



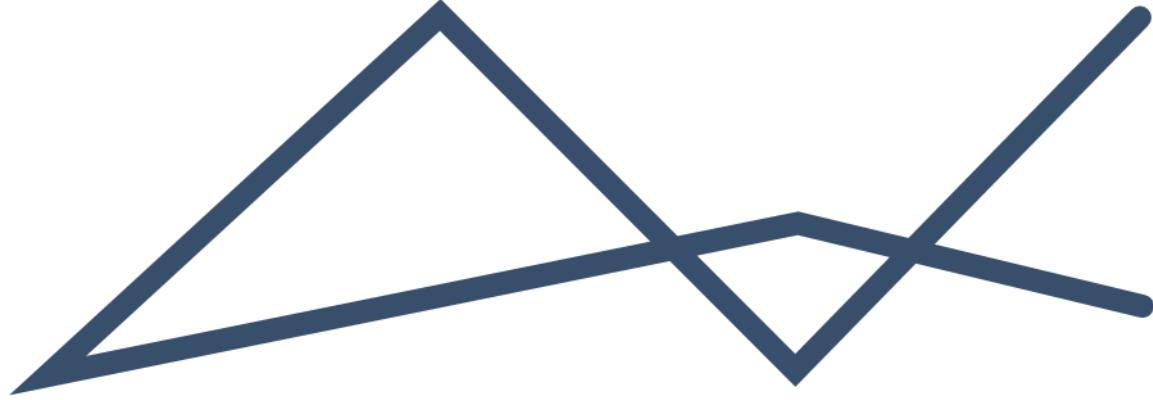
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# PUBLIC PARTICIPATION REPORT

PROPOSED SEARCHER RECONNAISSANCE BA PROJECT





#### DOCUMENT DETAILS

**EIMS REFERENCE:** 1518  
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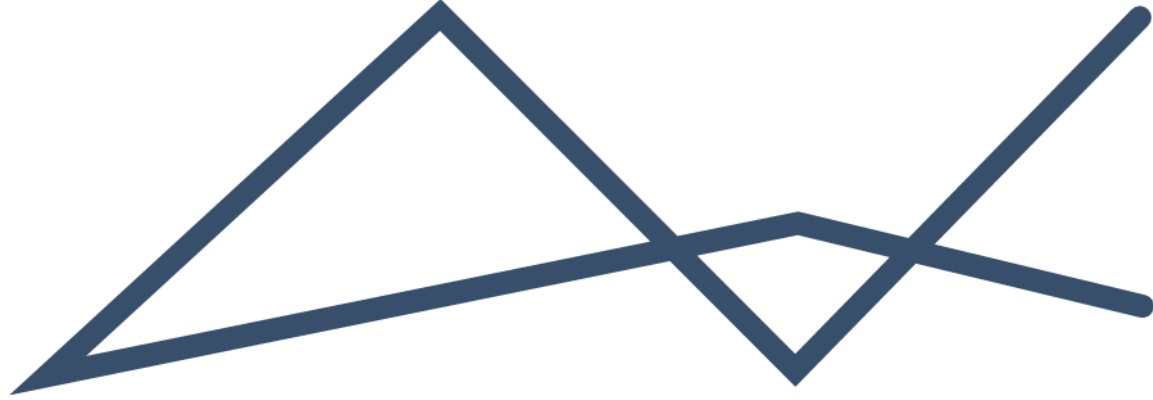
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## Abbreviation List:

BAR	Basic Assessment Report
EA	Environmental Authorisation
EAP	Environmental Assessment Practitioner
EIA	Environmental Impact Assessment
EIMS	Environmental Impact Management Services (Pty) Ltd
EMPr	Environmental Management Programme
I&AP	Interested and Affected Party
NEMA	National Environmental Management Act
PASA	Petroleum Agency of South Africa
PPP	Public Participation Process
PPR	Public Participation Report
MPA	Marine Protected Area



## 1 INTRODUCTION

Searcher Geodata UK Ltd (hereafter referred to as the applicant - Searcher) has appointed Environmental Impact Management Services (Pty) Ltd (EIMS) as the Environmental Assessment Practitioner (EAP) to assist with undertaking the required authorisation processes (including the statutory public participation), and to compile and submit the required documentation in support of application for:

Environmental Authorisation (EA) in accordance with the Environmental Impact Assessment (EIA) Regulations (GRN982 of 2014, as amended)- Listed Activity 21(b) (GNR 983):

*Any activity including the operation of that activity which requires a reconnaissance permit in terms of section 74 of the Mineral and Petroleum Resources Development Act, as well as any other applicable activity as contained in this Listing Notice or in Listing Notice 3 of 2014, required to exercise the reconnaissance permit, excluding-*

*(a) any desktop study; and*

*(b) any aerial survey.*

Searcher proposes to undertake a 3D seismic survey off the West Coast of South Africa. The proposed project area is located between approximately 256 km offshore of St Helena Bay, extending north along the western coastline to approximately 220 km offshore of Hondeklip Bay. The survey area at the closest point is approximately 218 km offshore of the coast of the Western and Northern Cape. The survey area corner coordinate points are as Table 1 below:

Table 1: Survey Area Corner Coordinate Points

Point	Longitude	Latitude	Point	Longitude	Latitude
1	13°47'32.20"E	30°25'05.62"S	12	13°54'27.24"E	32°33'10.46"S
2	14°04'35.32"E	30°14'56.11"S	13	13°58'47.25"E	32°10'00.54"S
3	14°16'06.57"E	30°27'02.46"S	14	13°50'17.25"E	31°53'40.58"S
4	14°47'37.11"E	31°00'01.33"S	15	13°47'47.25"E	31°49'20.61"S
5	14°53'02.67"E	31°05'40.95"S	16	13°44'07.24"E	31°42'20.62"S
6	14°59'56.53"E	31°05'40.95"S	17	13°41'17.25"E	31°36'40.63"S
7	15°09'38.63"E	31°05'40.95"S	18	13°33'07.24"E	31°15'30.71"S
8	15°09'38.81"E	31°15'01.10"S	19	13°28'17.24"E	31°01'20.76"S
9	15°09'38.88"E	32°00'01.22"S	20	13°24'37.24"E	30°50'40.77"S
10	15°09'38.92"E	32°35'25.54"S	21	13°20'58.35"E	30°39'14.40"S
11	13°54'25.99"E	32°35'33.64"S	22	13°33'50.71"E	30°33'45.66"S

## 2 OBJECTIVES OF THE PUBLIC PARTICIPATION

South Africa, being one of the countries with the most progressive constitutions, enshrined the public's right to be involved in decisions that may affect them in its Constitution. Section 57(1) of the new Constitution that provides: "*The National Assembly may (b) make rules and orders concerning its business, with due regard to representative and participatory democracy, accountability, transparency and public involvement*". This provision, along with several others gave rise to many new trends in South African legislation. In environmental legislation, the idea of public participation (or stakeholder engagement) features strongly and especially the National Environmental Management Act (Act 107 of 1998, NEMA) and the recent regulations passed under the auspices of this Act makes very strict provisions for public participation in environmental decision-making.

Public participation can be defined as..."*a process leading to a joint effort by stakeholders, technical specialists, the authorities and the proponent who work together to produce better decisions than if they had acted independently*"<sup>1</sup>. From this definition, it can be seen that the input of the public is regarded as very important indeed.

<sup>1</sup> Greyling, T. (1999) Towards Managing Environmental Disputes: Appropriate Public Participation. Prepared for Conference on Environmental Dispute Resolution 10-11 June 1998, Fourways, Gauteng, Manyaka Greyling Meiring (Pty) Ltd, South Africa



The PPP is designed to provide sufficient and accessible information to Interested and Affected Parties (I&APs) in an objective manner to assist them to:

- During the Basic Assessment (BA) Process:
  - Contribute relevant local information and knowledge to the environmental assessment;
  - Verify that their issues have been recorded;
  - Comment on the findings of the environmental assessments; and
  - Provide relevant local information and knowledge to the environmental assessment.

