

# NGOs

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**From:** Neil Knott <>  
**Sent:** Thursday, 02 February 2023 12:30  
**To:** TEEPSA EIA  
**Subject:** Extinction Rebellion (XR) Nelson Mandela Bay (NMB) object to Total's plan to drill and build new gas pipelines off Mossel Bay in the Outeniqua Basin.

This is to inform you (teepsaEIA) that registered members of Extinction Rebellion (XR) Nelson Mandela Bay (NMB) strenuously object to TotalEnergies EP South Africa B.V.'s plan to drill and build new gas pipelines off Mossel Bay in the Outeniqua Basin (Block 11B/12B).

On behalf of XR NMB members, Neil and I as co-founders of the XR NMB chapter have tried to register XR NMB as an interested party at the data-free website (<https://wsp-engage.com/total-11B12B/>). However, how to do so is opaque to us, so please advise on how exactly we should register XR NMB before 3 Feb 2023.

sincerely

Anne and Neil Knott

On Thu, Feb 2, 2023 at 11:00 AM :

>

> !! 🌊 OFF-SHORE DRILLING 🌊 !!

>

> Organisations and Individuals have until 3 February to object/ comment on Total's plan to drill and build new gas pipelines off Mossel Bay in the Outeniqua Basin. Why does this concern us all?

>

> 1. Lies in the middle of the Agulhus Current that is a major highway for Whale and Sardine migration.

> 2. Borders on a Marine Protected area.

> 3. Certain Government officials and their buddies stand to gain massively from the proposed x R8 billion annual income.

> 4. Have you heard about Karpowership??

> 5. Gas and Oil is a super high risk to the environment, tourism and other economic endeavors along coastline.

> 6. Contribute to green-house gases and release of carbon stores of seabed sediment.

> etc etc

>

> The ESIA being done by WSP (A consulting firm that consults both on environmental and oil and gas drilling industry - conflict of interest much?) has been snuck through the eastern Cape and ignored the greater Western Cape.

>

> The most terrifying thing is if this is allowed, it will open our entire coastline to oil and gas companies and we will be sitting in hearings for possibly decades to come. We have to make a stand now (see map).

>

> We need EVERYONE to comment. We did this before for Shell, and we can do this again. Please raise your voices South Africa! And be prepared, this is not the end of it.

>

> To object: register as an interested party at the data-free website <https://wsp-engage.com/total-11B12B/>, sending a WhatsApp message to WSP at +27 (0) 76 694 3842, or emailing them at [teepsaEIA@wsp.com](mailto:teepsaEIA@wsp.com). Those who register before 3rd of February will have an additional opportunity to comment in March or April once the specialist studies have been completed.

- >
- > #totaldestruction
- > #totalfallacy
- > #totallyunforgivable

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**From:** Keep Fin Alive #Finhugger <>  
**Sent:** Wednesday, 01 February 2023 14:06  
**To:** TEEPSA EIA; ZA - GLD - Teepsa Esia  
**Subject:** Appeal Against Drilling

To whom it may concern

The impact on our marine habitat resulting from TotalEnergies' proposed offshore exploration could be devastating. Seismic profiling has received minimal scientific scrutiny and in South Africa, there has only been one study on the impact of seismic surveys. Despite the lack of research, common knowledge tells us that the exploration will have a negative effect on our marine life.

During seismic profiling, air gun shots are relentlessly fired every 10-15 seconds and these sounds have been detected over 3,000 km away from the point of origin. Whales, dolphins and other marine species are highly dependent on sound for navigation, communication and survival.

The proposed exploration area is just 60kms from shore, yet, the activity could modify the behaviour of whales and dolphins up to 66 km. This includes South Africa's most endangered marine mammal, the Indian Ocean humpback dolphin (*Sousa plumbea*). And it's not just the larger species that can be impacted. An Australian study concluded that marine seismic surveys cause a two to three-fold increase in the mortality of zooplankton, a species that plays a significant role in the carbon cycle and marine food web.

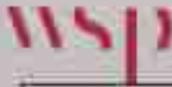
If we look at the 10 000 km<sup>2</sup> proposed location of interest for drilling, it encompasses a significant offshore MPA, the Southeast Atlantic Seamounts. It's impossible to know how badly this will impact the marine biodiversity that relies on this MPA.

The benefits projected by TotalEnergies, that "up to 177 local people could be appointed on the proposed project for up to six months", is paltry in comparison with the potential for job creation and skills development within the Cape's blue economy. We need to turn our focus to the vast social and economic benefits of renewable energy and the sustainable use of our ocean and marine resources. The renewable energy industry alone could create 10's of thousands of new jobs each year in South Africa. The spotlight is already on climate action with COP27 emphasising that all countries should be striving towards reducing emissions and transitioning to renewable energy. Does South Africa really want to be known for making more effort in the fossil fuel industry?

In my opinion, there should be no seismic activity permitted without a conclusive understanding of the full impact on our marine habitat and its inhabitants, which can only be discovered through extensive scientific research over a number of years.

Yours sincerely

Esther Jacobs, conservation manager at Fire Island Conservation and founder of Keep Fin Alive.



Scoping and Environmental Impact Assessment (S&EIA) process for the proposed offshore Production Right and Environmental Authorisation Application for Block 11B/12B by TotalEnergies EP South Africa B.V.

Registration, Comment and Reply Form

Draft Scoping Report: Thursday 01 December 2022 to Friday 03 February 2023

Note: This is an opportunity to register as an ISAP for the Scoping and Environmental Impact Assessment (S&EIA) process. By registering as an ISAP on the proposed project, you agree to receive information about the proposed project during the regulatory S&EIA process. You also agree to receive information about the S&EIA, public participation process and opportunities to contribute comments.

Personal Information			
Title	First Name	Surname	Organisation / Department (If applicable)
Mrs.	Linda	Arker	Green Connection
Contact Details			
Mobile Number	Land Line Contact Number		Email / Fax Number
		Office	
		Home	
Do you want to register as an Interested and Affected Party?			
Please register me as an interested and affected party (ISAP) for this project so that I may receive further information and notifications as the project develops			<input checked="" type="radio"/> YES <input type="radio"/> NO
Please include my details on WSP's database to contact me about future projects in my area			<input checked="" type="radio"/> YES <input type="radio"/> NO
In terms of the EIA Regulations, 2014 (as amended), I disclose below any direct business, financial, personal, or other interest that I may have in the approval or refusal of the application:	Date	N/A	
	Signature		

For Internal Use to confirm capture of stakeholder details into the stakeholder database	
Stakeholder details reference number	Signature of data capture

By registering as a stakeholder permission is hereby given in terms of the Protection of Personal Information Act for your contact details to be held securely to keep you informed about this project. WSP Group Africa as a good corporate citizen complies to the POPIA and confirms that your details will be kept confidential and will not be shared with any third party without your prior consent, other than the local authority should they request stakeholder details.

## COMMENT(S)

You are welcome to use additional pages should you so wish.

I have the following comments to make regarding this proposed project and/or the public participation process:

- ① We have a climate crisis all over the world what is total plan to deal with this -
- 2) What alternatives could be considered
- 3) Aquaculture is a huge issue. Needs must be dealt with properly. How will this be done
- 4) What is the plan for a possible disaster what worst case planning will be put in place.
- 5) How will the health of the community be protected
- 6) What jobs will be lost if this goes ahead.

You are welcome to distribute this form to friends/colleagues who may be interested in the proposed project so that they also can register as interested and affected parties.

- 7) Will oil caps be long lasting and monitored

Please return the Registration, Comment and Reply form to:

WEST Group Africa (Pty) Ltd  
PUBLIC PARTICIPATION OFFICE  
P.O. Box 6001, Halfway House, 1686  
Tel: (011) 254 4800  
Fax: (086) 582 1501  
WhatsApp: 075 094 3512  
E-mail: [2022@EASWAP.co.za](mailto:2022@EASWAP.co.za)

THANK YOU!



**To:** The Environmental Impact Assessment Practitioner  
WSP Group Africa (Pty) Ltd  
Per email: [teepsaEIA@WSP.com](mailto:teepsaEIA@WSP.com) / [gld.teepsaesia@wsp.com](mailto:gld.teepsaesia@wsp.com)

**From:** The Green Connection  
Per: Liziwe McDaid  
Email:

**Natural Justice**  
Per: Melissa Groenink  
Email:

**Date:** 3 February 2023

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**ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT THE PROPOSED OFFSHORE PRODUCTION  
RIGHT AND ENVIRONMENTAL AUTHORISATION APPLICATIONS FOR BLOCK 11B/12B**

**REF NO: 12/4/13 PR**

***COMMENTS ON THE DRAFT SCOPING REPORT***

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**INTRODUCTION**

These submissions are made by The Green Connection and Natural Justice in response to the Draft Scoping Report published for comment by WSP Group Africa (Pty) Ltd for the proposed offshore production right and environmental authorisation applications for Block 11B/12B on 2 December 2022. Comments are due on 3 February 2023.

The Green Connection is a registered non-governmental organisation, that believes 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. It aims to provide practical support to both the government and non-governmental/civil society sectors, which are an integral part of sustainable development.

Natural Justice: Lawyers for Communities and the Environment is a non-profit organisation specialising in environmental and human rights law in Africa – with a focus on the pursuit of social and environmental justice for local and indigenous communities. Natural Justice offers direct support to local and indigenous communities impacted by the ever-increasing demand for land and natural resources.

On 20 January 2023, Green Connection and Natural Justice submitted comments to Petroleum Agency SA in response to the section 10 Notice inviting comment on TEEPISA's application for a production right for this block.

The organisations have an interest in this project, in the interests of the protecting the environment, in the interests of protecting the local and indigenous peoples and communities who will be impacted, as well as in the public interest.

### **OBJECTION TO THE EXPLOITATION OF OIL AND GAS RESOURCES**

The extraction, processing, storage, transport and end-use of oil and gas from the proposed production operations will result in unacceptable significant emissions of greenhouse gases (GHGs), increasing atmospheric GHG levels and resulting in increased adverse impacts on human health and well-being and on the environment (species and ecosystems). Impacts on human health and well-being are likely to include (among others) impacts from increased adverse environmental effects, impacts on food availability and affordability, loss of property due to sea-level rise, direct impacts of catastrophic weather events, and deterioration in physical and mental health and well-being. Environmental impacts are likely to include (among others) increased temperatures, worsening and prolonged droughts, longer and more intense heatwaves, increases in extreme weather events, increased ocean acidity, decline in ecosystems and habitat, and increased rates of species extinction.

These impacts are significant and unacceptable.

The exploitation of oil and gas resources, and specifically as proposed in this application, is not needed or desirable. Globally, the proven reserves of oil and gas far exceed what can be used without causing catastrophic climate change. There is already sufficient proven oil to supply over double the emissions consistent with 1.5°C, whilst already proven gas resources are nearly three times more than the 1.5°C budget.

As a party to the United Nations Framework Convention on Climate Change (UNFCCC) and the Paris Agreement, South Africa has committed to limiting the increase in the global average temperature to well below 2°C and to pursue efforts to limit the temperature increase to 1.5°C. South Africa is not, however, on track to meet these commitments. According to the Climate Action Tracker, *“South Africa’s climate policies and commitments need substantial improvements to be consistent with the Paris Agreement’s 1.5°C temperature limit.”*<sup>1</sup> If all countries followed South Africa’s “insufficient” approach to

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<sup>1</sup> Climate Action Tracker, South Africa, <https://climateactiontracker.org/countries/south-africa/>.

climate mitigation, “warming would reach over 2°C and up to 3°C.”<sup>2</sup> Approving more oil and gas projects, including offshore exploration and production, would push South Africa further away from achieving its international climate commitments.

As the public trustee of the environment generally, of biological diversity, of protected areas, and of coastal public property, the State must take measures to ensure that our oceans are used, managed, protected, conserved and enhanced in the interests of the whole community, for the benefit of present and future generations. The phase out of oil and gas is urgently needed to avert the climate crisis, to protect and promote the State’s obligations to provide basic necessities such as water, food, shelter and an environment that is not harmful to health or well-being.

Given this, the exploitation of oil and gas is not needed, is undesirable, is locally and globally irresponsible, is contrary to South Africa’s international climate change and biodiversity commitments, and contravenes the State’s obligations under section 24 of the Constitution. The Green Connection and Natural Justice object to the authorisation of the proposed production activities.

## **COMMENTS ON THE DRAFT SCOPING REPORT**

Notwithstanding the above, we provide further comments on the Draft Scoping Report and ESIA in general. In our view, upon full and proper assessment, the impacts associated with production will be found to be highly significant and unacceptable, and the environmental authorisation should be refused.

### **1. The ESIA must comprehensively assess the marine impacts of the project**

1.1. The ESIA must use appropriate methods for modeling the impacts of a well blowout and other operational & unexpected spills or leaks of methane and gas condensate into the environment.

1.1.1. Accurate modeling of the fate of methane from blowout or leak must consider the depth of the emission, its force and maximum quantities emitted given realistic timeframes for gaining control of the well, and the depth of the well. Studies show that methane can cause depletions in oxygen levels and acidification when dissolved in the marine environment, and contribute directly to climate change when methane bubbles reach the surface.<sup>3</sup>

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<sup>2</sup> Climate Action Tracker, South Africa, <https://climateactiontracker.org/countries/south-africa/policies-action/>.

<sup>3</sup> Sarah C. Weber *et al.*, *Hercules 265 rapid response: Immediate ecosystem impacts of a natural gas blowout incident*, 129, *Deep Sea Research Part II: Topical Studies in Oceanography*, 66–76 (2016), <https://www.sciencedirect.com/science/article/pii/S0967064515003501>.

Isabel C. Romero *et al.*, *Tracking the Hercules 265 marine gas well blowout in the Gulf of Mexico*, 121, *Journal of Geophysical Research: Oceans*, 706–724 (2016), <https://onlinelibrary.wiley.com/doi/abs/10.1002/2015JC011037>.

- 1.1.2. Accurate modeling of the fate of gas condensate from a spill or blowout requires prerequisite studies of the composition of particular condensate from the field being drilled, and lab studies of its fate in the environment. This is standard practice for gas condensate associated with Norwegian offshore oil and gas production.<sup>4</sup>
- 1.2. The ESIA must assess the immediate and chronic impacts of sonar and seismic surveys. Table 5-4: Summary of Sonar Survey states that the following will be equipment/source specifications of those surveys: Multi-beams Echo Sounder, Side Scan Sonar, Sub-bottom Profiler, and Ultra-High Resolution Seismic.<sup>5</sup> It is unclear whether the last, Ultra-High Resolution Seismic, refers to Vertical Seismic Profiling, or to ultra-high resolution 3D seismic surveys. In either case, the ESIA must explain the process to which this reference refers, and must carefully examine the full footprint of acoustics and impacts of any seismic and sonar studies.
- 1.3. The ESIA must consider acoustic impacts on all species. Many marine species, beyond marine mammals, depend on sound and acoustic cues for vital biological functions. These surveys are to be used to investigate the bathymetry, including where the pipeline is to be laid, and will be conducted in a marine Critical Biodiversity Area; currently the Draft Scoping Report only considers impacts to marine mammals (the baseline information for which, as noted below, is inadequate) and not to any of the other acoustically-dependent marine species and their important biological functions.

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D. F. McGinnis *et al.*, *Fate of rising methane bubbles in stratified waters: How much methane reaches the atmosphere?*, 111, *Journal of Geophysical Research: Oceans* (2006), <https://onlinelibrary.wiley.com/doi/abs/10.1029/2005JC003183>.

J. E. Olsen *et al.*, *Observations of Rising Methane Bubbles in Trondheimsfjord and Its Implications to Gas Dissolution*, 124, *Journal of Geophysical Research: Oceans*, 1399–1409 (2019), <https://onlinelibrary.wiley.com/doi/abs/10.1029/2018JC013978>.

Lin Zhao *et al.*, *Evolution of bubble size distribution from gas blowout in shallow water*, 121, *Journal of Geophysical Research: Oceans*, 1573–1599 (2016), <https://onlinelibrary.wiley.com/doi/abs/10.1002/2015JC011403>.

A. Biastoch *et al.*, *Rising Arctic Ocean temperatures cause gas hydrate destabilization and ocean acidification*, 38, *Geophysical Research Letters* (2011), <https://onlinelibrary.wiley.com/doi/abs/10.1029/2011GL047222>;

Fenix Garcia-Tigeros *et al.*, *Estimating the Impact of Seep Methane Oxidation on Ocean pH and Dissolved Inorganic Radiocarbon Along the U.S. Mid-Atlantic Bight*, 126, *Journal of Geophysical Research: Biogeosciences*, e2019JG005621 (2021), <https://onlinelibrary.wiley.com/doi/abs/10.1029/2019JG005621>.

<sup>4</sup> Jane H.C. Øksenvåg *et al.*, *Sigyn condensate – properties and behaviour at sea*, (2017), [https://sintef.brage.unit.no/sintef-xmlui/bitstream/handle/11250/2450947/Sigyn\\_Final%2breport.pdf?sequence=2&isAllowed=y](https://sintef.brage.unit.no/sintef-xmlui/bitstream/handle/11250/2450947/Sigyn_Final%2breport.pdf?sequence=2&isAllowed=y).

Lei Chen, Jiayan Yang & Lixin Wu, *Modeling the Dispersion of Dissolved Natural Gas Condensates From the Sanchi Incident*, 124, *Journal of Geophysical Research: Oceans*, 8439–8454 (2019), <https://onlinelibrary.wiley.com/doi/abs/10.1029/2019JC015637>.

Andrew P. Negri *et al.*, *Derivation of toxicity thresholds for gas condensate oils protective of tropical species using experimental and modelling approaches*, 172, *Marine Pollution Bulletin*, 112899 (2021), <https://www.sciencedirect.com/science/article/pii/S0025326X21009334>.

E. Kababu *et al.*, *Effects of crude oil and gas condensate spill on coastal benthic microbial populations*, 10, *Frontiers in Environmental Science* (2022), <https://www.frontiersin.org/articles/10.3389/fenvs.2022.1051460>.

<sup>5</sup> Draft Scoping Report p. 27.

- 1.4. The ESIA needs to detail how impacts during Humpback whale and Southern Right Whale migration periods will be mitigated.
- 1.5. The ESIA needs to detail how operational spills and leaks will be mitigated during spawning periods.
- 1.6. The ESIA acoustic analysis must look carefully at behavioural responses driven by acoustic harms, and not just temporary and permanent threshold shifts. This analysis must also give consideration to ambient and project noise in decidecade frequency bands to ensure that impacts on marine organisms with different hearing ranges can be accurately quantified.
- 1.7. Fig 7-5, of the Draft Scoping Report states the following- *“Therefore, it is expected that existing underwater noise levels in the vicinity of the Project are significantly impacted by existing vessel traffic”*. The ESIA should incorporate the ambient soundscape, as well as other operational noise contributors, such as helicopters, drilling, dynamic positioning system etc.<sup>6</sup>
- 1.8. The Draft Scoping Report, at Table 5.3, cites the use of explosives. The ESIA needs to outline various permits required for this activity.<sup>7</sup>
- 1.9. With regards to the section on turtles as outlined within the current draft scoping report, the section requires revision in order to reflect that South Africa hosts 5 species.<sup>8</sup>
- 1.10. The ESIA must consult the most recent literature and consider the strandings of ‘smaller cetaceans’ along the coastline, with specific reference to the extremely high numbers of Kogia species.<sup>9</sup>
- 1.11. In the Draft Scoping Report the IUCN status and endemism of the African Penguin is downplayed. The ESIA should include an in depth review of this population given the dramatic decline over the last 2 decades.<sup>10</sup>
- 1.12. The Draft Scoping Report mentions the Convention of Migratory Species (CMS) and that CITES regulations are appropriate, but listed species in CMS and in CITES are not mentioned (except the white shark). The obligations for which South Africa is a signatory to CMS and CITES is poorly written. Furthermore, species in marine TOPS regulations are not mentioned. The ESIA needs to unpack all these legislative tools as well as the species which will be affected in the proposed area.
- 1.13. The Draft Scoping Report mentions under the section *“Potential impacts of the Project on EBSAs in the area surrounding Block 11B/12B”*: that light will be considered. Light pollution and

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<sup>6</sup> Draft Scoping Report at Page 41.

<sup>7</sup> Draft Scoping Report at page 24.

<sup>8</sup> Draft Scoping Report at page 49.

<sup>9</sup> Draft Scoping Report at page 55.

<sup>10</sup> Section 7.2.8 of the Draft Scoping Report at page 61.

impacts on biological processes should be fully explored, and not just on the impacts on EBSA's.<sup>11</sup>

1.14. The ESIA should deal with invasives and alien species in detail and the risks for South Africa, given that ships, drilling equipment and rigs are used and relocated around the world for these types of projects.

1.15. The National Environmental Management: Integrated Coastal Management Act requires, in terms of section 63, that additional relevant factors are taken into account in an application for environmental authorisation for coastal activities. The Scoping Report fails to identify these factors, or indicate how they will be assessed in the ESIA.

## **2. The ESIA must comprehensively assess the full lifecycle climate impacts of the project**

2.1. Globally, the proven reserves of oil and gas far exceed what can be used without causing catastrophic climate change.

2.2. According to recent reports by leading energy experts, development of new gas fields at this time is incompatible with a 1.5°C pathway. See, for example, the following:

2.2.1. *“ . . . capital and operational expenditures for the exploration and extraction of oil and gas in new fields—which are incompatible with selected IPCC and IEA 1.5°C pathways—are expected to reach USD 570 billion annually by 2030 (Rystad Energy, 2022). By themselves, these investments would suffice to bridge the entire investment gap for wind and solar in 2030. . . . Preventing investments in any oil and gas fields beyond those already under development is essential to limiting temperature rise to 1.5°C, and could additionally free up a significant sum of capital required to fill the wind and solar investment gap.”*<sup>12</sup>

2.2.2. *Beyond projects already committed as of 2021, there are no new oil and gas fields approved for development in our pathway, and no new coal mines or mine extensions are required. The unwavering policy focus on climate change in the net zero pathway results in a sharp decline in fossil fuel demand, meaning that the focus for oil and gas producers switches entirely to output – and emissions reductions – from the operation of existing assets.*<sup>13</sup>

2.3. The ESIA must take this reality into account when assessing the significance of climate impacts, especially with regard to its proposal to engage in more exploratory well drilling.

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<sup>11</sup> Draft Scoping Report at page 103.

<sup>12</sup> IISD, [Navigating Energy Transitions](#) (Oct. 2022) at 27.

<sup>13</sup> International Energy Agency, [Net Zero by 2050](#) (2021) at 21.

- 2.4. The climate change impact assessment must include a comprehensive life-cycle assessment, including upstream and downstream emissions and impacts associated with the proposed production and ancillary activities.
- 2.5. Climate change is likely to result in more frequent and more extreme weather events, which is particularly significant as the exploration activities will already be occurring in a dynamic ocean environment, in an area of already high volatility due to the Agulhas current. This existing volatility is recognised in the Scoping Report,<sup>14</sup> and increased volatility of the ocean must be taken into account in this assessment.

### **3. The ESIA must accurately describe baseline environmental conditions**

- 3.1. Baseline environmental conditions must be described and impacts assessed with reference to the most recent available literature.
- 3.2. According to the Draft Scoping Report, knowledge of the baseline of cetaceans in and around Block 11B/12B is very limited and outdated. Given how quickly cetacean distribution and feeding and breeding patterns are changing as a result of changing ocean temperatures and resource availability, this gap in knowledge must be remedied by new surveys that cover all seasons over at minimum two years.
  - 3.2.1. “While current data is available on species distribution and abundance of cetaceans in Block 11B/12B for two baleen whale species, the humpback whale *Megaptera novaeangliae* and southern right whale *Eubalaena australis*, almost all data is limited to the nearshore continental shelf (Pisces 2019). Indeed, the majority of information available on the seasonality and distribution of large whales offshore (>200 m deep) is based on commercial whaling data from the 1960s (Pisces 2014). Even historical data from commercial whaling activities, or government run cruises between 1975 and 1986, mostly occurred inshore of Block 11B/12B (Findlay et al. 1992, Pisces 2019). Information on abundance, distribution or seasonality of smaller cetaceans (including the beaked whales and dolphins) known to occur in oceanic waters off the shelf south of the Agulhas Bank is particularly poor (Pisces 2019).”<sup>15</sup>
- 3.3. Given this lack of baseline information, a precautionary approach should be taken, such that where the impacts of production cannot be accurately predicted, the activity should not be authorised.

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<sup>14</sup> “The strong Agulhas Ocean current, coupled with the high wind and waves, make the harsh metocean conditions a challenge for especially the installation / construction phase of the project.” pg 35

<sup>15</sup> Draft Scoping Report, p. 54-55.

#### 4. The ESIA must undertake comprehensive public participation to achieve meaningful consultation

- 4.1. Recent judicial precedents must be applied in ensuring that effective and meaningful consultation is achieved, through genuine, *bona fide* substantive two-way processes aimed at achieving, as far as possible, consensus, especially in relation to what the process entails, and the import thereof.<sup>16</sup> Insofar as they do not, and have not, these processes run contrary to NEMA and the Constitution.
- 4.2. TEEPSEA should use methods of communication with stakeholders that result in meaningful consultation - if previous public consultation processes are any indication, this is not always the case. For example, with respect to the exploratory well drilling in Block 5/6/7, representatives of the Gourikwa Khoisan Stamhuis and Khoisan Traditional Council were invited via email to a Focus Group Meeting, and there was only one follow-up discussion with Chief Barry Jacobs. In the end, no meeting materialised.<sup>17</sup> The Draft Scoping Report for this application similarly proposes to distribute the notification letter, registration and comment sheet via email and online through WSP's website, noting only that other mechanisms for reaching I&APs, such as radio announcements and flyers, "will also be considered."<sup>18</sup> The production right consultation process should actually reach all potentially affected community members, and meeting invitations should not only be sent through electronic means, since it has proven ineffective at reaching remote communities who may be harmed by the project.
- 4.3. The traditional authorities and leadership structures of impacted groups must be specifically engaged. However, consultation must extend beyond these authorities and structures to ensure that communities participate. Monarchs and leadership cannot make representations on behalf of all community members.<sup>19</sup>
- 4.4. The scope of the assessment of impacts ought to be extended to include impacts to communities beyond the parameters of the Mossel Bay Municipality. It should include, *inter alia*, communities living in other areas along the east coastline beyond the immediate vicinity of the production area.
- 4.5. The list of communities and groups who will be consulted as part of the heritage impact assessment process should have been made available to interested and affected parties during the scoping phase in order for I&APs to identify gaps in the proposed consultation and assessment process. The EIA Regulations require that the person conducting the public

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<sup>16</sup> *Sustaining the Wild Coast NPC and Others v Minister of Mineral Resources and Energy and Others* (3491/2021) [2022] ZAECMKHC 55 [95].

<sup>17</sup> TotalEnergies, *ESIA for Exploration Well Drilling in Block 5/6/7 off the South-West Coast of South Africa* at 53 (Dec. 2022), [https://cdn.slrconsulting.com/uploads/2022-12/TEEPSA\\_567\\_ESIA\\_Drill\\_FEIR\\_221115\\_FINAL\\_Optimized.pdf](https://cdn.slrconsulting.com/uploads/2022-12/TEEPSA_567_ESIA_Drill_FEIR_221115_FINAL_Optimized.pdf).

<sup>18</sup> Draft Scoping Report at 92.

<sup>19</sup> *Sustaining The Wild Coast NPC and Others v Minister of Mineral Resources and Energy and Others* (3491/2021) [2021] ZAECGHC 118 [26].

participation process ensure that “(a) information containing all relevant facts in respect of the application or proposed application is made available to potential interested and affected parties”.<sup>20</sup> These relevant details include a list of which communities will be consulted, the methodology used to identify the communities to be consulted, the proposed methodology for the consultation itself, and whether the proposed project has been subject to any prior consultation thus far. The Draft Scoping Report fails to include this crucial information and has therefore deprived interested and affected parties of their right to review and comment on the development of the methodology to be adopted and to identify which cultural groups or communities will be consulted.

- 4.6. By relying solely on the EAP’s own information to identify potential I&APs, important groups may be excluded. In *Sustaining the Wild Coast and Others v Minister of Mineral Resources and Energy and Others*, the Eastern Cape High Court found that public participation was inadequate where a database was compiled through “analysis of potential stakeholders and based on stakeholders engaged in previous similar studies in the area” and where the company declined to give further details about how the database was created.<sup>21</sup>
- 4.7. Though it appears from the Scoping Report that TEEPSA is relying heavily on an existing database of potential I&APs, the Scoping Report does not provide sufficient information, as required by the EIA Regulations, to facilitate comment on the adequacy and accuracy of the I&AP database and community outreach efforts.
- 4.8. Stats SA should be identified as a relevant government agency that must be consulted, particularly as it is key enabler of natural capital accounting (NCA), with a mandate to promote the use of official statistics within policy development, policy monitoring and evaluation as well as decision-making efforts, particularly in aspects relating to environmental management such as the Sustainable Development Goals (SDGs) and the Post-2020 Global Biodiversity Framework.

## **5. The ESIA must consider a full cost benefit analysis, factoring in the social costs of carbon**

- 5.1. It does not seem that the TEEPSA have included within their scope of assessment, an assessment of the estimated cost of damages that will result from every additional ton of carbon ) emitted into the atmosphere due to this particular project. The externalized costs of climate change aggravating activities on the marine environment and the local communities must be assessed. These damages include, but are not limited to, sea level rise, severe weather, melting

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<sup>20</sup> EIA Regulations, section 41(6)(a).

<sup>21</sup> *Sustaining the Wild Coast NPC and Others v Minister of Mineral Resources and Energy and Others* (2022) 1 All SA 796 (ECG) para 21.

permafrost, ocean acidification, and ecosystems shifts.<sup>22</sup> Assigning no value at all to future harms from climate change is inappropriate and misleading.

- 5.2. The assessment scope should include identifying the projected gross tonnes emissions associated with direct emissions and indirect emissions. For direct emissions these calculations should include the emissions resulting from the construction, operational, decommissioning and reclamation phases of the processing facility, the marine terminal and likely nearby related infrastructure. Scoping determinations would have to be made with respect to upstream and downstream emissions such as emissions associated with construction, operation, decommissioning and abandonment of gas pipelines as well as extraction, gathering, and refining. Gross and net downstream emissions must be factored in.
6. As part of the need to consider a full cost benefit analysis, scope for the consideration of natural capital accounting should be extended. Natural Capital Accounting (NCA) provides a common framework for measuring and tracking over time the contribution of ecosystems and natural resources to social and economic goals, such as water security, food security and job creation, and provides a wealth of information that can improve planning and decision-making related to the management of natural resources. The underlying premise for NCA is that since the environment is important to society and the economy, it should be recognized as an asset that must be maintained and managed, and its contributions better integrated into decision making. Ecosystem accounting incorporates a wider range of benefits to people than those captured in standard economic accounts, and provides a structured approach to assessing the dependence and impacts of economic and human activity on the environment.
- 7. The ESIA must consider feasible technological alternatives to the project as required by section 24O(1)(b)(iv) NEMA, including as part of its assessment of need and desirability.**
  - 7.1. As the report notes, NEMA requires applicants to consider *“different means of meeting the general purpose and requirements of the activity, which may include alternatives to (a) the property on which or location where it is proposed to undertake the activity; (b) the type of activity to be undertaken; (c) the design or layout of the activity; (d) the technology to be used in the activity; and (e) the operational aspects of the activity.”*<sup>23</sup>
  - 7.2. The Draft Scoping Report only identifies alternatives related to oil and gas production. It does not explore any “activity alternatives” because “[t]he location of the proposed project is constrained to the location of the gas, condensate and oil rim resource and confirmed

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<sup>22</sup> Simon Evans et al., “The Social Cost of Carbon” (February 2017) The Carbon Brief, online:

<sup>23</sup> Draft Scoping Report at 33.

reserves.”<sup>24</sup>. Yet, the “general purpose” of the activity can be achieved through renewable energy, such as offshore wind.

- 7.3. The Draft Scoping Report justifies the need for natural gas production “as one element in the mix of technologies that will secure energy generation capacity going forward” - “a bridge on the path from reliance on fossil fuel to carbon-neutrality” and complementary to renewable energy sources.<sup>25</sup> The report also touts the project’s socio-economic benefits in the form of jobs related to operating the FA Platform and associated infrastructure and the PetroSA GTL refinery, which would use the gas and condensates from the project.
- 7.4. Investing in a renewable energy project like an offshore wind farm would yield these environmental and socio-economic benefits and more, without posing the threat of harmful oil spills that are expensive to clean up. Total is not new to the offshore energy sector. There are currently 10 projects in its offshore wind portfolio, one of which is the Seagreen Offshore Wind Farm - Scotland’s largest offshore wind farm.<sup>26</sup> Once operational in the second quarter of this year, Seagreen’s 114 turbines are expected to power 1.6 million homes and displace 2 million tonnes of carbon dioxide from fossil fuel generation.<sup>27</sup> Unlike oil and gas production, which, as the report acknowledges, is limited by the location of existing reserves, wind turbines may be able to occupy a greater percentage of Block 11B/12B.<sup>28</sup> Offshore wind projects also create jobs spanning several occupations and roles, with a concentration in the manufacturing and supply chain.<sup>29</sup> With regards to areas in Block 11B/12B with deeper water depths, Total has described floating offshore wind as “an extremely promising and technical segment where Total brings its extensive expertise in offshore operations and maintenance.”<sup>30</sup> Alternatively, Total could explore opportunities to invest in renewable projects on land. Given the potential of renewable energy to meet the purposes of oil and gas exploration, the ESIA should consider renewable energy projects as alternatives.
- 7.5. The two pipeline routes considered in the Draft Scoping Report cut through the Critical Biodiversity Area, even though the Draft Scoping Report notes that “development of the subsea pipelines associated with oil and gas processes [is] considered non-compatible within the CBA

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<sup>24</sup> Draft Scoping Report at 33.

