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PUBLIC PARTICIPATION REPORT

PROPOSED TGS ORANGE BASIN RECONNAISSANCE PERMIT

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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



1 INTRODUCTION

TGS Geophysical Company (UK) Limited (hereafter referred to as the applicant - TGS) 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.

TGS proposes to undertake a 3D seismic survey off the West Coast of South Africa. The proposed project area is located between approximately 120 km offshore of St Helena Bay, extending north along the western coastline to approximately 230 km offshore of Hondeklip Bay over a number of petroleum licence blocks.

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"*¹. From this definition, it can be seen that the input of the public is regarded as very important indeed.

The Public Participation Process (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

¹ 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



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 TGS 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 16 August 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

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 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 1 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 Agency
- 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
- ADR Fishing (Pty) Ltd
- 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
- Hacky Fishing (Pty) Ltd
- 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 Fas 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)
- South African United Fishing Front
- Sunbird Energy
- Sungu Sungu Petroleum
- Tetra4
- Thombo Petroleum/Africa Energy corp
- Transnet SOC Ltd
- Umbono Energy Partners (UEP)
- 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 16 August 2022 with site notice placement followed by an initial notification and call to register which started on 22 August 2022. Notification during this initial consultation was given in the manner described below.

4.1.1 NEWSPAPER ADVERTISEMENTS

An initial round of newspaper advertisements has been published during August 2022. 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, as well as notifications of the scheduled public meetings.

The newspaper advertisements included the following information:

- Project name;
- Applicant name;
- Project location;
- Nature of the activity;
- Legislative requirements;
- Public meeting details; and
- Relevant EIMS contact person for the project:

The advertisements and notices were placed as follows:

Table 1: Newspaper Advertisements Details

Newspaper	Languages	Publication Date
Cape Times	English and IsiXhosa	19 August 2022
Sentinel News	English and Afrikaans	26 August 2022
Weslander	English and Afrikaans	25 August 2022



Newspaper	Languages	Publication Date
Ons Kontrei	English and Afrikaans	26 August 2022
Die Plattelander	English and Afrikaans)	26 August 2022

Please refer to Appendix 2 for proof of adverts and notices placed.

4.1.2 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 and/or SMS. Please refer to Appendix 3 for initial notification and proofs.

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.

4.1.3 SITE NOTICE PLACEMENT

One hundred (100) A2 Correx site notices (in English and Afrikaans) were placed at 100 locations along the West Coast, stretching from Hout Bay to Port Nolloth on the 16 -20 August 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 4 for proof of site notice and site notice distribution.

4.1.4 RADIO ADVERTISEMENTS

An initial round of Radio advertisements has been published during August/September 2022. 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 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 follows:

Table 2: Radio Advertisements Details

Radio Station	Languages	Publication Date
KFM	English	2-3 September 2022
Radio NFM	English and Afrikaans	26-31 August 2022
Radio West Coast	English and isiXhosa	31 August – 1 September 2022
Radio Namakwaland	English and Afrikaans	26-29 August 2022

Please refer to Appendix 5 for proof of adverts and notices placed.

4.1.5 PUBLIC MEETINGS

4.1.5.1 INITIAL PUBLIC MEETINGS

A series of public meetings with I&APs were held from the 29 August – 3 September 2022 at various locations along the West Coast. Please refer to Table 3 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.

Table 3: Initial Public Meeting Details

City/Town	Venue	Date	Time
Hout Bay	Hout Bay Public Library	Monday 29 August 2022	16:00 - 18:00
Cape Town	Life Conference Centre (Three Anchor Bay)	Tuesday 30 August 2022	16:00 – 18:00
Saldanha Bay	Hoedjies Bay Hotel	Wednesday 31 August 2022	16:00 – 18:00
Lamberts Bay	Community Hall	Thursday 1 September 2022	16:00 – 18:00
Hondeklip Bay	Eric Baker Hall	Friday 2 September 2022	16:00 – 18:00
Port Nolloth	Port Nolloth Country Club	Saturday 3 September 2022	10:00 – 12:00

Please refer to Appendix 6 for Public Meetings documentation.