The PPP is a requirement of several pieces of South African Legislation and aims to ensure that all relevant I&APs are consulted, involved and their opinions are taken into account and a record included in the reports submitted to Authorities. The process ensures that all stakeholders are provided this opportunity as part of a transparent process which allows for a robust and comprehensive environmental study. The PPP for the necessary authorisation required for the proposed Searcher Reconnaissance BA Project needs to be managed sensitively and according to best practises in order to ensure and promote:

- Compliance with international best practice options;
- Compliance with national legislation;
- Establishment and management of relationships with key stakeholder groups; and
- Encouragement of involvement and participation in the environmental study and authorisation/approval process.

As such, the purpose of the PPP and stakeholder engagement process is to:

- Introduce the proposed project and process for the authorisation project;
- Explain the environmental authorisation;
- Determine and record issues, concerns, suggestions, and objections to the project;
- Provide opportunity for input and gathering of local knowledge;
- Establish and formalise lines of communication between the I&APs and the project team;
- Identify all significant issues for the project; and
- Identify possible mitigation measures or environmental management plans to minimise and/or prevent negative environmental impacts and maximise and/or promote positive environmental impacts associated with the project.

This Public Participation Report (PPR) lists all verbal and written issues raised by I&APs and stakeholders from the 30-day initial notification and call to register period from the 06 July 2022 to date. A breakdown of the PPP is given within the remaining sections of this PPR.

## **2.1 LEGAL COMPLIANCE**

The PPP must comply with all environmental legislation that requires public participation as part of an application for authorisation or approval; namely:

- NEMA;

Adherence to the requirements of the above-mentioned Acts will allow for an Integrated PPP to be conducted, and in so doing, satisfy the requirement for public participation referenced in the Acts. The details of the Integrated PPP are provided below.



### 3 IDENTIFICATION OF INTERESTED AND AFFECTED PARTIES (I&APS)

An initial I&AP database has been compiled from historic projects in the area, desktop based I&AP identification and newspaper advertisements to obtain the contact details of the potentially affected I&APs. The I&APs referred to in the PPR include:

- Pre-identified and registered key stakeholders;
- Regulatory authorities;
- Specialist interest groups; and
- All I&APs who responded to the initial notifications and requested to be registered.

Efforts to pre-identify key I&APs involved various avenues such as consultation with the proponent and government departments, review of related previously conducted studies, and identification of key interest groups and authorities within the vicinity of the study area and municipality. Refer Appendix B 1 for the Key Stakeholder/I&AP Database.

All key stakeholders have been notified about the project via post, fax and/or email as well as through advertisements and/or site notices inviting them to participate in the EIA process. Refer to Appendix B 3: Advertisement

Appendix B 4 for the landowner, key stakeholder and I&AP initial notifications.

#### 3.1 LIST OF AUTHORITIES NOTIFIED

The following authorities, but not limited to, were notified of the proposed project and invited to participate in the public participation process:

- Bergrivier Local Municipality
- Cape Nature
- Cederberg Local Municipality
- City of Cape Town Metropolitan
- Eskom SOC Ltd
- Heritage Western Cape
- Kamiesberg Local Municipality
- Matzikama Local Municipality
- Nama Khoi Local Municipality
- Namakwa District Municipality
- National Department of Agriculture, Land Reform And Rural Development;
- National Department of Forestry, Fisheries and the Environment;
- National Department of Mineral Resources
- National Department of Public Works
- National Department of Social Development
- National Department of Transport
- National Department of Water and Sanitation; and
- National Energy Regulator of South Africa
- Northern Cape Department of Nature and Conservation
- Northern Cape Provincial Heritage Resource Agency
- Petroleum Agency of South Africa
- Ritchersveld Local Municipality
- Saldanha Bay Local Municipality
- SANPARKS
- South African Heritage Resources
- Swartland Local Municipality





- West Coast District Municipality
- West Coast Marine Conservation Society
- Western Cape Department of Environmental Affairs and Development Planning

### 3.2 LIST OF OTHER KEY I&APS AND STAKEHOLDERS IDENTIFIED AND NOTIFIED

The following key I&APS, but not limited to, were notified of the proposed project and invited to participate in the public participation process:

- Abalobi
- Africa Conservation Trust
- Afriforum
- Agri Westcape
- Anglo American
- Aukotowa Fisheries
- Aukotowa Fishing Co-Op
- Birdlife
- Centre for Environmental Rights
- Chapmans Peak Fisheries
- Cochoqua Tribal Authority
- Combined Fishing Enterprise cc
- Community Processors and Distributors (Pty) Ltd
- Conservation South Africa
- Council for Geoscience
- CSIR
- Dargle Conservancy
- De Beers Group of Companies
- Earth Life Africa
- Endangered Wildlife Trust
- Eskom Holdings SOC Ltd;
- Federation for a Sustainable Environment
- Fisherman Development Organisation
- FishSA
- Frackfree SA
- Fresh Tuna Exporters Association
- Gansbaai Marine (Pty) Ltd
- Green Connection
- GroundWork SA
- Hicksons Fishing Company Ltd
- Hondeklip Bay Women's Group
- Hondeklipbaai Visserye Bpk.
- iAfrica
- iGas
- Ikamva Lethu Fishing Company (Pty) Ltd
- Imbiza
- Impact Oil and Gas
- Impala Fishing (Pty) Ltd
- Inert Gas Industries
- Ingwe Emnyama Fishing Enterprises (Pty) Ltd
- IRASA Khoisan
- Irvin & Johnson Limited
- Isinda Tient (Pty) Ltd
- Iziko Museums of South Africa
- Japan Marine Supplies & Services
- Jayfish cc
- Kernel Marine (Pty) Ltd
- Khulani Fishing (Pty) Ltd
- Kobush
- Local Ward Councillors



- Lucky Star
- Masifundise Development Trust
- NamaquaRIGHTS
- Natural Justice
- North Western Cape Mining Forum
- Observatory Civic Organisation
- Oceana Group Limited
- Oceans Not Oil
- Pescaluna
- PetroSA
- Port Nolloth Abalone
- Port Nolloth Fish Factory
- Port Nolloth Fisheries
- Port Nolloth Sea Farm Ranching
- Premier Fishing
- Premier Fishing (SA) (Pty) Ltd
- Protect the West Coast
- Quayside Fish Suppliers Cape (Pty) Ltd
- Reige Visserye cc
- Risar Fishing
- SA Foundation for the Conservation of Coastal Birds
- South African National Biodiversity Institute
- South African Pelagic Fishing Industry Association (SAPFIA)
- SA Tuna Association
- South African Tuna Longline Association
- South African United Fishing Front
- Sunbird Energy
- Sungu Sungu Petroleum
- Tetra4
- Thombo Petroleum/Africa Energy corp
- Transnet SOC Ltd
- We Are South Africans
- West Coast National Park
- World Wildlife Fund

## **4 NOTIFICATION OF INTERESTED AND AFFECTED PARTIES**

This section provides details on the notifications that were distributed as part of the consultation process to date.

### **4.1 INITIAL NOTIFICATION OF KEY I&APS**

The PPP commenced on the 06<sup>th</sup> July 2022 with an initial notification and call to register ending on the 26 August 2022. Notification during this initial consultation was given in the manner described below.

#### **4.1.1 CONSULTATION WITH MUNICIPAL DEPARTMENTS**

Local Municipalities and District Municipalities located along the West Coast from Hout Bay to Port Nolloth were consulted to confirm the details of the Municipality representatives and the key stakeholders that they would identify as those who need to be consulted regarding the project including any small and large-scale fisheries. In cases where contact details of ward councillors were not available their details were requested from the municipality.

Please refer to

Appendix B 2 for proof of consultation with municipalities.

#### **4.1.2 NEWSPAPER AND GOVERNMENT GAZZETE ADVERTISEMENTS**

Two rounds of newspaper advertisements were placed. The advertisements described the proposed project and EIA process urging I&APs to register to receive notifications regarding opportunities to participate in the EA



process. The second round of adverts included an invite to the scheduled public meetings. Furthermore, a notice was placed in the National Gazette on the 19<sup>th</sup> August 2022

The newspaper advertisements and notice included the following information:

- Project name;
- Applicant name;
- Project location;
- Nature of the activity;
- Legislative requirements; and
- Relevant EIMS contact person for the project.