<sup>25</sup> Draft Scoping Report at 13.

<sup>26</sup> TotalEnergies, *Our Offshore Wind Portfolio*, <https://totalenergies.com/infographics/totalenergies-offshore-wind-power-portfolio-worldwide>.

<sup>27</sup> Seagreen, *Building Scotland’s largest offshore wind farm*, <https://www.seagreenwindenergy.com/>.

<sup>28</sup> Michael Freeman, *Offshore Wind Can Lower Energy Prices and Beat Out Oil and Gas* (Sept. 23, 2022), The Center for American Progress, <https://www.americanprogress.org/article/offshore-wind-can-lower-energy-prices-and-beat-out-oil-and-gas/>.

<sup>29</sup> Stefek, Jeremy, Chloe Constant, Caitlyn Clark, Heidi Tinneland, Corrie Christol, Ruth Baranowski. 2022. *U.S. Offshore Wind Workforce Assessment*. Golden, CO: National Renewable Energy Laboratory. NREL/TP-5000-81798. <https://www.nrel.gov/docs/fy23osti/81798.pdf>.

<sup>30</sup> TotalEnergies, *Renewables: Total Enters Floating Offshore Wind with a First Project in the UK* (Mar. 19, 2020), <https://totalenergies.com/media/news/press-releases/renewables-total-enters-floating-offshore-wind-first-project-uk>.

Natural area.”<sup>31</sup>. The base case was ultimately selected because it “reduces footprint impact on the marine CBA.”<sup>32</sup>

7.6. The proposed pipeline transverses a significant portion of CBA Natural. According to the sea-use guidelines and stated in the Draft Scoping Report, oil and gas pipelines are not compatible with either CBA Natural or Restore. Limited information is available on what biodiversity features designate this area as a CBA natural area. Clarity is required to make an appropriate assessment of risk. The impact of linear infrastructure such as the pipeline in fragmenting habitats and gene flow, amongst other impacts, must be thoroughly investigated.

## **8. The scope of the assessment must include the full impacts of the project, including downstream effects**

8.1. According to the Draft Scoping Report, “Any construction, modification or upgrades at the F-A Platform or at any onshore facility, if required by the off-taker of gas or condensates, will be subjected to a separate Environmental Authorisation (“EA”) Application.”<sup>33</sup> However, there may be upgrades required at these facilities that are not tied to the off-taker, but that result directly from the addition of the gas and gas condensates from Block 11B/12B to the pre-existing processing and offtake system. These may include upgrades to the current processing facility, for example. Any of these alterations that have impacts that must be considered under NEMA should be integrated into this application, as the development of Block 11B/12B is a direct trigger of those required changes.

## **9. The ESIA must fairly assess both the negative and positive impacts associated with the no-go alternative**

9.1. The description of the No-Go alternative, as currently previewed in the Draft Scoping Report, focuses heavily on detailing the economic and social benefits that South Africa would forego without an accounting of the environmental, climate, and social harms that would be avoided. The ESIA should fairly represent the costs and benefits of choosing not to proceed with the project.

9.2. It would be prudent for the ESIA to report on history of the compliance, incidents, spills and failures and any other environmental harm that have occurred across the globe, associated with operations by TOTAL E & P South Africa B.V., Qatar Petroleum International Upstream LLC, CNR International (South Africa) and Main Street 1549 (Pty) Ltd.

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<sup>31</sup> Draft Scoping Report at 103

<sup>32</sup> Draft Scoping Report at 21.

<sup>33</sup> Draft Scoping Report, p. 2.

## **10. The ESIA must comprehensively assess the impacts on tangible and intangible heritage and cultural resources**

10.1. The ESIA should assess impacts on tangible and intangible heritage and cultural resources through a specialist heritage impact assessment study. The Draft Scoping Report references a number of different specialist assessments that will be employed to study specific and relevant impacts such as marine acoustic; marine ecology, air quality and climate change, oil spill modeling and drill discharge modeling, socio-economic impact studies and lastly closure in terms of financial provisioning. However there does not appear to be the inclusion of a separate and specialist assessment on the impact to heritage resources. Instead, reference is made to the consideration of “the results of the Cultural Heritage study undertaken for Block 11B/12B”, which is an existing study. This study has not been made available as part of this phase of the assessment, and consequently we are not able to comment on its contents. Furthermore, it appears that this report will not be made available for public comment, contrary to NEMA requirements.

10.2. NEMA requires that environmental management is sustainable, meaning, in part, “that the disturbance of landscapes and sites that constitute the nation’s cultural heritage is avoided, or where it cannot be altogether avoided, is minimised and remedied”. The National Heritage Resources Act, 25 of 1999 (“NHRA”), provides further guidance with respect to which heritage resources are constitute “the nation’s cultural heritage”. One of the aims of the NHRA is to “promote good management of the national estate and to enable and encourage communities to nurture and conserve their legacy so it may be bequeathed to future generations” (NHRA, Preamble). Pursuant to this objective, “those heritage resources of South Africa which are of cultural significance or other special value for the present community and for future generations must be considered part of the national estate and fall within the sphere of operations of heritage resources authorities”.

11. These heritage resources must be identified and the potential impact on these resources assessed as part of a heritage impact assessment. In addition to the tangible heritage resources, heritage resources which must be considered include “places to which oral traditions are attached or which are associated with living or intangible heritage”, and “landscapes and natural features of cultural significance”. These could include particular species which hold significant cultural and heritage importance to small-scale fishers.

## **12. The application must adequately assess negative socio-economic impacts.**

12.1. The ESIA should clearly identify and map out fishing grounds used by small-scale or artisanal fishers to ensure that project activities will not interfere with them and thus the fishers’ livelihoods, either

directly or indirectly, Some of the impacts which should be specifically examined include those from spills or changes to the behavior of resident species due to project activities, which may reduce accessibility to or abundance of target species.<sup>34</sup>

**13. The ESIA must consider impacts on food security and food sovereignty, especially in relation to livelihoods that may be impacted by the proposed production and related activities.**

13.1. The Draft Scoping Report fails to consider impacts on food availability and security into a climate impacted future, and it appears that there are no plans to do so in the ESIA. A right to food perspective is critical in this assessment.

Yours sincerely,



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**THE GREEN CONNECTION**

*Per:* Adrian Pole  
Attorney for the Green Connection

Adrian Pole Attorneys  
• Assagay • KwaZulu Natal • SA P O Box •  
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**NATURAL JUSTICE**

*Per:* Melissa Groenink  
Programme Manager: Defending Rights

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<sup>34</sup> Nathan Andrews et al., *Oil, fisheries and coastal communities: A review of impacts on the environment, livelihoods, space and governance*, Energy Research & Social Science 75 (2021), <https://www.sciencedirect.com/science/article/pii/S221462962100102X>.

## **Draft Scoping Report for Block 11B/12B by TotalEnergies EP (TEEPSA) Ref 12/4/013**

### **SUBMISSION BY THE DUINEVELD KUSVERENIGING**

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The **Duineveld Kusvereniging** was established in 1991 by the private coastal property owners located between Still Bay and Gouritsmond to promote sustainable environmental conservation in the region.

#### **ISSUES OF CONCERN**

##### **Validity of the Public Participation Process (PPP)**

- \* Despite being one of the oldest coastal conservation bodies in the Southern Cape, the Duineveld Kusvereniging was not notified directly about the public participation meetings. As secretary, I just happened to find out on Sunday evening 15 January 2023 from the Garden Route District Mayor's Office.
- \* Be that as it may, I managed to shift my schedule to attend the first meeting on 16 January 2023 in KwaNonqaba, Mossel Bay. When I was unable to pose questions there due to the huge volume of job-related questions, I attended the second meeting 18 January 2023 in Thembaletu, George.
- \* Cognisant of the global energy crisis and South Africa's own calamities, I went to the meetings with an open mind. However, what I observed and experienced at the two meetings raised alarming red flags about the integrity of the public participation process (PPP). I thus wish to place on record the following serious concerns.
- \* Firstly, we note that the PPP was launched during December (the notorious holiday period for contentious EIA applications to slip in beneath the radar).
- \* When I referred back to my copy of the George Herald of 12 January 2023, I eventually spotted an obscure notice in tiny lettering tucked away at the bottom of the sports page.
- \* We also found it odd that the meetings were held in areas which were not universally accessible.
- \* But what is of greatest concern, is that the majority of attendees at KwaNonqaba informed me that organisers had gone around their area with loudhailers the day before, urging residents to bring their IDs the next day to register for jobs. I was told the same at the Thembaletu meeting.
- \* At the KwaNonqaba meeting, residents threatened violent protest if these jobs didn't materialise. Tragically, it is the Mossel Bay and Garden Route District municipalities (and not TEEPSA) which will bear the brunt of any resultant infrastructural damage.

\* Attendees at both meetings also informed me that they had been told that “Greenies want to stop the project because they didn’t care about job creation for the poor”. This was stated specifically at the KwaNonqaba meeting when a lawyer claimed that “the Bloom Association of the Netherlands’ wanted to block the project”. I googled the name and contacted the Association which is actually based in France. They responded that they were not aware of the TEEPSA application.

\* In Thembalethu, the presentations were stretched unnecessarily beyond the advertised two hour duration with WSP, the environmental consultant, insisting on repeating the presentations in Xhosa and Afrikaans even though the audience were satisfied with the English version. Most attendees left within an hour of collecting their fruit at the door.

\*In Thembalethu, a local subcontractor was told that ‘many BEE subcontracting opportunities’ would be made available by TEEPSA. But after the meeting she said it was clear that this was an unrealistic expectation and that “only people who owned helicopters in George would benefit”.

\* Environmental aspects of the project were barely mentioned at the KwaNonqaba meeting - and glossed over at the Thembalethu meeting. No mention was made of the potential high risk impact on the Kingklip Corals, the Agulhas Bank Nursery, the Marine Protected Areas and the Critical Biodiversity zones.

\* In Thembalethu, a resident who questioned Total’s human rights record in Africa, was confronted by an unidentified TEEPSA agent as he was leaving, who accused him of being a ‘colonialist’. This was also witnessed by a local journalist.

All of the above actions fly so blatantly in the face of good corporate governance and environmental protocols. Can it possibly be true in this age of transparency that TEEPSA and WSP did not knowingly conduct the PPP as a mere box-ticking farce to be sold to desperate job-seekers as a “job creation project which ‘greenies’ want to stop”?

***It goes without saying that the reputational damage of such a flawed public participation process places a huge question behind TEEPSA’s credibility and corporate standing.***

## ***Environmental concerns***

\*Seismic surveys have been implicated in altering the behaviour of marine life such as whales and dolphins attempting to escape airgun surveys. Is it mere coincidence that during TEEPSA’s exploration of the Brulpadda and Luipaard blocks in 2019/2020, at least nine whale beachings were logged between Still Bay and Wilderness?

\*Please provide a comparison of the environmental impacts of gas exploitation vis a vis gas exploration.

\*Compressed air sound sources constitute outdated technologies. New technologies with lesser environmental impact have since been developed. *(Which technologies will TEEPSA employ? And are these the latest and least disruptive?)*

\*All forms of pollution in marine environments, need to be mitigated and reduced. The impact of these operations then needs to be monitored not only during its entire operational lifetime, but also for years thereafter. *(Who will monitor TEEPSA’s activities, 120 km off Mossel Bay for the next 20 years and beyond?)*

\*In the event of gas leakages or oil spills, does TEEPSA have a comprehensive contingency plan? And will it be held responsible for funding and implementing clean up and rehabilitation remedies?

### **SAGE Advisory**

On 10 January 2023, the Scientific Advisory Group on Emergencies (SAGE) issued an advisory on "the use of deep-sea seismic surveys to explore for oil and gas deposits in South African waters".

We fully endorse their position, which we have paraphrased as follows. Our additional suggestions are parenthesised.

\*Given a dearth of evidence on the impact of seismic surveys on marine life in SA waters, lack of full scientific certainty should not be used as a reason for refusing or postponing measures to prevent environmental degradation.

\* No seismic survey should be conducted in SA waters without a comprehensive Environmental Impact Assessment (EIA) report based on the latest science.

\*Individuals with land-based mining environmental experience should never be considered proxies for legitimate marine experts with professional marine science and/or marine environmental training and experience.

\*Since the 1960s, oil and gas companies have operated off SA's coastline, under the assumption that their operations will have minimal impact on marine biota. These assumptions are based on a lack of sufficient scientific information. *(We insist that thorough, credible in-depth research be conducted prior to any commencement of any gas production activities.)*

\*The surveys will purportedly be conducted near several Marine Protected Areas and in an under-explored section of the Agulhas Current, where the sea floor and biological environment are poorly characterized. *(We insist that thorough, credible in-depth research be conducted prior to any commencement of gas production activities.)*

\*The long-term impacts of seismic surveys on offshore biodiversity and ecosystems are poorly understood, due to a lack of baseline information. *(We insist that thorough, credible, in-depth research be conducted prior to any commencement of gas production activities.)*

\* Seismic air guns used to probe for the presence of shale gas deposits are considered 'disruptive technologies' which can cause acoustic disturbance over 3,000 km from the survey vessels. *(Has any research been conducted on the potential harm to marine invertebrates important to aquaculture projects as part of **Operation Phakisa**.)*

\*South Africa is party to international protocols, including the the UN Convention on the Law of the Sea; the Convention on Biological Diversity; the Convention on the Conservation of Migratory Species of Wild Animals; the Abidjan Convention; the Nairobi Convention; SA's Integrated Coastal Management Act 24 of 2008 and NEMA. *(Does TEEPSA subscribe to these conventions?)*

\* Only a holistic approach to marine oversight will ensure the sustainable use of our natural resources while also supporting tourism, local livelihoods, environmental health, and the maintenance of ecosystem services.

\*We further recommend strict monitoring measures not only to prevent gas and oil leakages but also severe penalties and remedial action to clean up the environment at the exploiter's cost. Otherwise this becomes the cost burden of all coastal local authorities within the operational area, and especially the Mossel Bay Municipality, Hessequa Municipality, the Garden Route District Municipality.

As the highest profile operator in the offshore area, TEEPSA will inevitably be the first entity to be fingered for every single incidence of marine and air pollution, every environmental disaster, oil spill, gas leak, etc.

The burden of proof should fall on the shoulders of TEEPSA to exonerate itself.

It is thus crucial for the operator to conduct thorough research on the effects of exploration activities on the marine environment and coastal communities if it is to prevent becoming branded as the 'Big Satan' for everything that goes wrong in the region.

Moreover, it should be a prerequisite of the gas production licence that TEEPSA communicates efficiently and effectively with the public and the authorities with utmost transparency and integrity.

**Muriel Hau-Yoon**  
**Secretary: Duineveld Kusvereniging**  
**3 February 2023**

# Scoping & EIA for Block 11B/12B by TotalEnergies EP (TEEPSA) Ref 12/4/013

## SUBMISSION BY THE GARDEN ROUTE WASTE FORUM

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*The Garden Route Waste Forum* is a volunteer body working with communities and municipalities in George and the rest of the Garden Route to reduce and recycle the tons of waste clogging up the rivers between the Outeniqua mountain range and the Indian Ocean. It is also involved in coastal clean-ups and the eradication of harmful waste on beaches.

### **ISSUES OF CONCERN**

**\*Oil spill:** Just before the peak holiday season in December last year, a major economic and tourism disaster was narrowly averted when the Garden Route District Municipality acted swiftly to contain a massive oil spill at more than 20 beaches along the Garden Route, including several Blue Flag beaches. **(Please refer to Addendum One)**. The culprit is being identified by researchers from the Nelson Mandela University.

**\*Monitoring:** Will TEEPSA introduce stringent monitoring, mitigation and good governance controls to prevent oil spills and gas leaks from its production activities? A retired oil rigger says "You don't want to know what goes on out there in the deep blue ocean. No one sees or monitors the carnage". Whether true or not, widespread public perception is that energy companies will extract as much value for as little cost "because no-one is watching".

**\*Mopping up:** And in the likely event of an oil spill and gas leak, will TEEPSA be responsible for cleaning up and rehabilitation of the environment afterwards? Or will it be up to taxpayers and municipalities to fund expensive mop-up operations? And will TEEPSA thus ride on the backs of volunteers to clean up their mistakes?

**\*Operational Waste:** What kind of systems and controls will TEEPSA have in place to deal with operational waste for the 20 year duration?

**\*Lack of scientific data:** Given a dearth of evidence on the impact of seismic surveys on marine life in SA waters, lack of full scientific certainty should not be used as a reason for refusing measures to prevent environmental degradation.

**\*EIA:** No seismic survey should be conducted in SA waters without a comprehensive (EIA) report based on the latest science.

**\*Penalties:** The Garden Route Waste Forum further recommends stringent monitoring measures not only to prevent gas and oil leakages but also the imposition of severe penalties and remedial measures to clean up the environment at TEEPSA's cost. Otherwise this becomes the cost and operational burden of local authorities in the operational area.

**\*Corporate social responsibility:** As the most visible operator in the target area, TEEPSA will bear the risk of being blamed for every environmental disaster, oil spill, gas leak, marine pollution, etc. The onus is thus on TEEPSA to convince the public and authorities of its corporate ethics and integrity, and to communicate efficiently and effectively at all times.

**Muriel Hau-Yoon**

**Convenor**

**GARDEN ROUTE WASTE WARRIORS**

**3 February 2023**

## Addendum One: Garden Route District Municipality News Report

### *Several beaches re-opened while some are still being cleaned from stranded oil*

1 December 2022

More than 100 trained individuals are cleaning-up stranded hydrocarbon, low-sulphur fuel oil droplets at more than 20 beaches along the Garden Route. **Efforts have resulted in several beaches already moving to green status, which include all the Blue Flag Beaches of Mossel Bay.** While assessments found that several others in George, Hessequa, Knysna and Bitou were also affected by the spill, clean-up teams have already responded promptly to remove droplets.

According to Gerhard Otto, GRDM Manager: Disaster Management: “Holiday-goers and residents can be assured that the region is ready for its upcoming holiday season”. “The multi-agency response team indicated that most beaches will be cleaned by the end of this weekend, dependent on the 3.5m swells expected tonight.”

According to Otto, the reconnaissance flight planned for yesterday could not take place due to foggy weather conditions, thus, being postponed to today. The plane is currently flying from Plettenberg Bay to Gouritz along the coastline and will paint a clear picture of any visible patches of oil along the coastline and possibly identify the cause of the spill.

*There are cleaning stations at beaches, and areas that need to be cleaned are clearly marked. It has not been reported that human health has been affected. No sightings of sea birds or marine life have been reported either.*

Beaches that received green status will be visited again after the predicted 3.5m swell and a north-north-west wind, to ensure that no new wash-up of droplets is prevalent.

**An outline of the status of beaches along the Garden Route is listed below.**

Colours	Description
Green	Beach is monitored and remains open.
Orange	Clean-up operations are underway, and contaminants found. It is advised that these areas are not accessed by the public.
Red	The area is highly contaminated. Higher volumes of contaminates are visible between the high and low water marks. Clean-up teams are busy restoring this space to its former status. These are <b>NO-GO</b> zones.

**Bitou Municipality, 1 December 2022**

Beach			
Hobie	X		
Central		X	
Lookout	X		
Robberg 5		X	

**George Municipality, 1 December 2022**

Beach			
Herold's Bay		X	
Kleinkrantz		X	
Victoria Bay		X	
Wilderness Leentjies Klip		X	
Wilderness Main		X	

**Hessequa Municipality**

Beach			
Gourizmond		X	

**Knysna Municipality, 1 December 2022**

Beach			
Brenton-on-Sea		X	
Buffalo Bay		X	
Noetzie		X	
Sedgefield beaches		X	
Swartvlei		X	

**Mossel Bay Municipality, 1 December 2022**

Beach			
Bayview		x	
Boggomsbay		x	
Buffalo Bay		X	
Dana Bay			X
De Bakke	X		
Diaz	X		
Franmanshoek		X	
Glentana	X		
Hartenbos Main		X	
Hartenbos Platform	X		
Hartenbos River mouth		X	
Hersham		X	
Kanon		X	
Klein Brak		X	
Outeniqua		X	
Point	X		
Reebok			X
Santos	X		
Suiderkruis		X	
Tergniet			X
Twee Kulem		X	
Vleesbay		X	

**Addendum to Garden Route Waste Forum submission.**

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**From:** Muriel Hau Yoon <>  
**Sent:** Friday, 03 February 2023 21:54  
**To:** ZA - GLD - Teepsa Esia  
**Subject:** PUBLIC COMMENT ON DRAFT SCOPING REPORT | BLOCK 11B/12B BY TOTALENERGIES EP SA REF. NO. 12/4/013  
**Attachments:** Duineveld Kusvereniging Submission to TEEPSA.docx; Total Energies Scoping Report - Ystervarkfontein Bewarea submission.docx; Total Energies Scoping Report - Garden Route Waste Forum.docx

Good day,

Thank you for your reminder.

I attach herewith the following three submissions for your serious consideration:

\*The Duineveld Kusvereniging

\*Ystervarkfontein Bewarea & Groenkant Private Nature Reserve

\*Garden Route Waste Forum.

Will you kindly acknowledge receipt?

With thanks,

**Muriel Hau-Yoon**  
**Garden Route Waste Forum**  
**Groenkant Private Natuureservaat, Posbus , George-Oos 6539 Ystervarkfontein**  
**Bewarea**  
**Duineveld Kusvereniging / Duineveld Coastal Association**

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**From:** ZA - GLD - Teepsa Esia [mailto:gld.teepsaesia@wsp.com]  
**Sent:** 03 February 2023 12:23 PM  
**To:** ZA - GLD - Teepsa Esia <gld.teepsaesia@wsp.com>  
**Subject:** REMINDER: PUBLIC COMMENT ON DRAFT SCOPING REPORT | BLOCK 11B/12B BY TOTALENERGIES EP SOUTH AFRICA B.V. REF. NO. 12/4/013

*Dear Stakeholder*

*This is a reminder that the public comment period on the Draft Scoping Report for the TEEPSA Block 11B/12B ESIA closes **today**, 03 February 2023.*

*Please register as an I&AP and submit your comments if you have not done so already.*

*Kind Regards,*

**WSP Public Participation Office**

# Scoping & EIA for Block 11B/12B by TotalEnergies EP (TEEPSA) Ref 12/4/013

## JOINT SUBMISSION OF THE YSTERVARKFONTEIN BEWAREA AND GROENKANT PRIVATE NATURE RESERVE

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\****Ystervarkfontein Bewarea*** is made up of a cluster of environmentally conscious private coastal property owners, west of Mossel Bay in the proximity of the Ystervarkfontein Lighthouse and next to Gourikwa Coastal Nature Reserve.

\****Groenkant Private Natuurreserveaat*** is a privately owned coastal nature reserve about 60km west of Mossel Bay which provides safe sanctuary to a rich biodiversity of marine and coastal life.

### ISSUES OF CONCERN

#### ***Validity of the Public Participation Process (PPP)***

\* None of the bodies that I represent were directly notified of the public participation meetings. I just happened to find out about these on Sunday 15 January 2023 from an alert by the Garden Route District Municipality.

\* Nonetheless I arranged to attend the first meeting on 16 January 2023 in KwaNonqaba and the second one on 18 January 2023 in Thembaletu.

\* At both meetings, almost all attendees were under the impression they were there to register for jobs offered by PetroSA. I was told “someone with a loud-hailer had gone around urging them to bring their IDs to register for jobs.

\*After signing the attendance registers, most of them sat for less than an hour, then left after discovering it was an ‘environmental gathering’.

#### ***Environmental concerns***

\*Seismic surveys have been implicated in altering the behaviour of whales and dolphins attempting to escape airgun blasting. Is it mere coincidence that during TEEPSA’s exploration of the Brulpadda and Luipaard blocks in 2019/2020, at least nine whale beachings were logged between Still Bay and Wilderness?

\*Compressed air sound sources constitute outdated technologies that have not changed significantly after more than 50 years of use. (*Will TEEPSA employ the latest and least disruptive technologies?*)

All forms of pollution in marine environments, need to be mitigated and reduced. The impact of these operations then needs to be monitored during the operations, as well as thereafter. Who will monitor TEEPSA’s activities, 120 km off Mossel Bay for the next 20 years and more?

\*In the event of gas leakages or oil spills, will TEEPSA be held responsible for funding and implementing clean up and rehabilitation remedies?

## **SAGE Advisory**

On 10 January 2023, the Scientific Advisory Group on Emergencies (SAGE) issued an advisory on “the use of deep-sea seismic surveys to explore for oil and gas deposits in South African waters”.

We fully endorse their position, which we have paraphrased as follows. Our additional suggestions are parenthesised.

\*Given a dearth of evidence on the impact of seismic surveys on marine life in SA waters, lack of full scientific certainty should not be used as a reason for refusing or postponing measures to prevent environmental degradation.

\*No seismic survey should be conducted in SA waters without a comprehensive (EIA) report based on the latest science.

\*The surveys will purportedly be conducted near several Marine Protected Areas and in an under-explored section of the Agulhas Current, where the sea floor and biological environment are poorly characterized. *(We would insist on thorough, credible research being conducted prior to any commencement of gas production activities.)*

\*The long-term impacts of seismic surveys on offshore biodiversity and ecosystems are poorly understood, due to a lack of baseline information. *(We would insist on thorough, credible research being conducted prior to any commencement of gas production activities.)*

\* Seismic air guns used to probe for the presence of shale gas deposits are considered ‘disruptive technologies’ which can cause acoustic disturbance over 3,000 km from the survey vessels (Nieukerk et al. 2004). *(Has any research been conducted on the potential harm to marine invertebrates and other forms of marine life?)*

-We further recommend strict monitoring measures not only to prevent gas and oil leakages but also severe fines and remedial action to clean up the environment at the exploiter’s cost. Otherwise this becomes the cost burden of all coastal local authorities along the operational coastline, and especially the Mossel Bay Municipality, Hessequa Municipality, the Garden Route District Municipality.

It should be a requirement of the gas production application that TEEPSA is obliged at all times to be open and honest with their communication to the public and the authorities with regard to their operations, environmental measures and monitoring and mitigation processes.

It should also be incumbent on the relevant authorities to have direct access to TEEPSA’s operational area for regular inspections and monitoring processes.

**Muriel Hau-Yoon**  
**Secretary of the Ystervarkfontein Bewarea**  
**Trustee of Groenkant Private Nature Reserve**

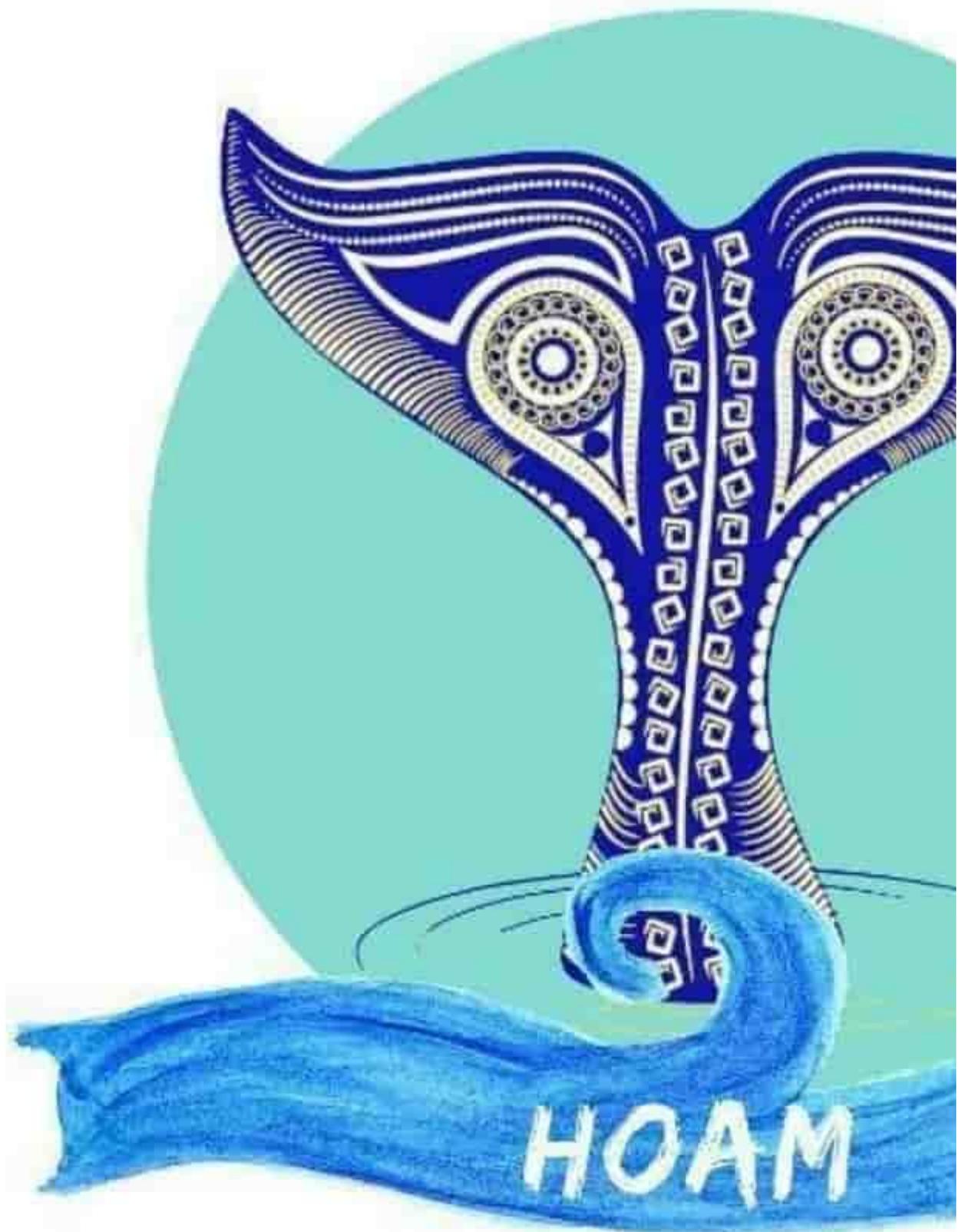
**3 February 2023**

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**Subject:** FW: Application for Block 11B/12B HOAM  
**Attachments:** 5\_-221124\_TEEPSA-Block\_11B12B-ESIA-\_RegistrationCommentReplyForm\_Eng.pdf

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**From:** Lisa Starr <>  
**Sent:** 05 December 2022 12:08  
**To:** TEEPSA EIA <[teepsaEIA@wsp.com](mailto:teepsaEIA@wsp.com)>  
**Cc:**  
**Subject:** Application for Block 11B/12B HOAM



**HELDERBERG OCEAN AWAREN**

"BE A PART OF THE SOLUTION, NOT

Ref: Application for Block 11B/12B by TotalEnergies EP South Africa B.V.

To: WSP Group Africa

I hope this email finds you well. Please find attached my Registration, Comment and Reply Form. I register in my private capacity as an IAP, but I also register on behalf of the Helderberg Ocean Awareness Movement. You only need to send one communication with information and notification to the e-mail as indicated on the form.

Please confirm that this registration was received by replying to this e-mail.

ALSO please communicate at your earliest convenience, who the case officer is for the intended project.

Regards  
Lisa Starr

Helderberg Ocean Awareness Movement

[Sent from Yahoo Mail on Android](#)

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NOTICE: This communication and any attachments ("this message") may contain information which is privileged, confidential, proprietary or otherwise subject to restricted disclosure under applicable law. This message is for the sole use of the intended recipient(s). Any unauthorized use, disclosure, viewing, copying, alteration, dissemination or distribution of, or reliance on, this message is strictly prohibited. If you have received this message in error, or you are not an authorized or intended recipient, please notify the sender immediately by replying to this message, delete this message and all copies from your e-mail system and destroy any printed copies.

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**Scoping and Environmental Impact Assessment (S&EIA) process for the proposed offshore Production Right and Environmental Authorisation Application for Block 11B/12B by TotalEnergies EP South Africa B.V.**

**Registration, Comment and Reply Form**

Draft Scoping Report: Thursday 01 December 2022 to Friday 03 February 2023

**Note:** This is an opportunity to register as an I&AP for the Scoping and Environmental Impact Assessment (S&EIA) process. By registering as an I&AP on the proposed project, you agree to receive information about the proposed project during the regulatory S&EIA process. You also agree to receive information about the S&EIA, public participation process and opportunities to contribute comments.

Personal Information				
Title	First Name	Surname	Organisation / Department <i>(If applicable)</i>	
Ms	Lisa	Starr	Helderberg Ocean Awareness Movement	
Contact Details				
Mobile Number	Land Line Contact Number		Email / Fax Number	
		Office		
		Home		
Do you want to register as an Interested and Affected Party?				
Please register me as an interested and affected party (I&AP) for this project so that I may receive further information and notifications as the project develops			YES <input checked="" type="checkbox"/>	NO
Please include my details on WSP's database to contact me about future projects in my area			YES <input checked="" type="checkbox"/>	NO
In terms of the EIA Regulations, 2014 (as amended), I disclose below any direct business, financial, personal, or other interest that I may have in the approval or refusal of the application:	Date	05/12/2022		
	Signature	LStarr <small>(send from my personal e-mail)</small>		

For internal use to confirm capture of stakeholder details into the stakeholder database	
Stakeholder database reference number	
	Signature of data capturer

By registering as a stakeholder permission is hereby given in terms of the Protection of Personal Information Act for your contact details to be held securely to keep you informed about this project. WSP Group Africa as a good corporate citizen complies to the POPIA and confirms that your details will be kept confidential and will not be shared with any third party without your prior consent, other than the lead authority should they request stakeholder details.

