possible opportunities emanating from the project.

Response

Thank you for your comment. As mentioned, the opportunities for employment will be limited for this project and will be limited to skilled employment.

Date 2021/05/04 Method Email

Comment

2.3 Oil Spills The response to an oil spill depends on the tier of the spill-the higher the tier means that more sophisticated equipment is needed to respond to the spill. The Department of Forestry, Fisheries and the Environment has a database of service providers that has the capacity to respond to serious oil spills. It is important to note that unfortunately there are no registered service providers based in the Northern Cape-Tosaco should thus plan accordingly.

Response

Thank you for your comment. The application for exploration does not include drilling and production activities or any other activities which are likely to result in a catastrophic oil spill. However, minor spill can still occur and measures to deal with minor spills will be included in the EMPr.

Date 2021/05/04 Method Email

Comment

2.4.1. General Comments In the "Description of the Project Area" it is mentioned that the project takes place adjacent to the Richtersveld and Nama Khoi local municipalities. Please note that Hondeklip Bay and Koiingnaas falls within the Kamiesberg municipality, please include the mentioned municipality in the "project area description".

Response

Thanks for your comment. It is noted that the Block 1 area falls directly adjacent to the Richtersveld and Nama Khoi local municipalities. However, due to the locality and proximity of the 3D Survey area, communities up to Hondeklip Bay were included.

Date 2021/05/04 Method Email

Comment

2.4.2. "Noise Nuisance from Vessel and Helicopter Operations -travel to and from site could result in a localised noise disturbance. The extent of the disturbance would depend on the number of aircraft / vessels involved in the survey but will have a low overall significance." Where will helicopters land? If they land anywhere along the Northern Cape coast please ensure that they are authorised to do so.

Response

Thank you for your comment. The logistics regarding potential flights will be considered during the EIA phase and where required, addressed in the EMPr.

Date 2021/05/04 Method Email

Comments and Responses 1415 Tosaco Energy Block 1 Exploration Right EIA

Adeleen Cloete

Comment

2.4.3. "List of Pre-Identified Organs of State/Key Stakeholders Identified and Notified" Please note that the Northern Cape Department of Environment and Nature Conservation and the Northern Cape Department of Agriculture, Land Reform and Rural Development have merged-effective from 1 April 2021. The new name is: Department of Agriculture, Environmental Affairs, Land Reform and Rural Development "List of Pre-Identified Organs of State/Key Stakeholders Identified and Notified" Please note that the Northern Cape Department of Environment and Nature Conservation and the Northern Cape Department of Agriculture, Land Reform and Rural Development have merged-effective from 1 April 2021. The new name is: Department of Agriculture, Environmental Affairs, Land Reform and Rural Development

Response

Thank you for your comment. Comment noted.

Date 2021/05/04 Method Email

Comment

Hondeklipbaai is a seaside town and has a harbour, which serves fishing and diamond-mining boats. It is also a mariculture (i.e. crayfish) and tourist centre (i.e. scenic drives and 4 x 4 routes). Koringnaas is a mining town for alluvial diamonds. Several mining activities are presently in different phases in this area." (Koiingnaas is the correct spelling of the town). Please fact check the status of both the mentioned marine aquaculture and mining activities-there have been status changes during the past couple of years. Currently there is a fishing co-operative based at the "harbour" in Hondeklip Bay. Also note that you need a permit to do off-road vehicle driving (4x4 driving), it is safer to remove that part of the sentence as to not promote unpermitted off-road driving. Contact Details (for fact checking) (a) Longtime Hondeklipbaai Fishing Primary Co – Operative: Chairperson: Mr. Richard Petrus: lthfcoop18@gmail.com (b) Kamiesberg Municipality Contact Details: Senior LED Officer: Ms. Sarah Cloete: sarahc@kamiesberg.gov.za (c) Namakwa District Local Economic development contact details: Mr. Shaun Abrahams: LED Practitioner: shauna@namakwa-dm.gov.za

Response

Thank you for your comment and the contact details. Thank you for the correction – the Scoping Report has been updated accordingly. The status will be confirmed where possible and updated in the EIA Report.

Date 2021/05/04 Method Email

Comment

3. Comments from a Scientific Perspective 3.1 The information given in the Scoping Report on Cape fur seal breeding colonies and haul-outs in the vicinity of Block 1 is incomplete/out-dated. (e.g. Strandfontein Point is a seal breeding colony, not just a haul out, and the Cliff Point breeding colony (between the Kleinzee and Boegoeberg colonies) is not mentioned. The correct number and locations of breeding colonies and haul outs are indicated in the table below. This is based on observations that has been verified during coastal audits undertaken by the Northern Cape Department of Environment and Nature Conservation between 2015 and 2020.

Response

Thank you for your comment and the contact details. Thank you for the correction – We will convey this information to the Marine Ecologist and update in the EIA Report.

Comments and Responses 1415 Tosaco Energy Block 1 Exploration Right EIA

Adeleen Cloete

It is suggested that the locations of these seal breeding colonies in relation to the proposed activities should be indicated on a map in the final EIA report. (Table of names and locations of seal breeding colonies in the Northern Cape provided) (Table of seal haul-out locations in the Northern Cape provided)

Date 2021/05/04 Method Email

Comment

3.2 While a good overview of the South African fisheries sector is given in section 8.5.3 COMMERCIAL FISHING SECTORS, it is recommended that the Impact Assessment also focus on the local importance of Snoek fisheries in Port Nolloth and Hondeklipbaai. In the final EIA, it is requested that the impact of the proposed seismic survey on the seasonal snoek fisheries in these towns be investigated specifically.

Response

Thank you for your comment. We will convey this information to the Fisheries Expert and update in the EIA Report.

Date 2021/05/04 Method Email

Comment

3.3 On the maps indicating spatial distribution of the separate fisheries (figure 49 to figure 69), the block indicating the location of licence block 1 is obscuring and covering all the important spatial fisheries locations that should be indicated. This means that these figures cannot be used for their purpose of evaluating fisheries inside the block where the proposed activities will take place. It is requested that these figures please be given in a revised document or in the final EIA report with the "Licence Block 1" as an outline only, so that it does not cover the fisheries maps underneath.

Response

Thank you for your comment. We will convey this information to the Fisheries Expert and update in the EIA Report.

Date 2021/05/04 Method Email

Comment

3.4 It is suggested that the applicants investigate measures to mitigate the impacts of the noise disturbance caused by the firing of air guns for the seismic surveys on marine organisms. It is suggested that measures such as "soft-start" and the ceasing of seismic activities when marine mammals are observed should be investigated for the EIA study.

Response

Thank you for your comment. Thank you for the correction – We will convey this information to the Marine Ecologist for update where required and details provided in the EIA Report and EMPr.

Samantha Theresa Cloete

Date 2021/04/12 Method Email

Comment

Response

Comments and Responses 1415 Tosaco Energy Block 1 Exploration Right EIA

Samantha Theresa Cloete

Graag verneem ek namens Kleinzee gemeenskap ivm die inligtingsessies wat gehou word in Hondeklipbaai, Alexanderbaai en Port Nolloth. Is dit moontlik dat dit in Kleinzee ook gehou kan word en indien nie kan u vervoer reel dat Kleinzee gaan bywoon in Hondeklipbaai. Graag ver wag ek terugvoering in hierdie verband.

Thank you for your correspondence and for taking my call earlier today. As mentioned telephonically, EIMS will host a public meeting in Kleinzee during the EIA phase of the project. Thank you for offering to assist with the arrangements in this regard. Furthermore, please do not hesitate to contact EIMS should you wish to arrange a virtual meeting with the project team to discuss any comments you or the community may have. Alternatively comments can be submitted to EIMS using the contact details below. Please do not hesitate to contact EIMS should you have any comments or queries.

Judy Bell

Date 2021/03/24 Method Email

Comment

Please would you register me as an I&AP for the application to explore for oil and gas offshore of N. Cape.

Response

Thank you for your correspondence. Kindly note that you have been registered to the project I&AP database. As a registered I&AP you will be provided with an opportunity to comment on the Scoping and EIA reports and associated appendices once they become available. Should you have any further comments or queries please feel free to contact EIMS.

Date 2021/04/01 Method Email

Comment

Thanks for this notification. 13 April 2021: Alexander Bay – Development Centre (Weshoek Straat) 14 April 2021: Port Nolloth – Richtersveld – Town Hall (169 Main Road) 15 April 2021: Hondeklip Bay – Eric Baker – Community Hall (75 Main Road) The activities will have far-reaching impacts that will extend way past the borders of this application, so I'm sure you are aware that you need to make it possible for all those interested in and potentially affected by this inappropriate development to hear the details of the application and ask questions. As we are still officially in the lockdown for covid-19, surely these arrangements should have already been made and communicated far and wide as part of your public participation plan? Please would you provide

Response

Thank you for your correspondence. Kindly note that all email addresses copied in this correspondence will be registered on the project I&AP database. Kindly refer to Chapter 7 of the Scoping report for details relating to the Public Participation Process undertaken to date. Kindly note that the Scoping report is currently available for public review and comment until the 29th April 2021. Further to the above please note that I&APs are requested to submit comments or queries to the project contact details as provided below in the signature. Should you wish to have a virtual meeting with the project team please submit a request in writing to EIMS. Please note that the project is currently in the Scoping Phase. All comments and queries received will be submitted to the Competent Authority for consideration in their decision-making process. Further opportunities for participation will be available during the EIA phase of the project should the Scoping report be approved. As registered I&APs, you will be notified of the opportunities for participation. Should you have any further comments or queries please do not hesitate to contact EIMS.

Gustav von Mollendorf

Date 2021/03/24 Method Email

Comments and Responses 1415 Tosaco Energy Block 1 Exploration Right EIA

Gustav von Mollendorf

Comment

Good day Cheyenne your fax dated 23/02/21 refer. Please send all documents , invitations to meetings etc regarding this application to me.

Response

Good Day Kamie, Thank you for your correspondence. Kindly kind attached the currently available documents for the project. Kindly note that you have been registered on the I&AP database and that as a registered I&AP you will be provided with an opportunity to comment on the Scoping and EIA reports and associated appendices once they become available. Should you have any further comments or queries please feel free to contact EIMS.

Date 2021/03/24 Method Email

Comment

Good day Cheyenne did you receive my mail.

Response

Good Day Gustav, Please can you confirm if your received my correspondence with the requested information?

Ruan Brand

Date 2021/04/12 Method Email

Comment

I would just like to follow up with you on the case mentioned in the e-mail thread below. I see that you have a created the case on SAHRIS and that it is currently in the draft phase and not yet submitted. Please let me know if you are having any problems uploading the relevant documents.