The advertisements and notices were placed as show in Table 2 below:

Table 2: Summary of Newspaper Advertisement Placement

Newspaper Details	Round 1 Publication Date	Round 2 Publication Date
Cape Times (English and IsiXhosa)	06 July 2022	13 July 2022
Sentinel News (English and Afrikaans)	08 July 2022	15 July 2022
Weslander (English and Afrikaans)	07 July 2022	14 July 2022
Ons Kontrei (English and Afrikaans)	08 July 2022	15 July 2022
Die Plattelander (English and Afrikaans)	08 July 2022	15 July 2022

Please refer to Appendix B 3 for proof of adverts and notices placed.

#### **4.1.3 REGISTERED LETTERS, FAXES AND EMAILS**

Notification letters in English, Afrikaans and isiXhosa were distributed to pre-identified I&APs through either registered mail, faxes, and/or emails.

The notification documents included the following information:

- List of anticipated activities to be authorised;
- Sufficient detail of the proposed development to enable I&APs to assess/surmise what impact the development will have on them or on the use of their land;
- The purpose of the proposed project;
- Details of the application processes associated with proposed activities;
- Details of the affected properties (including a locality map);
- Details of the South African environmental legislation that must be adhered to;
- Contact details of the EAP.

Please refer to Appendix B 4 for initial notification and proofs.



#### **4.1.4 SITE NOTICE PLACEMENT**

One hundred (100) A1 Correx site notices (in English, Afrikaans and IsiXhosa) were placed at 100 locations along the West Coast, stretching from Hout Bay to Port Nolloth on the 12<sup>th</sup>-15<sup>th</sup> July 2022. The on-site notices included the following information:

- Project name;
- Applicant name;
- Project location;
- Map of proposed project area;
- Project description;
- Legislative requirements; and
- Relevant EIMS contact person for the project.

Please refer to Appendix B 5 for proof of site notice and site notice distribution.

#### **4.1.5 CALL TO REGISTER PUBLIC MEETINGS**

An initial round of public meetings was hosted during the Call to Register phase of the project. I&APs were called upon to register and provide comment on the project.

##### **4.1.5.1 FOCUS GROUP MEETINGS**

A pre-application focus group meeting with the fisheries was held on the 25<sup>th</sup> and 26<sup>th</sup> July 2022 at the Hout Bay Public Library, Hout Bay and Sea Point Civic Centre, Cape Town, respectively, to present the scope of the proposed project, the anticipated impacts on fisheries and to source the concerns and comments of the potentially affected fisheries. The Fisheries expert had attended the meeting. Fisheries stakeholders were invited to attend the meeting. There were no attendees from the small and large scale fisheries, EIMS and the Fisheries specialist stayed at the venue for the full duration of the meeting. Please refer to Appendix B 6 for Fisheries Focus Group Meeting documentation.

##### **4.1.5.2 PUBLIC MEETINGS**

A series of public meetings with I&APs were held from the 25<sup>th</sup> - 30<sup>th</sup> July 2022 at various locations along the West Coast. Please refer to Table 3 below for a detailed breakdown of the meeting times and venues. A high level presentation of the proposed project's scope and the anticipated impacts was given to the I&APs. Comments and concerns regarding the project were captured in the meeting minutes. Please refer to Appendix B 6 for Public Meetings documentation.

## **4.2 NOTIFICATION OF REGISTERED INTERESTED AND AFFECTED PARTIES OF BASIC ASSESSMENT REPORT AVAILABILITY AND PUBLIC MEETINGS**

This subsection provides details on the public consultation carried out during the Basic Assessment Review period.

### **4.2.1 BASIC ASSESSMENT REPORT AVAILABILITY**

Notifications (in English, Afrikaans and isiXhosa) regarding the availability of the Basic Assessment Report were distributed to pre-identified and registered I&APs through either faxes, SMS and/or emails. The notification included details regarding where hard copies of the reports can be accessed and details of the public meetings to be held.

Contact details were provided to I&APs if they require assistance accessing the information or require copies of the reports.