# COMMENT(S)

*You are welcome to use additional pages should you so wish.*

**I have the following comments to make regarding this proposed project and/or the public participation process:**

- 
1. On average, what is the average oil spills from platforms, pipelines, tankers, and coastal facilities every year. This poses an serious risk to our coasts, and the economy.
  2. Offshore drilling operations release toxic pollution into the air and water. How will this be prevented?
  3. Exploration and drilling at the platform can release volatile organic compounds, greenhouse gases, and other air pollutants. How will this be prevented?
  4. Even a small oil spill could devastate the crab population by killing its larvae. Will this be investigated?
  5. A major spill could devastate our beaches. How will this be prevented?
  6. Will and independant external Environmental Controll Officer (ECO), not accosiated with WSP, Total, QatarEnergy or any other JV partners, monitor all the phases of this proposed activity?
  7. When offshore drilling is introduced into a region, it jeopardizes commercial fishing, recreation, and tourist economies.
  8. What is the total GDP from tourism that is at risk with this proposed activity?
  9. What carbon byproducts and other pollutants will be released into the air in the areas where they plan to drill.
  10. Energy companies are using seismic testing to reveal where there could be potential oil deposits beneath the ocean's surface. Have seismic testing already been done?
  11. The seismic blasts have been shown to decrease the number of zooplankton that live almost everywhere and form the backbone of the ocean's ecosystem.
  12. The water that these animals live in is just as crucial to their survival. It's a source of oxygen for them and a substance they are constantly immersed in.
  13. How will the risk of offshore drilling be lowered to an acceptable level and mitigate the immense risks that come with it?
  14. Noise pollution threatens whale and dolphin populations, interrupting their normal behaviour. This then drives them away from areas important to their survival [for breeding, socialising and feeding] harming them and sometimes even causing death. Our ocean is brimming with marine life so any noise pollution isn't welcomed.
  15. As climate change is real we shouldn't be drilling for oil or gas.
  16. Our local communities who are living sustainably from the ocean are opposed to any new oil applications, it will not create jobs and will effect their livelihoods.
  17. There was a recent oil spill in Mossel Bay (Mon 28th November) which has washed ashore in tar balls. What procedures do you have in place to prevent this? also blue flag beaches were closed so this leads to a negative impact on tourism.
  18. Air pollution from fossil fuels can lead to breathing difficulties and is responsible for 13% of deaths in people aged 14 and older in the United States. It can also leak toxic substances into the ground which ends up in the drinking water which then again harms people.
  19. The glare from oil and gas sites is so strong that its visible from space. It is a well researched fact that light pollution has a negative impact on wildlife and the wilderness.
  20. The way forward is Green Energy what steps have you taken towards a cleaner brighter future?
- 
- 
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You are welcome to distribute this form to friends/colleagues who may be interested in the proposed project so that they also can register as interested and affected parties.

**Please return the Registration, Comment and Reply form to:**

WSP Group Africa (Pty) Ltd  
**PUBLIC PARTICIPATION OFFICE**  
P.O. Box 6001, Halfway House, 1685  
Tel: (011) 254 4800  
Fax: (086) 582 1561  
WhatsApp: 076 694 3842  
E-mail: [teepsaEIA@WSP.com](mailto:teepsaEIA@WSP.com)

**THANK YOU!**

---

**From:** Pauline Cloete <>  
**Sent:** Friday, 03 February 2023 16:13  
**To:** ZA - GLD - Teepsa Esia; TEEPSA EIA  
**Subject:** Objection Against the Proposed Offshore Production Right and Environmental Authorisation Application for Block 11B/12B by TotalEnergies EP South Africa Ref. No. 12/4/013  
**Attachments:** TEEPSA-Block\_11B12B-ESIA-\_RegistrationCommentReplyForm\_Eng-Pauline Cloete 3 February 2023.pdf

Good afternoon,

I hope you are doing well.

Please see below and attached my objection against the proposed Offshore Production Right and Environmental Authorisation Application for Block 11B/12B by TotalEnergies EP South Africa Ref. No. 12/4/013:

- There are no explicit monitoring guidelines, and no quantifiable instruments in place that are able to measure the exact amount of waste that will be discharged into the ocean during the development and production phase of the project.
- There are no checks and balances or liability legislation in place in South Africa that can be used to hold companies like Total Energies liable for damages to the environment or for contravening environmental laws. There are too many international and other loopholes in the legislation that enables companies to find a way around our legislation. In other words, Total Energies will not be able to be held legally liable by South Africa for the pollution that will be generated by the project. This pollution includes oil spills, leaks, pollution related to unexpected breakdowns in machinery and radioactive waste that will be released during the drilling. There is a global trend whereby Total Energies tends to place the blame for any waste contraventions by the company onto third party contractors and in this way South Africa will not be able to hold the company liable for breaking the law with regards to environmental pollution and improper waste disposal.
- The counter-argument provided by Total Energies on which the Environmental Authorization will be based is that there is a South African legal framework in place to which the company should adhere with regards to pollution levels and waste disposal during the project. Let us use inland mining in South Africa as an example. These mines also have a legal framework related to waste disposal and pollution levels to which they should adhere, but, in reality, the waste generated by these mining practices is not adequately monitored and environmental laws are contravened without consequences. Simply stating that there are laws in place that need to be adhered to does not expressly prevent Total Energies from contravening the law and is not sufficient to grant Environmental Authorization for the project to go ahead.
- South Africa does not have the capacity to monitor the proposed activities and to ensure that the law is not being broken, especially with regards to levels of contamination offshore and under the ocean. Total Energies needs to have specific and separate documentation and legally binding contracts in place that stipulate the exact scope of the waste that will be generated, how it will be disposed of and consequences (such as stipulation of fines or a complete shutdown) if contravened.
- External, unbiased specialists and experts who are not financially benefiting from the project should be appointed to act as a watchdog to ensure that the laws pertaining to pollution and environmental protection are adhered to during all the phases of the project.
- A single EIA process is not sufficient to grant production rights at peak production capacity for a period of 20 years. Production rights should be granted for a limited amount of time with explicit conditions. Long-term exploration rights should only be granted if all the prerequisites and promises made are actually being adhered to in full. For example, should a spill occur in year 2 of the implementation phase of the project the environmental authorization should be withdrawn and rendered null and void and Total Energies should be required to reapply for environmental authorization and a new EIA process should be initiated.

- It is mentioned in the Total Energies documentation that further oil and gas discoveries can potentially be made during the development and production phase of the project. There should be an expressed limit placed on the amount to be explored and a separate exploration right should be obtained for drilling additional reserves. This should be outlined in the agreements and paperwork.
- The Total Energies project is not in line with Africa's legally binding agreement to adhere to global guidelines and rules for moving towards renewable energy.
- Many private and independent environmental organizations are currently funding the protection of the coastline between Mossel Bay and Cape St Francis where the drilling is proposed to take place. Total Energies will be making a large profit from the project while these entities will continue to use their own limited and self-generated resources to counteract the environmental degradation caused by the Total Energies project. These organizations should receive direct engagement from Total Energies, because when leaks occur or when radioactive waste is released into the ocean, these organizations are the ones who will be left to deal with the consequences and they will physically have to counteract the environmental destruction caused by Total Energies.
- I am opposed to the fact that the South African government is allowing international companies to make billions on our South African shore at very little benefit to South Africans. South Africa is a democracy which is based on a sound Constitution that has been set up to ensure equality for all, yet South African residents will be taking on all the risks, especially those risks related to the degradation of our environment, with very little direct benefit to the country. An executive decision is being made by the minister of environmental affairs and mineral resources, who is appointed to act for the country by the country. It goes against the South African constitution for ministers to have sole discretion for signing off on a project of this magnitude without including ALL inputs, comments and objections in the process.
- Section 24 of the Constitution explicitly states that everyone has the right to a healthy environment, and also the right to have the environment protected from pollution and ecological degradation, which promotes conservation and secures ecologically sustainable development.
- Potential Negative Impact on Tourism – The primary reason why tourists visit the towns located along the coastline from Mossel Bay to Cape St Francis is to visit and enjoy the ocean. If contamination of the ocean were to occur during any part of the project there will be a loss of tourism and a loss of income for the majority of the residents of these towns. Total Energies cannot guarantee that spills and serious pollution of our ocean will not take place and the company cannot guarantee that radioactive material will not make its way into the ocean. This directly threatens the livelihood of South African citizens.
- The Total Energies project and the proposed activities that will accompany the development and production phase of the project (i.e. underwater drilling, laying of deep-water subsea manifolds and flow lines, sonar and seafloor sampling, vertical seismic surveys, underwater and subsea infrastructure construction) is, by nature, very destructive and there is sound scientific data and research to prove that these proposed activities will have a negative impact on the marine life, as well as on the aquatic organisms that are necessary for supporting marine life, on the ocean floor and on the underground sea bed that extends beyond the ocean floor.
- Underwater drilling releases radioactive waste into the ocean and is currently in the process of being banned in several countries and states (New Zealand, France, Costa Rica, Belize, Denmark, Ireland, California, Oregon, Washington) due to the severe environmental risks and destruction involved in these activities. The proposed area encompasses 12 000 square kilometers and is located on our major marine migratory route along the Agulhas Current on a very sensitive aquatic biodiversity area. Larger marine life like sharks, whales, dolphins and turtles will not be able to freely move through this massive area and their migratory routes will be disrupted. The noise and pollution of the 20 year drilling project will also interfere with their communication and navigation signals.
- The whole ocean is one big interlinked circular economy. If any of the smaller fishes, marine life, even the tiniest organisms living in the ocean is damaged then the predators and other species who rely on these species for food and life also become affected. The disruption to the ocean's ecosystem that will result from the Total Energies project will have a negative impact on small-scale and subsistence fishermen and

will directly affect their livelihoods and income. The fact that the project will comprise of 12 000 square kilometres with an additional buffer zone also means that their fishing grounds and existing fishing routes will be disrupted, further affecting their fishing practices and livelihoods.

- Large amounts of sediment will be released into the water during the construction and production phase of the project and the quality of the seawater will deteriorate. There is no accurate baseline to monitor and measure the severity of the degradation of the seawater quality.
- In the Total Energies EIA documentation it is mentioned that the infrastructure will be decommissioned during Phase 5 of the project. This can either mean that the infrastructure will be rendered inactive or it can mean that all of the infrastructure will be completely removed. The impact of leaving any part of the infrastructure in the ocean will be long-term and devastating. It should be stipulated in the documentation exactly how the decommission phase will be implemented and legally binding contracts should be in place to hold Total Energies accountable so that they cannot find a legal loophole to leave after they have completed the drilling project without removing all of the infrastructure that was used during the project.

Please see below my comments and objection against the procedures followed by Total Energies during the Public Participation Meetings

Public participation is an integral part of the Environmental Impact Assessment (EIA) process, because it provides opportunities for ALL interested and affected parties to fairly participate in the decision making process. The public participation process is part of the legislative regime in South Africa and is recognized as the main instrument to ensure that any proposed development is sustainable from an ecological, environmental, social and economic perspective.

I am very thankful that the public meetings were inclusive and that they focused on reaching a broad sector of the population. It is very positive that communities were involved and able to give their inputs as part of the process.

However, during the public participation process it is important that there is transparency and a climate of integrity, trust and credibility from the EIA applicant, namely Total Energies. Role-players should only promise what they believe they can deliver and should then deliver what they have promised.

I attended the public meeting that took place at the Thembaletu Community Hall in George on 18 January 2023. During the days leading up to the meeting vehicles with loud hailers drove through the Thembaletu formal settlement requesting that the community attend the public meetings and bring their ID documentation along to register for jobs. The message being conveyed to the public had nothing to do with the impact and scope of the project and simply promised jobs in exchange for attendance.

There was unhappiness among the attendees and many people felt that they were being used as a rubber stamp to propel the process forward without being able to directly benefit from the Total Energies project.

There is a negative socio-political impact that results from promising jobs without fulfilling the promises made. The consequences of not honoring promises made by Total Energies will fall onto the local municipal government as they will be the ones who will have to deal with the consequences on the ground if people are not able to get the jobs that they have been promised.

During the part of the public meeting where there was an opportunity for questions and comments, an environmental representative present asked some questions about Total's human rights violations in other countries and raised some concerns about the environmental impact of the project. The person asked what assurance South Africans have that the environmental degradation that has taken place as a result of Total's projects in other countries will not be repeated during the new project.

When the person left the meeting he was immediately bombarded by a municipal councillor outside the venue and was physically intimidated for speaking out against the project.

The meetings started more than a half an hour late and ended almost 2 hours after the scheduled time.

Several community members who were present during the meeting made it clear that they did not understand the discussions and that they were not able to follow what was being said. They asked that the WSP consultants use people from each community to interpret the discussions instead of bringing in external translators who do not speak the same lingo as the locals. The members of the community were under the impression that by signing the attendance register they will be receiving employment and they did not understand why the discussions were not explicitly related to their employment. As a result, many people left before the meeting was even halfway.

EIA's and public participation is used to raise developers' and administrative authorities' awareness of the essential environmental issues that deserve attention. The process should include direct engagement and efficient coordination with environmental organizations and their inputs and opinions should be expressly sought and included in the planning of the project. However, no part of the paperwork, including the sections related to engagement with key role-players, does it mention engagement with independent environmental / conservation organizations. It is vital that the public participation process does not exclude engagement with environmental role players in order to ensure that the environment is conserved and protected and that everyone with environmental knowledge and expertise is able to provide their inputs.

Thank you very much, I look forward to hearing from you and I hope you have a wonderful day.

--

*Best Wishes,*

*Pauline Rossouw (Cloete)*



*Kai Tikqooa Projects NPC*

*Cell*

*E-mail*



**Scoping and Environmental Impact Assessment (S&EIA) process for the proposed offshore Production Right and Environmental Authorisation Application for Block 11B/12B by TotalEnergies EP South Africa B.V.**

**Registration, Comment and Reply Form**

Draft Scoping Report: Thursday 01 December 2022 to Friday 03 February 2023

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Personal Information				
Title	First Name	Surname	Organisation / Department <i>(If applicable)</i>	
Mrs	Pauline	Cloete	Kai Tikquoa Conservancy	
Contact Details				
Mobile Number	Land Line Contact Number		Email / Fax Number	
NA	Office	Home		
	NA			
Do you want to register as an Interested and Affected Party?				
Please register me as an interested and affected party (I&AP) for this project so that I may receive further information and notifications as the project develops			YES ✓	NO
Please include my details on WSP's database to contact me about future projects in my area			YES ✓	NO
In terms of the EIA Regulations, 2014 (as amended), I disclose below any direct business, financial, personal, or other interest that I may have in the approval or refusal of the application:	Date	3 February 2023		
	Signature			

For internal use to confirm capture of stakeholder details into the stakeholder database	
Stakeholder database reference number	
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By registering as a stakeholder permission is hereby given in terms of the Protection of Personal Information Act for your contact details to be held securely to keep you informed about this project. WSP Group Africa as a good corporate citizen complies to the POPIA and confirms that your details will be kept confidential and will not be shared with any third party without your prior consent, other than the lead authority should they request stakeholder details.

# COMMENT(S)

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**I have the following comments to make regarding this proposed project and/or the public participation process:**

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- There are no explicit monitoring guidelines, and no quantifiable instruments in place that are able to measure the exact amount of waste that will be discharged into the ocean during the development and production phase of the project.
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- Many private and independent environmental organizations are currently funding the protection of the coastline between Mossel Bay and Cape St Francis where the drilling is proposed to take place. Total Energies will be making a large profit from the project while these entities will continue to use their own limited and self-generated resources to counteract the environmental degradation caused by the Total Energies project. These organizations should receive direct engagement from Total Energies, because when leaks occur or when

radioactive waste is released into the ocean, these organizations are the ones who will be left to deal with the consequences and they will physically have to counteract the environmental destruction caused by Total Energies.

- I am opposed to the fact that the South African government is allowing international companies to make billions on our South African shore at very little benefit to South Africans. South Africa is a democracy which is based on a sound Constitution that has been set up to ensure equality for all, yet South African residents will be taking on all the risks, especially those risks related to the degradation of our environment, with very little direct benefit to the country. An executive decision is being made by the minister of environmental affairs and mineral resources, who is appointed to act for the country by the country. It goes against the South African constitution for ministers to have sole discretion for signing off on a project of this magnitude without including ALL inputs, comments and objections in the process.
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- The whole ocean is one big interlinked circular economy. If any of the smaller fishes, marine life, even the tiniest organisms living in the ocean is damaged then the predators and other species who rely on these species for food and life also become affected. The disruption to the ocean's ecosystem that will result from the Total Energies project will have a negative impact on small-scale and subsistence fishermen and will directly affect their livelihoods and income. The fact that the project will comprise of 12 000 square kilometres with an additional buffer zone also means that their fishing grounds and existing fishing routes will be disrupted, further affecting their fishing practices and livelihoods.
- Large amounts of sediment will be released into the water during the construction and production phase of the project and the quality of the seawater will deteriorate. There is no accurate baseline to monitor and measure the severity of the degradation of the seawater quality.
- In the Total Energies EIA documentation it is mentioned that the infrastructure will be decommissioned during Phase 5 of the project. This can either mean that the infrastructure will be rendered inactive or it can mean that all of the infrastructure will be completely removed. The impact of leaving any part of the infrastructure in the ocean will be long-term and devastating. It should be stipulated in the documentation exactly how the decommission phase will be implemented and legally binding contracts should be in place to hold Total Energies accountable so that they cannot find a legal loophole to leave after they have completed the drilling project without removing all of the infrastructure that was used during the project.

Please see below my comments and objection against the procedures followed by Total Energies during the Public Participation Meetings

Public participation is an integral part of the Environmental Impact Assessment (EIA) process, because it provides opportunities for ALL interested and affected parties to fairly participate in the decision making process. The public participation process is part of the legislative regime in South Africa and is recognized as the main instrument to ensure that any proposed development is sustainable from an ecological, environmental, social and economic perspective.

I am very thankful that the public meetings were inclusive and that they focused on reaching a broad sector of the population. It is very positive that communities were involved and able to give their inputs as part of the process.

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I attended the public meeting that took place at the Thembalethu Community Hall in George on 18 January 2023. During the days leading up to the meeting vehicles with loud hailers drove through the Thembalethu formal settlement requesting that the community attend the public meetings and bring their ID documentation along to register for jobs. The message being conveyed to the public had nothing to do with the impact and scope of the project and simply promised jobs in exchange for attendance.

There was unhappiness among the attendees and many people felt that they were being used as a rubber stamp to propel the process forward without being able to directly benefit from the Total Energies project.

There is a negative socio political impact that results from promising jobs without fulfilling the promises made. The consequences of not honoring promises made by Total Energies will fall onto the local municipal government as they will be the ones who will have to deal with the consequences on the ground if people are not able to get the jobs that they have been promised.

During the part of the public meeting where there was an opportunity for questions and comments, an environmental representative present asked some questions about Total's human rights violations in other countries and raised some concerns about the environmental impact of the project. The person asked what assurance South Africans have that the environmental degradation that has taken place as a result of Total's projects in other countries will not be repeated during the new project.

When the person left the meeting he was immediately bombarded by a municipal councillor outside the venue and was physically intimidated for speaking out against the project.

The meetings started more than a half an hour late and ended almost 2 hours after the scheduled time.

Several community members who were present during the meeting made it clear that they did not understand the discussions and that they were not able to follow what was being said. They asked that the WSP consultants use people from each community to interpret the discussions instead of bringing in external translators who do not speak the same lingo as the locals. The members of the community were under the impression that by signing the attendance register they will be receiving employment and they did not understand why the discussions were not explicitly related to their employment. As a result, many people left before the meeting was even halfway.

EIA's and public participation is used to raise developers' and administrative authorities' awareness of the essential environmental issues that deserve attention. The process should include direct engagement and efficient coordination with environmental organizations and their inputs and opinions should be expressly sought and included in the planning of the project. However, no part of the paperwork, including the sections related to engagement with key role-players, does it mention engagement with independent environmental / conservation organizations. It is vital that the public participation process does not exclude engagement with environmental role players in order to ensure that the environment is conserved and protected and that everyone with environmental knowledge and expertise is able to provide their inputs.

**Please return the Registration, Comment and Reply form to:**

WSP Group Africa (Pty) Ltd

**PUBLIC PARTICIPATION OFFICE**

P.O. Box 6001, Halfway House, 1685

Tel: (011) 254 4800

Fax: (086) 582 1561

WhatsApp: 076 694 3842

E-mail: [teepsaEIA@WSP.com](mailto:teepsaEIA@WSP.com)

**THANK YOU!**

---

**From:** SFB Kromme Enviro-Trust <>  
**Sent:** Thursday, 02 February 2023 20:13  
**To:** TEEPSA EIA; ZA - GLD - Teepsa Esia  
**Subject:** Comment on Draft Scoping Report for TEEPSA block 11B/12B Production right  
**Attachments:** Teepsa submission offshore drilling final.doc

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Good day

Please find attached comments on the **TOTAL ENERGIES EP SOUTH AFRICA DRAFT SCOPING REPORT ENVIRONMENTAL & SOCIAL IMPACT ASSESSMENT PROPOSED OFFSHORE PRODUCTION RIGHT, ADDITIONAL EXPLORATION ACTIVITIES & ENVIRONMENTAL AUTHORISATION APPLICATION FOR BLOCK 11B/12B Ref No 12/4/13 PR** on behalf of the Kromme Enviro-Trust

Regards Anika Meyer



**E-mail:**

**Website:** [www.stfranciskrommetrust.co.za](http://www.stfranciskrommetrust.co.za)



**SUBMISSION**  
**in respect of**  
**TOTAL ENERGIES EP SOUTH AFRICA BV**  
**DRAFT SCOPING REPORT**  
**ENVIRONMENTAL & SOCIAL IMPACT ASSESSMENT**  
**PROPOSED OFFSHORE PRODUCTION RIGHT,**  
**ADDITIONAL EXPLORATION ACTIVITIES &**  
**ENVIRONMENTAL AUTHORISATION APPLICATION FOR BLOCK 11B/12B**  
**Ref No 12/4/13 PR**

**Introduction**

The Kromme Enviro-Trust (St Francis) is a registered Interested and Affected Party in the above application. We are primarily concerned with the proposed additional exploration activities, particularly the four proposed exploration wells, and the impacts on the area offshore of the Cape St Francis, Thysbaai, Oyster Bay and Gibson Bay coastline, but our concerns apply to the full extent of the proposed production and exploration activities.

**EU Corporate Sustainability Due Diligence Directive**

As Total Energies' headquarters are in the EU the organisation is subject to the EU Corporate Sustainability Due Diligence Directive. This being the case:

1. The Kromme Enviro-Trust expect to see a full disclosure of how TOTAL Energies will be acting in accordance with the above directive and that as part of these drilling operations and all other operations TOTAL is undertaking a full assessment of the environmental impact and human slavery impact in its supply chain and operations relating to these operations, down to the last molecule of waste. The Kromme Enviro-Trust submits that this EIA and scoping report should include environmental impact and slavery impact of the supply chain. Although this is not required by South African legislation, it is subject to the EU requirements.
2. Accountability to Total Energies Internal HSE Framework Policies: The Kromme Enviro-Trust would like to understand whether and to what extent the proposed operations will be managed in full compliance to the Total HSE and local content framework internal policies and guidelines, over and above local regulatory requirements.





This submission includes, but is not limited to, the below expectations for information:

**Planned emissions and discharges:**

**Air Emissions:**

1. What is the expected CO<sub>2</sub> and CH<sub>4</sub> content of the reservoir?
2. Total has a stated ambition to achieve Net Zero by 2050 and a 40% reduction by 2030 – what is the plan for managing the CO<sub>2</sub> and methane emissions for the development wells and ongoing operations as result of these wells? What technical options are being considered to reduce the carbon footprint of the wells, like CCS, or is greenwashing proposed in the form of offsets?
3. What is the anticipated H<sub>2</sub>S and NO<sub>X</sub> or other high probability gases content in the reservoir? How are these being managed as emissions?
4. What is the gas type expected?
5. Will there be venting?
6. What is the flaring plan and what will be done to minimise flaring and dark smoke?
7. For the development wells, will the gas be tied back to the FPSO, how will the flaring be managed?
8. How is TOTAL managing scope 2 and 3 emissions from this activity to ensure they are minimised?
9. As I&AP we would like to understand the likelihood of Naturally Occurring Radioactive Materials and Mercury in the reservoir.
10. How will site-level methane emissions be monitored and what measures will be put in place to keep emissions below 1% of CH<sub>4</sub> production during routine operations and during unplanned events.

**Waste Management:**

1. We would like to understand how waste will be managed to ensure that it does not contaminate local ecosystems.
2. We would like to understand how all waste will be managed, in particular hazardous waste.
3. Is all waste being disposed of in accordance with the EU Corporate Sustainability Due Diligence Directive and have waste receiving facilities been audited to ensure due diligence?
4. Is waste being tracked?

**Chemicals and muds:**



1. If a 6<sup>th</sup> Gen rig is being used, are the wells High Pressure or High Temperature or both? If so, are oil based or synthetic based drill muds being used? If so, how are they being managed and brought to shore? Where will they be disposed of?
2. We expect to see a typical proposed inventory of the chemicals to be used for drilling (muds, subsea, pipe dope, and concrete). What greening program is Total using to ensure ECO alternatives are considered and used? How will TOTAL manage the unavoidable toxic chemicals where greener alternatives are not available?
3. Does Total have a Chemical Management Process for chemical assessment and selection?
4. What is the plan for drill mud dumping? (Pump and dump?)
5. We expect to see no planned discharge of whole Synthetic Based Mud (SBM) to occur during drilling.
6. When using SBM will Total be adopting the minimum standards of having solids control equipment on-board to reduce residual base fluid on cuttings content to ALARP and acceptable levels prior to discharge overboard?
7. We expect to see the drill mud modelling included for reference.

#### **PLANNED operational discharges:**

1. We expect to see all planned operational discharges from the rigs (from Haz and non-haz drains). Our preference is for zero discharge from the rig.
2. We would like to understand discharges from the supply vessels.

#### **UNPLANNED Emissions and Discharges:**

##### **Oil Spill:**

1. Is oil spill modelling occurring for a series of likely scenarios of a well blow out, vessel collision, grounding etc? We believe oil spill modelling should be based on all scenarios identified and with all hydrocarbons possible. We expect to see the outcomes of the modelling from all identified scenarios.
2. What type of vessels will be used for the campaign? What fuel types will they have on-board? A vessel base collision is the most likely source for an oil spill from a drilling activity and we expect to see the modelling for this for all seasonal outcomes.
3. Is Total driving best practice and only using vessels with marine diesel oil or marine gas oil? Will Heavy Fuel Oil /Intermediate Fuel Oil fuel be used, possibly as a last resort?
4. Will drilling be undertaken using a riser? We expect to see the modelling from an unplanned discharge from a riser, especially if synthetic base mud or oil-based muds are being used at any point in time.
5. Will the company be developing a WOMP (Well Operations Management Plan) for each hole?



6. Will the WOMP be demonstrating the same controls and barriers we will expect to see in a USA, EU or Australian based well?

In the event of an oil spill, we expect that TOTAL will have in place, at least the below standard industry practices, already implemented and ready for response, to ensure an oil spill event is managed to minimise impact to our shores and reduce the short- and long-term impact as far as possible. This includes Total has, (but is in no account limited to):

- the ability for OSRL and equivalent to assist with an oil spill.
- full OVDS done on all vessels pre-acceptance to ensure they are robust and maintained.
- a capping stack available and logistically proven to be able to be deployed and on location in 10 -14 days and that an alternative drill rig can be available within 72 hours of incident occurring to drill a relief well. We expect that a relief well plan is in place and planned for each well.
- subsea first response available and able to deploy immediately.
- effective dispersant present and accounted for, which will not negatively harm our environment and is approved in European or Australian waters (as these are most comparable)
- South African government pre-approval to use dispersant, based on efficacy testing and provision of all scientifically available information to enable a sound assessment on the possible impact the chosen dispersant could have on people or the receiving environment.
- a full oil spill response capability and plans mapped out and clearly defined for the first 24hrs, 48hrs, 7 days onwards.
- a NEBA available for all areas of coastal impact and pre-planned each response scenario to limit impact on the environment.
- sufficient supply vessels with dispersant available and trained personnel to use the equipment on-board.

**Release of Solid Objects:**

We expect zero dropped objects from supply vessels and all drilling and subsea operations.

**Interaction with other sea users:**

1. The area is renowned for fishing, how will TOTAL Energies be managing the impacts from interaction with all sea users in the area?

**Noise Emissions:**

1. What is being done to manage noise, both from subsea, rig and supply vessels?



**Invasive Marine Species (IMS):** This being an active fisheries and tourist area, the Kromme Enviro-Trust would like to see how Invasive Marine Species will be managed to ensure no invasive species are brought into our waters at any time during the field life or drilling activities.

1. We expect to understand all controls being taken to prevent IMS from reaching our shores and ports as a result of vessels bringing invasive marine species into our waters not only from overseas waters but also from domestic waters.
2. We expect to understand how ballast water exchange operations will comply with the international conventions.
3. We expect to understand how TOTAL Energies plans to ensure all vessels have biofouling management systems in place in accordance with international biofouling management guidelines.
4. We would like assurance that all vessels (of appropriate class) will have a valid International Anti-Fouling System Certificate

### **LONG TERM IMPACT MITIGATION**

- I&APs expect to understand and see the long-term decommissioning plan for the facility in the EIA. The Kromme Enviro-Trust is supportive of common EU and Australian practices which are for full removal. We expect to see how this will occur in this process as this is a long-term impact from this operation which will affect our children's children.
- We expect to see an account of how TOTAL and JVS will financially account for a decommissioning activity which includes full removal so that the offshore assets do not become a burden on South Africa and hence taxpayers.
- Will the closure plan include a plug and abandon method or wellhead retrieval post drilling?

Questions and responses to:

Anika Meyer, Offshore Environment Portfolio  
Kromme Enviro-Trust (St Francis)

Kim Horwood, Specialist Consultant Offshore Drilling for Kromme Enviro Trust



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**Subject:** FW: Total Energies Scoping Report - Submission  
**Attachments:** Total Energies Scoping Report - Duineveld Kusvereniging submission.pdf

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**From:** monica <>  
**Sent:** 03 February 2023 22:28  
**To:** TEEPSA EIA <[teepsaEIA@wsp.com](mailto:teepsaEIA@wsp.com)>; ZA - GLD - Teepsa Esia <[gld.teepsaesia@wsp.com](mailto:gld.teepsaesia@wsp.com)>  
**Subject:** Total Energies Scoping Report - Submission

Dear Sirs,

As a Stakeholder we wish to register Landmark Foundation as an Interested and Affected Party and request confirmation thereof.

Please find attached our comments on Draft Scoping and Environmental Impact Assessment required by 3 February 2023 and confirm receipt thereof.

Monica Vaccaro  
Landmark Foundation

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-LAEmHhH2dJzBITWfa4Hgs7pbKl

**WSP Public Participation Office**  
**WSP Group Africa (Pty) Ltd,**  
**PO Box 6001,**  
**Halfway House, 1685**  
**By e-mail to teepsaEIA@WSP.com &**  
**gld.teepsaesia@wsp.com**

**Scoping & EIA for Block 11B/12B by TotalEnergies EP**  
**Ref 12/4/013**

***Landmark Foundation***  
**SUBMISSION**

### **ISSUES OF CONCERN**

#### ***Validity of the Public Participation Process (PPP)***

I attended two public meetings - on 16 January 2023 in KwaNonqaba and on 18 January 2023 in Thembalethu - and wish to record the following serious concerns.

- \* Firstly, we note that the PPP was launched during December (the notorious holiday period for problematic EIA applications to slip in beneath the radar).
- \* Be that as it may, none of the above-mentioned I&APs that I represent, were directly informed. I just happened to find out from the Garden Route District Municipality on Sunday 15 January 2023. When I referred back to the George Herald of 12 January 2023, I eventually spotted an obscure ad in tiny lettering on the sports page.
- \* We find it odd that the meetings were held in areas which aren't universally accessible.
- \* But what is of greatest concern, is that most attendees at both meetings informed me that agents with loud hailers had gone around KwaNonqaba and Thembalethu urging residents to bring their IDs to register for jobs at the meetings.
- \* At the KwaNonqaba meeting, residents threatened violent protest if these jobs didn't materialise. Unfortunately it is the Mossel Bay and Garden Route District municipalities (and not TEEPSA) which will bear the brunt of resultant infrastructural damage.
- \* Attendees at both meetings also informed me that they had been told that "Greenies want to stop the project because they didn't care about job creation for the poor".
- \* In Thembalethu, the presentations were stretched beyond the advertised two hour duration with WSP insisting on repeating the presentations in Xhosa and Afrikaans even though the audience were satisfied with just the English version. This resulted in most attendees leaving within the first hour after collecting their fruit at the door.
- \* Environmental aspects of the project were glossed at the meetings. No mention was made of the potentially devastating impact on the Kingklip Corals, the Agulhas Bank Nursery and the marine protected areas and critical biodiversity zones.
- \* In Thembalethu, a resident who questioned Total's human rights record in Africa, was confronted by a WSP representative who accused the young man of being a 'colonialist'. Surely TEEPSA or WSP didn't intend for the PPP to become a mere box-ticking farce that is sold to desperate job-seekers as a "job creation process which 'greenies' want to stop"? The reputational damage of this flawed process will potentially scupper the project.