Response

Thank you for your patience. Please note that the documents have been successfully uploaded to SAHRIS. Please let me know if you can access the information. Should you have any comments or queries please feel free to contact

Ms Sinazo Mnyaka

Date 2021/05/03 Method Email

Comment

1. Section 3.3: Under the description of proposed activities, it is indicated that the area for the proposed 3D seismic survey is approximately 1 340 km², while the in the Environmental Authorisation form, it is specified that it is approximately 1000 km². Kindly align the two so that you provide both the Agency and I&APs with the closest estimate of the proposed survey area. Furthermore, it is indicated that the proposed survey would use a single hydrophone streamer. This is commonly used for 2D surveys, while 3D surveys commonly use multiple streamers. You are requested to amend reference to the use of a single streamer to multiple streamers.

Response

Thank you for your comment. At the time of the submission of the application, it was the understanding that the area was approximately 1 000 km² in extent. However, it has been confirmed that the proposed survey area will be approximately 1 340 km² in extent. The reference to the single streamer has been updated to multiple streamers.

Date 2021/05/03 Method Email

Comments and Responses 1415 Tosaco Energy Block 1 Exploration Right EIA

Ms Sinazo Mnyaka

Comment

2. Section 4.3, Table 5: You have provided an incorrect activity number for the main activity, which should be activity 18 of the Listing Notice 2. Please correct the activity number so that it can match the correct description of the activity provided.

Date 2021/05/03 Method Email

Comment

3. Section 6: a) The considered project alternatives are noted, it is suggested that other alternatives such as technology are considered and assessed; and b) It is also noted that no alternatives will be considered during the EIA phase, it is suggested that a no-go alternative be considered.

Date 2021/05/03 Method Email

Comment

4. Section 7.11: The DSR has referred to the government authorities under this section but the listed institutions are not all government authorities or institution. It is suggested that this section is amended to reflect the correct information.

Date 2021/05/03 Method Email

Comment

5. Reporting and notification: Where relevant, you are requested to separate roles of the Agency from the competent authority's for instance some notifications are made to the Agency as opposed to the competent authority.

Date 2021/05/04 Method Email

Comment

Kindly receive the attached comments letter for your consideration.

Date 2021/05/27 Method Email

Comment

Dear Mr Kriel Kindly receive attached letter for your attention.

Response

Thank you for your comment. The activity number has been updated.

Response

Thank you for your comment. Technology alternatives will be considered further in the EIA Phase, in addition to the No-Go alternative.

Response

Thank you for your comment. This section has been updated to refer to Pre-identified Organs of State/ Key Stakeholders .

Response

Thank you for your comment. Where relevant, the separate roles of the Agency and the DMRE as the Competent Authority have been recognised and detailed .

Response

Thank you for your correspondence. Kindly find attached the EIMS response letter. Should you have any queries please feel free to contact EIMS.

Response

Dear Sinazo, Thank you for the letter. We confirm receipt.

Comments and Responses 1415 Tosaco Energy Block 1 Exploration Right EIA

Ms Sinazo Mnyaka

Briege Williams

Date 2021/04/12 Method Email

Comment

A colleague of mine has forwarded the above case onto me . As this is an offshore application it falls under the remit of the Maritime and Underwater Cultural Heritage unit at SAHRA who will issue a comment for the case regarding any impacts on maritime heritage. Can you please create a case on SAHRIS and upload the relevant documents, I will then assign myself as case officer and issue a comment. Please can you acknowledge receipt of my below email and let me know when you have created the case on SAHRIS as requested.

Response

Thank you for your correspondence below. Kindly note that a case will be created for the project in due course and you will be notified of its availability as soon as possible. My apologies for the delay in responding to you.

Desmond Mathew

Date 2021/04/29 Method Email

Comment

1. INTRODUCTION The South Durban Community Environmental Alliance (“SDCEA”) is a non-governmental organisation representing 17 community and environmental organisations concerned with environmental justice and sustainable development in South Durban and KwaZulu-Natal. SDCEA represents vulnerable and disadvantaged persons whose lives and livelihoods depend on the protection of the coastal ecosystems of KwaZulu-Natal, in the vicinity of Durban. Its members include the following institutions: a. BioWatch b. City of Love Ministries c. Poor Flat Dwellers Association d. Airport Farmers Association e. Merebank Ratepayers Association f. Silverglen Civics g. Anti-Pollution Watchdogs h. KZN Subsistence Fisherfolk Forum i. Christ the King Church j. Earthlife Africa k. Athlone Park Residence Association l. Merebank Civic Committee m. Bluff Ridge Conservancy n. Urban Futures Centre o. Chatsworth Civics p. Active Citizens Movement q. Ubunye Bamahostela r. Wentworth Development Forum s. Clairwood Social Forum t. Clairwood Ratepayers Association u. Treasure Beach Environmental The SDCEA has for the last two decades participated in forums for the improvement of environmental management in KZN and in particular, in the industrial areas south of Durban. SDCEA has considered the Draft Scoping Report and Plan of study for EIA dated March 2020, and submits the comments that follow, for your consideration.

Response

Comment noted. The SDCEA has been registered as an I&AP for this application.

Date 2021/04/29 Method Email

Comments and Responses 1415 Tosaco Energy Block 1 Exploration Right EIA

Desmond Mathew

Comment

2. Impacts of Offshore Oil and Gas Drilling Impact on the communities, people and environment When oil spills occur they can bring catastrophic harm to marine life and devastating losses for local businesses. Even routine exploration and drilling activities bring harm to many marine species. Expanded offshore drilling poses the risk of oil spills ruining our beaches, bringing harm to those who live, work and vacation along the coasts, as well as harming habitats critical to plants and animal species. Oil spills can quickly traverse vast distances. Exploration of oil and gas presents multiple forms of environmental degradation. Oil pollution also damages fishing equipment and pollutes drinking water in wells. Oil spills and waste dumping have also seriously damaged agricultural land. Long term effects include damage to soil fertility and agricultural productivity, which in some cases can last for decades. Economically, the costs of those products become exorbitant given the law of supply and demand. The negative impact of environmental consequences of the oil industry activities are mainly localized within the host communities. However, some of the effects have trans-boundary implications. Gas flaring is a contributing factor to global warming and these are risks no community is willing to take. How will the developer mitigate any oil spills? We require an in-depth and adequate oil spill contingency plan.

Date 2021/04/29 Method Email

Comment

3. Impact on fisherfolk These developments will not only cause catastrophic destruction with the above-mentioned impacts but will also destroy livelihoods to over 50 000 subsistence fisher folk who eke out a living daily. When seismic tests are conducted, they clearly have an impact on marine life. The fish are either killed or forced to leave the area. There will be no fish for the subsistence fishermen, who fish areas all along the coast. This impact will increase poverty and lead to more people joining unemployment line. Thereby increasing to the millions of people who are unemployed and this development will require specific skills which the majority of the population do not possess therefore there is no job creation in these projects. In the public participation process, this group of marginalised fisherfolk must be given notice and opportunity to comment and voice their concerns. In the event of an incident like an oil spill, how will the developer compensate the fishers who fish in that area? A social impact study of how the livelihoods of fisherman will be affected must be conducted.

Date 2021/04/29 Method Email

Response

Thank you for your comment. The application for exploration does not include drilling and production activities or any other activities which are likely to result in a catastrophic oil spill. The scoping report has been prepared in accordance with the NEMA EIA Regulations and assesses the impacts of the specific exploration activities being proposed. Section 9 of the Scoping Report presents the impacts identified, which includes small scale spills associated with the proposed seismic exploration activities.

Response

Thank you for your comment. As noted in the response to item 1, the application for exploration does not include drilling and production activities or any other activities which are likely to result in a catastrophic oil spill. Section 9 of the scoping report presents the impacts identified. The potential impact on marine fauna and the local fisheries has been included. In terms of the seismic surveys proposed, the probability of fish and other animal deaths were considered to be very low as per the details of the impacts described in the Draft Scoping Report and specialist studies. Furthermore, the disturbances are anticipated to be of local extent, low magnitude and temporary in nature. The impact on the fishing communities was also assessed. For most fisheries sectors, the effects of acoustic disturbance on catch rates would be considered to be of overall negligible significance. However, in the case of the Tuna Pole Fishery, Netfish, Demersal Longline and Fisheries Research sectors, the spread of sound into fishing grounds may affect catch rates and therefore the overall significance of the survey impact on these sectors has been assessed to be low. The public participation process has included notification and consultation with the fisheries industries. Given the above, the impact on fisheries is deemed to be of low significance, the need for a social impact assessment is not considered to be required at this stage.

Comments and Responses 1415 Tosaco Energy Block 1 Exploration Right EIA

Desmond Mathew

Comment

4. Emissions to air The oil and gas industry is a significant source of greenhouse gas emissions as well as toxic volatile organic compounds (VOCs). VOC in combination with NOx contribute to the formation of ground-level ozone and is a known causal agent of acid rain. The atmospheric pollution will have measurable impacts on the surrounding ocean but also become potentially entrapped in air masses moving towards the coastline where it will be deposited as acid rain. The drilling of wells and production process require vast amounts of energy usually provided by the burning of gas and diesel. The impact of this activity needs to be accurately assessed in terms of the tons of fuel burnt and hydrocarbons released. Assuming that oil or gas is discovered then this would no doubt need to be flared off until such time as it can be capped and processed. During this time vast quantities of particulate matter and volatile organic compounds will be released into the atmosphere, indeed continuing throughout the production process. In addition the associated fugitive emissions from retrieved product are an additional source of toxic. The developers need to conduct a risk assessment and make available the air emissions that will be emitted during all phases of this development.

Response

Thank you for your comment. The application for exploration does not include drilling and production activities or any other activities which are likely to result in a significant release of greenhouse gases. . As such, the potential impact of emissions to the atmosphere during seismic activities is limited to the survey area, is of a low intensity, and is considered to have a very low significance, prior to implementation of mitigation measures as well as having a very low final significance.

Date 2021/04/29 Method Email

Comment

5. Impacts on the Marine Ecosystem Exploratory drilling may impact marine mammals based on disturbance by sound emitted during drilling, during seismic profiling of the well, and from support vessels or aircraft. Drilling can also result in oil spills, which can affect marine mammals directly by contact, inhalation, or ingestion, or indirectly by affecting marine mammal prey or habitat. Sea birds are attracted to offshore drilling platforms by lights, burning flares and human food that can be scavenged. Birds are killed or injured after colliding with the structures, becoming contaminated with oil and related chemicals, and even being burned by flares. Birds' feathers can get coated with oil, preventing them from being able to keep warm and reducing their ability to float. Roughly 200,000 migratory birds are killed each year near offshore drilling rigs in the Gulf of Mexico. They often fly circles around platforms for hours at a time, exhausting themselves or colliding with platforms or other birds. Deep-divers, like the endangered sperm whale, spend large amounts of time resting at the surface of the ocean, increasing the risk of collision with vessels. Oil can affect survival or the reproductive success of marine mammals through exposure to hydrocarbons and by affecting distribution, abundance, or availability of prey. Increased vessel traffic around platforms may increase collisions with sea turtles. Sea turtles are difficult to sight from moving vessels and often rest on or just below the surface of the ocean. Offshore oil rigs may also attract seabirds at night due to their lighting and flaring and because fish aggregate near them. Bird mortality has been associated with physical collisions with the rigs, as well as incineration by the flare and oil from leaks. This process of

Response

Thank you for your comment. The application for exploration does not include drilling and production activities or any other activities which are likely to result in a catastrophic oil spill. No drill rigs will be erected as part of this current application and as a result, the impacts mentioned are not anticipated to be a risk during this project. In terms of the seismic surveys proposed, the probability of fish and other animal strikes/ deaths were considered to be very low as per the details of the impacts described in the Draft Scoping Report (DSR) and specialist studies. Furthermore, the disturbances are anticipated to be of local extent, low magnitude and temporary in nature. Activities which require an Exploration Right in terms of the Mineral and Petroleum Resources Development Act (Act No. 28 of 2002 – MPRDA), require that a Scoping and EIA process be undertaken of the Environmental Impact Assessment (EIA) Regulations, 2014, as amended, which is currently being undertaken. The impacts associated with the marine population are being assessed throughout the current Scoping and EIA process. A Strategic Environmental Assessment falls outside the scope of this application.