The Basic Assessment Report and associated appendices were made available for public review and comment from the 09<sup>th</sup> of September 2022 on the EIMS website and hard copies were made available from the 12<sup>th</sup> of September 2022 in the various public venues to the 13<sup>th</sup> of October 2022 at the Hout Bay Public Library, Sea Point Public Library (Civic Centre), Vredenburg Public Library, Lamberts Bay Public Library, Hondeklip Bay Municipal building and the A.J Bekeur Public Library in Port Nolloth.

I&APs were notified that should they not be able to access and/or download the soft copy of the report due to data constraints, a data free website was created and the link would be made available on request.

Please refer to Appendix B 8 for proof of BAR availability and public meeting notification.

#### 4.2.2 BASIC ASSESSMENT REPORT REVIEW PUBLIC MEETINGS

A series of public meetings with I&APs were held from the 19<sup>th</sup> - 27<sup>th</sup> September 2022 at various locations along the West Coast. Please refer to Table 3 below for a detailed breakdown of the meeting times and venues. A presentation of the proposed project’s scope, specialist findings and the impact assessment was given to the I&APs. Comments and concerns regarding the project were captured in the meeting minutes.

Please refer to Appendix B 9 for Public Meetings documentation.

### 4.3 SUMMARY OF PUBLIC PARTICIPATION OPPORTUNITIES

The table below provides a summary of the opportunities provided to I&APs for participation in the public participation process to date.

Table 3: Opportunities Provided for Public Participation

PUBLIC PARTICIPATION PHASE			
ACTION	DESCRIPTION	PUBLICATION/PLACE	DATE
Initial Public Notification (announcement of project and call to register)	Newspaper advertisements (First Round)	Cape Times (English and IsiXhosa)	06 July 2022
		Sentinel News (English and Afrikaans)	08 July 2022
		Weslander (English and Afrikaans)	07 July 2022
Ons Kontrei (English and Afrikaans)		08 July 2022	
Die Plattelander (English and Afrikaans)		08 July 2022	
	Placement of site notices.	100 A1 site notices (English, Afrikaans and IsiXhosa) were placed along the coast from Hout Bay to Port Nolloth (100 placement locations).	12 - 15 July 2022
	Notification of other key I&APs.	Key I&APs were notified of the project via Email, Post and/or Faxes	14 July 2022
Public Meetings (Initial Ctr Phase)	Newspaper Advertisements with details of public meetings	Cape Times (English and IsiXhosa)	13 July 2022
		Sentinel News (English and Afrikaans)	15 July 2022
		Weslander (English and Afrikaans)	14 July 2022
		Ons Kontrei (English and Afrikaans)	15 July 2022
			15 July 2022



PUBLIC PARTICIPATION PHASE			
ACTION	DESCRIPTION	PUBLICATION/PLACE	DATE
		Die Plattelander (English and Afrikaans)	
	Notification of key and registered I&APs	Key I&APs were invited to the public meetings via Email, and/or Faxes	15 July 2022
	Radio adverts were aired notifying I&APs of the meetings	KFM (IsiXhosa) Radio Namakwaland (Afrikaans) Radio NFM	18 - 24 July 2022 21 – 22 July 2022 20 – 26 July 2022
	Fisheries Focus Group Meetings	Hout Bay Public Library Cape Town Sea Point Civic Centre	25 July 2022 (13:00 – 15:00) 26 July 2022 (13:00 – 15:00)
	Public Meetings	Hout Bay Public Library Cape Town Sea Point Civic Centre Saldanha Bay Hodjiesbaai Hotel Lamberts Bay Community Hall Hondeklip Bay Eric Baker Community Hall Port Nolloth Municipal Hall	25 July 2022 (16:00 – 18:00) 26 July 2022 (16:00 – 18:00) 27 July 2022 (16:00 – 18:00) 28 July 2022 (16:00 – 18:00) 29 July 2022(17:00 – 19:00) 30 July 2022 (10:00 – 12:00)
BAR availability and Public Meetings	BAR Availability Notification	Key I&APs were notified of the availability of the BAR via Email, Post and/or Faxes. The BAR was made available at the following venues: <ul style="list-style-type: none"> <li>• Hout Bay Public Library</li> <li>• Sea Point Public Library (Civic Centre)</li> <li>• Vredenburg Public Library</li> <li>• Lamberts Bay Public Library</li> <li>• Hondeklip Bay Municipal Building</li> <li>• A.J Bekeur Library (Port Nolloth)</li> </ul>	09 September 2022
	Physical Public Meetings	Life Church, Sea Point, Cape Town Hout Bay Public Library Steensberg Cove St Helena Bay Saldanha Bay Hodjiesbaai Hotel	19 September 2022 (16:00 – 18:00) 20 September 2022 (16:00 – 18:00) 21 September 2022 (10:00 – 12:00) 21 September 2022 (16:00 – 18:00)