## **Environmental concerns**

\*Seismic surveys have been implicated in altering the behaviour of marine life such as whales and dolphins attempting to escape airgun surveys. It is more than just coincidence that during TEEPSA's exploration activities in the Brulpadda and Luipaard blocks in 2019/2020, environmentalists logged at least nine whale beachings between Still Bay and Wilderness.

\*Please provide a comparison of the environmental impacts of gas exploitation vis a vis gas exploration.

\*Please describe the exploration methods to be used and their environmental impact.

\*What is the difference between fracking of the Karoo and fracking of the Indian Ocean?

\*Who will monitor TEEPSA's activities? A retired oil rigger says "You don't want to know what goes on out there. No one sees or monitors the carnage".

\*In the event of gas leakages or oil spills, who is responsible for cleaning up and rehabilitation? And who will pay?

Exploration and Production is located in the middle of the Aghulas Current and will negatively impact marine, plant, bird and consequently human life. In particular the migration routes of Whales and Sardines.

The proposed area borders PE Corals Marine Protected Area [MPA] which is an important conservation

zone for protecting endangered bottom feeders like kingklip. What will the effect be on this MPA? There

is a distinct possibility that activities associated with the setting up of wells during the drilling process,

and or accidental spillage, could disrupt the inhabitants of this sensitive area.

The risks of leaks, spills, blasts etc are unacceptable to even consider drilling.

And leaving equipment after use on the sea floor creates more problems and hazards.

"Total Energies and their Partners, relinquish all responsibility, financial or otherwise, that may arise in

the explored blocks after completing extraction and production. This becomes the responsibility of the

SA government " i.e. the Taxpayer.

This clause is absolutely *unacceptable*.

## **SAGE Advisory**

On 10 January 2023, the Scientific Advisory Group on Emergencies (SAGE) issued an advisory on "the use of deep-sea seismic surveys to explore for oil and gas deposits in South African waters".

We fully endorse their position and their recommendations, which we have paraphrased as follows:

\*Given a dearth of evidence on the impact of seismic surveys on marine life in SA waters, lack of full scientific certainty should not be used as a reason for refusing or postponing measures to prevent environmental degradation.

\*No seismic survey should be conducted in SA waters without a comprehensive (EIA) report based on the latest science.

\*Individuals with land-based mining and generalised environmental experience should never be considered proxies for legitimate marine experts. Instead, EIA report and even EMPs for marine environments should be drafted by experts with professional marine science and/or marine environmental training and experience.

\*Since the 1960s, several companies have operated off SA's coastline, with offshore oil and gas exploration under the assumption that their operations will have minimal impact on marine biota. These assumptions are based on, amongst others a lack of sufficient, detailed scientific information on SA's offshore marine resources, and a flawed distinction between substance-based pollutants and energy-based pollutants, such as sound.

\* Seismic air guns used to probe for the presence of shale gas deposits are considered 'disruptive technologies' which can cause acoustic disturbance over 3,000 km from the survey vessels (Nieukerk et al. 2004). This is significant in an aquatic environment where most wildlife relies on acoustic communication throughout their life cycles.

\*The surveys have purportedly been planned to minimize known disruptions to important marine fauna. However, the planned surveys will be conducted near several Marine Protected Areas and in an under-explored section of the Agulhas Current, where the sea floor and biological environment are poorly characterized. Species of high conservation value, could foreseeably inhabit this section of the SA coast.

\*The proposed technology that will be utilized for the survey has been implicated in disrupting early-life stages of a number of marine invertebrates, which are important to aquaculture projects along the Southern Cape coast, as part of **Operation Phakisa**.

\*There is relatively limited information on offshore SA biodiversity and ecosystems, including ecosystem services provided by a healthy marine environment. The long-term impacts of seismic surveys and noise pollution in marine environments are therefore poorly understood, due to a lack of baseline information.

\*Compressed air sound sources constitute outdated technologies that have not changed significantly after more than 50 years of use. New technologies with lesser environmental impact have since been developed.

\*South Africa is a party to international protocols relevant to exploitation of marine resources, including the the UN Convention on the Law of the Sea; the Convention on Biological Diversity; the Convention on the Conservation of Migratory Species of Wild Animals; the Abidjan Convention; the Nairobi Convention; SA's Integrated Coastal Management Act 24 of 2008 and NEMA. As an international player, will TotalEnergies respect these conventions?

\*All forms of pollution, including noise pollution in marine environments, need to be mitigated and reduced. The impact of these operations then needs to be monitored during the operations, as well as thereafter.

\*When exploiting natural (marine) resources, the latest and least disruptive technologies need to be used, to mitigate the potential adverse impacts.

\*The Southern Cape has one of the largest concentrations of environmentalists who are concerned about the use of outdated and/or potentially harmful technologies and natural resource harvesting activities in environmentally sensitive areas but do not have the resources to monitor.

\*There is international precedent for noise pollution to be classified as a form of energy pollution, with similar impacts as substance-based pollutants. Furthermore, protection of marine biota and cephalopods is becoming increasingly prioritized internationally.

## **Recommendations**

- Given a dearth of evidence on the impact of seismic surveys on marine life in SA waters, the lack of full scientific certainty should not be used as a reason for refusing or postponing cost-effective measures to prevent environmental degradation.

- No seismic survey should be conducted in SA waters without a comprehensive Environmental Impact Assessment (EIA) report based on the latest science.

- Only a holistic approach to marine oversight will ensure the sustainable use of our natural resources while also supporting tourism, local livelihoods, environmental health, and the

maintenance of ecosystem services.

-We further recommend strict monitoring measures not only to prevent gas and oil leakages but also severe fines and remedial action to clean up the environment at the exploiter's cost. Otherwise this becomes the cost burden of all coastal local authorities along the operational coastline, and especially the Mossel Bay Municipality, Hessequa Municipality, the Garden Route District Municipality.

-As the highest profile operator in the offshore area, TEEPSA will inevitably be blamed for every environmental disaster, oil spills, gas leakages, etc. It is thus strategically important for the operator to conduct thorough research on the effects of exploration activities on the marine environment and coastal communities to prevent becoming branded as the scapegoat or the 'Big Satan' for everything that goes wrong in the region.

**Monica Vaccaro**  
**On behalf of Landmark Foundation**

**3 February 2023**

---

**From:**  
**Sent:** Friday, 03 February 2023 09:55  
**To:** TEEPSA EIA; ZA - GLD - Teepsa Esia  
**Cc:**  
**Subject:** Oceans Not Oil Comments Block 11B/12B REF 12/4/13 PR  
**Attachments:** Oceans Not Oil Comments Block 11B12B REF 12-4-13 PR.docx; ANNEXURE A & B Affidavits .zip

Oceans Not Oil

Enquiries: Ms. J. Solomon

Durban

3 February 2023

WSP Group Africa (Pty) Ltd

PO Box 6001

Halfway House

1685

[teepsaEIA@WSP.com](mailto:teepsaEIA@WSP.com) / [gld.teepsaesia@wsp.com](mailto:gld.teepsaesia@wsp.com)

CC: PASA

Per email:

WPS Reference Number: 12/4/13 PR

ATTENTION: WSP Public Participation Office

COMMENTS ON THE TOTALENERGIES EP SOUTH AFRICA B.V. DRAFT SCOPING REPORT ON THE ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT (ESIA) FOR THE PROPOSED OFFSHORE PRODUCTION RIGHT AND ENVIRONMENTAL AUTHORISATION APPLICATIONS FOR BLOCK 11B/12B. REF NO: 12/4/13 PR

Herewith Oceans Not Oil's submission on the above mentioned application, which includes an Annexe file with 2 affidavits..

Please confirm receipt of this mail.

We look forward to your response.

Yours faithfully,

Janet Solomon  
For Oceans Not Oil  
[www.oceansnotoil.org](http://www.oceansnotoil.org)

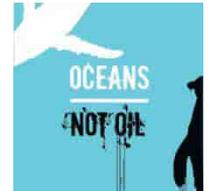
*Affiliated Organisations*

Janet Solomon  
Director  
VANISHING PRESENT PRODUCTIONS

Durban  
South Africa  
Movie: Becoming Visible

[www.becomingvisible.africa](http://www.becomingvisible.africa)  
Campaign: Oceans Not Oil  
[www.oceansnotoil.org](http://www.oceansnotoil.org)

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Oceans Not Oil  
Enquiries: Ms. J. Solomon  
Durban 3 February 2023

WSP Group Africa (Pty) Ltd  
PO Box 6001  
Halfway House  
1685  
teepsaEIA@WSP.com / gld.teepsaesia@wsp.com

CC: PASA  
Per email:

WPS Reference Number: 12/4/13 PR

ATTENTION: WSP Public Participation Office

**COMMENTS ON THE TOTALENERGIES EP SOUTH AFRICA B.V. DRAFT SCOPING REPORT ON THE ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT (ESIA) FOR THE PROPOSED OFFSHORE PRODUCTION RIGHT AND ENVIRONMENTAL AUTHORISATION APPLICATIONS FOR BLOCK 11B/12B. REF NO: 12/4/13 PR**

Oceans Not Oil is a coalition of 35 organisations and individuals whose ultimate objective is the cessation of seismic exploration and oil and gas exploitation off our coastline. It is an emancipatory and conservation imperative engaging public support and South African policymakers to build an economy beyond gas and oil - with its consequence to its marine life and intangible heritage, subsistence and commercial fisheries, the tourism, recreation and hospitality industries - and deal with climate change vulnerability that is the legacy of gas and oil.

This letter serves to comment on and lodge an objection to the TotalEnergies EP South Africa B.V. Draft Scoping on the Environmental and Social Impact Assessment (ESIA) and proposed public participation process for the proposed offshore production right and environmental authorisation applications for Block 11B/12B. It also serves to highlight numerous contentious issues with this EIA process. Our primary concern is that there is clear systemic injustice and fundamental flaws in the EIA process for this application, and as such WSP have failed to comply with the EIA requirements as set out in NEMA and the EIA Regulations, and this is evident for the following reasons:

The objection is based on the following, *inter alia*:

**1. BIASED, UNFAIR & UNDEMOCRATIC PUBLIC PARTICIPATION PROCESS**

This application's public participation process has been shown to be deeply flawed and undemocratic:

- (a) Loudhailing by municipal councillors was witnessed on the 16<sup>th</sup> and 18<sup>th</sup> of January in the Kwanonqaba formal settlement in Mossel Bay and in the Thembaletu formal settlement in George, announcing that jobs were available should the public arrive, sign in and attend the public meetings for this BLOCK 11B/12B application (Annexure A & B).

Furthermore, at the Thembaletu public meeting on 18 January 2023 a participant approached the microphone saying that most of the people present at the meeting only came because they were promised jobs, but that they were confused by the stakeholder engagement because it had nothing to do with the jobs. Feeling that they had been misled, many left the meeting thereafter.

This inducement of the community in an effort to tick box a public participation meeting does not constitute meaningful engagement of the community by WSP.

- (b) A major deficiency is, and has been, the failure of this DSR regime to consider ethnodiversity. Many of the I&APs, attending the same Thembaletu public meeting on 18 January 2023, do not speak English or Afrikaans with the proficiency required to fully understand the literature to grasp the implications of the project and how to address these. This needs to be tackled retroactively with immediate effect as this process has been fundamentally exclusionary. (Annexure A & B)
- (c) WSP did not democratically or fairly manage the Thembaletu public meeting on 18 January 2023 to prevent intimidation and racist comments by an ANC Councillor from Mossel Bay, of those who asked difficult questions or who offered critique. The same councillor threatened one participant outside physically. (Annexure A & B)
- (d) WSP consultants refused to include all inputs by participants on their whiteboard flipchart notes and when questioned about this, WSP declared the comments invalid. These inputs that were deemed “invalid” were critical of the project. (Annexure A & B)

As such WSP has failed to follow a procedurally fair process in accordance with Section 3 of the Promotion of Administrative Justice Act, (PAJA). Section 3(1) (a) of PAJA requires a procedurally fair process for administrative decision-making. This includes a reasonable opportunity to make representations about the subject matter being considered (section 3(2) (b)(1)). This opportunity to make representations, and is linked to the model of participatory and representative democracy in this country.

## **2. NEED AND DESIRABILITY OF THE PROJECT**

- a) To frame this project, which continues to expand and sustain the use of fossil fuels, which in turn exacerbate global warming and extreme climate events, as consistent with NEMA principles and as if NEMA principles (quoted in 4.4 of the ESIA) will guide the ESIA process, is an abuse of public trust.

*It has been shown that Total (branded now TotalEnergies) “personnel received warnings of the potential for catastrophic global warming from its products by 1971, became more fully informed of the issue in the 1980s, began promoting doubt regarding the scientific basis for global warming by the late 1980s, and ultimately settled on a position in the late 1990s of publicly accepting climate science while promoting policy delay or policies peripheral to fossil fuel control.”<sup>i</sup>*

WSP promotes a ‘future scenario’ TotalEnergies as environmentally responsible with claims that its oil-based business model will help contribute “to the country’s strategic objective of moving to a sustainable economy” and “serve as a bridge on the path from reliance on fossil fuel to carbon-neutrality from 2050” without TotalEnergies making actual changes to this model. This DSR adds to TotalEnergies’ litany of denial and deflection of attention away from the willful global endangerment by promoting fossil fuel products.

Methane's (CH<sub>4</sub>) considerably higher global warming potential than carbon dioxide (CO<sub>2</sub>) (Holmes et al., 2013) makes it a substantial contributor to climate change. 2014 estimates suggest that CH<sub>4</sub> emissions from oil and gas processes account for approximately 20% of worldwide anthropogenic emissions<sup>ii</sup>. Emissions from oil and gas production activities have increased from 65 to 80 TgCH<sub>4</sub>.yr<sup>-1</sup> <sup>iii, iv</sup> in the last 20 years<sup>v</sup>. This escalation jeopardises the success of the Paris Agreement<sup>vi</sup>. Given the fact that the subject of any production right represents a significant threat to the environment and to biodiversity, not to mention the public's constitutional right to an environment that is protected for the benefit of current and future generations, WSP lack of critical analysis in this regard demonstrates bias and an unjustifiable dereliction of duty.

- b) This project has the potential to put the \$8.5bn Just Energy Transition Partnership and future critical concessional loans, designed to support SA's just transition from fossil fuels, at risk.

### **3. 2022 FAILURE OF OFFSHORE PIPELINE LEAK NEAR MOSSEL BAY NEEDS EXPLANATION**

The scoping report has given no explanation for the leak, its quantity of condensate lost and the extent of environmental contamination, in the PetroSA condensate pipeline running from the offshore FA platform to the GTL refinery in Mossel Bay. It stands as a precedent; therefore it is imperative that the public is fully informed before further proceedings take place.

### **4. ALTERNATIVES REMAIN UNCONSIDERED**

It cannot be denied that the actual alternatives to extraction of fossil fuels is an investigation into the use of renewable energy.

- a) Please supply energy alternatives to this project.

### **5. SOCIO ECONOMIC ENVIRONMENT**

- a) That this project has the potential to exclude or reduce catch rates for large pelagic longline fisheries and small scale fishers for years could prove catastrophic for some of them. These fisheries spend most of its time at sea searching for fish with actual fishing events taking place over a relatively short period of time. These fisheries will be severely disadvantaged being unable to work in their operational areas. The significance of impact of both cumulative effects and extended duration should be considered high and compensation for loss of income must be established through an Cost Benefit Analysis.
- b) Please support your view in detail, and in estimated increase to household income, of the "socio-economic benefits" of the project to local communities.

Given a recurring pattern of the 'pre-source curse' effect: increase indebtedness, corruption and instability frequently which follow major oil and gas resource finds, even before production begins<sup>vii</sup>, and which is playing itself out in Mozambique currently<sup>viii</sup>, this needs substantiation.

"In contrast to hopes for development, Mozambicans are now on average poorer than they were a decade ago. 75% of Mozambicans spend less than \$1 per day, and 90% are under the international poverty line of \$1.90. Cabo Delgado, where the gas projects are based and site of an ongoing violent conflict, has been hit the worst: household spending has dropped by 38% in the last 5 years. Inequality is rising: the richest 10% of population account for 43% of expenditure, while the poorest 10% account for just 0.8% - and are poorer than they were a decade ago."<sup>ix</sup>

### **6. MANAGEMENT OF ENVIRONMENTAL IMPACTS OF PETROLEUM EXPLORATION AND PRODUCTION**

Contemporary research such as The Economic Contribution of the Ocean Sector in South Africa<sup>x</sup> as well as the Review of Ocean Economy Activities within the South African Exclusive Economic Zone with Particular Reference to the Offshore Oil and Gas, Fishing and Mining Sectors<sup>xi</sup> (Ken Findlay; CPUT Research Chair: Oceans Economy, July

2018) finds flaws with the valuation of the oil and gas sector which was undertaken by the Operation Phakisa consultancy firm<sup>xii</sup>, and which is presented in the Phakisa Document (Offshore Oil and Gas Exploration: Final Lab Report for Operation Phakisa).

There is no mention of a Cost Benefit Analysis or a Strategic Environmental Analysis for this application. Consequences of a blowout, or accidental release (and these happen as a matter of course during offshore operations) to tourism, fisheries and recreational industries need to be fully considered.

Despite numerous requests to DMRE and DFFE, there has been no Strategic Environmental Assessment (SEA) undertaken for offshore Oil & Gas in South Africa. Considering the potential for massive pollution being present, a rigorous, independent and proactive SEA should be undertaken to inform the environmental viability of this offshore oil and gas proposal.

- a) Please supply a Cost Benefit Analysis for this application.
- b) Please supply a Strategic Environmental Analysis for this application.

## **7. OIL SPILL CONTINGENCY PLAN**

The Oil Spill Contingency Plan will need to be sufficient and based on South African waters and offshore conditions. Stakeholders and I&APs should be able to engage on whether or not this plan provides sufficient protection to associated tourism, fisheries and businesses which rely on a healthy marine environment. Transparency is needed with regards to Oil Spill Response, Planning and Capacity necessary for public health and welfare as well as that of the marine and coastal environment.

In the blowout contingency plan, the deficit of technological expertise or resources or difficulty of effective co-ordination with all government and conservation agencies that have a statutory responsibility for some aspect of offshore oil and gas activities regarding incident management should be highlighted. Furthermore, the delegated National Incident Commander, along with the intended lines of responsibility for inter-agency efforts, should be made available for proper stakeholder and I&AP engagement.

The citizens of South Africa need assurance that incident management is fully informed and that South Africa has capacity to deal with the latest technology, practices and risks associated with, and due to, the different geological and ocean environments being explored, prior to the commencement of drilling.

There is significant concern over timeous response to a spill given the listed mitigations and rate of flow of the Agulhas current:

- a) Blow Out Preventors are mentioned however capping stacks are not. Please include differences on both of these as well as the expected time for these to reach potential sites from shore from the location where they are stored.
- b) The Scoping Report makes no mention of mitigation or contingency plans in the event of a fire or explosions. The Chevron Nigeria Limited explosion of January 2012 and the Gunashli oilfield disaster of December 2015 are indicators of the dire need for proper mitigation planning. Please make these plans public.

No guidelines, plans or choices for dispersant use have been provided.

- a) Please provide an explanation of their chemical components, toxicity, potential for bioaccumulation, ecological impacts through the water column and on the shoreline.
- b) Please provide, in detail, their specific function, as well as proof of immediate availability of dispersants, considering this is of primary importance in effecting recovery rates.

## **8. LIABILITIES AND FINANCIAL RESPONSIBILITY FOR OIL SPILL REMEDIATION**

The Scoping Report makes no mention of what appropriate insurance safeguards TotalEnergies have in place for remediation against oil spills and other environmental damages. Considering the serious toll a spill would have on safe recreation at beaches, healthy habitats for wildlife, industries such as tourism and fishing, the South African taxpayer and the general public, the EIA should produce proof of these insurance safeguards and a reasonable level of fiscal readiness for long term clean-up and reparation process, in the event of a major disaster.

- a) Please indicate what insurance safeguards are in place in the event of accidental release.

## **EMERGENCY RESPONSE**

- a) Please describe the protocol and time frame of response if there is accidental leakage/blowout from more than one well.
- b) Oil Spill Contingency Plan (OSCP) for Subsea and Surface Release, detailing Oil Spill Response, including the Blowout Management Protocol, Planning and Capacity, must be reported to both stakeholders and the public relevant for each exploration, extraction or decommissioning operation; must include the possibility of more than one event; and must be made available for proper stakeholder and I&AP engagement.
  - i. Any deficit of technological expertise / resources / difficulty of effective co-ordination with all government or conservation agencies that have a statutory responsibility for some aspect of offshore oil and gas activities regarding incident management, should be highlighted
- c) The delegated National Incident Commander, along with the intended lines of responsibility for inter-agency efforts, should be made available for proper stakeholder and I&AP engagement. The citizens of South Africa need assurance that incident management is fully informed and has capacity to deal with the latest technology, practices and risks associated with, and due to, the different geological and ocean environments being explored, prior to commencement of drilling.
- d) The Scoping Report must provide an Assessment of Onshore Environment and Mitigation in case of oil pollution. Buried oil contaminants can resurface as the beach erodes. Buried oil must be removed through mechanical excavation. The Scoping Report needs detailed modelling of cross-shore distribution of oil contaminants relating to beach morphodynamic terminology to help optimize beach clean-up planning.
- e) The ESIA must clarify a Dispersant Use Plan:
  - i. The most appropriate dispersants must be listed. An explanation of their chemical components, toxicity, and potential for bioaccumulation, ecological impacts through the water column and on the shoreline, and their specific function must be also provided.
  - ii. There are many situations where the net environmental benefits of chemical dispersion are not clear. The dispersant effects to local flora and fauna must be indicated for all potential choices of dispersant in order for regulators to confidently decide on dispersant use issues.
  - iii. The ability to provide timely and scientifically sound outcome and effects information is essential to support the regulators in their decision-making role when approving the initial use of dispersants and whether to continue or cease their use during an incident.
    - A) Predictive migration / movement maps of dispersants based on sound oceanographic and metrological science must be provided.
    - B) Developers must provide proof of immediate availability of dispersants considering this is of primary importance in effecting recovery rates.

## **9. LACK OF ASSESSMENT OF ONSHORE ENVIRONMENT AND MITIGATION**

In the case of a spill, buried oil contaminants can resurface as the beach erodes. Buried oil must be removed through mechanical excavation.

- a) Please provide detailed modelling of cross-shore distribution of oil contaminants relating to beach morphodynamic terminology to help optimize beach clean-up planning.

## 10. OPERATIONAL WASTE - TOXICITY, RADIOACTIVITY & POLLUTION

Global literature cites that discharges at similar depths may produce cuttings accumulations of up to 20m thickness within 100–500m of the well site and gradually get thinner away from the wellhead<sup>xiii</sup>.

- a) Please ensure the Drill Cutting Discharge Modelling includes environmental effects and impacts, i.e. smothering.
- b) Please advise if drill cuttings' offshore treatment and discharge to sea are assessed in terms of impact on seafloor/ benthic community, water column biology and expected dispersion?

Cognisance must be taken of the hazards of drill cuttings disposal onto the seabed (after cleaning) because they are often contaminated with drilling lubricants, synthetic-based drilling fluids (SBFs) and other non-aqueous drilling fluids (NAFs).

- c) Please outline what mitigation measures will be used against sediments contaminated with petroleum products, heavy metals and salts, which do not biodegrade and can accumulate in high concentrations affecting reproduction of marine life, and biomagnify toxic substances in the food chain.
- d) Please provide a detailed report, describing the compound ingredients, levels of expected toxicity and radioactivity of the lubricants used, and their effects to species (including human), including larval stages.
- e) Furthermore, please provide an explanation as to how these toxins will be mitigated during fish spawning periods where necessary.
- f) How and where in the water column will drill cuttings discharge to sea be dispersed?
- g) A detailed composition of these emissions and effluents regarding their toxicity, biodegradation, polynuclear aromatic hydrocarbon content and their metal content, need to be made public/ described in the ESIA.
- h) What assurances are there that drill cuttings will be treated to reduce oil content before disposal over board?
- i) Will the NADFs be oil based or synthetic? Please describe their classification.
- j) Offshore thermal desorption offers an alternative method to treat drilled cuttings offshore and reduce the oil concentration on cuttings to typically less than 0.5% by weight prior to marine discharge. Is this a method being considered?
- k) The Drilling Discharges Modelling Study must evaluate the contamination by not only Kgs of Non-aqueous Drilling Muds per well, but also model for the risk of the cumulative exposure to toxic and non-toxic stressors (dissolution of the chemicals, transport and deposition of particles, biodegradation, attachment of chemicals to particles, and eventually formation of agglomerated particles), and the fates of the discharge compounds in the sediment (e.g., concentrations and biodegradation in the sediment, bioturbation, equilibrium partitioning for organic chemicals and heavy metals, oxygen content in the porewater, change of grain size, and burial) from the tonnes of discharge from 10 wells.
- l) What is the period that the effects of the operational waste will have on the environment given the various types of waste, i.e. radioactive, and various detrimental chemicals and organics?

- m) Please advise as to which actual licenced waste contractor will be used for disposing of volumes of NADF remaining from the project. It is in the public interest to know the name of the contractor should the option be employed.
- n) Please advise as to which actual licenced radioactive waste contractor will be used for disposing hazardous wastes from the project, for the same reasons as above.
- o) Radioactive sources may be used for certain types of data acquisition. Please identify, and declare the half life/rate of radioactive decay, of the radioactive sources.
- p) Please identify the exact methods to be used for the treatment and also disposal of toxic radioactive drill wastes, frack flowback, drill mud, all radioactive substances and related tools, instruments used in the usage of any radioactive materials.
- q) Please identify the exact methods for the treatment and disposal of the drill mud if onshore.
- r) Please advise as to how and where toxic and also radioactive wastes are to be treated and disposed of, and in what municipalities?
- s) How will compliance to international standards for the handling, storage, disposal etc. of radioactive substances be managed?
- t) Total Energies and Shell have endorsed the Zero Routine Flaring by 2030 (Shell ZRF by 2025) initiative launched by the World Bank and the United Nations in 2015 for new field development, so what consequence does this hold for this operation?
- u) Please give a realistic determination of the volume of gas to be flared per test, its emissions quantity and concentration, and expand estimates given that there may be up to ten wells in total.
- v) What carbon budget has been allocated by the Minister of Forestry, Fisheries and the Environment for this project?
- w) Has a greenhouse gas mitigation plan been prepared and submitted to the Minister for approval?

## **11. PIPELINE INFRASTRUCTURE**

Given the gas condensate will be transported to land via pipelines, both new and existing infrastructure, there is little information on impacts of the pipeline infrastructure specifically.

- a) Please provide comprehensive clarity of pipeline infrastructure and its environmental impacts and threats during and after the infrastructure has been installed.

## **12. EXPLOSIVE USE**

The Scoping mentions that if required the use of explosives will be undertaken during drilling if required.

- b) Please provide, in detail the use of explosives as well as who holds the permits in terms of use of explosives for these operations.
- c) Furthermore, what mitigation will be in place during explosions given the extremely high risk to marine fauna in the use of explosives.

## **13. ENVIRONMENTAL BASELINE**

Despite the lengthy duration of an application process, at no time has TotalEnergies requested to undertake any Biological Baseline studies to satisfy the concerns raised by various stakeholders in the various application leading up

to this application. There remains little information or knowledge of the deep offshore marine environment in the Areas of Interest, and therefore there is still no actual benthic data of what exploration drilling could potentially impact upon in terms of biodiversity. Remotely Operated Vehicle surveys to seek a suitable location for the pipelines and wellheads but these surveys simply cannot be deemed as a baseline survey (MPRDA Reg 49(1) (scoping) and Reg 50 (EIA)).

#### **14. SPECIES SPECIFIC MITIGATION**

Increased offshore anthropogenic activities, such as offshore mining, are likely to generate additional energy costs to migrating humpback whale populations<sup>xiv</sup>. Therefore, energy related to reproduction would be jeopardized because the demand for energy would be funnelled into other related survival activities such as having to travel greater distances to avoid an area and changing swimming speeds. While local disturbances to behaviour may be minor, the costs of repeated disruptions may accumulate over a long journey (such as a migration) and thus collectively have a major impact on the energy stores of the whales. Given the historical anthropogenic pressure (whaling) on the Humpback whale population and its recent population comeback, it is a concern that exploration will be occurring in their direct migration channels, thus disturbing and changing the behaviour of the population, at an unknown cost.

Many of the species listed in South Africa are listed as Threatened (Vulnerable, Endangered and Critically Endangered) in SA waters.

- a) Please indicate which species are Southern African endemic species which occur within the area and at what depth ranges.

Furthermore, many species are listed on ToPS, CITES and CMS and therefore should be mitigated differently.

- a) Please comment on what biodiversity offsets are being considered and how the various levels of priority of threatened species will be determined and mitigated.

#### **15. SEISMIC NOISE, PRESSURE EMISSIONS & SONAR SURVEYS**

- a) South Africa is a signatory to a resolution passed at the 67th International Whaling Commission (IWC) 2018 for the elimination of acoustic pollution that affects whales (of all 13 species and populations considered under the IWC), and therefore has a duty to cooperate. Please explain how South Africa can fulfil this duty given that this project may take up to 7 and half years to complete (TBC) and will create significant disturbance for an extended period for protected and unprotected species.
  - i. The identified marine noise specialist must be capable and equipped to undertake in situ measurements (if they do not already exist) of the sound scape, and have the ability to interpret hearing thresholds (both Temporary Threshold Shift-based thresholds (TTS) and Permanent Threshold Shift (PTS)) of marine fauna in the proposed area. Rather than establishing the safety zone radius solely based on a fixed distance, the safety zone radius should be, at most conservative, of either 500 meters or a radius determined using propagation models based on the best available data and science for a pre-determined acoustic threshold (McQuinn and Carrier, 2005).
- b) Please clarify whether the sonar surveys will take 4 weeks for the entire project (all 10 wells) or whether they'll operate be 4 weeks per well?
- c) Please include seabed coring in your noise modelling.
- d) Please include Vertical Seismic Profiling in your noise modelling.
- e) Please include the decibel attenuation for the Vertical Seismic Profiling.
- f) What alternatives to Vertical Seismic Profiling have been investigated?
- g) Please include the number and size of airguns being used.

- h) Please establish cumulative acoustics limits for relevant species for the following:
- i. Multi beam echo-sounder (70-100 kHz)
  - ii. Single beam echo-sounder (38-200 kHz)
  - iii. Sub-bottom profiler (2-16 kHz)
  - iv. Vertical Seismic Profiling (please confirm the relevant Hz range)
  - v. Sea bed coring
  - vi. Noise from the rig
  - vii. Noise from the many vessels operating simultaneously
- i) Please indicate when these operations may run concurrently – seismic while drilling for eg., including across all wells.
- j) Key findings and modelling must be projected for the full length of the proposed operation.
- k) What international operational guidelines will be followed for mitigation of noise during this operation?
- l) Please assess the full scale of this acoustic footprint including impacts caused by vibration through drill string and casing, vibration into the seabed, vibration of drill bit.
- m) Please indicate how precautionary protocols will be established in areas of steep bathymetry close to seismic surveys and multibeam bathymetric sonar. Ocean depth, multibeam echo sounders sweep a swath up to 7.4 times water depth and so affect a wide area. Potential impacts on marine mammals may range from physical damage, including gross damage to ears and the 'bends', temporary and permanent threshold shift (deafness), to perceptual (masking biologically significant noises) and behavioural impacts (temporary or permanent displacement and stress) as well as indirect effects (reduced prey availability) (Gordon et al., 1998). High intensity, low and mid-frequency sonar has been implicated in some fatal strandings (Frantiz, 1998).
- n) Please indicate how precautionary protocols to limit the disruption of rest will be established for the extended period of this project. Perhaps one of the most overlooked aspects of anthropogenic noise impacts is the 'disruption of rest periods', which are important to migrating, or even generally moving, marine animals. Significant stress due to prolonged exposure to seismic and anthropogenic underwater noise has been measured in a number of species (Finneran et al., 2002; Eckert et al. 1998; McCauley et al. 2003; Rollard et al. 2012). These studies indicate cumulative effects could result in metabolic maladaptation, suppressing growth, immune system function, thermoregulation and the reduction of reproductive rates, with implications for individual and population fitness. Chronic problems of this kind are a legitimate conservation concern.
- o) Cumulative acoustic limits should be established, since there is a very real risk of displacement from feeding or breeding areas which could have far reaching effects not only for whole, and vulnerable, animal populations, but also on the fishing sector and our food security. These limits should be appropriately matched to the spatiotemporal scale and exposure rate of the risks to individuals and populations. Measurement of noise budget, such as those under consideration under the EU Marine Strategy Framework Directive (Tasker et al. 2010), should lead to limits on the source levels that are introduced on a regional scale.
- p) Please assess the various technologies available for detecting marine animals in low-visibility conditions. Technologies that need to be explored include, active acoustic monitoring (AAM), radio detection and ranging (RADAR), light detection and ranging (LIDAR), satellite, and spectral camera systems, especially infrared (IR).

The use of airguns in a marine environment requires mitigation and no seismic activities should take place during the known breeding and migration periods of cetaceans and turtles.

- 2) Please indicate how this will be mitigated.

Any operation of seismic surveys, vertical seismic surveys, Sonar surveys and bathymetric surveys happening concurrently must be taken into consideration with cumulative impacts assessed.

3) Please provide assessment of cumulative impacts.