Comments and Responses 1415 Tosaco Energy Block 1 Exploration Right EIA

Desmond Mathew

flaring involves the burning off of fossil fuels which produces black carbon. Black carbon contributes to climate change as it is a potent warmer both in the atmosphere and when deposited on snow and ice. Drilling activity around oil rigs is suspected of contributing to elevated levels of mercury in Gulf of Mexico fish. A Strategic Environmental Assessment needs to be conducted for this area to assess the marine population that could be affected by this development.

Date 2021/04/29 **Method** Email

Comment

6. Seismic Survey Impacts Seismic testing is proved to be very negative toward marine life. The Oceana website reports that blasts from seismic air-guns, towed behind ships, are repeated every ten seconds, 24 hours a day, for days and weeks at a time. Sound travels more easily under water than through the air and the noise from a single seismic survey can travel tens of thousands of square kilometers. An article in the Canadian Journal of Zoology reports that seismic surveys increase noise levels to twice the normal level, and impact marine life. Such surveys disturb the communication, navigation and eating habits essential to the survival of marine wildlife. These sonic waves can also damage fish with air bladders, destroy marine wildlife eggs and larvae, and cause fish and other marine species to temporarily migrate away from the affected area. The effect of these blasts of sound on marine life is disturbing and can have catastrophic results: Seals have been found to display dramatic avoidance behaviour, a slower heart rate, ceasing feeding and hauling out of the ocean. Turtles have shown reduced hearing sensitivity at a distance of 1km from the blasts. There has been damage to fish ears at distances of 500m to several kilometres, a reduction of 40 – 80% of catch rates in the North Atlantic and increased embryonic mortality. Zooplankton, which are essential for the health and productivity of global marine ecosystems have suffered significant mortality and the impact has been observed at a range of 1,2km from the blasting sites. Impacts include temporary and permanent hearing loss, abandonment of habitat, disruption of mating and feeding, and even beach strandings and death. For whales and dolphins, which rely on their hearing to find food, communicate, and reproduce, being able to hear is a life or death matter. Whales simply stop “talking” to each other. During the seismic testing phase in KwaZulu-Natal that took place in 2018, there had been an influx of dolphins and whales washing up on the shore. Was there a full EIA done, during the seismic phase?

Date 2021/04/29 **Method** Email

Comment

7. International Conventions and Treaty Commitments on Climate Change The International

Response

Thank you for your comment. As referred to above, activities which require an Exploration Right in terms of the Mineral and Petroleum Resources Development Act (Act No. 28 of 2002 – MPRDA), require that a Scoping and EIA process be undertaken of the Environmental Impact Assessment (EIA) Regulations, 2014, as amended, which is currently being undertaken. The impacts of the seismic surveys mentioned were considered by the marine ecologist and assessed as part of the Marine Ecological Assessment. With reference to Table 32 of the DSR it should be noted that for this project specifically, it is anticipated that the impacts on each of the groups of biota are anticipated to be generally of local extent, low magnitude, low probability and temporary in nature.

Response

Thank you for your comment. As pointed out above, it cannot be said with absolute certainty that

Comments and Responses 1415 Tosaco Energy Block 1 Exploration Right EIA

Desmond Mathew

Conventions and Treaty Commitments of South Africa must be included as part of the investigation by the appointed consultants. South Africa has signed the Paris Climate Agreement in December 2015, which requires government, business and society to reduce greenhouse gas emissions. According to the Department of Environmental Affairs, “The Agreement is a comprehensive framework which will guide international efforts to limit greenhouse gas emissions and to meet all the associated challenges posed by climate change. It signals the change in pace towards the low carbon development from 2020 onwards through commitments of countries in ambitious national plans called Nationally Determined Contributions.” South Africa’s early-stage commitment in 2009 – to peak emissions during the 2020s and reduce them dramatically during the 2030s – must be adhered to. If oil and gas are drilled, refined, transported and combusted as a result of the offshore discoveries, this would require an even more dramatic decline in other emissions. Yet the Integrated Resource Plan issued in August 2018 calls for a massive increase in fossil fuel, from current levels around 28 000 MW on a typical daily peak, to 46 000 in 2030 as a result of new coal-fired power plants and fracking. Therefore there is no carbon budget allocation in government’s energy mix, much less in transport, urban development, agriculture, waste disposal, wetlands and forest management and other crucial sites of greenhouse gas emissions or sequestration. Under circumstances in which oil companies are confronted with the scenario of ‘unburnable carbon,’ it is apparent that they choose to either completely ignore the worst threat that humanity has ever faced, climate change, or like ExxonMobil, they engage in active denial and scientific sophistry. Failing to consider emissions associated with extraction of fossil fuels or the impact of climate change on a project already adversely affected two major projects in recent years, in Thabametsi and Durban. The Thabametsi 557 MW coal-fired powerplant was proposed by Japan’s Marubeni and South Korea’s KEPCO firms, but like many multinational corporations they refused to consider climate change, and in 2017 the North Gauteng High Court forced them to go back to the drawing board. Once their contributions to climate change became known, in September 2018 they were refused funding by South African banks which now adhere to the OECD recommendations on financing of fossil fuel projects. In an earlier case, in 2012, SDCEA and Durban allies objected to Transnet’s expansion of the Durban port in part because the EIA had not taken seriously the impact of rising sea levels and adaptation costs, much less the additional emissions from expanded shipping. In 2013 Transnet’s EIA was rejected, forcing a long delay in the project as new plans were adopted. What will the Carbon emissions be for the entirety of this project and how is Tosaco Energy going to play a role to ensure that South Africa adheres to its carbon budget.

exploration drilling, let alone production activities, will be undertaken in the future. As such, it is not currently possible to accurately assess the risks associated with these activities, given that the specific details of these potential future activities are not known. On the basis of the exploration activities currently proposed it is unlikely that there will be significant climate change impacts. While it is acknowledged that the risks mentioned would need assessment, such assessment falls outside of the scope of the current application and would need to be assessed in detail during relevant subsequent Scoping and EIA processes, should drilling or production be proposed. The environmental consequences applicable to the planned exploration activities have been identified and assessed in the Scoping Report. There is provision in law for future activities (including exploration drilling and production) to be assessed and decided upon, on their merits as and when they are proposed, and prior to commencement of such.

Date 2021/04/29 **Method** **Email**

Comment

Response

Comments and Responses 1415 Tosaco Energy Block 1 Exploration Right EIA

Desmond Mathew

8. Demands We as representatives of the community demand that...

Thank you for your comment. Please refer to the comments below.

Date 2021/04/29 Method Email

Comment

Response

9. There be a proper public participation process which includes sufficient advertising.

It should be noted that a public participation process is being undertaken in line with the requirements of the EIA Regulations, 2014, as amended. Please refer to the Public Participation Report for details on the process undertaken.

Date 2021/04/29 Method Email

Comment

Response

10. That all historical contexts of oil and gas drilling including incidents and the historical operations of the company must be looked at.

As pointed out above, it cannot be said with absolute certainty that exploration drilling, let alone production activities, will be undertaken in the future. As such, it is not currently possible to accurately assess the risks associated with these activities, given that the specific details of these potential future activities are not known.

Date 2021/04/29 Method Email

Comment

Response

11. The accurate funding information must be made available.

Kindly provide clarity regarding the funding information referred to.

Date 2021/04/29 Method Email

Comment

Response

12. That they indicate upfront how and for whom they will be creating employment opportunities for.

A small amount of skilled employment will be created during the planning and operational phases related to the planning of the survey, and related exploration activities.

Date 2021/04/29 Method Email

Comment

Response

13. They give us with accurate and unaltered information when investigating the impacts of climate change.

Please refer to the comments above regarding the assessment of climate change.

Date 2021/04/29 Method Email

Comment

Response

Comments and Responses 1415 Tosaco Energy Block 1 Exploration Right EIA

Desmond Mathew

14. They provide an emergency plan and how they are going to implement it if something happens.

The application for exploration does not include drilling and production activities or any other activities which are likely to result in a catastrophic oil spill. Measures for dealing with emergency situations will be included in the Environmental Management Programme (EMPr).

Date 2021/04/29 Method Email

Comment

Response

15. They provide a social impact assessment of all the people "employed by the ocean" including fishing, commercial fishing, mariculture, tourism and recreation, shipping and transportation, whale watching, ports and harbors, ship and boat building, major recreation and sporting events, renewable energy production (wind and wave) and aquarium fishing.

Please refer to the comments above regarding the social impact assessment.

Date 2021/04/29 Method Email

Comment

Response

16. They must provide all the information they have about the coast and the seismic information. They must provide all the information they have about the coast and the seismic information. They must look at impacts, of seismic surveys that have affected marine life, depletion of fish stock, expert knowledge, quota system of fish stock and the advice to produce fish. They must look at marine life that are protected and that are currently in recovery and how this will impact it.

Please note that the information available has been provided in the scoping report and appendices. Please refer to the comments above regarding the impact on the marine ecology.

Date 2021/04/29 Method Email

Comment

Response

17. They investigate the semi static current of the waves, including the freak waves, tide impacts and aggressive waves.

The application for exploration does not include drilling and production activities or any other activities which are likely to result in a catastrophic oil spill.

Date 2021/04/29 Method Email

Comment

Response

18. The terms of reference of the consultant and any experts that has been appointed.

The terms of reference for the project consultants are included in the Scoping Report and the Specialist Reports appended thereto.

Date 2021/04/29 Method Email

Comment

Response

19. All specific targets must be provided including drilling, testing and chemical information

The application for exploration does not include drilling and production activities.

Comments and Responses 1415 Tosaco Energy Block 1 Exploration Right EIA

Desmond Mathew

Date 2021/04/29 Method Email

Comment

20. Surveys must be done over a longer period of time

Response

Kindly provide clarity regarding the type of surveys referred to, and the extended time period being referred to?

Date 2021/04/29 Method Email

Comment

21. That they consider the no go option as an alternative

Response

The No-Go Alternative will be considered further in the EIA Phase of the project.