4.1.5.2 DRAFT BAR PUBLIC MEETINGS

A second round of public meetings will be undertaken in order to present the findings of the Draft BAR to the public.

Table 4: BAR Review Public Meeting Details

City/Town	Venue	Date	Time
Port Nolloth	Port Nolloth Country Club	Monday, 31 October 2022	16:00-18:00



City/Town	Venue	Date	Time
Hondeklip Bay	Eric Baker Hall	Tuesday, 1 November 2022	16:00-18:00
Lamberts Bay	Community Hall	Wednesday, 2 November 2022	16:00-18:00
St Helena Bay	St Helena Community Hall	Thursday, 3 November 2022	10:00-12:00
Saldanha	Hoedjies Bay Hotel	Thursday, 3 November 2022	16:00-18:00
Cape Town	Life Conference Centre (Three Anchor Bay)	Friday, 4 November 2022	16:00-18:00
Hout Bay	Hout Bay Public Library	Saturday, 5 November 2022	10:00-12:00

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 15 August 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.

- I&AP registrations and deregistration;
- Notification/information document requests;
- Notification of I&APs registered on the previous Searcher application database;
- 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”;
- Impact on indigenous cultural heritage, historical connection to the sea;
- Overlap between the Searcher and TGS application areas;
- Lessons learnt from the Searcher and Shell court cases;
- EIMS’ independence if the applicant pays for the services rendered;



- Free Prior and Informed Consent in public participation processes;
- Alternative technologies to seismic surveys;
- Requests for mapping data;
- Objections to the proposed TGS Seismic Survey;
- Cumulative impacts;
- 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.

All comments and/or queries received to date are included in this report and presented in Appendix 7. Please refer to Appendix 8 for proof of correspondence.

7 CONCLUSION AND RECOMMENDATIONS

This report will be updated for submission to the competent authority, following the 30-day public review period of the Draft BAR and associated appendices.

**Appendix 1: I&AP Database**

Please note that in an effort to protect the personal information of the Registered I&AP's the contact information of the I&APs will not be made publicly available. Should you require access to this document for the purposes of fulfilling your obligations under the NEMA EIA Regulations or other lawful right, please feel free to contact the EIMS Information officer at 011 789 7170 or popia@eims.co.za



Appendix 2: Advertisements



Appendix 3: Initial Notification and Proof of Initial Notification

Please note that in an effort to protect the personal information of the Registered I&AP's, proof of the actual notification documents submitted to I&AP's will not be made publicly available. Should you require access to this document for the purposes of fulfilling your obligations under the NEMA EIA Regulations or other lawful right, please feel free to contact the EIMS Information officer at 011 789 7170 or popia@eims.co.za.



Appendix 4: Site Notice Placement and Proof of Placement

Please note that in an effort to protect the personal information of the Registered I&AP's, proof of the actual notification documents submitted to I&AP's will not be made publicly available. Should you require access to this document for the purposes of fulfilling your obligations under the NEMA EIA Regulations or other lawful right, please feel free to contact the EIMS Information officer at 011 789 7170 or popia@eims.co.za.



Appendix 5: Radio Advertisements



Appendix 6: Public Meetings Documentation

Please note that in an effort to protect the personal information of the Registered I&AP's copies of the notification proof will not be made publicly available. Should you require access to this document for the purposes of fulfilling your obligations under the NEMA EIA Regulations or other lawful right, please feel free to contact the EIMS Information officer at 011 789 7170 or popia@eims.co.za



Appendix 7: Table of Correspondence



Appendix 8: Correspondence Document

Please note that in an effort to protect the personal information of the Registered I&AP's copies of the notification proof will not be made publicly available. Should you require access to this document for the purposes of fulfilling your obligations under the NEMA EIA Regulations or other lawful right, please feel free to contact the EIMS Information officer at 011 789 7170 or popia@eims.co.za