## **16. LIGHT POLLUTION**

Operations introduce considerable amounts of artificial light (e.g., electric lighting, gas flares) that can potentially affect ecological processes in the upper ocean, such as diel vertical migration of plankton. Artificial night-light also attracts numerous species, including squid, large predatory fishes, and birds. Please evaluate for mitigation the effect of lights and the physical presence of ships on the movement of sensitive species.

4) Please ensure a full assessment of light and mitigation thereof is undertaken.

## **17. INVASIVE SPECIES**

Ships, drilling equipment and rigs are used and relocated all around the world.

5) Please provide an assessment on the negative impacts on native biodiversity, including risk to fisheries, from invasive species colonising drilling infrastructure should be assessed and mitigated.

## **18. MARINE PROTECTED AREAS / CBAs**

The Scoping Report should propose buffer zones adjacent to Marine Protected Areas and Critical Biodiversity Areas in order to protect marine biota inside the designated areas to mitigate mining impacts in these areas.

The Scoping acknowledges that the pipeline transverses a significant portion of CBA natural and that oil and gas pipelines are not compatible with either CBA natural or CBA restore.

6) Please ensure that the actual species and features which designate these areas as CBA's are explained in detail. There is currently insufficient information to accurately assess impact of the pipeline.

7) A linear structure, such as a pipeline fragments habitats. Fragmentation needs to be explored appropriately.

## **19. TIMING OF IMPACT**

Given the duration of the project (production and installation), impacts will be for approximately 20-30 years, throughout the year.

8) Please specify how species and ecological processes will be mitigated between seasons? In Particular for migration periods, spawning periods etc.

## **20. WELL ABANDONMENT**

More information is required with regards to well abandonment and its mitigation.

9) Will well be permanently or temporarily abandoned?

10) Please describe the well integrity testing methodology to be utilised.

11) Please provide information on the types of well barriers utilised, types of plugging materials utilised, their functioning and verification.

12) What does 'monitoring' entail, where will these data be housed, will South Africans have access to the data and what data would be embargoed, similar to the majority of data in this sector within South Africa?

- 13) Well failure is a common enough issue and serious. Please advise as to which actual contractor will be used for well plugging.
- 14) Incidents involving radiation sources in well logging have occurred mainly as a result of operator error or equipment failure. According to the *International Atomic Energy Agency 2020 Radiation Safety In Well Logging: Specific Safety Guide* report, the hazards involved and the necessary control measures should be identified for each of the following conditions:
- i. Storage of the well logging sources
  - ii. Calibration and operation of the well logging tools;
  - iii. Transport of the sources;
  - iv. Work at the site with the well logging tools;
  - v. Maintenance of the tools;
  - vi. Disposal of disused sources.
  - vii. The possibility of theft and sabotage of radioactive sources.
- 15) Please identify control measures for each of these conditions.
- 16) How will TotalEnergies ensure monitoring will be carried out after production has ceased and throughout de-commissioning? Please provide a report on how the applicant will ensure well monitoring.

For all the reasons stated above, it is our request that the proposed exploration does not proceed.

We look forward to your response.

Yours faithfully,  
Janet Solomon  
For Oceans Not Oil

*Affiliated Organisations*

- African Conservation Trust
- AfriOceans Conservation Alliance
- Centre for Environmental Rights
- Conservation Guardians
- Coastwatch
- Coastal Links (KwaZulu Natal)
- Conservancies KZN
- Earth Life Africa (Durban)
- Eastern Cape Environmental Network
- Embabhaceni Development and Nature Solutions
- Fisherfolk Formations
- FrackFree SA Youth
- Green Thumb Society
- groundWork
- Kai Tikquoa Conservancy (George)
- KwaZulu Natal Marine Stranding Network
- Legal Resources Centre
- Mayine Azanian Movement
- Masifundise Development Trust
- Sardine Run Association
- Sentinel Ocean Alliance
- South African Youth Climate Change Coalition
- South African Squid Management Industrial Association
- South Durban Community Environmental Alliance
- Sustaining The Wild Coast
- The Bluff Work Experience and Volunteer Program

- Umkomaas Fishing Forum
- Vaal Environmental Justice Alliance
- Vanishing Present Productions
- Wildlands
- KZN Conservancies

#### Commercial

- Shark Warrior Adventures
- Ufudu Flyfishing Safaris

#### International

- Parley For The Oceans

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<sup>i</sup> Bonneuil, C., Choquet, P. L., & Franta, B. (2021). Early warnings and emerging accountability: Total's responses to global warming, 1971–2021. *Global Environmental Change*, 71, 102386.

<sup>ii</sup> Nara, H., Tanimoto, H., Tohjima, Y. *et al.* (2014). Emissions of methane from offshore oil and gas platforms in Southeast Asia. *Sci Rep* 4, 6503. <https://doi.org/10.1038/srep06503>

<sup>iii</sup> Varon, D. J., Jervis, D., McKeever, J., Spence, I., Gains, D., and Jacob, D. J. (2021). High-frequency monitoring of anomalous methane point sources with multispectral Sentinel-2 satellite observations, *Atmos. Meas. Tech.*, 14, 2771–2785, <https://doi.org/10.5194/amt-14-2771-2021>.

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<sup>v</sup> IEA (2022). Methane Tracker. International Energy Agency, Paris, France. <https://www.iea.org/reports/methane-tracker> (accessed 21 Jan 2023).

<sup>vi</sup> Nisbet, E. G., Fisher, R. E., Lowry, D., France, J. L., Allen, G., Bakaloglu, S., et al. (2020). Methane mitigation: methods to reduce emissions, on the path to the Paris agreement. *Reviews of Geophysics*, 58, e2019RG000675. <https://doi.org/10.1029/2019RG000675>

<sup>vii</sup> Frynas, J. G., & Buur, L. (2020). The presource curse in Africa: Economic and political effects of anticipating natural resource revenues. *The Extractive Industries and Society*, 7(4), 1257-1270.

<sup>viii</sup> Gaventa, J. (2021) The Failure of 'Gas For Development' Mozambique Case Study. *E3G*. see <https://www.e3g.org/publications/the-failure-of-gas-for-development-mozambique-case-study/>

<sup>ix</sup> Hanlon, J (2021) Could Mozambique become a hydrogen hub?. *Mozambique news reports and clippings*. [https://www.open.ac.uk/technology/mozambique/sites/www.open.ac.uk.technology.mozambique/files/files/Mozambique\\_555-1July2021-Mphanda-Nkuwa-and-hydrogen\\_Special-report.pdf](https://www.open.ac.uk/technology/mozambique/sites/www.open.ac.uk.technology.mozambique/files/files/Mozambique_555-1July2021-Mphanda-Nkuwa-and-hydrogen_Special-report.pdf)

<sup>x</sup> Hosking, S., Du Preez, D., Kaczynsky, V., Hosking, J., Du Preez, M., Haines, R. 2014. The Economic Contribution Of The Ocean Sector In South Africa. *Journal for Studies in Economics and Econometrics*, 38 (2)

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- <sup>xi</sup> Findlay, K. (2018). *Review Of Ocean Economy Activities Within The South African Exclusive Economic Zone With Particular Reference To The Offshore Oil And Gas, Fishing And Mining Sectors*. Oceans Economy, Cape Peninsula University of Technology, South Africa, p.20.
- <sup>xii</sup> McKinsey. (2014). *Unlocking the Economic Potential of South Africa's Oceans, Marine Transport and Manufacturing Executive Summary*. Department of Planning, Monitoring and Evaluation. 2014. *Operation Phakisa: Offshore Oil and Gas Final Lab Report-2014 Cape Town*. Available at :  
<https://www.operationphakisa.gov.za/operations/oel/pmpg/Marine%20Protection%20and%20Govenance%20Documents/Marine%20Protection%20and%20Govenance/OPOceans%20MPSG%20Executive%20Summary.pdf>
- <sup>xiii</sup> Howarth, R. W., Santoro, R. & Ingraffea, A. (2011). Methane and the greenhouse-gas footprint of natural gas from shale formations. *Clim. Change*106, 679–690.
- <sup>xiv</sup> Braithwaite, J.E., Meeuwig, J.J., Hipsey, M.R. (2015). Optimal migration energetics of humpback whales and the implications of disturbance. *Conservation Physiology* 3: doi:10.1093/conphys/cov001.
- <sup>xv</sup> Vignes, B., & Aadnoy, B. S. (2008, March). Well-integrity issues offshore Norway. In *IADC/SPE Drilling Conference*. OnePetro.

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**Subject:** FW: submission TEEPSA Block 11b/12b  
**Attachments:** Submission\_TEEPSA Block 11b 12b\_Project 90 by 2030.pdf

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**From:** Tina Schubert <>  
**Sent:** 02 February 2023 14:04  
**To:** TEEPSA EIA <[teepsaEIA@wsp.com](mailto:teepsaEIA@wsp.com)>  
**Cc:** Gabriel Klaasen <>; Lorna Fuller <>  
**Subject:** submission TEEPSA Block 11b/12b

Good day,

Please find attached Project 90 by 2030's submission in response to the proposed offshore Production Rights and Environmental Authorisation Application for Block 11B/12B by TotalEnergy EP South Africa.

Kind regards

Tina Schubert

On behalf of Project 90



**Tina Schubert**  
(She/her)

Tel: +

Project 90 by 2030 is an 18A registered PBO  
PBO Number: 930040978

[www.90by2030.org.za](http://www.90by2030.org.za)

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Contacts: Tina Schubert ( ) \_\_\_\_\_

2<sup>nd</sup> February 2023

WSP Group Africa (Pty) Ltd

PUBLIC PARTICIPATION OFFICE

P.O. Box 6001, Halfway House, 168

E-mail: [teepsaEIA@WSP.com](mailto:teepsaEIA@WSP.com)

**Project 90 by 2030's submission in response to the proposed offshore Production Rights and Environmental Authorisation Application for Block 11B/12B by TotalEnergy EP South Africa.**

**1. Introduction**

Project 90 by 2030 ('Project 90') is a social and environmental justice organisation inspiring and mobilising South African society towards a sustainably developed and equitable low-carbon future. We work with stakeholders and decision makers to identify policies and actions that support climate justice; with a specific focus on developing environmental leadership in our youth and increasing people's ability to engage government – through active public participation – to address climate change, energy poverty, and the social injustices that intersect in their communities.

On a daily basis we work with youth and community leaders on the Cape Flats in Cape Town. Living conditions are hard and households struggle with the lack of service delivery. Communities understand that the impacts of climate change will worsen their living conditions and that there won't be any improvement without mitigating greenhouse gas emissions from fossil fuels and investments into adaptation.

This submission represents the views of Project 90 by 2030. We are part of a network of numerous civil society organisations.

**Board of Governors:** Lorna Fuller (Director), Lynn Maggott (Chairperson),  
Jiska de Groot, Malie Ntshangase, Phiwe Ndinisa, Cindy Ross, Nokubonga Swartbooi  
and Rofhiwa Takalani



**NPO number:** 123 - 630  
Project 90 by 2030 is an 18A registered PBO



## 2. Comments

Project 90 by 2030 welcomes the opportunity to comment on the proposed offshore Production Rights and Environmental Authorisation Application for Block 11B/12B by TotalEnergy EP South Africa and would like to use this opportunity to express our concern about the plans to invest further in new gas exploration and production in the time of climate emergency.

### **We oppose the further development of a gas industry in South Africa for the following reasons:**

The climate crisis is upon us, and much more severe impacts are in store, if we fail to halve greenhouse gas emissions this decade and immediately scale up adaptation. Climate change is already causing widespread disruption in every region in the world with around 1.1 degrees C of warming. Every tenth of a degree of additional warming will escalate threats to people, species and ecosystems. The latest assessment report by the Intergovernmental Panel on Climate Change (IPCC) clearly states that the limit of 1.5 degrees C is the scientifically confirmed minimum safe limit for our climate and survival, hence, climate action is needed urgently<sup>1</sup>. In June 2021 the International Energy Agency published a study that clearly stated that the exploitation and development of new oil and gas fields must stop in 2021 if the world is to stay within safe limits of global heating and meet the goal of net zero emissions by 2050<sup>2</sup>.

#### **Gas is NOT a more climate friendly fossil fuel.**

Looking at the whole value chain of gas, methane can escape through so called “gas leaks” into the atmosphere at many different points in the supply chain. These emissions have routinely been under-estimated by industry and governments. Methane has a far greater global warming potential than carbon dioxide. Over the next 20-year period – which is a crucial time period to respond to the climate emergency - the warming potential is 84–86 times greater.

#### **Gas is NOT needed as a transition fuel.**

Combinations of renewable energies and energy storage are either already cheaper or are expected to be cheaper within a few years. Developing a local gas industry will take time, so by the time the infrastructure is in place, renewables and storage will have become the most cost-effective option, and the gas infrastructure will be a stranded asset.<sup>3</sup>

#### **Gas will NOT solve the energy crisis.**

Multiple experts agree that “*Energy modelling shows that renewables are the quickest and cheapest way to get much-needed capacity onto the grid.*”<sup>4</sup> South Africa should act according to science-based evidence and invest in renewable energy sources as fast as possible.

<sup>1</sup> [IPCC AR6 WGII SummaryForPolicymakers.pdf](#)

<sup>2</sup> [No new oil, gas or coal development if world is to reach net zero by 2050, says world energy body | Fossil fuels | The Guardian](#)

<sup>3</sup> [fossil gas factsheet 1.pdf \(panda.org\)](#)

<sup>4</sup> [Gas power plans for Eskom not the solution to electricity crisis – Centre for Environmental Rights \(cer.org.za\)](#)

### 3. Conclusion

South Africa has signed the Paris agreement<sup>5</sup> which agrees to limit climate change to under 2 degrees C and with all efforts to limit it to 1.5 degrees, hence there is no space for using further hydrocarbons beyond the currently discovered reserves. Fossil gas expansion is inconsistent with the Paris Agreement goals, and as a signatory to the Agreement **South Africa should not undertake any further investments in the development of new gas projects.**

Building a local gas industry will take a lot of time. Electricity generated by our massive sun and wind resources within our own borders is the most secure and sustainable way forward. Instead of producing and using more fossil fuels **South Africa should invest all they have in building a renewable energy industry.**

We trust that WSP will take into account the comments and information provided in this submission.

Sincerely,



Tina Schubert on behalf of Project 90

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<sup>5</sup> [South Africa signs Paris Agreement on Climate Change in New York | Department of Environmental Affairs \(dffe.gov.za\)](https://www.dffe.gov.za/news/2016/12/01/south-africa-signs-paris-agreement-on-climate-change-in-new-york)

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**From:** Monica Stassen <>  
**Sent:** Friday, 03 February 2023 10:26  
**To:** TEEPSA EIA; ZA - GLD - Teepsa Esia; ZA - GLD - Teepsa Esia  
**Subject:** Comments on Draft Scoping Report for Block 11B/12B  
**Attachments:** TEPSA comments\_11B-12B SANCCOB.pdf; Annexure 1 - TEPSA 11B12B comments\_SANCCOB.pdf; Annexure 2 - TEPSA DWOB comments\_SANCCOB.pdf; Anneure 3 TEPSA 567 SANCCOB Comments on drafting scoping report.pdf; Annexure 4 TEPSA 567 SANCCOB Comments on ESIA.pdf; Annexure 4 TEPSA 567 SANCCOB Comments on ESIA.pdf

Good Day

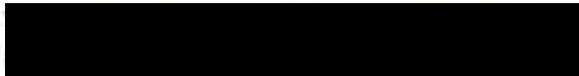
Please find attached SANCCOB's comments on the draft scoping report and associated supporting information attached here as annexures.

Kind regards

Monica



Monica Stassen  
Preparedness and Response Manager





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Registration Number: 2001/026273/08  
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Physical Address: , Table View, 7441  
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Email: Website: [www.sanccob.co.za](http://www.sanccob.co.za)

03 February 2023

For Attention: WSP

As an Interested & Affected Party, The Southern African Foundation for the Conservation of Coastal Birds (SANCCOB) hereby submits comments on the Draft Scoping Report for proposed additional exploration drilling and associated activities in Block 11b/12b on the South Cape of South Africa. SANCCOB has already participated in several ESIA processes for TotalEnergies and submitted comments on the scoping report for proposed exploration and drilling in Block 11/12B in 2020. SANCCOB also submitted comments on the scoping report and ESIA for Block 567 and on the scoping report for Block DWOB. SANCCOB includes those submissions as an Appendix to this letter as many of the points raised in those submissions applies to this one.

### **1. Risk of a blow-out / oil spill**

In table 8 -1 for the environmental and social interactions an accidental oil spill is considered a minor negative interaction. It is well-documented that even a small spill can have a major impact on seabirds under certain conditions. Therefore, it is essential that the risk of an oil spill is seriously considered, and appropriate mitigation measures are identified for various scenarios.

Considerations must also be given not only to the increased number of vessels operating around the drilling site but also the high vessel traffic in the area (as quoted on Page 41 of the Scoping Report) which increases the potential for vessel collision. It is therefore concerning that the risk of vessel traffic are not being assessed by this ESIA.

The weather conditions off South Africa can be extremely hazardous thereby increasing the risk of an oil spill incident occurring. Oil spill response companies will not be effective if the sea and/or weather conditions are too rough; it is crucial that these factors are considered in the ESIA and plans are in place to mitigate these.

On page 118 there is specific mention of that an Oil Spill Contingency Plan will be compiled. It is essential that oiled wildlife response is included in the plan and listed in Table 11-1 as a mitigation strategy. In the interest of transparency this plan should be shared with all relevant stakeholders. If needed confidential information can be blacked out.

On page 84 there is reference that storage of oil, gas and/or fuel diesel in containers larger than 500m<sup>3</sup> will likely occur. It is important that the ESIA evaluates how these materials will be stored to and what plans are in place should something happens to the drilling unit and the material goes overboard.

Birdlife SA, CapeNature and SANCCOB are partnering to attempt to establish a new colony for African penguins at De Hoop Nature Reserve. This site was selected based on the high food availability as per DFFEs fish surveys. The first release of thirty penguin fledgling took place on 11 June 2021. Fives releases took place in 2022 adding up to 148 birds. During the last release adult penguins were discovered at the site. In November 2022 chicks were spotted at the site which is the first time adults have bred at this location since

**Board of Directors:** *I Cilliers (Chairperson), N Maskell (Chief Executive Officer), V Boulle (Treasurer),  
Dr S Petersen, Dr A Makhado, Dr A Wolfaardt.*

2008. 8 Adults and juveniles in the process of moulting were also sighted. Whilst still early days this is a positive development. The EIA needs to include this site as an area of critical importance in the event of an oil spill. Additionally, the increase in noise levels due to drilling activity and increased vessel traffic must be considered. A recent study in Algoa Bay found that increased underwater noise levels likely contributed to the decline in African Penguin numbers on St Croix Island (Pichegru et al 2022).<sup>1</sup>

## **2. Sensitive marine wildlife likely to be impacted.**

There are many seabird's species occurring in the vicinity of the drilling area many of which are listed as endangered on the IUCN Red List for Threatened and Endangered species. An oil spill affecting pelagic seabirds could be catastrophic as these birds are not easy to capture, extremely susceptible to stress and secondary complication linked to rehabilitation. As such their mortality in rehabilitation centres is often very high. It is therefore essential that the ESIA adequately addresses the risks posed to these species and how they will be mitigated.

## **3. Disturbance to marine wildlife**

The concern remains that the drilling operations and the associated increase in shipping traffic, could negatively impact pelagic fish, seabirds and cetaceans surrounding the drill site. The noise produced by ship engines, drilling technology and air transportation has the potential to cause disorientation and stress in marine wildlife resulting in complete avoidance of the region going forward. This could have significant implication on wildlife if the area is used as a key foraging or breeding location. The ESIA needs to consider seasonal variations in species and life cycle events to ensure that drilling does not occur during sensitive periods.

Page 120 notes (Table 11-1) that the operational lighting that will be required on the drilling unit during the hours of darkness; this poses a threat to nocturnal wildlife, particularly seabirds. Night lighting often causes seabirds to become disorientated and potentially collide with vessel or drilling structure. Whilst the document alludes to some type of mitigation strategy it needs to be explicitly detailed in the ESIA.

Birds are also attracted to floating structures and any object that is left unoccupied for any length of time could be become occupied with birds. Depending on the time of year these birds could start nesting making removal of the nests impossible until the chicks have fledged. The ESIA study should take this into account and provide adequate mitigation measures.

Regards



Monica Stassen  
Preparedness & Response Manager

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<sup>1</sup> Pichegru, L., Vibert, L., Thiebault, A., Charier, I., Stander, N., Ludynia, K., Lewis, M., Carpenter-Kling, T. and McInnes A. 2022. Maritime traffic trends around the southern tip of Africa – Did marine noise pollution contribute to the local penguins' collapse? *Science of the Total Environment*. Vol 849.



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20 August 2020

SLR Consulting  
Ms Candice Sadan  
PO Box , Caledon Square, 7905  
Newlands, 7700  
Tel:  
E-mail:

As an Interested & Affected Party, The Southern African Foundation for the Conservation of Coastal Birds (SANCCOB) hereby submits comments on the Draft Scoping Report for proposed additional exploration drilling and associated activities in Block 11B/12B off the south coast of South Africa.

## 1. Risk of a blow-out / oil spill

It must be recognised that there is a high risk of an oil spill and therefore mitigation measures must be identified for this scenario. Considerations must be given to the increase of vessels operating around the drilling site and the potential of a vessel collision. Offshore fuel bunkering is inherently risky and in addition, the weather conditions off the south coast can be extremely hazardous thereby increasing the risk of a spill during bunkering. Oil spill response contractors will not be effective if the sea/weather conditions are too rough; it is crucial that these details are considered and plans are in place to mitigate these.

The draft Environmental Impact Assessment report should include the type of fuel oil to be utilised as referred to in the Scoping Report and ensure that the contingency plan provides an explanation on the response strategy for this fuel type and based on the planned oil spill modelling outcomes.

Chapter 6 refers to the company OSRL contracted in the case of a well blow-out; the equipment is stored in Saldanha; this will likely take several hours to mobilise therefore assurances are required as to how the an incident will managed until the required equipment arrived onsite.

Birdlife SA, CapeNature and SANCCOB are partnering to attempt to establish a new colony for African penguins at De Hoop Nature Reserve. This site was selected based on the high food availability as per DEFFs fish surveys. In 2021, the partnering organisations plan on releasing hand-reared penguins at the above-mentioned site and are concurrently trying to attract adult penguins using passive techniques. The EIA therefore needs to include this site as an area of particular importance in the event of an oil spill. Additionally, there is a concern that the pelagic fish that is present along the Agulhas Bank may disperse due to noise or traffic disturbance.

## 2. Sensitive marine wildlife likely to be impacted

There are many seabirds species occurring in the region and traversing along the South Coast which include the African penguin, Cape gannet, Cape cormorant and Bank cormorant, all endangered on the IUCN Red Data List. Other species of concern include pelagic seabirds that

**Board of Directors:** *Dr S Petersen (Chairperson), Dr S van der Spuy (Chief Executive Officer), I Cilliers (Treasurer), Dr A Makhado, Dr A Wolfaardt, V Boule.*

travel further offshore and will likely be impacted directly or indirectly. These species currently face a myriad of threats therefore it is crucial that the EIA adequately addresses the risks posed to these species and how they will be mitigated.

### **3. Disturbance to marine wildlife**

By virtue of the drilling operations and increased shipping traffic, there is a concern that these activities will impact pelagic fish, seabirds and cetaceans surrounding the drill site; the noise produced by ship engines, drilling technology and air transportation has the potential to cause marine wildlife to avert the region and may result in disorientation and distress. It is proposed in the Scoping Report that a helicopter will be commissioned to transport personnel for up to 15 return trips per day; this seems excessive and we request that this is reconsidered and an alternative is established.

Chapter 6 references the operational lighting that will be required on the drilling unit during the hours of darkness; this poses a threat to nocturnal wildlife, particularly seabirds that could become disorientated and collide with the site structure. It is requested that the EIA include measures that will be implemented to reduce the risk of light-related collisions for seabirds.

Regards

Nicky Stander  
Preparedness & Response Manager



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14 December 2022

For Attention: SLR Consulting

As an Interested & Affected Party, The Southern African Foundation for the Conservation of Coastal Birds (SANCCOB) hereby submits comments on the Draft Scoping Report for proposed additional exploration drilling and associated activities in Block Deep Water Orange Basin offshore on the West Coast of South Africa.

### **1. Risk of a blow-out / oil spill**

In table 8 -1 for the environmental and social interactions an accidental oil spill is considered a minor negative interaction. It is well-documented that even a small spill can have a major impact on seabirds under certain conditions. Therefore, it is essential that the risk of an oil spill is seriously considered, and appropriate mitigation measures are identified for various scenarios.

Considerations must also be given not only to the increased number of vessels operating around the drilling site but also the high vessel traffic in the area (as quoted on Page xviii of the Scoping Report) which increases the potential for vessel collision. It is therefore concerning that no specialist study on vessel traffic will be planned under the ESIA.

The weather conditions off South Africa can be extremely hazardous thereby increasing the risk of an oil spill incident occurring. Oil spill response companies will not be effective if the sea and/or weather conditions are too rough; it is crucial that these factors are considered in the ESIA and plans are in place to mitigate these.

The draft Environmental and Social Impact Assessment report should include a detailed overview of the types of fuel that will be used, their associated risks and any appropriate mitigation strategies that should be followed.

On page 6-33 there is specific mention of that an Oil Spill Contingency Plan will be compiled. It is essential that oiled wildlife response is included in the plan. In the interest of transparency this plan should be shared with all relevant stakeholders. If needed confidential information can be blacked out.

On page 6-19 there is reference to a dedicated storage area for fluids and chemicals such as fuels, water, mud, cement, mud chemicals and cement chemicals. It is important that they are stored in appropriate containers that will not rupture easily in the event something happens to the drilling unit and the material goes overboard.

### **2. Sensitive marine wildlife likely to be impacted**

There are many pelagic seabird's species occurring in the proposed drilling area which include the Atlantic Yellow-nose albatross, Indian Yellow-nose albatross, Northern royal albatross, grey-headed albatross, and the sooty albatross all listed as endangered on the IUCN Red List for Threatened and Endangered species. The

**Board of Directors:** *I Cilliers (Chairperson), N Maskell (Chief Executive Officer), V Boulle (Treasurer),  
Dr S Petersen, Dr A Makhado, Dr A Wolfaardt.*

Tristan albatross is listed as critically endangered and can also be found in the proposed drilling area. An oil spill affecting pelagic seabirds could be catastrophic as these birds are not easy to capture, extremely susceptible to stress and secondary complication linked to rehabilitation. As such their mortality in rehabilitation centres is often very high. It is therefore essential that the ESIA adequately addresses the risks posed to these species and how they will be mitigated.

### **3. Disturbance to marine wildlife**

The concern remains that the drilling operations and the associated increase in shipping traffic, could negatively impact pelagic fish, seabirds and cetaceans surrounding the drill site. The noise produced by ship engines, drilling technology and air transportation has the potential to cause disorientation and stress in marine wildlife resulting in complete avoidance of the region going forward. This could have significant implication on wildlife if the area is used as a key foraging or breeding location. The ESIA needs to consider seasonal variations in species and life cycle events to ensure that drilling does not occur during sensitive periods.

Page 6-39 notes that the operational lighting that will be required on the drilling unit during the hours of darkness; this poses a threat to nocturnal wildlife, particularly seabirds. Night lighting often causes seabirds to become disorientated and potentially collide with vessel or drilling structure. Whilst the document alludes to some type of mitigation strategy it needs to be explicitly detailed in the ESIA.

Regards



Monica Stassen  
Preparedness & Response Manager



30 June 2022

For Attention: SLR Consulting

As an Interested & Affected Party, The Southern African Foundation for the Conservation of Coastal Birds (SANCCOB) hereby submits comments on the Draft Scoping Report for proposed additional exploration drilling and associated activities in Block 567 off the south coast of South Africa.

### **1. Risk of a blow-out / oil spill**

In table 2 of Chapter 7 for the environmental and social interactions an accidental spill is considered to be a minor negative interaction. It is well-documented that even a small spill can have a major impact on seabirds under certain conditions. Bunkering alone is considered a high-risk activity for causing oil spills. Therefore, it is essential that the risk of an oil spill is seriously considered, and appropriate mitigation measures are identified for this scenario.

Considerations must also be given to the increased number of vessels operating around the drilling site and the potential of a vessel collision. The weather conditions off the south-west coast can be extremely hazardous thereby increasing the risk of an oil spill incident occurring. Oil spill response companies will not be effective if the sea and/or weather conditions are too rough; it is crucial that these factors are considered in the EIA and plans are in place to mitigate these.

The draft Environmental Impact Assessment report should include the type of fuel oil to be utilised as referred to in the Scoping Report and ensure that the contingency plan provides an explanation on the response strategy for this fuel type and based on the planned oil spill modelling outcomes.

Chapter 6 refers to the development of an Oil Spill Contingency Plan. It is critical that oiled wildlife response is included in the plan. In the interest of transparency this plan should be shared with relevant stakeholders.

It is noted in Chapter 6 that the company OSRL is contracted in the case of a well blow-out and will provide capping stacks. However, the equipment is stored in Saldanha which will take some time to mobilise. Contingencies need to be built in that ensure timely delivery of the equipment. It is important that clean up operators are on standby and able to deploy immediately in the event of an oil spill.

In Chapter 7 there is reference to a storage area for fluids, chemicals, and fuels. It is important that appropriate water-tight storage containers that will not rupture easily in the event something happens to the drilling unit and the material goes overboard.

## 2. Sensitive marine wildlife likely to be impacted

There are many seabird's species occurring in the region and traversing along the Southwest Coast which include the African penguin, Cape gannet, Cape cormorant and Bank cormorant, all endangered on the IUCN Red Data List. Other species of concern include pelagic seabirds that travel further offshore and will likely be impacted directly or indirectly. Although the scoping report cites distances of over 75 km to the closest colonies (Boulders Beach and Betty's Bay), oil under the right circumstance can travel significant distance in a matter of hours. In addition, many seabirds forage out at sea bringing them much closer to the location of the drill sites. Therefore, it is critical that the EIA adequately addresses the risks posed to these species and how they will be mitigated.

## 3. Disturbance to marine wildlife

The concern remains that the drilling operations and the associated increase in shipping traffic, could negatively impact pelagic fish, seabirds and cetaceans surrounding the drill site. The noise produced by ship engines, drilling technology and air transportation has the potential to cause disorientation and stress in marine wildlife resulting in complete avoidance of the region going forward. This could have significant implication on wildlife if the area is used as a key foraging or breeding location. The EIA needs to consider seasonal variations in species and life cycle events to ensure that drilling does not occur during sensitive periods.

Chapter 6 references the operational lighting that will be required on the drilling unit during the hours of darkness; this poses a threat to nocturnal wildlife, particularly seabirds. Night lighting often causes seabirds to become disorientated and potentially collide with vessel or drilling structure. It is strongly recommended that the EIA list mitigation measures that will be implemented to reduce the risk of light-related collisions for seabirds.

Regards

Monica Stassen  
Preparedness & Response Manager

07 December 2022

**For Attention:** SLR Consulting (South Africa) (Pty) Ltd

As an Interested & Affected Party, The Southern African Foundation for the Conservation of Coastal Birds (SANCCOB) hereby submits comments on the Draft ESIA for proposed additional exploration drilling and associated activities in Block 567 off the south coast of South Africa.

SANCCOB wants to note with concern a major gap in the ESIA process. In the ESIA itself there is no reference to or suggested recommendation for an oiled wildlife contingency plan or any wildlife response strategy. Yet there are recommendations for the development of site-specific oil spill contingency plans, assessment of response resources and capabilities, response strategies, modelling and even an exercise.

A wildlife contingency plan is a critical component to any oil pollution response as it provides a detailed overview of the species at risk, most appropriate response strategies, allocates roles and responsibilities and provides a detailed overview of tier 1, 2 and 3 capabilities (equipment and personnel). In addition, none of the recommendations focus on building/ having access to a stockpile of oiled wildlife response equipment nearby. Whilst the probability of an oil spill is considered low it is well documented in the scoping report and in the ESIA that should one happen; the resulting environmental impact would be significant. The oil spill modelling reinforces this concern as under the right circumstance, oil could impact sensitive areas and potentially even reach seabird colonies home to hundreds of at-risk species. This is not in line with international best practices (IPIECA 2017)<sup>1</sup>.

What is even more concerning is that this point has been raised several times at various levels of engagement between SANCCOB and the TotalEnergies team, and still no effort has been made to include it. This is appearing somewhat contradictory to the very public commitments that TotalEnergies has made towards protecting biodiversity ([TotalEnergies](#))." In the safety health environment quality charter TotalEnergies makes the following commitment "TotalEnergies implements, for all of its operations, appropriate management policies regarding safety, security, health, the environment, quality, societal commitment and a periodic risk assessment of relevant policies and measures. Any development of a project or launch of a product is undertaken upon full lifecycle risk assessment ([TotalEnergies](#))". The environment is specifically mentioned in the charter, and one would assume that the environment includes wildlife. Despite this there is no evidence to suggest that wildlife will be include in any contingency plans.

SANCCOB noted some concerns in the draft scoping report and provided a series of recommendations for the ESIA. SANCCOB wishes to reiterate some of those points below.

## 1. Risk of an oil spill

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<sup>1</sup> IPIECA. 2017. [Key principles for the protection, care and rehabilitation of oiled wildlife](#).

SANCCOB notes that detailed modelling has been done as per the Oil Spill Modelling (Appendix 7) for a range of scenarios that could result in an oil spill (e.g., well-blow out, vessel collision). In the Marine Ecology Assessment (Appendix 11) reference is made to these scenarios and notes that response plans will be developed (Page 241); however, it is not clear how specific the response plans will be and whether they will account for various scenarios.