Date 2021/04/29 Method Email

Comment

22. All the demands stated above need to be in the EIA process. There should be no flexibility and variance in this process. The consulting company cannot be providing expert opinions because their opinion will be biased. Desktop studies will not be acceptable as this can be construed as misinformation.

Response

Your comment is noted. Please note that the Scoping and EIA process is being undertaken in line with the requirements of the EIA Regulations, 2014, as amended, by EIMS, an independent environmental consulting company, as well as an independent specialist team.

Date 2021/04/29 Method Email

Comment

23. Conclusion The Gulf of Mexico oil spill can be made an example of how important it is to have a disaster emergency plan and of how offshore oil and gas drilling causes detrimental effects to the ecosystem. We are under the impression that all tiers of Government are promoting the idea of allowing these activities to go ahead without proper and meaningful consultation with the public communities. This type of reaction from Government is contradictory because whilst they are promoting tourism with the main focus on the Sardine shoals, whales and dolphin sighting points, beautiful marine nurseries, various bird life and small B&Bs which thrive on our beautiful beaches and ocean, they are destroying or allowing the destruction of this beautiful ocean we have. It seems that the offshore oil and gas project will only benefit the elite and rich people of society whereby once again the poor gets dealt a raw deal. Therefore we object completely to these activities and the way it has been presented to the people and urge the Department of Minerals and Energy not to authorize this development.

Response

Thank you for your comment. The application for exploration does not include drilling and production activities. EIMS is unable to comment on the reaction of government regarding this type of development. Your objection has been noted and will be included in our Public Participation Report and submitted Final Scoping Report to the competent authority.

Comments and Responses 1415 Tosaco Energy Block 1 Exploration Right EIA

John Gibson

Date 2021/02/21 Method Email

Comment

Hi, If your not aware they slapped a Marine Protected Area amongst your proposed survey area. See Gazette No 42478 ,pages 52-55 Its classed as santuary.

Response

Dear Mr Gibson, I trust this email finds you well? Thank you for your correspondence regarding the proposed project. The Marine Protected Area has been identified by one of the specialists for the project and will be included in our Environmental Impact Assessment. Please can you confirm if you would like to be registered on the project I&AP database? As a registered I&AP you will be provided with the opportunity to comment on the Scoping and EIA reports once they are made available. Should you require any further information or have any further comments please feel free to contact EIMS.

Johann Augustym

Date 2021/03/16 Method Email

Comment

As I responded previously, we were not able to open the registration form. Please ensure that we are listed as an IAP, since we have a direct interest in this area. Regards

Response

Dear Johann, Thank you for your follow up email. As per our conversation yesterday, kindly note that you have been registered on the project I&AP database. I have attached a word version of the questionnaire for your reference. As mentioned, the questionnaire contains questions relating to the receiving environmental and provides an opportunity for I&APs to provide any additional information to the project team that they feel is relevant. Should you not wish to complete the questionnaire, you are more than welcome to respond in email format, should you wish to provide additional information. Should you require any further assistance or have any further comments please feel free to contact EIMS.

Date 2021/03/24 Method Email

Comment

I am having problems opening the registration form pdf file. It seems to be corrupted. Please check and resend. Regards

Response

Thank you for your correspondence. Please can you confirm if you have received the new file from this morning.

Date 2021/03/24 Method Email

Comment

Dear Cheyenne Thank you very much. I have filled out the IAP form and it is attached. I will submit further information once I receive feedback from our members. Best regards

Response

Dear Johann, Thank you for the feedback. I will pass the information onto the project team for their consideration. Further please note that you will be provided with an opportunity to review and comment on the Scoping and EIA reports and associated appendices once they become available. Should you have any further comments or queries please do not hesitate to contact

Comments and Responses 1415 Tosaco Energy Block 1 Exploration Right EIA

Johann Augustym

EIMS.

Esme Hough

Date 2021/02/18 Method Email

Comment

"Hi there I would appreciate receiving a registration form. After reading the document, I have one question: will the exploration of offshore oil and gas only be offshore and not on land?" A follow up email was sent on the 23/03/2021: "Good day I would appreciate it if you could confirm receipt of my email."

Response

Good Day Esme, I trust this email finds you well? Kindly find attached as request a copy of the EIMS registration form. Further to the above, kindly note that all exploration will be offshore in the area Marked as Blocked 1 (outlined in red) as per the attached locality map. Should you have any further comments and queries please feel free to contact EIMS.

Claire Johnston

Date 2021/03/24 Method Email

Comment

Please would you register me as an I&AP for the application to explore for oil and gas offshore of N. Cape.

Response

Dear Claire, Thank you for your correspondence with regards to the above mentioned project. Kindly note that you have been registered as an I&AP on the project database. As a registered I&AP you will be provided with the opportunity to comment on the Scoping and EIA Reports once they become available. Should you have any comments or queries please feel free to contact EIMS.

Leilani Swartbooi

Date 2021/03/24 Method Email

Comment

Herewith attached registration form: Interest: Alexkor holds mining rights in the area of interest. Communities/ tribal authorities/ organisations within the application area: Richtersveld CPA. Description of receiving environment: RAMSAR Area, Proposed Protect Area, Wetland, Mining and Agriculture. Proposed land developments: Proposed Boezoe Bay deep sea harbour and the Office of the Presidency. Cultural Features: Heritage Sites in the mining area: Graves and Fossils. Bio-physical / Socio-economic Impacts: Impact on Socio-economic development within the Richtersveld Community. Concerns: Impact on mining activities. General: How will this project coincide with the current mining activities and the proposed Bozoe Bay Harbour Project.

Response

Dear Leilani, Thank you for your correspondence. Kindly note that your registration has been received. As a registered I&AP you will be provided with an opportunity to comment on the Scoping and EIA reports once they are made available. Should you have any further comments or queries please feel free to contact EIMS using the contact details below.

Comments and Responses 1415 Tosaco Energy Block 1 Exploration Right EIA

Quinton

Date 2021/02/21 Method Email

Comment

I trust that you're good and healthy. I would like to request the registration form to complete as per your EMIS document. I'm looking forward to hearing from you soon. Follow up email was sent as informing EIMS that the attachment was missing.

Response

Good Day Quinton, Thank you for your correspondence. My apologies. Kindly find attached. Kindly note that your correspondence dated the 27th February 2021 is considered as registration for the project however, should you have any additional information to provide or any comments please feel free to contact me.

Solomon Lephoto

Date 2021/03/24 Method Email

Comment

Please find attached my completed IAP form. Can you please forward the fully completed application form lodged and supporting documents for the ER application? The Bid information does not disclose all the information with regards to the application.

Response

Thank you for your correspondence. Kindly note that your request has been submitted to the application for their attention. Feedback relating your request for the EA application documentation will be provided as soon as possible. EIMS would like to thank you for your patience in this regard. Furthermore please note that the Scoping Report and associated appendices will be made available in due course. Should you have any further comments or queries please feel free to contact EIMS.

Mr Quiry Snethlage

Date 2021/04/06 Method Email

Comment

I wish to inform you that you have NOT included Kleinzee in your public participation. There are a few people that might have a lot of input. Please respond if you can make it, if not I would like to have some input as I have concerns that I would like addressed.

Response

Thank you for your correspondence. Please note that Kleinzee was included in the public participation process during the initial call to register phase of the project by placing and handing out of site notices and background information documents. EIMS values the comments provided by the public during the public participation process. As such, please submit your comments within the comment period even if you are unable to attend the open days. A copy of the information will also be made available on the EIMS website. Alternatively, if you would like to request a virtual meeting with the Team, we will be happy to arrange one. Please feel free to contact EIMS should you have any further comments or queries.

Jackie Sundae

Date 2021/03/24 Method Email

Comments and Responses 1415 Tosaco Energy Block 1 Exploration Right EIA

Jackie Sundae

Comment

Dear Ms Muthukarapan RE: Request for registration as interested and affected parties in the EIA process for the Tosaco Energy Pty Ltd application for environmental authorization for off shore gas of Hondeklipbaa, Northern Cape. I am a researcher at the University of Cape Town, Department of Environmental and Geographical Sciences, One Ocean Hub research project. I am currently working with the Hondeklipbaai community conducting research into the impact of the blue economy on their livelihoods. Please will you kindly register me as an interested and affected party. I trust that you will be alerting the community to the need for them to register and will make it possible for them to register. Many of the community members do not have access to the internet.

Date 2021/04/29 Method Email

Comment

Dear EIMS My email last night bounced back at me - please see below. Kindly accept this submission as you will see it was sent before midnight on 29th April 2021 Comments received: "Date 29 April 2021 For attention: Ms Cheyenne Muthukarapan Environmental Impact Management Services (EIMS) Per email: tosacoer@eims.co.za Dear Ms Muthukarapan, RE: SUBMISSION ON SCOPING REPORT: PROPOSED TOSACO ENERGY BLOCK 1 EXPLORATION RIGHT TOSACO ENERGY (PTY) LTD, PASA REFERENCE: 12/3/362 Thank you for the opportunity to comment on the Scoping Report for TOSACO ENERGY PTY LTD. PASA REF: 12/3/362 Please find my comments on the Scoping Report for the above-mentioned proposed exploration right in Block 1 attached. I trust that this is in order. Yours sincerely Dr Jackie Sunde Researcher One Ocean Hub Research Team, Dept of Environmental and Geographical Science, University of Cape Town Comments on the Scoping Report: PROPOSED TOSACO ENERGY BLOCK 1 EXPLORATION RIGHT TOSACO ENERGY (PTY) LTD, PASA REFERENCE: 12/3/362 This application is located within Block 1 in the Exclusive Economic Zone located along the Northern Cape Coast. Block 1 is located offshore between Alexander Bay, extending south along the western coastline, including Port Nolloth, to approximately Hondeklip Bay and approximately 250 km offshore of the coast of the Northern Cape. It therefore also includes the two key traditional fishing communities of Port Nolloth and Hondeklipbaai who rely on the health of the ocean for their livelihoods. In addition, it lies adjacent to the culturally and historically important Namakwa District, home of the Khoi-San indigenous communities of the Richtersveld. Some of the indigenous communities who have lived along this coastline, including the Toppenaar of Namibia, for whom the sea is sacred, need to be adequately consulted as this project has potential risks for the well-being of the ocean eco-systems that play a key role in their livelihoods and cultural well-being. 1. General Concerns: 1.1 Need for a Strategic Environmental Assessment (SEA) for this region Block 1 lies adjacent to a coastline that has been mined

Response

Dear Jackie, Thank you for your correspondence. Kindly note that the community was informed of the project during the call to register phase of the project conducted in February 2021. Site Notices were placed within the community, posters were placed where possible at local shops and handouts delivered to community members as far as possible. Adverts were also placed in the local newspapers with adequate distribution in the affected communities. As a registered I&AP, you will be provided with the opportunity to comment on the Scoping and EIA reports once they become available. Should you have any further comments or queries please feel free to contact EIMS.

Response

Thank you for your comments. Kindly consider them acknowledgement of comments received. Please note that a formal response will be provided in due course.