PUBLIC PARTICIPATION PHASE			
ACTION	DESCRIPTION	PUBLICATION/PLACE	DATE
		Lamberts Bay Community Hall	22 September 2022 (16:00 – 18:00)
		Scotia Hotel, Port Nolloth	23 September 2022 (16:00 – 18:00)
		Eric Baker Hall, Hondeklip Bay	27 September 2022 (16:00 – 18:00)
	Virtual Public Meeting	Registered I&APs were notified of the virtual public meeting via Email, Post and/or Faxes.	05 October 2022
		The meeting was held on Microsoft Teams	10 October 2022

## 5 NOTIFYING INTERESTED AND AFFECTED PARTIES OF THE DECISION

Interested and Affected Parties will be notified via either fax, registered mail and/or email, where contact details are available of the decision once available including the appeal process should they wish to appeal the decision.

## 6 RECORD OF ISSUES RAISED

The comments presented in are those that have been received and addressed from 06 July 2022 to date and will be updated post the public review period of the BAR.

### 6.1 Summary of issues that were raised

A high-level summary of the comments raised to date are presented below.

- Effects on migratory patterns along the West Coast;
- Long term marine life impact if the survey finds exploitable resources;
- Impacts on marine life between the survey site and the coast and how this will impact the future of tourism and agriculture;
- Climate change impacts associated with oil and gas;
- Effects on fisheries and catch rates;
- Food security;
- Free Prior and Informed Consent in public participation processes;
- Public Consultation Process as a “tick box exercise”;
- Public want a representative from Searcher to attend the second round of meetings;
- Impact on indigenous cultural heritage, historical connection to the sea;
- Previous surveys conducted by Searcher outside of the EEZ;
- Searcher’s return to survey in South Africa following court case;
- EIMS’ independence if the applicant pays for the services rendered;



- Alternative technologies to seismic surveys;
- Cumulative impacts associated with concurrent surveys and other activities in the area;
- A lot of the communities are very poor. Concern that there will be no economic benefits for the communities as a direct result of the survey;
- SAHRA's comment to assess presence of maritime heritage/shipwrecks;
- Request for an opportunity for virtual engagements;
- Community benefits from the project;
- Damage to the seabed as a result of the survey;
- Comments on the potential displacement of marine life, disruption of mating and feeding patterns, potential beach strandings;
- Impacts on local tourism;
- Effectiveness of Marine Mammal Observers;
- Potential impacts on Marine Protected Areas and Critical Biodiversity Areas;
- Opposition of the project by various stakeholders;
- Enquiries regarding sound propagation and modelling undertaken;
- Reliability and independence of appointed specialists;
- Comments on assessment of alternatives;
- Lack of local baseline studies;
- Enquiry on EIMS' and applicant shareholders government and political affiliations;
- South Africa's climate change commitments and energy mix for the future;
- Perceived procedural irregularities;
- Need and desirability of the project.

All comments and/or queries received to date are included in this report and presented in Appendix B 11: Table of Correspondence and Appendix B 12: Correspondence Document for submission to the competent authority, the Petroleum Agency SA (PASA). Please refer to Appendix B 12 for proof of correspondence. Comments submitted post review period have also been added as Appendix B 10 to this report for competent authority consideration.

## **7 CONCLUSION AND RECOMMENDATIONS**

This report has been updated for submission to the competent authority, PASA, following the 30-day public review period of the Draft Basic Assessment Report and associated appendices for decision making.