SANCCOB notes that one of the proposed mitigation measures listed on page 265 of the Marine Ecology Assessment (Appendix 11) is that response equipment should be pre-mobilization at key locations to ensure a timeous response. SANCCOB supports this but wants to emphasize that these locations should be identified and noted along with the estimated response time in the respective oil spill contingency and response plans.

In the scoping report SANCCOB flagged the storage of fluids, chemicals, and fuels on the drilling unit and that it should be in secure water-tight containers that will not rupture easily. The ESIA does not flag this as a potential risk. SANCCOB would like to verify if this is because the items being stored are not harmful to the environment or are the containers watertight and easily recoverable in the event they are lost at sea?

## **2. Sensitive marine wildlife likely to be impacted**

SANCCOB again wishes to reiterate that it is critical that oiled wildlife response is integrated into the site-specific Oil Spill Contingency Plan (OSCP). In the Marine Ecology Assessment (Appendix 11) various references to an Oil Spill Contingency Plan are made. On Page 245 it mentioned “collect and transport oiled birds to a cleaning station”. There is very specific protocol to follow when capturing oiled seabirds that are classified as endangered and there is no mention of this in the ESIA. SANCCOB has not been afforded the opportunity to view the OSCP and cannot determine if it sufficiently addresses wildlife impacts. Therefore, in the interest of transparency the plan should be shared with relevant stakeholders.

## **3. Disturbance to marine wildlife**

The concern remains that the drilling operations and the associated increase in shipping traffic, could negatively impact pelagic fish, seabirds and cetaceans surrounding the drill site. Whilst the Marine Ecology Assessment (Appendix 11) concludes that the impact of noise on pelagic and coastal species is low to very low (Page 212). It is not very clear how this was quantified particularly for seabirds. In addition to implementing all the recommended mitigation measures TEPSA should also implement a monitoring programme to determine if the operations are affecting seabirds in real time.

SANCCOB also strongly advocates that the drilling should not take place during the winter months. In the Marine Ecology Assessment (Appendix 11), the winter months are flagged due to the presence of breeding Southern Right Whales and Humpback whales along our coastline (Page 75) as well as increased numbers of pelagic seabird species in the proposed drilling area. In addition, the oil spill modelling predicted that the risk of oil reaching the shoreline is much higher in winter due to the prevailing weather conditions (Page vii).

In the comments for the scoping reports SANCCOB raised a concern around the use of lighting on the rig at night given that it could negatively affect wildlife particularly seabirds. SANCCOB is pleased to see that the ESIA does address lighting on the rig as a possible threat and notes some mitigation measures. However, the proposed mitigation measures are very vague. For example, on page 155 of the Marine Ecology Assessment (Appendix 11), it states “Keep disorientated, but otherwise unharmed, seabirds in dark containers (e.g., cardboard boxes) for subsequent release during daylight hours.” This statement could result in a bird being placed in a completely unsuitable location (e.g., box with no ventilation) that ultimately results in its death. In addition, operators require training on how to safely capture and handle a bird, so they do not cause more injury and stress. No such training is proposed. There is also no mention of what drill operators should do if a bird is injured. There is no recommendation for any wildlife response equipment to be stored on the rig so how will operators capture and care for the affected bird?

To conclude it is clear in this ESIA that mitigation measure linked to seabirds for any incident related to the TotalEnergies operations in the Area of Interest have not been properly researched or quantified. SANCCOB strongly recommends that more thorough engagement with seabird conservation specialists be conducted before the ESIA is finalised.

Kind regards



Monica Stassen  
Preparedness and Response Manager  
SANCCOB

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**From:**  
**Sent:** Wednesday, 01 February 2023 16:10  
**To:** TEEPSA EIA; ZA - GLD - Teepsa Esia  
**Cc:** 'Stefania Falcon'  
**Subject:** EMS Foundation - I&AP for Block 11B/12B

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear TEEPSA representatives,

The EMS Foundation confirms its interest as I&AP for the proposed activities in Block 11B/12B.

We would like to be included in all correspondence relative to the next phases and processes of this consultation; we reserve all rights to comment accordingly.

Kindly acknowledge receipt of this correspondence,

Regards,

InterSpecies and interGenerational equity,

**stefania santaga falcon**  
**wildlife stakeholder coordinator**  
**EMS Foundation**  
**Mobile:**

[www.emsfoundation.org.za](http://www.emsfoundation.org.za)



Think green, read from screen

**Nceda ubonakalise ukuba unenkathalo ngongcoliseko lwendalo phambi kokuba ushicilele**

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---

**Subject:** FW: Registration, Comment and Reply Form  
**Attachments:** TEEPSA FORM.pdf

---

**From:** SDCEA- Tanica <> **Sent:** 06 February 2023  
14:44  
**To:** TEEPSA EIA <[teepsaEIA@wsp.com](mailto:teepsaEIA@wsp.com)>  
**Subject:** Re: Registration, Comment and Reply Form

Good Day.

Please see attached my completed form for the **Scoping and Environmental Impact Assessment (S&EIA) process for the proposed offshore Production Right and Environmental Authorisation Application for Block 11B/12B by TotalEnergies EP South Africa B.V.**

Regards,  
Tanica Naidoo  
Just Energy Transition & Environmental Justice Project Officer - Richards Bay

South Durban  
Community  
Environmental  
Alliance



**Email:**  
**Tel.:** [REDACTED]  
[www.sdcea.co.za](http://www.sdcea.co.za) | Facebook: @SDCEAngo | Instagram : @sdcea\_ngo

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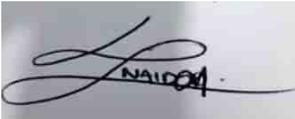
-LAEmHhHzdJzBITWfa4Hgs7pbKI

**Scoping and Environmental Impact Assessment (S&EIA) process for the proposed offshore Production Right and Environmental Authorisation Application for Block 11B/12B by TotalEnergies EP South Africa B.V.**

**Registration, Comment and Reply Form**

Draft Scoping Report: Thursday 01 December 2022 to Friday 03 February 2023

**Note:** This is an opportunity to register as an I&AP for the Scoping and Environmental Impact Assessment (S&EIA) process. By registering as an I&AP on the proposed project, you agree to receive information about the proposed project during the regulatory S&EIA process. You also agree to receive information about the S&EIA, public participation process and opportunities to contribute comments.

Personal Information			
Title	First Name	Surname	Organisation / Department <i>(If applicable)</i>
Ms	Tanica	Naidoo	South Durban Community Environmental Alliance (SDCEA)
Contact Details			
Mobile Number	Land Line Contact Number		Email / Fax Number
		Office	
		Home	
Do you want to register as an Interested and Affected Party?			
Please register me as an interested and affected party (I&AP) for this project so that I may receive further information and notifications as the project develops			YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
Please include my details on WSP's database to contact me about future projects in my area			YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
In terms of the EIA Regulations, 2014 (as amended), I disclose below any direct business, financial, personal, or other interest that I may have in the approval or refusal of the application:	Date	03 February 2023	
	Signature <small>T. Naidoo</small>		

For internal use to confirm capture of stakeholder details into the stakeholder database	
Stakeholder database reference number	
	Signature of data capturer

By registering as a stakeholder permission is hereby given in terms of the Protection of Personal Information Act for your contact details to be held securely to keep you informed about this project. WSP Group Africa as a good corporate citizen complies to the POPIA and confirms that your details will be kept confidential and will not be shared with any third party without your prior consent, other than the lead authority should they request stakeholder details.

# COMMENT(S)

*You are welcome to use additional pages should you so wish.*

**I have the following comments to make regarding this proposed project and/or the public participation process:**

---

Drilling/ fracking/ exploring for oil and gas adds negatively to climate change. What measures are put into place to mitigate this?

---

How do you expect to mitigate the air pollution that comes with drilling for oil and gas?

---

How will drilling impact the marine life in that area? Has an underwater noise study been done?

---

How does this project help us achieve a just energy transition away from renewables and towards renewable energies?

---

How will you drill on the boarder of a MPA?

---

What is the evacuation plan in case of an emergency?

---

How will this affect the subsistence fishermen and tourism in the area?

---

How will the seismic blasting affect the temperature and homeostasis of the water? Certain organisms like zooplankton require specific environments to survive and a change in the underwater environment can cause great disturbances in the eco-systems under water.

---

How will the drilling affect nearby communities? What sort of risks do they face?

---

Have the surrounding communities/ fishermen been consulted?

---

What are the long-term impacts of this project?

---

What is the need/ desirability for this project?

---

Will this help with the electricity crisis? If so, how?

---

How will you control the gas that gets emitted when offshore drilling?

---

Methane is released when drilling which causes great damage to the ozone layer in a shorter period of time than carbon dioxide

---

How will the off shore drilling affect migration patterns of certain sea life, such as whales, dolphins and turtles?

---

How will you prevent corruption of the money needed for this kind of project?

---

You are welcome to distribute this form to friends/colleagues who may be interested in the proposed project so that they also can register as interested and affected parties.

**Please return the Registration, Comment and Reply form to:**

WSP Group Africa (Pty) Ltd  
**PUBLIC PARTICIPATION OFFICE**  
P.O. Box 6001, Halfway House, 1685  
Tel: (011) 254 4800  
Fax: (086) 582 1561  
WhatsApp: 076 694 3842  
E-mail: [teepsaEIA@WSP.com](mailto:teepsaEIA@WSP.com)

**THANK YOU!**

## Public Participation on TEEPSA Block 11B/12B

Janeira <>

Wed 2/1/2023 1:17 PM

To: TEEPSA EIA <teepsaEIA@wsp.com>

📎 1 attachments (130 KB)

Teepta Block 11B12B.pdf;

Good day

I hope you are well.

Please see comments from the South Durban Community Environmental Alliance (SDCEA) regarding the proposed offshore Production Right and Environmental Authorisation Application for Block 11B/12B by TotalEnergies EP South Africa.

Thank you

**Kind Regards**

**Janeira Reddy**

.....  
**Oil, Gas, Livelihoods Project Officer**

South Durban  
Community  
Environmental  
Alliance



**EMAIL:** j

**TEL:** [REDACTED]

[www.sdcea.co.za](http://www.sdcea.co.za) | **FACEBOOK:** @SDCEAngo | **INSTAGRAM:** @sdceasocialmedia

S\_\_\_\_\_



**Scoping and Environmental Impact Assessment (S&EIA) process for the proposed offshore Production Right and Environmental Authorisation Application for Block 11B/12B by TotalEnergies EP South Africa B.V.**

**Registration, Comment and Reply Form**

Draft Scoping Report: Thursday 01 December 2022 to Friday 03 February 2023

**Note: This is an opportunity to register as an I&AP for the Scoping and Environmental Impact Assessment (S&EIA) process. By registering as an I&AP on the proposed project, you agree to receive information about the proposed project during the regulatory S&EIA process. You also agree to receive information about the S&EIA, public participation process and opportunities to contribute comments.**

Personal Information			
Title	First Name	Surname	Organisation / Department <i>(If applicable)</i>
Ms	Janeira	Reddy	South Durban Community Environmental Alliance (SDCEA)
Contact Details			
Mobile Number	Land Line Contact Number		Email / Fax Number
8		Office	j
		Home	
Do you want to register as an Interested and Affected Party?			
Please register me as an interested and affected party (I&AP) for this project so that I may receive further information and notifications as the project develops			YES <input checked="" type="checkbox"/>
Please include my details on WSP's database to contact me about future projects in my area			YES <input checked="" type="checkbox"/>
In terms of the EIA Regulations, 2014 (as amended), I disclose below any direct business, financial, personal, or other interest that I may have in the approval or refusal of the application:	Date	01 February 2023	
	Signature	J. Reddy <small>(send from my personal e-mail)</small>	
J. Reddy			

For internal use to confirm capture of stakeholder details into the stakeholder database	
Stakeholder database reference number	
	Signature of data capturer

By registering as a stakeholder permission is hereby given in terms of the Protection of Personal Information Act for your contact details to be held securely to keep you informed about this project. WSP Group Africa as a good corporate citizen complies to the POPIA and confirms that your details will be kept confidential and will not be shared with any third party without your prior consent, other than the lead authority should they request stakeholder details.

# COMMENT(S)

*You are welcome to use additional pages should you so wish.*

**I have the following comments to make regarding this proposed project and/or the public participation process:**

---

Oil spills from platforms, pipelines, tankers, and coastal facilities poses a serious risk to our coasts, and the economy.

---

Offshore drilling operations release toxic pollution into the air and water. How will this be prevented?

---

Block 11B/ 12B lies in the middle of the Agulhus current which is important for whale and sardine migration.

---

Exploration and drilling at the platform can release volatile organic compounds, greenhouse gases, and other air pollutants. How will this be prevented?

---

The Block borders a Marine Protected Area.

---

A major spill could devastate our beaches. How will this be prevented?

---

Will and independent external Environmental Control Officer (ECO), not associated with WSP, Total, QatarEnergy or any other JV partners, monitor all the phases of this proposed activity?

---

When offshore drilling is introduced into a region, it jeopardizes commercial fishing, recreation, and tourist economies. These people rely on fishing for their survival.

---

Exploration is a high risk to the environment, tourism and other economic endeavors along the coastline.

---

What carbon byproducts and other pollutants will be released into the air in the areas where they plan to drill.

---

Energy companies are using seismic testing to reveal where there could be potential oil deposits beneath the ocean's surface. So there is a possibilities that the harmful effects from the seismic surveys could be for nothing. Why risk that?

---

The seismic blasts have been shown to decrease the number of zooplankton that live almost everywhere and form the backbone of the ocean's ecosystem.

---

The water that these animals live in is just as crucial to their survival. It's a source of oxygen for them and a substance they are constantly immersed in.

---

How will the risk of offshore drilling be lowered to an acceptable level and mitigate the immense risks that come with it?

---

There was an oil leak/spill on 1/12/2022 in Mossel Bay which proves that accidents happen and the effect is always that of a negative one. With oil comes many issues as well as locals tapping into the oil and even murders.

---

Oil and gas exploration contributes to green- house gases. The released carbon gets stored on seabed sediments

---

You are welcome to distribute this form to friends/colleagues who may be interested in the proposed project so that they also can register as interested and affected parties.

**Please return the Registration, Comment and Reply form to:**

WSP Group Africa (Pty) Ltd

**PUBLIC PARTICIPATION OFFICE**

P.O. Box 6001, Halfway House, 1685

Tel: (011) 254 4800

Fax: (086) 582 1561

WhatsApp: 076 694 3842

E-mail: [teepsaEIA@WSP.com](mailto:teepsaEIA@WSP.com)

**THANK YOU!**

---

**From:** Gary Koekemoer <>  
**Sent:** Friday, 03 February 2023 12:39  
**To:** TEEPSA EIA; ZA - GLD - Teepsa Esia  
**Cc:** mervynp1948; Patrick; Morgan Griffiths  
**Subject:** WESSA Algoa Bay branch comments on the Environmental and Social Impact Assessment (ESIA) for the Proposed Offshore Production Right and Environmental Authorisation Applications for Block 11B/12B – Draft Scoping Report

Dear EAP

Given that this is the scoping phase of the EIA for TEEPSA's proposed offshore production right for Block 11B/12B we would ask that the following matters be addressed in researching and compiling the EIA that follows:

1. The exact coordinates of the planned wells are not given, so it must be assumed that the entire block must be assessed as to its potential impact and merits. In that regard we would ask that a full assessment of the risk of the planned activities to fish species and plankton, with specific reference to the adjacent marine protected areas such as the PE Corals MPA and Southwest Indian Seamounts (and Kingklip Corals EPA), be assessed. Given that the areas are known spawning grounds of species such as Kingklip, what impact would the construction of wells and pipelines have on the seabed and thus on spawn and hatchlings? And accordingly, what impact would a gas/condensate leak have on the surrounding water column and seabed? Given that the wells occur a great depth and within the Agulhas current it would be important to know how such impact is assessed and how leaks are identified and dealt with?
2. Given that the project is contingent on linking into the PetroSA existing sea infrastructure, given that a gas leak that occurred in that pipeline in 2022, and given the corrosion impact on the now ageing infrastructure, we consider it critical that the EAP assess the current status of the PetroSA infrastructure and its capacity to service the project for the next twenty years or length of the project, whichever is the greater.
3. By our count some 13 public participation meetings occurred between Mossel Bay and East London. We have received consistent reports from all the meetings that community persons were mobilised to attend under the expectation of jobs being on offer and once it became clear this was not the case, persons then walked out of meetings. This aligns with our own observations at the meeting we attended in Gqeberha in which it was clear that persons were filling in the register on the understanding that they were registering for jobs, and that in this instance when it became clear that the meeting was not about such the majority of persons left the venue. The Herald newspaper report on the same meeting concurs with that view. We would ask that the EAP make clear: why such an impression was consistently created in the public meetings, who was engaged in the mobilising activities and the nature thereof, and who paid for transportation and other expenses incurred by those mobilised for the meeting? In the Gqeberha meeting it was apparent that persons from the Northern Areas, specially the Khoi/San communities had been mobilised but not other areas within the metro. In that instance the question would be why no one from the townships were mobilised, and why were the Khoi/San leadership specifically allowed to open and address the meeting and endorse the project in so doing? It would seem that the independence of the process was thereby compromised?
4. Linked to the previous point, could the EAP clarify why it considered East London, some 650+km north of Mossel Bay, relevant for consultation, but no communities south of Mossel Bay, like Stilbaai, and Bredasdorp, some 240+km away, relevant to consult with?
5. Given that the International Energy Agency (IEA) has indicated that no new reserves of oil and gas are required if the goal of net zero by 2050 is to be met, on what grounds is this project considered an exception, and what impact will the operations have on the climate? So for instance, will the operations burn off gas, will methane be released into the atmosphere, and what volumes of CO2 are likely to be generated from the burning of the gas extracted over the project's life cycle?
6. With regards the creation of jobs, we would ask the EAP to be specific in assessing how many local jobs and where such are likely to arise from this project? It is our view that the TEEPSA drilling and extraction operation is by specifically skilled crew already in Total/TEEPSA employ so it likely that minimal local

employment will arise from the project itself, and that downstream employment by the revitalising of the mothballed PetroSA/Mossgas operation is Mossel Bay specific and preference will be given to workers previously retrenched. In that regard the EAP should attend to the exact staffing requirements of drilling and extraction operations as these are known to the industry, and consideration of the PetroSA retrenchment conditions in coming to a conclusion on this matter.

7. Given that the Agulhas current is a well known and studied migration route for species such as whales and turtles, what impact would the proposed activity have on such?
8. Given that the block occurs in well established fishing grounds, what impact would the project have on the fishing industry, specifically long-line fishing that fish in part on the sea bed?
9. Given that the block occurs within the round-the-Cape shipping route, what impact would the project have on shipping activity?
10. The project talks about six wells to be drilled in the southern part of the block, and possibly up to four exploratory wells to be drilled in the remainder, could the EAP please clarify under what authorisation such exploratory activity will occur and how such drill sites are determined? Will it for instance involve further seismic surveys?
11. Given that a substantial part of the block occurs within the area that has already been identified for the conclusion of a speculative reconnaissance 3-D seismic survey, what impact would such have on the survey activity? And why is a further 3-D survey necessary if TEEPSA already knows where it plans to drill? Is the TEEPSA data incomplete?
12. Will the EAP be consulting with small-scale fishing communities in its compilation of the scoping report and EIA?
13. Could the EAP clarify who the shareholders are of the local entities involved in the TEEPSA project and what value they add to the project?
14. Could the EAP address its own potential conflict of interest given its services to the oil and gas industry, and that of Anchor Environmental who has been party to the Karpowership and Algoa Bay ADZ EIA processes?
15. Has consideration been given to the seismic fault lines of the area and the potential impact of earthquakes on the proposed activity?

Your kind consideration of the above would be greatly appreciated in the drafting of the EIA.

Kind regards

Gary M Koekemoer  
Chairperson: WESSA Algoa Bay branch.

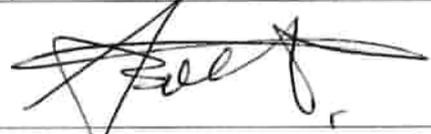


**Scoping and Environmental Impact Assessment (S&EIA) process for the proposed offshore Production Right and Environmental Authorisation Applications for Block 11B/12B by TotalEnergies EP South Africa B.V.**

**Registration, Comment and Public Meeting Reply Form**

Draft Scoping Report: Thursday 01 December 2022 to Friday 03 February 2023

Note: This is an opportunity to register as an I&AP for the Scoping and Environmental Impact Assessment (S&EIA) process. By registering as an I&AP on the proposed project, you agree to receive information about the proposed project during the statutory S&EIA process. You also agree to receive information about the S&EIA, public participation process and opportunities to contribute comments.

Personal Information							
Title	First Name	Surname	Organisation / Department (If applicable)				
Prof	TOOL	BOTHA	WESSA W/CAPE				
Contact Details							
Mobile Number	Land Line Contact Number		Email / Fax Number				
	NA	Office					
	NA	Home					
Do you want to register as an Interested and Affected Party?							
Please register me as an interested and affected party (I&AP) for this project so that I may receive further information and notifications as the project develops						<input checked="" type="radio"/> YES	<input type="radio"/> NO
I will attend the following public meetings in 2023:							
16 January, Kwanonqaba Community Hall, Mayixhale St, Kwanonqaba, Mossel Bay	<input type="checkbox"/> YES	<input type="checkbox"/> NO	21 January, Seavista Hall, Geelbek Street, St Francis Bay	<input type="checkbox"/> YES	<input type="checkbox"/> NO		
17 January, Mossel Bay Town Hall, 101 Marsh Street, Mossel Bay	<input type="checkbox"/> YES	<input type="checkbox"/> NO	23 January, Pellsrus Hall, 1 Harder Street, Jeffreys Bay	<input type="checkbox"/> YES	<input type="checkbox"/> NO		
18 January Thembalethu Community Hall, 66 Olympic Road, George	<input type="checkbox"/> YES	<input type="checkbox"/> NO	24 January, Feather Market Hall, 86 Baakens Street Port Elizabeth Central, Gqeberha	<input type="checkbox"/> YES	<input type="checkbox"/> NO		
19 January, Khayelethu Community Hall, Mbethana Street, Knysna	<input type="checkbox"/> YES	<input type="checkbox"/> NO	25 January, Jauka Community Hall, Runeli Drive, Port Alfred	<input type="checkbox"/> YES	<input type="checkbox"/> NO		
20 January, Plesang Community Hall, 7 Greenpoint Ave, Plettenberg Bay	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	26 January, Scenery Park Community Hall, 30 7 <sup>th</sup> Rd, Scenery Park, East London	<input type="checkbox"/> YES	<input type="checkbox"/> NO		
In terms of the EIA Regulations, 2014 (as amended), I disclose below any direct business, financial, personal, or other interest that I may have in the approval or refusal of the application:	Date		14 January 2023				
	Signature						

By registering as a stakeholder permission is hereby given in terms of the Protection of Personal Information Act for your contact details to be held securely to keep you informed about this project. WSP Group Africa as a good corporate citizen complies to the POPIA and confirms that your details will be kept confidential and will not be shared with any third party without your prior consent, other than the lead authority should they request stakeholder details.

For internal use to confirm capture of stakeholder details into the stakeholder database	
Stakeholder database reference number	
	Signature of data capturer

## COMMENT(S)

*You are welcome to use additional pages.*

**I have the following comments regarding this proposed project and/or the public participation process:**

The seismic studies, such as that proposed by Shell will have an *undeniable* impact on the ocean floor and on the sea life as well. Placatory statements such as 'they will not be conducted during breeding and or migratory periods' ring hollow – when are these times? When is the region devoid of migratory species? The answer is simple never, as the continental shelf teems with sea life throughout the year – not just during well-known 'migrations'. There is an undeniable body of information that points to the facts that seismic activity is, and will always exert an impact on marine life – be this crustacean, fish or mammals.

There is a growing body of scientific evidence that points to the harmful outcomes of such seismic events, which have been shown to impact dolphin, whales, fish, crustaceans and even jellyfish negatively. Seismic activities may well be responsible for significant mortality within octopus communities, crabs, lobster and even the humble jellyfish – all of these are incredibly important to the viability and sustainability of the marine ecosystem. There is little doubt that any seismic activity – continuous and unrelenting as it will be, will also impact the survivability of endangered species such as the humpbacked dolphin. South Africa courts have ruled in the past, that fishing communities have inalienable rights and that they must be consulted and represented during such consultation processes.

I remind you of Section 24 of the Constitution of South Africa states, very clearly that 'everyone has the right to an environment which is not deemed harmful to their health and wellbeing'. Seismic 'studies' along the Eastern Seaboard of South Africa, will undoubtedly, as has been demonstrated elsewhere, prove to be harmful. The case and argument against 'irreparable harm' cannot be dismissed as 'irrelevant' or that it is 'not based upon sufficient compelling evidence' have been attempted in the past, but to little avail. The Eastern Cape High Court concurred in their judgement against such activity as recently as September 2022. It is clear that the National Environmental Management Act trumps any attempt or activity by any entity from indulging in any activity which could be construed to be harmful or detrimental to the environment and which would impact on any species (man included) that lives in or derives a living from that environment.

There is a clear and immediate danger here – allowing such indiscriminate use of seismic activities will pose an immediate threat to the environment and must therefore be vigorously opposed.

You are welcome to distribute this form to friends/colleagues who may be interested in the proposed project so that they also can register as an Interested and Affected Party.

**Please return the Registration, Comment and Reply form to:**

WSP Group Africa (Pty) Ltd

**PUBLIC PARTICIPATION OFFICE**

P.O. Box 6001, Halfway House, 1685

Tel: (011) 254 4800

Fax: (086) 582 1561

WhatsApp: 076 694 3842

E-mail: [teepsaEIA@WSP.com](mailto:teepsaEIA@WSP.com) / [qld.teepsaesia@wsp.com](mailto:qld.teepsaesia@wsp.com)

**THANK YOU!**

---

**From:** Patrick <>  
**Sent:** Friday, 03 February 2023 20:35  
**To:** TEEPSA EIA; ZA-GLD-Teepsaesia@wsp.com  
**Cc:** 'Sue Bellinger'; 'Mea Lashbrooke'; 'Molly Fitz-Patrick'  
**Subject:** WESSA: Western Cape response: Environmental and Social Impact Assessment (ESIA) for the Proposed Offshore Production Right and Environmental Authorisation Applications for Block 11B/12B – Draft Scoping Report

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Sir/Madam

I have read the contents of the registration form and would hereby like to register as an I&AP. My details are as follows:

MR Patrick Dowling of the Wildlife and Environment Society of South Africa (Western Cape Region)

Mobile number:

Landline:

Email:

My initial comments are as follows:

We note with concern that yet another fossil fuel extraction project is being proposed off our South African shores despite all the hard scientific evidence that the exploitation of such deposits is primarily for the production of energy thereby giving rise to increasingly harmful greenhouse gases which propel us towards climate tipping points. The massive investment that is required for such a project detracts from efforts to develop more renewable energy installations and the results could be as disastrous as the “new” coal fired plants such as Medupi and Kusile have turned out to be.

Our concerns are varied and include the following:

1. Given that the area to be explored is associated with several fisheries and spawning grounds as well as the diverse trophic levels that underpin these it is important that proper baseline data informs and constrains the planned exploration activities.
2. Furthermore the targeted coastline plays a huge role in national tourism and even without the catastrophic spills and fires that have characterised the gas and oil industries, the industrialization of the coastal landscape with processing plants and gas pipes is itself an exceedingly negative impact.
3. The impacts do not end along the coast. The distribution network required exposes wilderness areas to more traffic, exploitation and possibility of vandalism.
4. As the project is linked to the PetroSA existing sea and land infrastructure it is imperative that, considering the inherent risks associated with aging pipes and the laying of new pipelines on land, the EAP assess the status of the PetroSA infrastructure and its ability to service the project for its proposed lifetime.
5. WESSA promotes public participation but hold to the principle that this should be informed and that participants need to benefit from capacity development, particularly when complex and long-term proposals with large potential impacts and implications are being discussed. By several accounts the public meetings that were held did not meet such requirements and seemed to imply jobs were on offer, an erroneous impression when much of the skilled labour needed for drilling operations will in all likelihood not be recruited locally.

6. As there was huge and effective opposition by coastal communities to the seismic survey exploration aspect of such drilling operations how will consultants be interacting with such groups during the full EIA process?
7. In our view the project is at odds with several of the Sustainable Development Goals (SDGs) to which South Africa is a signatory viz:
  1. Goal 3 – health and well-being. Climate change to which the project contributes is antithetical to this.
  2. Goal 8 – decent work. When the scientific consensus is that this sort of work should not be happening the idea of decency fades away.
  3. Goal 9 – industry innovation. The project is very much business as usual
  4. Goal 11 – sustainable cities and communities. As above
  5. Goal 12 – responsible production and consumption. As above.
  6. Goal 13 – climate action. The opposite holds true here.
  7. Goal 14 – life below water. In recent years this has been a well-documented concern that covers over fishing, noise impacts, plastics and oil pollution and eutrophication. The fossil fuel industry contributes in several ways to the impacts.
  8. Goal 15 – life on land. Global heating from continued burning of fossil fuels is set to have devastating impacts on South Africa’s terrestrial ecosystems and livelihoods.
8. Finally, this ambitious and ill-advised proposal moves us away from a just transition, centralises energy resources and, ironically, commits us to self-inflicted loss and damage with little justifiable recourse to compensation for these.

Kindly acknowledge receipt of this email.

Yours faithfully



Patrick Dowling

WESSA: WC Chair

WESSA: National Governance Committee Chair

[

---

**Subject:** FW: Block 11B/12B by TotalEnergies EP South Africa B.V. Ref. No. 12/4/013  
**Attachments:** WESSA Eden comments TEEPSA Block 11B and 12B ESIA 2 Feb 2002.pdf

---

**From:** WESSA George <>  
**Sent:** 03 February 2023 13:07  
**To:** TEEPSA EIA <[teepsaEIA@wsp.com](mailto:teepsaEIA@wsp.com)>; ZA - GLD - Teepsa Esia <[gld.teepsaesia@wsp.com](mailto:gld.teepsaesia@wsp.com)>  
**Subject:** Block 11B/12B by TotalEnergies EP South Africa B.V. Ref. No. 12/4/013

Dear Sirs,  
as a Stakeholder we wish to register WESSA Eden Branch as an Interested and Affected Party and request confirmation thereof.

Please find attached our comments on Draft Scoping and Environmental Impact Assessment required by 3 February 2023 and confirm receipt thereof.

Yours sincerely,  
Christine Ridge-Schnauffer

Honorary Secretary  
WESSA EDEN  
c/o , George 6529  
Tel:  
e-mail: [www.wessalife.org.za](http://www.wessalife.org.za)  
[www.wessa.org.za](http://www.wessa.org.za)  
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WESSA Eden Branch

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By e-mail to [teepsaEIA@WSP.com](mailto:teepsaEIA@WSP.com) & [gld.teepsaesia@wsp.com](mailto:gld.teepsaesia@wsp.com)

Thursday 2 February 2023

**Scoping and Environmental Impact Assessment (S&EIA) process for the proposed offshore Production Right and Environmental Authorisation Application for Block 11B/12B by TotalEnergies EP South Africa B.V**

Comments Deadline 3 February 2023

Dear sirs,  
WESSA Eden Branch wishes to register herewith as an Interested and Affected Party and requests confirmation thereof.

Our comments are concise:-

Exploration and Production is located in the middle of the Aghulas Current and will negatively impact marine, plant, bird and consequently human life. In particular the migration routes of Whales and Sardines.

The proposed area borders PE Corals Marine Protected Area [MPA] which is an important conservation zone for protecting endangered bottom feeders like kingklip. What will the effect be on this MPA? There is a distinct possibility that activities associated with the setting up of wells during the drilling process, and or accidental spillage, could disrupt the inhabitants of this sensitive area.

**WILDLIFE AND ENVIRONMENT SOCIETY OF SOUTH AFRICA**

Reg No. 1933/004658/08 (Non-Profit Company)

Registration Number in Terms of the Non-Profit Organisations Act 1997: 000-716NPO Tax Exemption Number: 18/11/13/1903

DIRECTORS: HW Mandlana (Chairperson), H Atkinson (Vice-Chairperson), Dr L Pichegru, D Millar, Prof M Zulu, EO Apelgren, JP Davies, M Immerman, G Koekemoer, Dr DT Magome, MJ Majozi, A Steyn, JR Wesson.

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The risks of leaks, spills, blasts etc are unacceptable to even consider drilling.  
And leaving equipment after use on the sea floor creates more problems and hazards.

“Total Energies and their Partners, relinquish all responsibility, financial or otherwise, that may arise in the explored blocks after completing extraction and production. This becomes the responsibility of the SA government “ i.e. the Taxpayer.  
This clause is absolutely unacceptable.

Hence the precautionary principle for sustainable development should and must apply here.

Further, the manner in which the Public Participation was conducted between 16-26 January in the Garden Route was quite extraordinary with loudspeakers traversing the communities in which the meetings were held inviting attendance regarding job availability. Our WESSA Eden Committee member who attended one meeting reports :

“ My overall impression is that that this ‘Roadshow’ was, simply that. A roadshow to which a variety of interested and supposedly affected people were invited – indeed approximately 100+ people were bussed in and provided with snacks at the end of the proceeding. Notably most of the questions revolved about job creation and unemployment, which has little to do with the reality of gas extraction in the Mossel Bay Area. “

His other comments we record here as part of our concerns.:-

“The audience was of mixed interest and again, as with other meetings, there was a preponderance of people from the townships surrounding Plettenberg Bay. Attendees were provided with a document entitled ‘Environmental and Social Impact (ESIA) for the proposed offshore production right, additional exploration activities and environmental authorization application for Block 11B and 12B Ref No 12/4/13 PR. I, like others, was under the impression that the presentation was to be principally focused on a scoping report and would thus mostly concern the EIA procedure. Unfortunately, this was not the case.