Jackie Sundae

extensively for the past century. The destruction of this coastline and damage to marine and coastal life as well as cultural heritage is enormous. Whilst each prospecting or mining application is only considered with respect to the individual merits of each application, the cumulative impacts of all the various mining and extractive activities in this region requires a strategic environmental assessment (SEA). The public has the right to be aware of the cumulative impacts of the range of extractive activities in the region and to decide if this is desirable or needed in terms of the country's overall social, ecological and economic well-being.

1.2 Omissions from the report that need to be addressed during the EIA phase The Scoping Report regrettably fails to include reference to a number of critical policy and planning documents of relevance to this application. This is of specific relevance to the question of the impact of the proposed activities on atmospheric emissions and climate change profile of this already climate stressed region. In addition, it fails to consider existing literature that provides evidence of the great importance of this coastline to the country's cultural heritage and the customary rights of the local indigenous Khoi-San communities. These issues need specialist assessments and should be elaborated during the EIA phase.

1.2.1 Cultural Heritage There has been extensive scholarship exploring the palaeontology, geology, historical biology and archaeology of this coastal region around Hondeklipbaai (Pether 1986, 1994, Hart 2017, Govender 2019), due to its rich geological deposits and the evidence it provides of early life. The geology of this area is complex, involving the interaction of three different systems namely fluvial, marine and aeolian systems. Both the marine and the coastal systems are extremely rich in resources. The Benguela current upwelling has historically left a very nutrient-rich footprint on this coastline in the form of onshore deposits rich in palaeontology and archaeology (Pether et al. 2000 in Govender 2019:1). The region in and around Hondeklipbaai contains a wide variety of significant heritage resources ranging from palaeontology and historical biological data, Middle and Late Stone Age shell middens to maritime archaeology (Hart 2016). Both the animal and human heritage is significant. For example, a rich Cenozoic palaeontological heritage exists from a few onshore deposits along South Africa's west coast that span the Mio-Pliocene and significant early Pliocene cetacean marine fauna, that is, early aquatic mammals such as whales, dolphins and seals, have been found here (Govender 2019). Govender describes Hondeklip Bay as a Zanclean, early Pliocene, locality. Cetacean fauna from Hondeklip Bay includes the mysticetes: *Balaenopteridae* indet. (sp. 1), cf. *Eschrichtius* sp., *Balaenopteridae* indet., cf. *Plesiobalaenoptera*, *Balaenidae* indet., and the odontocetes: *Physeteroidea* indet, cf. *Livyatan*, and an unidentified neonate delphinid. Hondeklip shares a seal and cetacean taxon with Langebaanweg, which is 430 km to the south. Cf. *Eschrichtius* sp. from Hondeklip Bay is the first description of the taxon from South Africa and it also has the first balaenid described from South Africa. Its cetacean fauna also strengthens the links of South Africa's west coast with the Atlantic of Europe and North America, and eastern North and South Pacific (Govender 2019:1). A wide range of palaeontology fossil resources has been found in the Hondeklipbaai area (Pether 2008). Some of the most notable of these include marine molluscan fauna of

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Namaqualand coastal deposits (Kensley & Pether, 1986), the first extinct Tertiary barnacle recorded from South Africa was described from Hondeklip by Pether (1990) and Brunton & Hiller (1990) have described the fossil brachiopods collected by Hart in the Hondeklip study area. Pether (1994b) provided detail on the exposures and palaeontology at Hondeklipbaai that have contributed to the presence of extensive diamonds along the coastline (Pether, 2008 in Hart 2016). Hart notes that numerous artefacts found in caves attest to the use of the Namaqualand coast during the late Pleistocene (Hart 2016:18). Sites dating back to the Middle Stone Age that have been found often include shellfish fossils, and hence it is hypothesized that there was occupation of this shoreline during the interglacial periods. He observes that the archaeological sites just north of Hondeklipbaai in the Koingnaas area are rich in both bone artefacts as well as local fauna and that within the many stone age middens in this area, signs of ritual activity such as the burying of tortoise carapaces and carapace bowls have been identified (Orton, J. Hart, T. and Halkett, D. 2005). Hart (2016) noted that the use of whale bones (particularly ribs) by the early 'Strandlopers' in the construction of their huts has been well documented. Hart (2016) warned that there are shipwrecks in the surf zones on the west coast and that "these are considered part of the heritage of the area". The Scoping Report fails to consider this and indicates that no further assessment will be conducted on the Cultural Heritage. It is strongly recommended that an assessment of this heritage, including the shipwreck record and maps should be conducted. There are numerous shipwrecks along this section of the coastline that potentially range in age from the days of the Portuguese navigators and Dutch East India Company to the late 20th century. The rich cultural history record evidenced along this coastline must be considered and the impact of this application assessed against this heritage. Of critical importance in this regard is the fact that as of 1 April 2021 the indigenous leaders of this region must be consulted as they are now considered Traditional Leaders with Traditional Authorities. The Scoping Report fails to identify them or the Dept of COGTA as key stakeholders.

1.2.3 Climate change and carbon emissions The report fails to address carbon emissions adequately. This issue speaks to the overall issue of the needs and desirability analysis component of the "Guideline on need and desirability in terms of the EIA Regulations (Notice 819 of 2014). This section " includes, but is not limited to, describing the linkages and dependencies between human well-being, livelihoods and ecosystem services applicable to the area in question, and how the proposed development's ecological impacts will result in socio-economic impacts (e.g. on livelihoods, loss of heritage site, opportunity costs, etc.). Although the Scoping Report identifies this in Table 7 and presents the needs and desirability analysis undertaken for the project (page 27), it then references Section 9 of the Report. This section does not adequately address this issue in sufficient depth and further work is required on this. In particular, the contradiction between the proposed activity and increasing carbon emissions and the Namakwa District's Climate Change policy and adaptation plan must be explored. The National Spatial Development Framework describes Namakwa as an arid region and it is anticipated that it will be impacted heavily by climate change (NSDF 2019 in

Comments and Responses 1415 Tosaco Energy Block 1 Exploration Right EIA

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COGTA 2020:9) . One of its strengths has been the attention to climate change from both NGOs and the Northern Cape Government and considerable work has been done on adaptation (See for example SKEP 2009, CSA supported work Bourne et al., 2012, Sowman, Raemaekers and Francis 2018, ABALOBI and Coastal Livelihoods Foundation 2019). It is noted that mining has caused visible and dramatic damage throughout the district and this clearly impacts the resilience of the area (Bourne et al., 2012: 52) and raises questions about adaptation interventions that do not address this major driver of coastal damage which undermines adaptation efforts. Much of the work on adaptation emphasises the need to ensure that ecosystems health is maintained in order to maximise resilience. The extensive climate change research in the region has enabled the production of a map of areas important for resilience of biodiversity to climate change at the landscape scale (Bourne et al., 2012). The authors argue that ensuring that these areas remain in a natural or near-natural state will allow ecosystems and species to adapt naturally to climate change, thus supporting healthy landscapes and the ability of ecosystems to continue to provide ecosystem services. They should be considered vital elements of protecting the NDM's ecological infrastructure in the face of climate change, as these currently provide ecosystem services to the local communities, decreasing their vulnerability to climate change (Bourne et al., 2012). In facilitating a community-based Rapid Vulnerability Assessment to assess Climate Change impacts Sowman, Raemaekers and Francis (2019) found that there are a range of socio-economic, governance and environmental stressors impacting the community and shaping climate change resilience. Key amongst these was the impacts of inshore dumping and beach mining on the Inshore dumping and beach mining on lobster and fish habitats (Sowman et al 2019:3). According to Sowman et al (2019) and subsequent work by Coastal Livelihood's Foundation and ABALOBI (2019), climate change in the form of less predictable weather patterns, extreme weather events, an increase in severe storms, changing prevailing winds or changes in species abundance and migration patterns are negatively affecting the livelihoods of small-scale fisher communities, and directly threatening the lives of small-scale fishers in Hondeklipbaai (2019). This change in environment is resulting in less fishing days, shorter fishing times, fishers facing challenges in planning, due to more dangerous and less predictable fishing weather and in some cases fatalities. Interventions to build adaptation included training in safety at sea, enhancing maintenance of safety at sea programs and financial training for members of the SSF cooperative (CLF and ABALOBI 2019). As part of the CSA supported work done by Bourne et al., (2012), they cite the study undertaken as part of the NDM's disaster risk reduction planning by Du Plessis (2010 a and b) aimed at identifying and rating all the potential hazards faced by communities. Significantly Du Plessis drew directly on the communities' own indigenous knowledge during this process of identifying these hazards. Bourne et al., (2012) report that Du Plessis (2010c:15) has argued, the 'overutilisation of natural resources puts extreme pressure on the environment especially in areas that are prone to fluctuations in rainfall. This can lead to environmental degradation and other hazards such as soil erosion', which are a powerful threat to individuals and

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communities dependent on their natural environment for a living'. (Du Plessis 2010a:16). Very importantly, Du Plessis argued that "Many people are already living at their threshold of being able to cope" (Du Plessis 2010 in Bourne et al., 2012: 74). (Source Bourne et al., 2012:71) Unsurprisingly, the local IDP (2017-2022) identifies coastal communities as particularly vulnerable to climate change. It provides considerable information on this stating that "Changes in climate change such as variable rainfall patterns, drying trends and expected temperature increases will negatively impact on the District's marine and aquatic systems. The District is likely to experience frequent and more intense extreme weather events such as droughts and storms. Rising sea levels will pose a potential risk to small coastal communities, while warming seas may impact on fishing communities as water temperatures may not be suitable for the current catch" (IDP 2017-2022:49). It then also outlines specific steps towards adaptation and mitigation.

Manage Impact on Marine and Benthic Ecosystems

1. Identify and conserve coastal areas that are rich in biodiversity.
2. Develop a research project in collaboration with SANBI, aimed at providing environmental feedback to coastal communities.
3. Conduct research which seeks to understand the impacts of mining and how climate change exacerbates the industries impact.

Manage Loss of Land due to Sea Level rise

1. Educate communities on dangers of living in high water mark areas, in collaborations with Department of Environmental Affairs and Department of Environment & Nature Conservation.
2. Ensure climate change is incorporated in the Disaster Management Plan.
3. Develop short term emergency response plans for evacuation of communities.
4. Revise the Spatial Development Framework to recognise areas where communities should or should not settle.
5. Develop a long term relocation plan for communities residing in vulnerable areas.
6. Reinforce the Coastal Management Act through the Disaster Management and Infrastructure Departments.

Manage Increased Damage to Property from Sea Level Rise

1. Educate communities of danger of living in high water mark areas, in collaboration with Department of Environmental Affairs and Department of Environment and Nature Conservation.
2. Revise the Spatial Development Framework.
3. Reinforce the Coastal Management Act through the Disaster Management and Infrastructure Departments.

(IDP 2017-2022:49). There is a complete lack of institutional coherence between this Adaptation Plan and the proposed activity that aims to ultimately contribute towards increased extraction of natural resources. This overall lack of institutional coherence across national and provincial levels, the driving impacts of poverty and the lack of in resilience is highlighted the work of Bourne et al., (2012). "Poor people have limited assets and are more dependent on common property resources for their livelihoods. Poverty reduction is therefore dependent on how effectively we conserve biodiversity" and reduced vulnerability is dependent on how effectively we reduce poverty. (Du Plessis 2010:44 in Bourne et al., 2012:74). Of great relevance to this Scoping Report is their conclusion that adaptive capacity in the Namakwa District is low. They define adaptative capacity as "a function of 'wealth, technology, education, information, skills, infrastructure, access to resources, and stability and management capabilities' (McCarthy et al., 2001:18 in Bourne et al., 2012). Adaptation to

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climate change should not be viewed in isolation but instead 'in the context of social, economic, and political conditions, all of which shape local community vulnerability and people's ability to cope with and adapt to change' (Quinn et al, 2011:1). The alleviation of vulnerability status depends on building resilience generally in communities through education, health, and service delivery and the development of viable and sustainable alternative livelihoods. Critically, for the NDM where people are directly dependent on the health and functionality of their natural resource base, ecosystems-based measures that ensure the restoration and maintenance of key biodiversity and ecosystem services and processes should be prioritised. Bourne et al (2012:74) argue that resilient communities "first and foremost, have access to alternatives – diverse livelihoods options grounded in healthy bio-diverse ecosystems" (Bourne et al 2012:74). The destruction to their natural coastal ecosystems upon which healthy alternative livelihoods like tourism might depend is an ever present back-drop to any work on climate change adaptation and until this glaring inconsistency is addressed it is not clear how any adaptation will be sustainable. Oil and gas mining represents an ongoing threat in this regard, as does seismic activity that might undermine their natural resource base further. This issue is not adequately addressed in the Scoping Study. The NSDF (2019) make specific proposals for the Namakwa region such as: regional adaptation, economic diversification and agriculture innovation at scale, limit expansion and development of settlements, enhanced regional cross provincial collaboration, strong compacts with role-players, enhanced ICD linkages, discouraging temporary settlements such as mining or large-scale construction projects etc (NSDF, 2017: P171 in Namakwa DM Profile COGTA 2020:9 (underline my emphasis). This obvious lack of fit between the vulnerability to climate change, low levels of resilience and proposed adaptation strategies and the continued authorization of mining without considering the climate impacts of mining is of concern. The proposed project aims to identify oil and gas resources to be used in the energy production and/ or processing or manufacturing of materials and in this regard will further contribute towards climate impacts. The Scoping Report does not adequately address this issue. Although the question is posed in the Needs and Desirability section: Does the proposed project exacerbate the increased dependency on increased use of resources to maintain economic growth or does it reduce resource dependency (i.e. de-materialised growth)? This is not adequately answered in Section 9 as indicated. 1.2.4 Strategic Growth for the Region The PGDS identifies the promotion and development of the Marine and Aquaculture Sector and indicates that the marine side of fishing has a definite nodal tendency focused on Alexander bay, Port Nolloth and Hondeklip Bay based on infrastructure, conditions and initiatives. In terms of aquaculture the PGDS notes that the development of aquaculture as a sector provides an opportunity to diversifying agriculture in the province. The potential of value addition activities in the sector is also high. There is a potential conflict of interest here that needs to be addressed as the Spatial Development Plan of 2014 identified a fishing and mariculture corridor along this coastline and this is not adequately reflected in the report. There is a need for a specialist social-economic report to address this lack of fit and to research

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the socio-economic impacts further. 7.1.1 List of key stakeholders The list of key stakeholders needs to specifically include the Small-scale Fisher cooperatives that now have rights in the area and this includes Port Nolloth and Hondeklipbaai. It should also include the Khoi-San Traditional Leaders and COGTA. Please kindly ensure that these groups and institutions are adequately consulted in all public participation processes going forward. It is noted that the report states that the following aspects will be disregarded at scoping since these are impacts of low to very low significance and that will be manageable under the mitigation measures to be included in the EMPr during the EIA phase. • Cultural heritage impacts • Socio-economic impacts It is recommended that both of these aspects require further specialist assessment as their treatment in the Scoping Report is not comprehensive and there is considerable evidence that has a bearing on the need and desirability of this application that must be brought to the public's and authorities' attention.

Date 2021/04/29 Method Email

Comment

This application is located within Block 1 in the Exclusive Economic Zone located along the Northern Cape Coast. Block 1 is located offshore between Alexander Bay, extending south along the western coastline, including Port Nolloth, to approximately Hondeklip Bay and approximately 250 km offshore of the coast of the Northern Cape. It therefore also includes the two key traditional fishing communities of Port Nolloth and Hondeklipbaai who rely on the health of the ocean for their livelihoods. In addition, it lies adjacent to the culturally and historically important Namakwa District, home of the Khoi-San indigenous communities of the Richtersveld. Some of the indigenous communities who have lived along this coastline, including the Toppenaar of Namibia, for whom the sea is sacred, need to be adequately consulted as this project has potential risks for the well-being of the ocean eco-systems that play a key role in their livelihoods and cultural well-being.

Date 2021/04/29 Method Email

Comment

1.1 Need for a Strategic Environmental Assessment (SEA) for this region Block 1 lies adjacent to a coastline that has been mined extensively for the past century. The destruction of this coastline and damage to marine and coastal life as well as cultural heritage is enormous. Whilst each prospecting or mining application is only considered with respect to the individual merits of each application, the cumulative impacts of all the various mining and extractive activities in this region requires a strategic environmental assessment (SEA). The public has the right to be aware of the cumulative impacts of the range of extractive activities in the region and to decide

Response

Thank you for the comment. EIMS has consulted with the local communities during the Scoping Phase and will continue to engage these communities during EIA Phase comment period as part of the public meetings and open days. Kindly note that the impact on the fishing communities along the coastline was assessed in great detail and has been assessed to be very low to low significance.

Response

Thank you for the comment. The legal mechanism and mandate for such an assessment fall outside the scope of the current assessment process, which is driven by the requirements of the National Environmental Management Act (Act No. 107 of 1998 – NEMA), the Environmental Impact Assessment (EIA) Regulations and the Mineral and Petroleum Resources Development Act (Act No. 28 of 2002 – MPRDA). In terms of the cumulative impacts, with reference to the EIMS Impact Assessment Methodology included in the Scoping Report and in accordance with the requirements of the EIA Regulations, 2014, an assessment of each potentially significant impact in

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if this is desirable or needed in terms of the country's overall social, ecological and economic well-being.

terms of cumulative impacts is undertaken by the EAP and the Specialist team and the results of these assessments were included and discussed in EIA Report, as well as the respective specialist reports. The Impact Assessment further makes provision for the prioritization of impacts identified in the case of cumulative impacts being identified. As such, cumulative impacts were identified and assessed in detail.

Date 2021/04/29 Method Email

Comment

1.2 Omissions from the report that need to be addressed during the EIA phase The Scoping Report regrettably fails to include reference to a number of critical policy and planning documents of relevance to this application. This is of specific relevance to the question of the impact of the proposed activities on atmospheric emissions and climate change profile of this already climate stressed region. In addition, it fails to consider existing literature that provides evidence of the great importance of this coastline to the country's cultural heritage and the customary rights of the local indigenous Khoi-San communities. These issues need specialist assessments and should be elaborated during the EIA phase.

Response

Thank you for your comment. It should be noted that the cultural heritage was considered as a key component of the proposed exploration activities, which exclude any drilling as part of this application. This is evidenced by the fact that one of the key alternatives considered for this project in the scoping report was the avoidance of the Marine Protected Area - The Namaqua Fossil Forest MPA. This MPA provides evidence of age-old temperate yellowwood forests from a hundred million years ago when the sea-level was more than 200 m below what it is today; trunks of fossilized yellowwood trees covered in delicate corals. These unique features stand out against surrounding mud, silt and gravel habitats. The fossilized trees are not known to be found anywhere else in our oceans and are valuable for research into past climates. In 2014 this area was recognised as globally important and declared as an EBSA. A key consideration of this alternative included the recommendation that the 3D Seismic area falling within the MPA, as well as the recommended 5 km buffer, be excluded from the 3D Seismic area. EIMS undertook a broad public participation call to register period which included advertisements, notice placement in the local towns adjacent to the entire Block 1 area. EIMS also held public open days in Alexander Bay, Port Nolloth and Hondeklip Bay during the Scoping Report Comment Period to engage with the local communities. A second round of public open days will again be held during the EIA Phase comment period. With regards to atmospheric emissions and the impact on climate change, kindly note that this project only relates to exploration, and excludes any drilling activities. As such, such the impact of this project on climate change is not deemed to be significant. Should viable hydrocarbon reserves be identified, or future drilling be undertaken as part of the activities, then this will require separate authorisation and would have to be assessed at that stage.

Date 2021/04/29 Method Email

Comment

1.2.1 Cultural Heritage There has been extensive scholarship exploring the palaeontology, geology, historical biology and archaeology of this coastal region around Hondeklipbaai (Pether 1986, 1994, Hart 2017, Govender 2019), due to its rich geological deposits and the evidence it

Response

Thank you for your comment and thank you for the breakdown of the cultural heritage provided. It should, however, be noted the activities proposed as part of this project would not include any direct or indirect impacts on the heritage or palaeontological environments due to the fact that

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provides of early life. The geology of this area is complex, involving the interaction of three different systems namely fluvial, marine and aeolian systems. Both the marine and the coastal systems are extremely rich in resources. The Benguela current upwelling has historically left a very nutrient-rich footprint on this coastline in the form of onshore deposits rich in palaeontology and archaeology (Pether et al. 2000 in Govender 2019:1). The region in and around Hondeklipbaai contains a wide variety of significant heritage resources ranging from palaeontology and historical biological data, Middle and Late Stone Age shell middens to maritime archaeology (Hart 2016). Both the animal and human heritage is significant. For example, a rich Cenozoic palaeontological heritage exists from a few onshore deposits along South Africa's west coast that span the Mio-Pliocene and significant early Pliocene cetacean marine fauna, that is, early aquatic mammals such as whales, dolphins and seals, have been found here (Govender 2019). Govender describes Hondeklip Bay as a Zanclean, early Pliocene, locality. Cetacean fauna from Hondeklip Bay includes the mysticetes: Balaenopteridae indet. (sp. 1), cf. Eschrichtius sp., Balaenopteridae indet., cf. Plesiobalaenoptera, Balaenidae indet., and the odontocetes: Physterioidea indet, cf. Livyatan, and an unidentified neonate delphinid. Hondeklip shares a seal and cetacean taxon with Langebaanweg, which is 430 km to the south. Cf. Eschrichtius sp. from Hondeklip Bay is the first description of the taxon from South Africa and it also has the first balaenid described from South Africa. Its cetacean fauna also strengthens the links of South Africa's west coast with the Atlantic of Europe and North America, and eastern North and South Pacific (Govender 2019:1). A wide range of palaeontology fossil resources has been found in the Hondeklipbaai area (Pether 2008). Some of the most notable of these include marine molluscan fauna of Namaqualand coastal deposits (Kensley & Pether, 1986), the first extinct Tertiary barnacle recorded from South Africa was described from Hondeklip by Pether (1990) and Brunton & Hiller (1990) have described the fossil brachiopods collected by Hart in the Hondeklip study area. Pether (1994b) provided detail on the exposures and palaeontology at Hondeklipbaai that have contributed to the presence of extensive diamonds along the coastline (Pether, 2008 in Hart 2016). Hart notes that numerous artefacts found in caves attest to the use of the Namaqualand coast during the late Pleistocene (Hart 2016:18). Sites dating back to the Middle Stone Age that have been found often include shellfish fossils, and hence it is hypothesized that there was occupation of this shoreline during the interglacial periods. He observes that the archaeological sites just north of Hondeklipbaai in the Koingnaas area are rich in both bone artefacts as well as local fauna and that within the many stone age middens in this area, signs of ritual activity such as the burying of tortoise carapaces and carapace bowls have been identified (Orton, J. Hart, T. and Halkett, D. 2005). Hart (2016) noted that the use of whale bones (particularly ribs) by the early 'Strandlopers' in the construction of their huts has been well documented. Hart (2016) warned that there are shipwrecks in the surf zones on the west coast and that "these are considered part of the heritage of the area". The Scoping Report fails to consider this and indicates that no further assessment will be conducted on the Cultural Heritage. It is strongly recommended that an