The presentation was accompanied by a non-technical ‘summary’ which was presented in a glossy full colour brochure, which was divided into three sections. These delivered fairly low level information concerning the preparation, setting of wells, acquisition, delivery and production procedures to be followed in the project. Much of the presentation was thus of a technical nature and I doubt very much that this was clear to more than a handful of all attendees.

The presentation started with a laborious overview of the company, followed by a very brief overview of the area of interest in which prospecting and extraction will occur. This was particularly disturbing as it seemed to me that the real issue revolves around marine disturbance. Furthermore the map (briefly alluded to) did not receive, in my opinion, sufficient attention. Unfortunately, the map as presented in the slide show and in the brochure, referenced in the talk, was reduced to the point that the legends to the various critical zones in block 11B and 12B were not discernible.

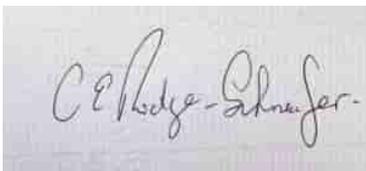
Blocks 11b and 12B are of great interest and concern with respect to their critical roles as breeding grounds and because of their very significant biodiversity. This point was unfortunately, not emphasized in the talk. There is a distinct possibility that activities associated with the setting up of wells during the drilling process, and or accidental spillage, could disrupt the inhabitants of this sensitive area. What is also not clear is whether the go ahead is going to be given to Total Energies to proceed with this project? Who is going to buy the gas was not made clear – there was vague reference to Petro SA or Eskom as clients but no hard evidence was presented.

I must state at this point that I remain highly critical of the ‘question and answer section’ as individuals could ask but one question each and follow ups were not entertained. In other cases, long rambling diatribes were allowed -- the focus of which mostly concerned the lack of employment in the area and other issues unrelated to the presentation. I guess the thinking from the community was that somehow, Total Energies was going to provide employment – particularly in our disadvantaged communities as far afield as East London, and that these ‘jobs’ would stem from activities in Block 11B and 12B off Mossel Bay. So, in a sense, the Q/A session appears to have been deliberately steered away from the criticality that comes from relevant background knowledge and information.

So, in a sense, the Q/A session appears to have been deliberately steered away from the criticality that comes from relevant background knowledge and information. This seems to have been the modus operandi elsewhere as well.

An interesting point that I want to raise here that I was unable to get in a second question during the second ‘show’ – I believe this was deliberately overlooked as the question that I had lined up was simply – what data was available (or what data did they plan to collect) on the short- and long-term effects of disruption to the environment during the setup, extraction and maintenance activities within this sensitive marine environment? “

Signed on behalf of the WESSA Eden Committee



Christine Ridge-Schnauffer  
Secretary

---

**From:** Reeler, James <>  
**Sent:** Friday, 03 February 2023 15:55  
**To:** ZA - GLD - Teepsa Esia  
**Subject:** WWF Submission on the Draft Scoping Report for TEEPSEA block 11b/12b application  
**Attachments:** WWF submission TEEPSEA Block 11b\_12b 2022-02-03.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Good day.

WWF would like to provide the following submission into the ESIA process for the proposed TEEPSEA exploitation of oil and gas in blocks 11b/12b south of the South African coast. We consider the marine impacts to be potentially problematic, and the entire process unnecessary and unjustified in light of South Africa's national and international commitments. We trust that the attached submission will be considered in detail, and hope that it provides guidance for the deciding body with respect to the justification for the continued exploration for oil and gas.

Kind regards,

**James Reeler**

**:: Senior Manager Climate Action: WWF South Africa::**

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Nature

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## WWF comments on the proposed Total Energies Offshore Production Rights and Environmental Authorisation Applications for Block 11b/12b, South Coast, South Africa

WWF South Africa hereby submits a response to the draft Scoping Report (hereafter "the DSR") prepared as part of the Environmental and Social Impact Assessment (ESIA) for application by TotalEnergies EP South Africa B.V. (TEEPSA) to undertake exploration well drilling in Block 11b/12b off the South Coast of South Africa. We trust this submission will be considered and included in the ESIA process.

WWF opposes the proposed exploration well drilling and production.

1. There is strong scientific evidence that expanding fossil gas is inconsistent with the Paris Agreement goals of limiting climate change to less than 2 °C, with all efforts directed toward keeping it below 1.5°C. As a signatory to the Agreement, South Africa is obligated to make every effort to attain this goal. This means no new gas exploration and no new infrastructure for producing, refining, exporting, transporting, and consuming oil and fossil gas. Such enormous investments in new infrastructure create new fossil fuel dependence, making the transition to actual low-carbon and zero-carbon energy much more difficult (Swanson et al., 2020). Furthermore, renewable-based alternatives to most fossil-gas uses are either already cheaper or will be within a few years (IRENA, 2020).
2. To have a 50% chance of limiting warming to 1.5 °C, global oil and gas production must **decline** by 3% per year until 2050, with most regions reaching peak production now or within the next decade (Welsby et al., 2021). As a result, global gas consumption must be cut in half by 2040 compared to 2020 (IPCC, 2018). This means that any fossil gas production and distribution capacities South Africa invests in will have to consider shorter life spans, making them more likely to become stranded assets (Mercure et al., 2018) or lock South Africa into an uncompetitive fossil fuel development pathway. A particular risk in this arena is that private companies with exploitation rights may sue the state for loss of profit should South Africa subsequently try to limit the use or exploitation of in order to comply with national and international commitments.



3. South Africa's position as a developing country is well-established. It entitles the country to slower fossil phase-out compared to developed countries in line with the United Nations Framework Convention on Climate Change. Nevertheless, as the country responsible for some 50% of Africa's historical GHG emissions, South Africa has a singular responsibility for action on the continent. In line with the 1.5°C threshold and based on historical responsibilities, as an upper-middle income country, South Africa must lead the Southern African region in the quest to stop any production or any significant consumption of oil and fossil gas by 2050.
4. The European energy crisis as a result of the invasion of Ukraine has resulted in significantly increased investment in renewable energy, such that many of the national economies will decarbonize much sooner. Coupled with the likely imposition of carbon border adjustments on an increasing number of products, South Africa is likely to find limited markets for exporting gas by the time it comes to market, whilst at the same time finding it harder to export products to many of our markets due to failure to decarbonize. Consequently, investing in gas infrastructure assets at the cost of decarbonizing has the potential to undermine any short-term economic gains, quite apart from the increased impacts of climate change.
5. It is troubling that the production right area comprises some of the most pristine marine environments in South African waters, which contain critical and diverse marine habitats, support endangered species, and provide essential environmental services.

Detailed comments are provided below. The high-level conclusion is that there is no justification for oil and gas exploration or exploitation since it does not comply with South Africa's international commitments. Furthermore, it will have considerable climate impacts, potentially undermining any developmental gains it might achieve. The proposed production pipeline route passes through Critical Biodiversity Areas (CBAs), Ecologically or Biologically Significant Areas (EBSAs), and Important Marine Mammal Areas (IMMA) and is close to Marine Protected Areas (MPAs) and Ramsar sites. Because of the disruptive nature of gas production, the impact of the exploitation is likely to be experienced in nearby habitats. Ensuring the viability of marine habitats should be a critical national goal, given their economic and global environmental value.

## **Important considerations and concerns about oil and gas exploration and exploitation in Block 11b/12b**

**Gas exploration and exploitation are Neither Needed nor Desirable.**



- *Natural gas in the energy mix will serve as a bridge on the path from reliance on fossil fuel to carbon neutrality from 2050 (as per the Paris Agreement) and complement renewable energy sources (as per the IRP (2019) [DSR]*

This claim is outdated, untrue, and ultimately a poor starting point. At the low penetration levels currently seen in South Africa (and most of the Global South), grid management needs for integrating renewables are modest and low-cost. They will suffice until storage costs have fallen further. However, countries with excellent solar resources, such as South Africa, have a strong advantage. Greater sunlight consistency throughout the year makes solar energy strongly pairable with batteries, creating less need for longer-term storage. Best estimates for Australia by the CSIRO suggest only ~5h of storage is necessary for full grid stability, and the recent rapid drop in battery storage costs is anticipated to continue as production scales globally (Graham et al., 2022).

Moreover, in some countries (including South Africa, as demonstrated by the recent Risk Mitigation IPP), the combined cost of wind or solar with batteries is already less than that of flexible "peaker" gas plants. This is likely because South African peaker gas plants primarily run on expensive diesel. In addition, the recent explosion in fossil gas prices due to the Ukraine conflict highlights the vulnerability of fossil fuel supply chains to rapid cost inflation. Whilst it may be considered that domestic supply would mitigate this risk, the reality of exploitation by global firms in an interlocked market means that cost of supply is contingent on the global price – hence it is no buffer against such price shocks. Moreover, independent technical and economic assessments are universally clear that such peaking generation would require minimal amounts of gas (Halsey et al., 2022; NBI, 2022; Roff et al., 2022). Consequently the argument that such development is critical for South Africa's energy future carries little water.

When considering an application for Environmental Authorisation, the Competent Authority must take into account the considerations specified in section 240 of NEMA, which include:

“

- i. any pollution, environmental impacts or environmental degradation likely to be caused if the application is approved or refused;*
- ii. measures which may protect the environment from harm or prevent or mitigate any environmental impact; and*
- iii. where appropriate, any feasible and reasonable alternatives to the activity, including feasible and reasonable modifications to the activity, **including the option of not implementing the activity.**” (emphasis added)*

As a result, passing the "need and desirability" requirement for an Environmental Authorisation does not imply that the applicant, TEEPSA, can rely solely on state policy documents in terms of energy needs, including the mix of gas that may or may not be required to form part of the just transition to a



decarbonised future. Much more is required where the outcome has scientifically-supported long-term impacts. TEEPSA must demonstrate that the planned project is both needed and desired and that no alternatives exist, such as the inability to explore for gas elsewhere or apply to generate gas elsewhere (which WWF notes TEEPSA is busily applying for in block 5/6/7 and Deep Orange Water Basin, as well as exploring gas options in neighbouring states of Mozambique and Namibia). The issue at hand is whether there is a need to explore and exploit further oil and gas deposits and whether doing so is desirable given the climate crisis, South Africa's obligations to cut greenhouse gas emissions and the fact that exploration and exploitation activities are harmful to the environment.

### Description of the environment

WWF is concerned about the risks associated with oil drilling off the South Coast. This region is influenced by the Agulhas Current, one of the world's fastest-moving and most powerful oceanic currents transporting about 75 million cubic metres of water per second (Bryden et al., 2005). This current is not static; it has a width of up to 100 kilometres, and although it usually flows from north to south, current reversals are common, especially in deeper water (Largier et al., 1992). In addition, large-scale eddies that separate from the current impede the flow, as water from offshore frequently reaches the shores. Due to the strength of the Agulhas current, it would likely be impossible to contain an accidental or typical operational spill. Environmental impact assessments rank the chance of a catastrophic blowout (= large-scale oil leak) as extremely low on a global scale. However, this does not account for the greatly enhanced hazards posed by the South Coast's harsh and distinctive physical environment.

### Marine protected areas and other conservation areas.

The DSR confirms, among other things, that the proposed production right pipeline route passes through a Critical Biodiversity Area (CBAs) and southwest of the Kingklip Corals Ecologically or Biologically Significant Areas (EBSAs). And as stated in the DSR, *"the development of the subsea pipelines associated with oil and gas processes are considered non-compatible within the CBA Natural area."* As rerouting the pipeline to avoid CBA areas is not feasible, WWF recommends terminating oil and gas exploitation over Block 11b/12b.

This contradicts the DSR's suggestion to assess the substrate in the CBA Natural areas as pipeline construction and the extraction activities continue. As stated previously, the Agulhas current is powerful and dynamic, making it nearly impossible to contain any oil spills. A major oil spill in this region could have a catastrophic impact on seabirds of which some are already endangered and facing functional extinction in some colonies like the African Penguin. Other seabirds like Cape gannet and Cape cormorant are at similar risk given their conservation status as endangered. In such conditions,



recommending the construction of a gas pipeline is environmentally unacceptable and unjustifiable. Especially when a less expensive and environmentally friendly alternative exists in the guise of renewable energy.

TEEPSA's vertical seismic profiling operations, similar to past and ongoing explorations along our coastline, use seismic air guns to probe for the presence of shale gas deposits. However, these airgun arrays are considered 'disruptive technologies', which can cause acoustic disturbance over 3,000 km from the survey vessels (Nieukirk et al., 2004). This stream of energy is significant in an aquatic environment where sound waves travel much further than in the air, where most wildlife relies on acoustic communication throughout their life cycles. Therefore, it constitutes noise pollution and a threat to marine life's behavioural patterns and survival.

Seismic operations have been implicated in altering the behaviour of marine life, such as whales and dolphins attempting to escape airgun surveys (Gomez et al., 2016). Several other disruptions to marine biota have been documented, including altering penguin behaviour (Pichegru et al., 2017), physiological harm to scallops (Day et al., 2017) and rock lobsters (Day et al., 2019), and decimating larval krill populations (McCauley et al., 2017), which are vital prey for species such as humpback whales (*Megaptera novaeangliae*). In controlled experiments, negative impacts on zooplankton have been documented more than 1 km from the sound source, a significantly wider reach than the predicted 10 m-impact range.

Moreover, since the impacts of activities within the exploration area are likely to be observed in proximity to a significant number of *Marine Protected Areas (MPAs)*, *CBAs*, *EBSAs*, *Important Marine Mammal Areas (IMMA)* and *Ramsar sites*, significantly more substantial buffers around these critical biodiversity areas are indicated. In addition, since a significant effect of climate change is the diversion of oceanic currents and the consequent potential shifts in species assemblages, the EIA should include projections of current and species shifts as a component of the climate impacts assessment. Such shifts will necessarily mean the exclusion of additional areas from future development where substantial changes in the ocean environment are anticipated and should therefore be prudently excluded from the exploration area.

Commented [SC1]: Required instead of indicated?

### Proposed Technical and Specialist Studies

Should the project go forth in the EIA stage despite the overwhelming evidence that it does not align with a prudent environmental approach (as per the National Environmental Management Act) and is in conflict with our obligations under the Paris Agreement to reduce carbon emissions, WWF supports the proposed Technical and Specialist Studies that WSP will obtain during the Project's Impact Assessment Stage and



the terms of reference for such studies and reports. WWF has no objections to the Reports and Studies listed as necessary for the Impact Assessment Stage and appreciates that the Oil Spill Modelling Study will be subjected to an independent review. However, there needs to be extra consideration of the impacts of blowout prevention failure in light of the strong offshore currents that could spread the oil over significant distances resulting in deepwater oil and gas blowouts. In addition, the EIA must include a substantial climate assessment that includes not just the direct impacts of the exploration emissions but also a consideration of the potential emissions associated with any significant oil or gas find concerning South Africa's total carbon budget. Such a budget must align with the 1.5 °C target put forward in South Africa's Nationally-Determined Contribution to the Paris Agreement (RSA, 2021). It must also consider the allocations for other development critical sectors. Moreover, outside of the specific South African context, consumption of the gas in other countries through export will also have direct impacts *on South Africa* through indirect climate impacts. As such, any additional fossil fuel exploitation either locally or through export undermines multiple objectives within the national planning and environmental guidelines.

The Specialist Studies must also include a comprehensive cost-benefit analysis (of exploration and production), including the social cost of carbon for the decision-maker to determine whether the benefits of exploration and production are in the best interests of the entire community. The estimated social impact cost of carbon has recently been revised significantly in light of improved scientific evidence and better-calibrated damage functions in integrated assessment models. As a result, the 95% confidence interval falls between \$45 and \$413 per tonne of CO<sub>2</sub> (tCO<sub>2</sub>e<sup>-1</sup>), with the best average estimate being \$185 tCO<sub>2</sub>e<sup>-1</sup> (Rennert et al., 2022). It is also worth noting that this value has been consistently raised over time as clearer evidence arises of the considerable additional impacts of climate change.

The exploration area for seismic acquisition intersects with the southwestern corner of the Kingklip Corals EBSA and CBA Natural area. It is close to two MPAs (the Indian Seamounts MPA and the Port Elizabeth Corals MPA). The exploration may also impact up to three RAMSAR sites (De Hoop, De Mond and Wilderness Lankes) near the exploration priority area. WWF, therefore, expects that the Specialist Studies will include a comprehensive analysis of the potential and likely impacts on these CBAs, MPAs, EBSAs and RAMSAR sites.

Finally, given the recent ambitious goals under the Kunming-Montreal Post-2020 Global Biodiversity Framework to which South Africa has recently signed up, it is clear that South Africa will need to expand the protection of coastal waters (CBD, 2022). The benefits of such protection are well-outlined in the Framework document, and the timelines require protection of significant additional areas of coastal waters to meet the target of effectively conserving and managing “*at least 30 per cent of ... coastal and marine areas, especially areas of particular importance for biodiversity*”. It is therefore essential that the



EIA evaluate the potential impact of any oil and gas exploitation on the achievement of this target, and make recommendations as to the restriction of site(s) and/or activities to enable the achievement of such.

WWF trusts that these inputs will be reflected upon by the relevant authorities, and is prepared to engage further throughout the process should additional inputs be required.

**For further information, please contact:**

James Reeler, Senior Manager: Climate Action | | or

Craig Smith, Senior Manager: Marine Portfolio |

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**From:** Christina Hagen <>  
**Sent:** 03 February 2023 17:34  
**To:** TEEPSA EIA <[teepsaEIA@wsp.com](mailto:teepsaEIA@wsp.com)>  
**Cc:** Melissa Lewis <>; Kirsten Day <>; Alistair McInnes <>; Advocacy <>  
**Subject:** Comments on draft scoping report TEEPSA Block 11b/12b

Good afternoon,

Please register BirdLife South Africa as an I&AP for the proposed offshore production right, additional exploration activities and environmental authorisation application for Block 11b/12b Ref No: 12/4/13 PR.

I have attached some comments on the scoping report.

Kind regards,  
Christina



**Christina Hagen**  
Pamela Isdell Fellow of Penguin Conservation



**Giving Conservation Wings**

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E-mail:  
<http://www.birdlife.org.za>



Donations to BirdLife South Africa may contribute to your B-BBEE scorecard as we are fully SED compliant in terms of the B-BBEE Act. We are also a registered Public Benefit Organisation (No. 930004518) and authorised to issue 18A tax certificates where applicable.

Christina's work is supported by the African Penguin Patron: Pamela Isdell.



LIMITATION OF LIABILITY



BirdLife South Africa is a partner of BirdLife International, a global partnership of nature conservation organisations.  
Member of IUCN (International Union for Conservation of Nature).  
Reg No: 001 – 298 NPO  
PBO Exemption No: 930004518

3 February 2023

**WSP Group Africa (Pty) Ltd**

Email: teepsaEIA@WSP.com

P.O. Box 6001, Halfway House, 1685

**BirdLife South Africa comments on the TEEPSA draft Scoping report for the proposed offshore production right, additional exploration activities and environmental authorisation application for Block 11b/12b**

BirdLife South Africa (BLSA) would like to thank the applicant for the opportunity to comment on the Draft Scoping Report. At this stage of the process, our primary reason for our ongoing engagement in this process is to re-iterate our position against offshore exploration for **new** oil and gas, that will ultimately result in the generation of greenhouse gases, thereby continuing to contribute to climate change. As recently affirmed at COP27 (by the findings of the International Institute for Sustainable Development), “according to a large consensus across multiple modelled climate and energy pathways, developing any new oil and gas fields is incompatible with limiting warming to 1.5°C”. Their primary recommendation from the analysis is as follows:

*Governments should prevent the development and licensing of any new oil and gas fields. Developing any fields beyond those already in operation or under development would pose substantial risks of either not meeting the 1.5°C target or creating stranded assets, because those fields would have to be decommissioned before the end of their lifespan, unless currently producing fields’ operations are significantly curtailed.<sup>1</sup>*

Whilst we acknowledge that the transition to a decarbonised economy for South Africa cannot happen instantaneously, there are a variety of technologies, other than offshore oil or gas, that can contribute to the transition. According to South Africa’s Just Energy Transition Investment Plan (JETP), government is committed in terms of its International Partnership Agreement to accelerated deployment of renewable energy and investments in sectors of the green economy.

Consequently, BirdLife South Africa does not, in principle, support the pursuit of new gas given both the localised risks, and wider climate change related impacts that this activity poses.

In addition, the number of exploration licences that are currently being applied off the coast of South Africa, is indicative of the speculative nature of these applications, and also

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<sup>1</sup> IISD Report, 2022. Navigating Energy Transitions. International Institute for Sustainable Development: <https://www.iisd.org/system/files/2022-10/navigating-energy-transitions-mapping-road-to-1.5.pdf>

heightens the risk of cumulative impacts. As the recent judgements against Shell's proposed exploration activities have affirmed, many South Africans are opposed to exploratory activities off the coast, suggesting that citizens are circumspect and distrustful about continued efforts on the part of foreign oil and gas companies seeking to exploit resources in our marine environment. In this regard, we are particularly concerned about the prospect of activities impinging on Ecologically and Biologically Significant Areas (EBSA).

### **Impact of light from drill rig and vessels**

Pelagic seabirds such as prions, storm petrels, and petrels are especially vulnerable to disorientation by light at sea and this can cause them to crash into structures, causing mortality, not only behavioural changes. As these are small birds that can be hard to notice, especially if they fall into the sea after crashing, the number of birds affected is likely to be underestimated. While the effects of operational lights can be mitigated (e.g. by pointing them downwards rather than out to sea, use of red filters etc.), the effect of the very bright light emitted by flaring cannot be and this is likely to overwhelm the operational lighting.

The following will be important for reducing risks associated with artificial light:

- Avoid flaring during foggy conditions as this exacerbates the impact on seabirds.
- Implement best practice mitigation measures for reducing operational lighting, and include such in the Environmental Management Programme (EMPr)
- Monitor the presence of seabirds and identify mortalities, even when birds do not land on the rig or vessel, especially in foggy conditions.
- Include procedures in the EMPr for how to care for downed seabirds and ensure that personnel are adequately trained in this regard.

### **Impact of noise pollution**

The indirect impacts of noise pollution should be considered in addition to the physiological impacts on hearing and injury/mortality. These impacts could include permanent or temporary displacement from foraging areas (e.g. penguins and other seabirds) and impacts on the prey of threatened coastal seabirds and other marine predators.

Sincerely,



Christina Hagen  
Pamela Isdell Fellow of Penguin  
Conservation  
BirdLife South Africa



Dr Kirsten Day  
Advocacy Officer  
BirdLife South Africa

---

**Subject:** FW: Comment on Draft Scoping Report Block 11b\_12b TOTAL ENERGIES EP SOUTH AFRICA

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**From:** Taryn Pereira Kaplan <>

**Sent:** Friday, 03 February 2023 17:15

**To:** TEEPSA EIA <[teepsaEIA@wsp.com](mailto:teepsaEIA@wsp.com)>

**Subject:** Comment on Draft Scoping Report Block 11b\_12b TOTAL ENERGIES EP SOUTH AFRICA

Dear WSP consultants

I am a researcher based at Rhodes University, and I work to support small scale fisher organisations and other coastal environmental justice collectives. My questions and comments follow.

I note the abundance of notifications that WSP has been sending to registered I&APs, via text message and email – but do not want this to obscure the significant procedural flaws in the actual implementation of these public meetings.

- Dates and venues were changed with less than 24 hours notice; and promises of transport for community members was retracted on the morning of the meeting in question (in the case of the Port Alfred meeting on 25 January) – this must be recorded in the minutes of this public meeting

- Community members were recruited via loudhailer and told there was a meeting about jobs – there were mass walk-outs from these meetings when people realized they had been lied to (in the case of the Kwanonqaba and Thembaletu meetings on 16<sup>th</sup> and 18<sup>th</sup> of January) – this must be recorded in the minutes of these meetings

- Despite the assertion on page 94 of the Draft Scoping Report that '*One of the key principles of the public participation process is adaptability and, as such, WSP will adapt the format of the meetings in accordance with local biocultural community protocols and local community customs*', the issue of language, translation, duration and process was challenged in many of the meetings, where WSP was not able or willing to adapt their presentations in consideration of diverse representation of language / culture / literacy / local protocol. It must be recorded in the workshop reports that WSP was unable to cater for groups in which there were mixed groups of Xhosa, Afrikaans and English speakers – only one to one translation was provided (either English – Afrikaans or English-Xhosa).

How will future processes take serious consideration of local protocols and customs with regards to collective decision making ?

Throughout the scoping report there is reference to the project affected area as being 'Mossel Bay and surrounds'. There is inadequate consideration of the entire rest of the coastline adjacent to Block 11/12B. There are diverse and distinct community groupings with their own distinct ocean livelihoods and socio-cultural connection to the ocean all along this coastline.

- There needs to be an in depth socio-economic assessment of each of the small scale fisher cooperatives and the communities that they support, along the stretch of impacted coastline.

- The specific impacts on all of the different species that small scale fishers along this coastline depend upon and are entitled to catch / harvest needs to be assessed.

- The specific tangible and intangible heritage of each affected community and small scale fisheries cooperative needs to be assessed, as well as the distinct fisheries-specific heritages along the affected stretch of coastline.

How will this be carried out? What methods will be used to generate these assessments? What peer review process will be in place to ensure the ethical quality of these assessments ?

All the best  
Taryn Pereira  
Coastal Justice Network  
Environmental Learning Research Centre

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**From:**  
**Sent:** Wednesday, 01 February 2023 16:10  
**To:** TEEPSA EIA; ZA - GLD - Teepsa Esia  
**Cc:** 'Stefania Falcon'  
**Subject:** EMS Foundation - I&AP for Block 11B/12B

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear TEEPSA representatives,

The EMS Foundation confirms its interest as I&AP for the proposed activities in Block 11B/12B.

We would like to be included in all correspondence relative to the next phases and processes of this consultation; we reserve all rights to comment accordingly.

Kindly acknowledge receipt of this correspondence,

Regards,

InterSpecies and interGenerational equity,

**stefania santaga falcon**  
**wildlife stakeholder coordinator**  
**EMS Foundation**  
**Mobile:**

[www.emsfoundation.org.za](http://www.emsfoundation.org.za)



Think green, read from screen

**Nceda ubonakalise ukuba unenkathalo ngongcoliseko lwendalo phambi kokuba ushicilele**

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**Subject:** FW: TEEPSA ESIA objections  
**Attachments:** 2023.02.03. WSP.TEEPSA comments XR Cape Town.pdf

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**From:** Judy Scott-Goldman <>  
**Sent:** 03 February 2023 11:41  
**To:** TEEPSA EIA <[teepsaEIA@wsp.com](mailto:teepsaEIA@wsp.com)>  
**Cc:** Cassi Goodman <>; Jacqui Tooke <> **Subject:** TEEPSA ESIA objections

To: The administrators of the objection process at WSP

Extinction Rebellion Cape Town herewith registers itself as an interested and affected party in relation to the granting of an offshore production right and environmental authorisations for further exploration in Block 11B/12B, as requested by Total Energies EP South Africa B.V. and other participating interests, namely Qatar Petroleum, CNR International and Main Street 1549, and as described in the scoping report of WSP Group Africa (Pty) Ltd as the Environmental Practitioner.

Our objections are detailed in the attached document.

We request confirmation that this objection document has been received by WSP and ask to be informed of future developments in relation to the offshore production right and environmental authorisations.

From: Judy Scott-Goldman, on behalf of



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# REGISTRATION AS AN I&AP AND OBJECTIONS TO THE GRANTING OF AN OFFSHORE PRODUCTION RIGHT AND ENVIRONMENTAL AUTHORISATION APPLICATIONS FOR BLOCK 11B/12B

**- REF NO: 12/4/13 PR**

.....  
To: WSP

Email: [teepsaEIA@WSP.com](mailto:teepsaEIA@WSP.com)

From: Extinction Rebellion Cape Town

Contact 1: Judy Scott-Goldman      Email:

Contact 2: Cassi Goodman            Email:

Contact 3: Jacqui Tooke              Email:

**Date:** 3 February 2023  
.....

Extinction Rebellion Cape Town herewith registers itself as an interested and affected party in relation to the granting of an offshore production right and environmental authorisations for further exploration in Block 11B/12B, as requested by Total Energies EP South Africa B.V. and other participating interests, namely Qatar Petroleum, CNR International and Main Street 1549, and as described in the scoping report of WSP Group Africa (Pty) Ltd as the Environmental Practitioner.

Our objections are detailed below. We request confirmation that our objections have been received and ask to be informed of future developments in relation to the offshore production right and environmental authorisations.

.....  
Extinction Rebellion (XR) Cape Town is one of 1000 voluntary groups in 75 countries that make up Extinction Rebellion International. XR acts out of love for humanity to resist the systems that are killing life on Earth. We demand a steep reduction in greenhouse gas emissions and protection and repair of nature, and call for the necessary political, social and economic change to achieve this.

The production right and further exploration authorisations should be refused on the following grounds.

**Objection 1: A gas industry will increase South Africa's greenhouse gas emissions, which fails to align with our national commitments in terms of the UNFCCC**

South Africa is a signatory to the United Nations Framework Convention on Climate Change (UNFCCC) which means it is committed to limiting the world's average temperature rise to below 2°C as compared to pre-industrial levels and pursuing efforts to limit the global average temperature rise to 1.5°C. Given South Africa's commitment to addressing this existential threat to humanity, there is no rational basis for ramping up a gas industry in South Africa. All stages of the process of producing gas from exploration and extraction to processing, transport and burning involve the release of greenhouse gases (GHGs). Methane is a highly potent greenhouse gas, 80 times more potent than CO<sub>2</sub> over a 20-year period. Methane is the principal constituent of natural gas. During the production of oil and natural gas, methane is emitted into the air both deliberately (for example through the well testing mentioned on page 23 of the report), and accidentally via leaks in the system. And yet there is very little mention of GHGs in the study. We argue that no company should be given rights to produce fossil fuels without an estimate of resultant GHG emissions and an explanation of how South Africa will meet its Nationally Determined Contributions if fossil fuel extraction continues within its borders.

The requested production rights and environmental authorisations for drilling further exploratory wells are all steps in the direction of growing a gas industry. It is irrational for the Department of Mineral Resources and Energy (DMRE) to grant fossil fuel exploration and production rights. Such consideration fails to account for the impacts of the unfolding climate and ecological crisis which will drastically destabilise South Africa's trade, health, and food and water security. South Africa should move in the direction of a rapid and intense development of its enormous renewable energy potential. The US is ramping up the global transition to renewable energy with its Inflation Reduction Act and other bills that are giving tax breaks and grants to promote renewable energy. In contrast, South Africa is moving in the direction of carbon-intensive industry.

As the climate and ecological crisis continues to unfold, we will be well-served by any and all reduction and mitigation efforts. Any further investments in fossil fuels represent a regression in both these respects. The path towards renewable energy and away from fossil fuels should be expedited, not avoided.

***The production right should be refused because the environmental assessment fails to adequately address climate impacts of exploring, extracting, transporting, and burning natural gas and the social costs of increasing our GHG emissions.***

**Objection 2: Impact on the marine environment**

Humanity is imposing extreme pressure on our oceans; ocean warming, acidification and pollution, increases in marine traffic and noise, and rampant overfishing have left the health of our oceans on the brink of total, irreversible collapse.

[South Africa ranks as the third most biodiverse country in the world.](#) This biodiversity is South Africa's natural wealth. However, because it is not counted in the country's GDP it is invisible. And

when that wealth is hidden in the deep ocean, this wealth goes unseen and its destruction goes unseen also.

The ESIA is to be commended for its detailed description of the pressures on marine life that granting gas production rights and further exploration rights in Block 11B/12B would entail.

Section 7.2.1 acknowledges that there are diverse marine flora and fauna in the area and high levels of endemism (section 7.2.2). Table 7.2 lists 28 important large migratory fish and reveals that 17 of the 28 (61%) are vulnerable, near threatened, endangered or critically endangered. Every single species of shark on the list falls into one of those categories. The Great Hammerhead Shark and Oceanic Shark are critically endangered. Table 7.4 tells us that the Sei Whale is endangered, the Sperm Whale is vulnerable and the Indian Ocean Humpback Dolphin is endangered. Three species of turtle occur in the area (section 7.2.5). Section 7.2.9 of the report states that Leatherback and Loggerhead turtles are both described as “Vulnerable”, and the Green turtle is “Endangered” on a global scale (IUCN 2021).

Section 7.2.10 of the report informs us of marine protected areas (MPAs), critical biodiversity areas (CBAs) and ecologically or biologically significant areas (EBSAs) in, or close to, the area of interest. Offshore MPAs in close proximity to Block 11B/12B include the Southwest Indian Seamounts MPA to the southwest of the block and the Port Elizabeth Corals MPA to the northeast. The northern border of Block 11B/12B lies alongside the ‘Kingklip Corals’ EBSA and just northeast of the Shackleton Seamount Complex EBSA. The proposed pipeline routing passes through the southwestern corner of the Kingklip Corals EBSA and through a critical biodiversity area (CBA) Natural area.