no invasive exploration techniques will be employed and will only make use of 3D survey techniques. EIMS Included the South African Heritage Resources Agency (SAHRA) in our process and we received the following comment from this agency regarding the application: "The DSR addresses cultural and heritage resources under section 8.8, on page 121, and identifies the Namaqua Fossil Forest Marine Protected Area (MPA) as the only nearby heritage resource. The proposed 3D survey area would have encompassed a section of the Namaqua Fossil Forest MPA and its 5 km buffer zone, however, an adjustment to the proposed 3D survey area has already been made to exclude this MPA and its buffer zone... ..As the survey area excludes the Namaqua Fossil Forest MPA, and the seabed will not be disturbed, no heritage impact assessment is required at this stage. However, if exploration drilling, and/or any other activity that may disturb the seabed is considered at a later stage of the project, a heritage impact assessment by a maritime heritage specialist will be required." EIMS takes note of the suggestion to include COGTA and the Khoisan Traditional Leaders. We will engage with these organizations regarding their inclusion in the project.

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assessment of this heritage, including the shipwreck record and maps should be conducted. There are numerous shipwrecks along this section of the coastline that potentially range in age from the days of the Portuguese navigators and Dutch East India Company to the late 20th century. The rich cultural history record evidenced along this coastline must be considered and the impact of this application assessed against this heritage. Of critical importance in this regard is the fact that as of 1 April 2021 the indigenous leaders of this region must be consulted as they are now considered Traditional Leaders with Traditional Authorities. The Scoping Report fails to identify them or the Dept of COGTA as key stakeholders.

Date 2021/04/29 Method Email

Comment

1.2.3 Climate change and carbon emissions The report fails to address carbon emissions adequately. This issue speaks to the overall issue of the needs and desirability analysis component of the "Guideline on need and desirability in terms of the EIA Regulations (Notice 819 of 2014). This section " includes, but is not limited to, describing the linkages and dependencies between human well-being, livelihoods and ecosystem services applicable to the area in question, and how the proposed development's ecological impacts will result in socio-economic impacts (e.g. on livelihoods, loss of heritage site, opportunity costs, etc.). Although the Scoping Report identifies this in Table 7 and presents the needs and desirability analysis undertaken for the project (page 27), it then references Section 9 of the Report. This section does not adequately address this issue in sufficient depth and further work is required on this. In particular, the contradiction between the proposed activity and increasing carbon emissions and the Namakwa District's Climate Change policy and adaptation plan must be explored. The National Spatial Development Framework describes Namakwa as an arid region and it is anticipated that it will be impacted heavily by climate change (NSDF 2019 in COGTA 2020:9) . One of its strengths has been the attention to climate change from both NGOs and the Northern Cape Government and considerable work has been done on adaptation (See for example SKEP 2009, CSA supported work Bourne et al., 2012, Sowman, Raemaekers and Francis 2018, ABALOBI and Coastal Livelihoods Foundation 2019). It is noted that mining has caused visible and dramatic damage throughout the district and this clearly impacts the resilience of the area (Bourne et al., 2012: 52) and raises questions about adaptation interventions that do not address this major driver of coastal damage which undermines adaptation efforts. Much of the work on adaptation emphasises the need to ensure that ecosystems health is maintained in order to maximise resilience. The extensive climate change research in the region has enabled the production of a map of areas important for resilience of biodiversity to climate change at the landscape scale (Bourne et al., 2012). The authors argue that ensuring that these areas remain in a natural or near-natural state will allow ecosystems and species to adapt naturally to

Response

Thank you for your comment. With regards to atmospheric emissions and the impact on climate change, kindly note that this project only relates to exploration, and excludes any drilling activities. As such, such the impact of this project on climate change is not deemed to be significant. Should viable hydrocarbon reserves be identified, or future drilling be undertaken as part of the activities, then this will require separate authorisation and would have to be assessed at that stage. Kindly note that the impact on the fishing communities and their associated fish resource base along the coastline was assessed in great detail and has been assessed to be very low to low significance (refer to Section 9 of the EIA Report).

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climate change, thus supporting healthy landscapes and the ability of ecosystems to continue to provide ecosystem services. They should be considered vital elements of protecting the NDM's ecological infrastructure in the face of climate change, as these currently provide ecosystem services to the local communities, decreasing their vulnerability to climate change (Bourne et al., 2012). In facilitating a community-based Rapid Vulnerability Assessment to assess Climate Change impacts Sowman, Raemaekers and Francis (2019) found that there are a range of socio-economic, governance and environmental stressors impacting the community and shaping climate change resilience. Key amongst these was the impacts of inshore dumping and beach mining on the Inshore dumping and beach mining on lobster and fish habitats (Sowman et al 2019:3). According to Sowman et al (2019) and subsequent work by Coastal Livelihood's Foundation and ABALOBI (2019), climate change in the form of less predictable weather patterns, extreme weather events, an increase in severe storms, changing prevailing winds or changes in species abundance and migration patterns are negatively affecting the livelihoods of small-scale fisher communities, and directly threatening the lives of small-scale fishers in Hondeklipbaai (2019). This change in environment is resulting in less fishing days, shorter fishing times, fishers facing challenges in planning, due to more dangerous and less predictable fishing weather and in some cases fatalities. Interventions to build adaptation included training in safety at sea, enhancing maintenance of safety at sea programs and financial training for members of the SSF cooperative (CLF and ABALOBI 2019). As part of the CSA supported work done by Bourne et al., (2012), they cite the study undertaken as part of the NDM's disaster risk reduction planning by Du Plessis (2010 a and b) aimed at identifying and rating all the potential hazards faced by communities. Significantly Du Plessis drew directly on the communities' own indigenous knowledge during this process of identifying these hazards. Bourne et al., (2012) report that Du Plessis (2010c:15) has argued, the 'overutilisation of natural resources puts extreme pressure on the environment especially in areas that are prone to fluctuations in rainfall. This can lead to environmental degradation and other hazards such as soil erosion', which are a powerful threat to individuals and communities dependent on their natural environment for a living'. (Du Plessis 2010a:16). Very importantly, Du Plessis argued that "Many people are already living at their threshold of being able to cope" (Du Plessis 2010 in Bourne et al., 2012: 74). (Source Bourne et al., 2012:71) Unsurprisingly, the local IDP (2017-2022) identifies coastal communities as particularly vulnerable to climate change. It provides considerable information on this stating that "Changes in climate change such as variable rainfall patterns, drying trends and expected temperature increases will negatively impact on the District's marine and aquatic systems. The District is likely to experience frequent and more intense extreme weather events such as droughts and storms. Rising sea levels will pose a potential risk to small coastal communities, while warming seas may impact on fishing communities as water temperatures may not be suitable for the current catch" (IDP 2017-2022:49). It then also outlines specific steps towards adaptation and mitigation. Manage Impact on Marine and Benthic Ecosystems 1. Identify and conserve coastal areas that are rich

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in biodiversity. 2. Develop a research project in collaboration with SANBI, aimed at providing environmental feedback to coastal communities. 3. Conduct research which seeks to understand the impacts of mining and how climate change exacerbates the industries impact. Manage Loss of Land due to Sea Level rise 1. Educate communities on dangers of living in high water mark areas, in collaborations with Department of Environmental Affairs and Department of Environment & Nature Conservation. 2. Ensure climate change is incorporated in the Disaster Management Plan. 3. Develop short term emergency response plans for evacuation of communities. 4. Revise the Spatial Development Framework to recognise areas where communities should or should not settle. 5. Develop a long term relocation plan for communities residing in vulnerable areas. 6. Reinforce the Coastal Management Act through the Disaster Management and Infrastructure Departments. Manage Increased Damage to Property from Sea Level Rise 1. Educate communities of danger of living in high water mark areas, in collaboration with Department of Environmental Affairs and Department of Environment and Nature Conservation. 2. Revise the Spatial Development Framework. 3. Reinforce the Coastal Management Act through the Disaster Management and Infrastructure Departments. (IDP 2017-2022:49). There is a complete lack of institutional coherence between this Adaptation Plan and the proposed activity that aims to ultimately contribute towards increased extraction of natural resources. This overall lack of institutional coherence across national and provincial levels, the driving impacts of poverty and the lack of in resilience is highlighted the work of Bourne et al., (2012). “Poor people have limited assets and are more dependent on common property resources for their livelihoods. Poverty reduction is therefore dependent on how effectively we conserve biodiversity” and reduced vulnerability is dependent on how effectively we reduce poverty. (Du Plessis 2010:44 in Bourne et al., 2012:74). Of great relevance to this Scoping Report is their conclusion that adaptive capacity in the Namakwa District is low. They define adaptative capacity as “a function of ‘wealth, technology, education, information, skills, infrastructure, access to resources, and stability and management capabilities’ (McCarthy et al., 2001:18 in Bourne et al., 2012). Adaptation to climate change should not be viewed in isolation but instead ‘in the context of social, economic, and political conditions, all of which shape local community vulnerability and people’s ability to cope with and adapt to change’ (Quinn et al, 2011:1). The alleviation of vulnerability status depends on building resilience generally in communities through education, health, and service delivery and the development of viable and sustainable alternative livelihoods. Critically, for the NDM where people are directly dependent on the health and functionality of their natural resource base, ecosystems-based measures that ensure the restoration and maintenance of key biodiversity and ecosystem services and processes should be prioritised. Bourne et al (2012:74) argue that resilient communities “first and foremost, have access to alternatives – diverse livelihoods options grounded in healthy bio-diverse ecosystems” (Bourne et al 2012:74). The destruction to their natural coastal ecosystems upon which healthy alternative livelihoods like tourism might depend is an ever present back-drop to any work on climate change adaptation

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and until this glaring inconsistency is addressed it is not clear how any adaptation will be sustainable. Oil and gas mining represents an ongoing threat in this regard, as does seismic activity that might undermine their natural resource base further. This issue is not adequately addressed in the Scoping Study. The NSDF (2019) make specific proposals for the Namakwa region such as: regional adaptation, economic diversification and agriculture innovation at scale, limit expansion and development of settlements, enhanced regional cross provincial collaboration, strong compacts with role-players, enhanced ICD linkages, discouraging temporary settlements such as mining or large-scale construction projects etc (NSDF, 2017: P171 in Namakwa DM Profile COGTA 2020:9 (underline my emphasis). This obvious lack of fit between the vulnerability to climate change, low levels of resilience and proposed adaptation strategies and the continued authorization of mining without considering the climate impacts of mining is of concern. The proposed project aims to identify oil and gas resources to be used in the energy production and/ or processing or manufacturing of materials and in this regard will further contribute towards climate impacts. The Scoping Report does not adequately address this issue. Although the question is posed in the Needs and Desirability section: Does the proposed project exacerbate the increased dependency on increased use of resources to maintain economic growth or does it reduce resource dependency (i.e. de-materialised growth)? This is not adequately answered in Section 9 as indicated.

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Comment

1.2.4 Strategic Growth for the Region The PGDS identifies the promotion and development of the Marine and Aquaculture Sector and indicates that the marine side of fishing has a definite nodal tendency focused on Alexander bay, Port Nolloth and Hondeklip Bay based on infrastructure, conditions and initiatives. In terms of aquaculture the PGDS notes that the development of aquaculture as a sector provides an opportunity to diversifying agriculture in the province. The potential of value addition activities in the sector is also high. There is a potential conflict of interest here that needs to be addressed as the Spatial Development Plan of 2014 identified a fishing and mariculture corridor along this coastline and this is not adequately reflected in the report. There is a need for a specialist social-economic report to address this lack of fit and to research the socio-economic impacts further.

Response

A detailed specialist assessment has been undertaken to assess the impact of the proposed exploration activities on the fishing communities along the coastline. As is detailed in the Section 9 of the EIA Report and the Fisheries Specialist Study, the following fishing sectors were considered. Please refer to section 9 of the EIA report. With reference to the table on the impact on fishery sector, it should be noted that there is little to no overlap between the fishing effort recorded over the recent periods with the actual 3D Seismic survey area and that the majority of the sectors would not be impacted by the proposed project. For Demersal Longline, Tuna Pole-Line, Traditional Linefish, Small-Scale Fisheries and Fisheries Research sectors, low significance impacts were identified with the implementation of mitigation measures based on standard industry practice. With reference to the table above, it should be noted that there is little to no overlap between the fishing effort recorded over the recent periods with the actual 3D Seismic survey area and that the majority of the sectors would not be impacted by the proposed project. For Demersal Longline, Tuna Pole-Line, Traditional Linefish, Small-Scale Fisheries and Fisheries Research sectors, low significance impacts were identified with the implementation of mitigation measures based on standard industry practice.

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Comment

1.2. 5 List of key stakeholders The list of key stakeholders needs to specifically include the Small-scale Fisher cooperatives that now have rights in the area and this includes Port Nolloth and Hondeklipbaai. It should also include the Khoi-San Traditional Leaders and COGTA. Please kindly ensure that these groups and institutions are adequately consulted in all public participation processes going forward. It is noted that the report states that the following aspects will be disregarded at scoping since these are impacts of low to very low significance and that will be manageable under the mitigation measures to be included in the EMPr during the EIA phase. • Cultural heritage impacts • Socio-economic impacts It is recommended that both of these aspects require further specialist assessment as their treatment in the Scoping Report is not comprehensive and there is considerable evidence that has a bearing on the need and desirability of this application that must be brought to the public's and authorities' attent

Response

Thank you for your comment . It should, however, be noted the activities proposed as part of this project would not include any direct or indirect impacts on the heritage or palaeontological environments due to the fact that no invasive exploration techniques will be employed and will only make use of 3D survey techniques. EIMS takes note of the suggestion to include COGTA and the Khoisan Traditional Leaders. We will engage with these organisations regarding their inclusion in the project. EIMS Included the South African Heritage Resources Agency (SAHRA) in our process and we received the following comment from this agency regarding the application: "The DSR addresses cultural and heritage resources under section 8.8, on page 121, and identifies the Namaqua Fossil Forest Marine Protected Area (MPA) as the only nearby heritage resource. The proposed 3D survey area would have encompassed a section of the Namaqua Fossil Forest MPA and its 5 km buffer zone, however, an adjustment to the proposed 3D survey area has already been made to exclude this MPA and its buffer zone... ..As the survey area excludes the Namaqua Fossil Forest MPA, and the seabed will not be disturbed, no heritage impact assessment is required at this stage. However, if exploration drilling, and/or any other activity that may disturb the seabed is considered at a later stage of the project, a heritage impact assessment by a maritime heritage specialist will be required." A detailed specialist assessment has been undertaken to assess the impact of the proposed exploration activities on the fishing communities along the coastline. As described above, it should be noted that there is little to no overlap between the fishing effort recorded over the recent periods with the actual 3D Seismic survey area and that the majority of the sectors would not be impacted by the proposed project. For Demersal Longline, Tuna Pole-Line, Traditional Linefish, Small-Scale Fisheries and Fisheries Research sectors, low significance impacts were identified with the implementation of mitigation measures based on standard industry practice.

Date 2021/05/04 Method Email

Comment

Dear Cheyenne Please kindly check the English version you attached. There is a mistake with regard to the dates for comment. Its says January to February 2021? Surely this is incorrect? thank you Jackie Sunde

Response

Thank you for your correspondence. That is correct, there was an error in the first correspondence however, an updated version was distributed with the correct dates: 26th March 2021 to the 29th April 2021. Please can you confirm if you received the updated correspondence? Please feel free to contact EIMS if you have any further queries.

Date 2021/05/04 Method Email

Comment

Response

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Jackie Sundae

Dear Cheyenne Please kindly check the English version you attached. There is a mistake with regard to the dates for comment. Its says January to February 2021? Surely this is incorrect? thank you Jackie Sunde

Thank you for your correspondence. My sincere apologies for the error in the original notice. Please can you confirm if you received the amended notice sent on the 26th March 2021 with the amended dates. Kindly note that the review and comment period runs from the 26th March 2021 until the 29th April 2021. Should you have any comments or queries please feel free to contact EIMS.

Obakeng Molelu

Date 2021/03/24 Method Email

Comment

I would to register as an IAP. I am a Blue Economy researcher and interested in the extent of the oil and gas exploration and associated local socio-economic impacts in South Africa.

Response

Thank you for your correspondence with regards to the above mentioned project. Kindly note that you have been registered on the I&AP database for the project. As a registered I&AP you will be provided with the opportunity to comment on the scoping and EIA reports and associated appendices once they become available. Should you have any comments or queries please feel free to contact EIMS.

Tsili Tsidiza

Date 2021/04/09 Method Email

Comment

Good day sir/Madam Iam Tsili Lekhema from Port Nolloth Northen Cape i just wanted to find out when are you guys having an Open day information session in the Port Nolloth/Alexanderbaai and Honderklipbay When, Where and what time

Response

Thank you for your correspondence. Kindly find attached notification outlining the details for the public open days to be held next week. Should you have any comments or queries please feel free to contact EIMS.

Paolo Esposito

Date 2021/04/30 Method Email

Comment

On behalf of Belton Park Trading 127 (Pty) Ltd, holder of mining rights over sea concession 2C & 2C, I acknowledge receipt of your email. Please note that the file you've circulated for registration seems to be corrupted and cannot be open – please kindly send it again. Please also note that you have approached I&AP on 23.03.2021, while you set a deadline at 19.03.2021. Please kindly review and amend date for submission of expression of interest and comments.

Response

Thank you for your prompt response. Kindly find attached the word version for the questionnaire. You may complete the questionnaire should you have any additional information to add however, kindly note that you were identified as a pre-identified affected I&AP and as such you are already registered on the I&AP database. Should you wish to have more one member of your organisation registered, an email will suffice. Further to the above please note that the previous dates were for the initial call to register period which allows I&APs to familiarise themselves with the project and register their interest however, registration for the project is open throughout

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Paolo Esposito

the duration of the project. Furthermore, please note that the Scoping Report for the project was made available for public review and comment from today the 26th March 2021 until the 29th April 2021 for a 30-day period. A copy of the report is available on the EIMS website: <https://www.eims.co.za/2021/03/25/1415-tosacoexploration-right-application/>. I have attached the notification for your review. Please may I also request that all correspondence be sent to the dedicated project email address: tosacoer@eims.co.za. Should you have any comments or queries with regards to the attached please feel free to contact EIMS.

Date 2021/05/04 Method Email

Comment

Thank you for your email. Please find attached registration form with map evidencing the overlap of areas where currently exploration and mining activities are conducted. I look forward to hearing from you in due course.

Response

Dear Paolo, Thank you for your correspondence. Please note that your comments have been received and a formal response, if required, will be provided in due course. Should you have any further comments or queries please feel free to contact EIMS.

Date 2021/05/04 Method Email

Comment

Thank you for your email. Please find attached registration form with map evidencing the overlap of areas where currently exploration and mining activities are conducted. I look forward to hearing from you in due course.

Response

Dear Mr Esposito, EIMS thanks you for your comments. We take note of your operations within the Mining Concessions 2C and 3C. While Tosaco have applied for the reprocessing of existing information over the entire Block 1 area, we would like to point out that the potential survey operations are proposed to occur mainly within Mining Concession 5C and a small section of Mining Concession 5C, as per the map below. We do take note of the need to coordinate with existing mining rights holders should Tosaco be awarded the Exploration Right. We thank you for your participation in this process. Please do not hesitate to contact EIMS should you have any additional queries or comments.

Janet Solomon

Date 2021/03/24 Method Email

Comment

Please may I register as an Interested and aAffected Party for the the above-mentioned application. I look forward to hearing from you.

Response

Thank you for your correspondence. Kindly note that you have been registered on the project database as an I&AP. As a registered I&AP you will be provided with an opportunity to comment on the Scoping and EIA reports once they become available. Should you have any comments or queries please feel free to contact EIMS.

Mr Anton Meyer

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Mr Anton Meyer

Date 2021/04/08 Method Email

Comment

I would like to register as I&AP for the EIA process of the proposed Tosaco Block 1 exploration right, EIMS Ref No 1415.

Response

Thank you for your correspondence. Kindly note that you have been registered on the project I&AP database. Kindly note that the Scoping report and associated appendices is currently available for public review and comment until the 29th April 2021. A copy of the report can be downloaded from the EIMS website: <https://www.eims.co.za/2021/03/25/1415-tosaco-exploration-right-application/>. Further to the above please note the details for the public open days as per the document attached. Should you have any further queries or comments please do not hesitate to contact EIMS.