There are grave risks to marine populations that inhabit or migrate through Block 11B/12B from gas exploration, extraction and transport. Activities include high-decibel sonar surveys, seafloor sampling, well drilling, pipe laying, and an increase in human marine traffic. If we do not treat MPAs, CBAs and EBSAs with respect, the tools being used by our conservation agencies will continue to fail. Measures proposed in the report are to further assess significant areas, communities or species along the pipe routing line or around proposed wells and to have plans in place to manage and mitigate risks. However, as acknowledged in the report, risk mitigation and disaster planning are made difficult by the harsh conditions of Block 11b/12b, which is exposed to high winds, large swells and the Agulhas oceanic current, which is considered the 'second strongest surface current in the world' (Section 7.1.1.1).

The [WWF's Living Planet Report of 2022](#) tells us that of the plants and animals that are currently monitored by scientists, taking 1970 as the benchmark, the numbers are down to 31% of the numbers the scientists found in 1970, on average. This is a devastating 69% drop in wildlife populations in less than a lifetime. In Africa, the figure is a decline of 66%. The report is a real wake-up call in terms of valuing our natural resources. The argument that South Africa needs to grow its economy is no longer an argument for destroying its environment. We have to ask questions about growth; of what, to whose benefit and to whose loss, and at what cost. [The World Bank wrote in July 2021](#) that the global economy faces annual losses of \$2.7 trillion by 2030 if ecological tipping points are reached and countries fail to invest more in protecting and restoring nature. We have to assess this request for gas production not in a narrow way but in the wider context of catastrophic climate change and biodiversity loss.

***The production rights and rights to further exploration for oil and gas requested for Block 11AB/12B should be rejected on the grounds that they pose grave risks to biodiversity in the region, risks which are unnecessary, given South Africa's potential to source energy in less***

*ecologically damaging ways and given that we are in a global climate and ecological emergency.*



# **CBOs COMMENTS**

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**Subject:** FW: Registration as IAP : Total Energies, Brulpadda Project, Block 11B/12B

---

**From:** camoller <[REDACTED]>

**Sent:** 17 January 2023 10:16

**To:** TEEPSA EIA <[teepsaEIA@wsp.com](mailto:teepsaEIA@wsp.com)>

**Subject:** Registration as IAP : Total Energies, Brulpadda Project, Block 11B/12B

WSP

Please register AfriForum Mossel Bay Branch as an Interested & Affected Party

Please confirm receipt and registration as IAP

Thank you

Regards

Charl Möller  
Member responsible for Environmental Affairs  
AfriForum Mossel Bay Branch

[REDACTED]  
[REDACTED]

Sent from my Galaxy

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**From:** Rex the Rhino <[REDACTED]>  
**Sent:** Friday, 03 February 2023 14:12  
**To:** ZA - GLD - Teepsa Esia; Bhaktawar, Natasha  
**Cc:** Rudi Martin; Oliver Rissik; Paul Falla; Basil van Rooyen  
**Subject:** COMMENT ON DRAFT SCOPING REPORT | BLOCK 11B/12B BY TOTALENERGIES EP SOUTH AFRICA B.V. REF. NO. 12/4/013  
**Attachments:** Total Energy Gas Drilling Draft Scoping Comment Plett Enviro Forum Feb 2023.pdf; PastedGraphic-1.tiff

Many thanks for the opportunity to comment on the application for the proposed project: Offshore Block 11B/12B.

Please find attached the comments and queries from the Plettenberg Bay Community Environment Forum.

Kind regards  
Julie

Julie Carlisle  
OBO Plettenberg Bay Community Environment Forum  
[REDACTED]

On 03 Feb 2023, at 11:45, ZA - GLD - Teepsa Esia <[gld.teepsaesia@wsp.com](mailto:gld.teepsaesia@wsp.com)> wrote:

*Dear Stakeholder*

*This is a reminder that the public comment period on the Draft Scoping Report for the TEEPSEA Block 11B/12B ESIA closes **today**, 03 February 2023.*

*Please register as an I&AP and submit your comments if you have not done so already.*

*Kind Regards,*

**WSP Public Participation Office**

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WSP Group Africa (Pty) Ltd

PO Box 6001

Halfway House

1685

Via e-mail: [teepsaeia@wsp.com](mailto:teepsaeia@wsp.com)

2<sup>nd</sup> February 2023

To whom It May Concern

**Re: Proposed Offshore Block 11B/12B Development Project - TEEPSA**

Many thanks for the presentations on the 7<sup>th</sup> December 2022 (online) and the public meeting held in Plettenberg Bay on the 17<sup>th</sup> January 2023.

While we appreciate the efforts, we would like it noted that the online meeting, due to load shedding, cannot be deemed as a satisfactory engagement. During this online meeting, I submitted several queries via the chat prior to load shedding and none of these were addressed. Load shedding happened 30 minutes into the presentation.

The meeting held on the 17<sup>th</sup> January 2023 was exceptionally badly advertised, with times changing and then changing back and people only becoming aware of the meeting on the day of the meeting. The time allowed for questions was inadequate with only 10 questions being allowed. Again, this should not be considered a comprehensive participation.

1. The questions posed at the meeting in December which still require answers are as follows:

- How does TEEPSA intend to address the lack of research and understanding of cetaceans and other species that occur offshore and in the deeper waters?
- Will marine mammal observers be included? If so, who will these be and what will their reporting lines and response times be?
- Will the timing of the louder activities consider migration timelines of marine mammals, the squid season, etc?

- Will ongoing monitoring within the MPA's be conducted and, if so, if impacts are noted, what will the process be to prevent further impacts or to implement mitigations?
- Will ongoing monitoring of the local community fisheries be conducted?
- Will hydrophones be used prior to activity as well as during activity?

## 2. Questions and concerns arising from the 17<sup>th</sup> January 23 presentation:

- The application refers to international agreements regarding energy sources. Please can you advise why drilling for gas in such an area recognised for its environmental sensitivities and biodiversity makes sense? Why is hydro-, solar, or wind not preferable? How do the costs and impacts of off-sea drilling and alternative sources compare?
- Regarding the biodiversity action plans that are mentioned, who will monitor and implement these plans and who will be responsible for policing these?
- Regarding the additional exploration that is to take place east of the block, are there existing rights for this? Or is this part of this application?
- At the meeting, the timeframes that were given suggested that by June all the required research and specialist studies will have been completed. This is an exceptionally narrow timeframe and we are concerned that these studies will rely on desktop information where research is lacking. What detailed studies are to be done and in what timeframes?
- Can you confirm that work will only commence once negotiations with buyers of this gas have been completed?
- Reference was made to the "peak level of production". Is this predetermined? Are quantities capped?
- Is the closure plan updated prior to decommissioning? Is there a process attached to this?
- What is the risk percentage for accidental spills or other risk factors?
- What is the carbon impact of the project?
- What is the actual total impact of the gas, over the predicted 20 year lifespan, on the total environment?
- Who is going to benefit from the implementation of this and how? Many development applications cite job creation as a rationale. The document states that "The project is required to contribute to local development ... through IDPs, SDFs and EMS." How will the project contribute?
- Honest information during the process for the Social and Labour Plan needs to be available in clear, understandable terms. It would appear from the presentation and documentation that only communities in Mossel Bay will benefit from this project, in which case other communities along the Southern Cape coastline need to be made aware.

## 3. Draft Scoping Report Concerns & Queries

- The report states that *“In this case, as of April 22, according to Harris et al, the development of the subsea pipelines associated with oil and gas processes are considered non-compatible within the CBA natural area. The environmentally preferable option is to reroute the pipeline to avoid CBA area ... but this may not be feasible.”* While the rationale for drilling in this area is clearly dictated by the presence of gas, the associated environmental impacts in areas listed as MPAs, EBSA, CBAs and Important Mammal Areas seems entirely counter-intuitive. The consequences are particularly concerning considering the comparative life-spans of the two factors (gas availability for 20 years vs environmental integrity into the far distant future). Why is this site to be sacrificed when there is enough sun, hydro and wind available for alternative energy sources?
- The project assumes that there will be no further production from this field. Is this a confirmed assumption and, if not, what are the implications?
- Please confirm whether pipeline routings will be subject to public scrutiny during the ongoing processes.
- Why are platform modifications not part of the scope of the EISA? This is directly linked to this project and any modifications will surely be required to follow due process?
- Has an environmental integrity baseline been established that will enable ongoing environmental monitoring and evaluation?
- What is the impact on marine life of the air gun discharges of the state 8 to 12 hours and what is the circular radius of impact?
- Is it guaranteed that cement plugs will seal the drilling points that are not to be used? Will the seals remain into perpetuity or is there a monitoring system proposed?
- What explosives are to be used and what is the impact of these?
- What is the potential impact to sea life from the corrosion of the flowlines?
- Why is it necessary to bury pipe components in trenches in shallow water to decommission them? Why can they not be removed? Why is any removeable infrastructure or equipment left?
- Considering that the Agulhas current is the strongest surface current in the world, what are the risks to equipment and marine life should equipment get damaged?
- The table of the hearing ranges of cetaceans in the report does not link this information to the actual activities that are proposed. What will the impact be on cetaceans (and other sea life) and will research be conducted to establish the number of cetaceans (and sea life) that may be impacted?

#### 4. Draft Scoping Report Non Technical Summary

The identified and listed potential impacts described the document include, but are not limited to:

- *Impacts on air quality due to air emissions from vessel engines and from well testing;*

- *Impacts on sea water quality at drilling sites due to drilling muds and cuttings and cement which will be discharged into the sea during well drilling;*
- *Impacts on sediment quality (bottom contours, grain sized and some chemical parameters) from discharge of drilling muds and cuttings and cement and from seafloor sampling;*
- *Impacts on plant and animal life on the sea bottom in areas where wells are drilled, or project infrastructure is installed;*
- *Incineration of individual birds from well stem test flaring at the drillship;*
- *Noise effects on marine life due to sound from construction related activities, and associated physical and behaviour disturbance;*
- *The potential for collision between project vessels and marine mammals and sea turtles or due to well drilling, VSP and/or sonar survey activities, resulting in injury or mortality;*
- *Impact on bird life / nesting due to disturbances caused by marine vessels and helicopter traffic;*
- *Protection from fish pressure of some fishes and invertebrates species attracted to the project infrastructures where the exclusion zone will be applied;*
- *Local disruption to marine traffic to avoid project activities at sea and their exclusion safety zones;*
- *Loss of fishing gears due to project vessel movements in fishing areas;*
- *Loss of small-scale/artisanal fishing grounds due to project infrastructures and their exclusion safety zones;*
- *Risk of collision between project vessels and small-scale fishing boats due to project vessels movements;*
- *Social unrest in coastal communities due to the perception of project negative impacts on fisheries combined with very limited local benefits;*
- *Potential impacts on human cultural heritage and spiritual connections to the ocean and coastline, which is of sacred value to communities.*

How are all of these to be mitigated and what risk percentage is deemed as “acceptable”?

The Plettenberg Bay Community Environment Forum thanks you for the opportunity to comment and we look forward to your response to our concerns and queries raised. We reserve the right to comment on this proposed project in the future.

Yours sincerely



OBO Plettenberg Bay Community Environment Forum



---

**From:** peter fillies <[REDACTED]>  
**Sent:** Tuesday, 17 January 2023 07:49  
**To:** TEEPSA EIA  
**Subject:** Registration ,Comment abd Reply form  
**Attachments:** 20230117\_074352.jpg; 20230117\_074400.jpg

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Good morning

Please find attached the Registration form as requested.

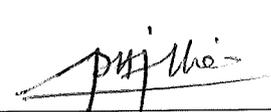
Regards  
Peter Fillies ( Chair: Eden Labour Forum)

**Scoping and Environmental Impact Assessment (S&EIA) process for the proposed offshore Production Right and Environmental Authorisation Applications for Block 11B/12B by TotalEnergies EP South Africa B.V.**

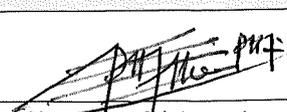
**Registration, Comment and Public Meeting Reply Form**

Draft Scoping Report: Thursday 01 December 2022 to Friday 03 February 2023

Note: This is an opportunity to register as an I&AP for the Scoping and Environmental Impact Assessment (S&EIA) process. By registering as an I&AP on the proposed project, you agree to receive information about the proposed project during the statutory S&EIA process. You also agree to receive information about the S&EIA, public participation process and opportunities to contribute comments.

Personal Information						
Title	First Name	Surname	Organisation / Department (If applicable)			
MR	PETER. H.	FILLIES	ELF/EDEN LABOUR FORUM			
Contact Details						
Mobile Number	Land Line Contact Number		Email / Fax Number			
[REDACTED]	[REDACTED]	Office	[REDACTED]			
		Home	[REDACTED]			
Do you want to register as an Interested and Affected Party?						
Please register me as an interested and affected party (I&AP) for this project so that I may receive further information and notifications as the project develops					<input checked="" type="radio"/> YES	<input type="radio"/> NO
I will attend the following public meetings in 2023:						
16 January, Kwanonqaba Community Hall, Mayixhale St, Kwanonqaba, Mossel Bay	<input type="radio"/> YES	<input type="radio"/> NO	21 January, Seavista Hall, Geelbek Street, St Francis Bay	<input type="radio"/> YES	<input type="radio"/> NO	
17 January, Mossel Bay Town Hall, 101 Marsh Street, Mossel Bay	<input checked="" type="radio"/> YES	<input type="radio"/> NO	23 January, Pelisrus Hall, 1 Harder Street, Jeffreys Bay	<input type="radio"/> YES	<input type="radio"/> NO	
18 January Thembalethu Community Hall, 66 Olympic Road, George	<input type="radio"/> YES	<input type="radio"/> NO	24 January, Feather Market Hall, 86 Baakens Street Port Elizabeth Central, Gqeberha	<input type="radio"/> YES	<input type="radio"/> NO	
19 January, Khayeletu Community Hall, Mbethana Street, Knysna	<input type="radio"/> YES	<input type="radio"/> NO	25 January, Jauka Community Hall, Runeli Drive, Port Alfred	<input type="radio"/> YES	<input type="radio"/> NO	
20 January, Plesang Community Hall, 7 Greenpoint Ave, Plettenberg Bay	<input type="radio"/> YES	<input type="radio"/> NO	26 January, Scenery Park Community Hall, 30 7 <sup>th</sup> Rd, Scenery Park, East London	<input type="radio"/> YES	<input type="radio"/> NO	
In terms of the EIA Regulations, 2014 (as amended), I disclose below any direct business, financial, personal, or other interest that I may have in the approval or refusal of the application:	Date		2023/01/16			
	Signature					

By registering as a stakeholder permission is hereby given in terms of the Protection of Personal Information Act for your contact details to be held securely to keep you informed about this project. WSP Group Africa as a good corporate citizen complies to the POPIA and confirms that your details will be kept confidential and will not be shared with any third party without your prior consent, other than the lead authority should they request stakeholder details.

For internal use to confirm capture of stakeholder details into the stakeholder database	
Stakeholder database reference number	

# COMMENT(S)

You are welcome to use additional pages.

I have the following comments regarding this proposed project and/or the public participation process:

EDEN LABOUR FORUM WELCOMES THE PROPOSED PROJECT OF WHICH THE COMMUNITY WILL BENEFIT. WE AS THE COMMUNITY WILL GIVE OUR FULL SUPPORT IN ALL ASPECTS TO SEE THE PROJECT TO BE A SUCCESS.

WE WELCOME THE TRAINING AND DEVELOPMENT OF SKILLS TO OUR COMMUNITY AND THE YOUTH WITHIN THE EDEN DISTRICT. ALL AGREEMENTS MUST BE IN WRITING. TO SHOW YOUR GOOD FAITH.

You are welcome to distribute this form to friends/colleagues who may be interested in the proposed project so that they also can register as an Interested and Affected Party.

**Please return the Registration, Comment and Reply form to:**

WSP Group Africa (Pty) Ltd

**PUBLIC PARTICIPATION OFFICE**

P.O. Box 6001, Halfway House, 1685

Tel: (011) 254 4800

Fax: (086) 582 1561

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**THANK YOU!**

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**From:** [REDACTED]  
**Sent:** Friday, 03 February 2023 15:38  
**To:** TEEPSA EIA; gld.teepsaesi@wsp.com; [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** STATEMENT AND COMMENTS - 0619214879  
**Attachments:** 22.pdf

Good day please find attached document.

Shaedah Kiewiet  
Postlink Mosselbay



## STATEMENT AND COMMENTS TO Total Energies EP South Africa B.V. (TeepSA)

**Subject: Environmental and Social Impact Assessment (EISA) for the proposed offshore production right, additional exploration activities and environmental authorisation application for Block 11B/12B – Ref. No. 12/4/13 PR**

**Joint statement and comments by Interested and Affected Parties, as listed for the purpose of this document, on the above subject.**

### 1. PREAMBLE

- 1.1. The organizations and institutions listed at the end of this document, came together, consolidating and constituting the MOSSEL BAY SOCIO-ECONOMIC COLLECTIVE (MSEC), echoing in unison the importance of drafting comments to WSP and TeepSa (Total Energies) on the above subject matter. Though the EISA is directed and governed by law, engaging communities are not always producing the best of results, bringing about high hopes and expectations for the ordinary person and unleashing bizarre and unexpected objectives and modus operandi for many.
- 1.2. The above organizations have a proven track record of living, working, suffering with and leading many in the communities of Mossel Bay, in particular in D'Almeida, Extension 13, Tarka, New Sunny Side, Highway Park, Protea Park, Civic Park, Valley, Sonskynvallei, Brandwag, Powertown, Ruitersbos, Friemersheim, Great Brak River, Herbertsdale, Buisplaas, Vleesbaai and Bartelsfontein, perfectly understanding the needs, expectations, short comings and other humanitarian challenges of our day-to-day livelihood.
- 1.3. Most, if not all these organizations stood the test of time, experienced numerous investment opportunities, developmental endeavours and to say the least, exploitation and hardship at the hands of governments and private sector, since we have been identical in living with our natural and human resources over the ages.
- 1.4. For the bigger part of most of our livelihoods, we are still today people of the sea, a coastal generation that became synonymic with the ocean and it's economy. We may not all have directly experienced the benefits thereof, but by virtue of our association, we became augmented.
2. We have learned through participating in development projects in human and natural resource development to become active players, not to be used for other people's gains, but to cement concrete deals and opportunities that not only grant people work but to become shareholders, decision makers and give credible directions to development causes. Thus, shareholding in project operations has to be discussed with TeepSa and related enterprises.
3. Our communities came through ages of battles for survival and developed periodically into became self-reliant, though not as sustainable as it should be, but to an extend that people grew closer to on another. As with the economy of our country and that of the town, to many people are still left behind making the gap between rich and poor bigger than before. Government and private sector need to take responsibility for this ever-increasing gap and redirect their focus to where it really matters. People's needs are growing; hence the focus should not be shifted from (i) housing, (ii) employment, (iii) safety and (iv) basic needs.

### 3.1. HOUSING

Although it's the responsibility of government, Mossel Bay has seen housing developments based on racial lines for years. Poor black communities get low class (income) housing developments whilst white suburbs are developed for the rich and wealthy. The TeepSa project should bring about a shift in the mindset of those in government and make remarkable investments in infrastructure and housing developments that will benefit all racial communities.

A housing project should be embarked upon jointly by TeepSa and a Collective structure in Mossel Bay.

### 3.2. EMPLOYMENT OPPORTUNITIES

Since the dawn of petro-chemical projects in Mossel Bay, this has always been a cause of disagreement. This industry may require from time-to-time particular skills, knowledge and tradesmanship. It has been found that certain companies in the industry make use of importing certain skill that are existing in Mossel Bay of which is a disgrace and an insult to the residence of this town. Some even went as far as training locals in certain field, but still employment is not offered.

This caused many skilled, qualified and highly sophisticated tradesman to leave the country in search for employment. A joint initiative by both TeepSa and community should embark on the creation of a skills data base, however it should not happen that labour brokers and forums, any sphere of government or any private entity that stand to gain from the construction face, should be eligible to produce such a skills data base.

Secondly, the need to train more eligible people in certain fields can never be over emphasized, thus TeepSa should invest in a proper accredited training facility of world class standards, providing sustainable training opportunities. Proper certification in this regard is of utmost importance since universal standards are to be considered. There should not be a need to create new infrastructure, as it already exists in the **form of a TVET (South Cape College) and the Centre of Excellence (PetroSA).**

Development of acquired (sustainable)skills should be ongoing as it **(i) needs to prioritize upskilling opportunities; (ii) it should be investor/employer-led; (iii) should find a mentor to support the development of such skills and (iv) must sign up for external skills training.**

If and when the project has been commissioned to proceed with the production face, after obtaining the necessary permits and/or licensing, we believe that construction will be outsourced to the relevant companies, partners and/or stakeholder. The latter service providers need to be engaged by both TeepSa and the Collective to ensure

that labour is properly recruited from the Mossel Bay component of labour, hence the need of a **well-researched skills data base**.

**Creation of a social labour plan that benefits the indigenous people of the area and the majority amongst the originals.**

#### **4. SAFETY**

Community life is the place where opportunities for people are existing, but at the same time it's the place where crime and violence concentrates. It usually came because of unemployment, inadequate services and health provisions, social exclusion and over population. Safety is a key component for realising liveable, productive, inclusive and sustainable communities, hence it needs to be high priority.

TeepSa and community should partner in driving social and economic programmes to deal decisively with crime and violence. Crime and violence manifest in various forms and are primarily driven by socio-economic factors. It has a severe negative effect on society to the extent that productivity and sustainability is disturbed in the private sector and small business environment.

Resource allocation is essential to the success of such an approach, to secure the communities meet their developmental potential. Safety goes beyond the safety of persons, the integrity of investments and the sustainability of community development, it invokes freedom of movement and access to public spaces and unfettered participation in school, public life and income-generating activities.

As a start TeepSa and communities should embark on

- (i) **safety audits within communities to establish safety needs and strategies.**
- (ii) **create environmental designs aimed at addressing the safety of women, children and other vulnerable groups.**
- (iii) **safety plans that have corresponding budgets.**

#### **5. BASIC NEEDS**

People in communities thrive on various kinds of basic needs as it is important for people to become aware their basic needs in order to develop themselves. Before we thrive, we need to satisfy our basic material needs, i.e. **food, clean air, shelter, clothing, health care, etc.**

TeepSa can play a pivotal role as an engine of economic growth and job creation. It can provide goods and services to local communities, generate tax revenues to finance essential social and economic infrastructure, develop new innovative solutions that help tackle development challenges and it is central in addressing climate change.

As communities we are looking forward to the developmental approach of TeepSa, expecting to see that it broadens from the conventional approach of supporting the economic development to a more inclusive and elaborated public private partnerships. Through this, TeepSa will become an important strategic partner in achieving the goal of eradicating poverty and reduce inequalities and exclusion within the broader sustainable development agenda.

In order for this project to be a people-centred development project, TeepSa should not limit itself to financing and investment, rather strongly focus on innovative capacities, human resources, know-how and technological inputs from within the communities they operate.

By these actions basic needs will be addressed.

## **6. THE OCEANS ECONOMY**

The oceans economy will always be a means to sustain livelihoods, both coastal and inland, in ways particularly friendly and familiar to the Southern Cape Coastline, by means of (i) sustainable maritime repair and maintenance; (ii) support for gas and oil explorations, (iii) commercial and small-scale fishing; (iv) sustainable aquaculture; (v) marine tourism and a (vi) self sustainable maritime school.

The block identified by Total for production and future exploration rights has a reach coastline and a very deep-rooted tradition fishing heritage.

### **6.1. MARITIME REPAIRS AND MAINTENANCE**

Centuries before oil and gas and marine tourism were discovered in our rich oceans, subsistence, small scale and commercial fishing were the main activities of the indigenous and modern people of Mossel Bay.

It is disappointing that government today does not regard the Mossel Bay harbour as a fishing harbour, focussing mainly on petro-chemical activities, hence fishing has become secondary to almost zero importance. Even though, the fishing industry provides numerous job and business opportunities for our people, it is considered of lesser importance. Furthermore, ports authorities in Mossel Bay made access to the harbour virtually impossible for small scale fishing by not creating sufficient infrastructure (launching, loading and offloading of boats and cargo) and the high unaffordable cost of using the existing poor infrastructure.

The industry creates food for more people in our communities than that of the petro-chemical industry, the latter does not provide food directly to the table. Neither does it provide sufficient jobs and small business opportunities. We do consider the many positive impacts of the petro-chemical industry, but it should not contribute to the eradication of the fishing industry.

Therefore, TeepSa should assist the fishing community of Mossel Bay, to engage authorities to provide proper infrastructure and intervene on the cost of using such. Small scale fishing use different vessels and equipment than the commercial operators, and due to the low-income margin of small scale, it remains a serious challenge to meet budgetary demands, thus the maintenance of equipment brings

many constrains. A joint capital investment strategy needs to be developed by all parties concerned.

Ship building, maintenance and repair industry is at a critical stage in its development, the industry continues to be stifled by obsolete port infrastructure, protectionist government policy and monopoly pricing. This cause many in the shipping industry to use ports in other areas, even countries. Mossel Bay port has land potential to further boat and ship repairs, since Transnet do own land on the harbour and the current slipway needs to be improved to proper dry dock standards. Potential does exist, but the economic, social and political will fall short.

## **6.2. SUPPORT FOR GAS AND OIL**

As did the consultant, WSP indicate that the project reached the phase where consultation with I&AP's must take place, it is however questionable why TeepSa only at this stage start talking to communities and I&AP's, whereas the former and latter were not informed, consulted or even brought on board during the exploration phase. However technical or scientific the exploration phase might have been, ordinary people within our communities could have been better informed, and best understood the situation the TeepSa is facing at present.

With the consultation process, first round of meetings held in Mossel Bay, we need to express our utter disappointment with the manner in which and where meetings were held. It is uncalled for to make racial divides so obvious by having two meetings in a Xhosa speaking African community and two meetings in a white Afrikaans speaking community. No meetings were held in the black Afrikaans speaking areas. TeepSa and WSP need to correct that, since the first nation people has to be recognised. Second to that, no regard has been given to rural communities around Mossel Bay, a clear indication that our rural people are not considered intellectually enough for such technical data and information and/or that they can only be farmers. We need thorough explanations on this matter.

Our organizations and affiliates to this document in Mossel Bay, take note of public objections and campaigns against TeepSa projects offshore productions intentions, in particular that from the Green Connection (South Africa) and BLOOM (France). Therefore, we are of the opinion that (i) organizations that does not live in poverty, need not to stop initiatives that will fight this evil, poverty; (ii) small scale fishers should not be used as an excuse to further foreign courses, rather be partnered with fishing communities to bring permanent relief.

Mossel Bay Small scale fishing communities do have genuine concerns, challenges and needs, which need to be addressed by civil society, business and government, with the latter failing to deliver since legislation and pressures from organised commercial industries in fishing cause to much red tape and serious constrains. In lobbying for support for the production of oil and gas, as a collective for furthering socio-economic prosperity for the greater Mossel Bay we will have to engage TeepSa and related institution to provide not only employment, but a capital share that will ease up on poverty and disempowerment.

### 6.3. COMMERCIAL AND SMALL-SCALE FISHING

From experience and exposure to this industry for many years, we came to learn and succumbed to defeat in all Fishing Rights Allocation Processes (FRAP) to this day. The process has never been community or small business friendly as it requires massive sums of money, huge financial backing and/or investments, highly technical advisories, legal expertise, all which comes with the monopoly of capital. As FRAP works on a quota system only a few wealthy, politically connected, friends in high places and dubious racketeering tendencies are becoming evident at the time of applying for fishing rights.

Rural communities hardly get any portion from this method of allocating fishing rights to the extent that one (1) in three (3) successful black applicants (small enterprises) for the FRAP 21/22 in Mossel Bay develop into competitive business. The rest always fails.

Various factors could be ascribed to it of which we will not dwell much on the scientific data available, rather on the unfairness; racial prejudices; lack of commercial fishing vessels and the monopoly of those who currently own these vessels (white vessel owners) in the business sector. Let us give an example how the industry operates: A black company in the community has a fishing right (quota holder). An agreement has to be reached with a vessel owner (catch or charter agreement). In the event of a catch agreement, the deals are always 45;40;10 and 5, which means that the boat owner gets 45%, the crew 40%; 5% reserve fund and 10% to the quota holder. One can make your calculation should this quota be 5million ZAR. Our question that comes to mind immediately, is whether it is worthwhile clinging to commercial fishing as the odds are against the poor, marginalized and coloured and black component of the fishing community. We became spectators in the commercial industry, whilst big business, controlled by white monopoly and capital reap the best fruits and harvest from the ocean.

TeepSa appears to come with an alternative, provided we are not made to be spectators in the process. There are alternatives to the disappearing fish stocks, disturbances in the seabed for sea life, disruption of the entire ecosystem. Research and implement such alternatives.

Small business in the commercial fishing industry, especially black business will never succeed until the balance of monopoly capital and investments are not addressed in favour of small business in the commercial fishing industry. Once again, the scale of these inequalities needs to be addressed in Mossel Bay and over a broader spectrum in the industry. Rural communities close to the ocean should get preference over big business in fishing, mainly operating from the metros.

Scientists wrote many reports and lengthy documents on the impact and effects that projects such as oil and gas exploration and production have on marine life, some of which many in our community can bear witness to. For years we experienced that the ocean "does not go to the doctor to be healed", she heals herself and fishers adapt to the changing tides. This may work for the commercial industry, but definitely not for the small-scale industry.

## 6.4. AQUACULTURE

Aquaculture is considered the fastest growing farming sector around the world, whilst South Africa is “feet-dragging” the process. The sector is facing severe challenges that can be addressed, inter alia, water, infrastructure, finances, markets, crime, etc. Hindrances such as lack of human capacity and aquaculture skills and complex government legislation scare investor quite easily. Aquaculture is a means of addressing poverty, food security and nutrition in rural communities. Most of our current fish stocks are harvested and exported to wealthy countries, but our own people are starving, since the price of fish is ever rising. Poverty has to compete with export.

Our coastline has suitable environmental conditions for aquaculture development and opportunities for commercial production of various cultured species. Our waters are common feeding and breeding grounds for hake, cob and tradition line fish. Fish stocks that can both be marketed abroad and in our impoverished communities. Studies proved that aquaculture could contribute to:

- Creation of sustainable job opportunities
- Foster economic developments
- Capitalize on export opportunities
- Stimulate rural development and livelihoods
- Attract foreign investments
- Safeguard sustainable environmental integrity
- Create small, medium and micro enterprises.

In order to bring about the abovementioned the hindrances and challenges that might cause negative impacts, TeepSa and the fishing community should partner in “tackling the bull by its horns”.

## 6.5. MARINE TOURISM

The seas also provide delicious seafood which is enjoyed by tourists and locals alike. While marine adventures excite and inspire, they also provide important benefits for local communities. Marine tourism **supports local jobs, such as surf instructors and dive guides**. In the Southern Cape, particularly Mossel Bay, we do have ample opportunity to enter this industry which is currently an exclusive for a minority racial group.

This industry with all its extensions such as hotels, restaurants, commercial centres, and travel agencies, along with all entities related to leisure activities and traveling make a great contribution to the world’s economy annually. That is the reason that has intrigued other oil producing countries like Qatar, the UAE, and even Saudi Arabia, which earn billions of dollars every year from oil sale, to shift their gaze towards the tourism industry for even more income.

In Mossel Bay opportunities such as Shark Cage diving, whale watching, marine bird and mammals watching, and travel and recreational fishing trips are but a few of the activities at our disposal. It does come with challenges, i.e. infrastructure and resources, of which proper engagement and planning can be deployed.

## **6.6. MARITIME TRAINING SCHOOL**

The Southern Cape has training institutions available, TVET colleges and Nelson Mandela University, which can be approached to establish a proper maritime training facility. At present this kind of training can only take place the metros, leaving a huge vacancy among young people. Maritime training skills are mostly used in the fishing industry, since many are not made aware that the oceans economy is much more than fishing.

## **7. SMALL AND MEDIUM ENTERPRISE DEVELOPMENT**

Small and Medium Enterprises (SME's) have been identified as productive drivers of inclusive economic growth and development in South Africa and around the world. Some researchers have estimated that, in South Africa, small and medium-sized enterprises make up 91% of formalised businesses, provide employment to about 60% of the labour force and total economic output accounts for roughly 34% of GDP.

While contributing significantly to the economy, SMEs foster diversification through their development of new and unsaturated sectors of the economy. In addition, innovative and technology-based small and medium enterprises can provide a platform for local, regional, and international growth, especially in Brazil, Russia, India, China, and South Africa (BRICS) economies.

SME's are considered an important contributor to the economy as drivers for reducing unemployment, especially since the formal sector continues to shed jobs.

### **7.1. CHALLENGES FACED BY SME's.**

- Crime and corruption
- Appropriate technology and low production capacity (includes access to electricity)
- A lack of management skills and in adequate skilled labour
- Finance and obtaining credit.
- Access to markets and developing relationships with customers.
- Recognition by large companies and government bureaucracy
- Knowledge and support for the role that they play in economic development.
- Regulatory compliance.

The coming of oil and gas production brings about vast business activities which big companies are geared for; thus Total Energies should see to it that small to medium enterprises are given ample opportunities to be part of the construction of the production process. We all know that most SME's are unable to compete with giants companies, there it needs to be clear that big businesses should all partner with a SME.

## 8. SOCIAL RESPONSIBILITY

Corporate Social Responsibility, CSR is a broad term which describes a business' efforts to uplift or improve society. As a philosophy, CSR maintains that businesses are members of the society they operate in, to become known as corporate citizens and are therefore accountable to society for their actions. Total Energies are well aware and became known to live up to their CRS, hence we would be obliged as a collective to become central to it.

This means that you need to consider the impact of your business operations on society, including things like:

- Your company's carbon footprint and environmental impact
- Your company's impact on the South African economy
- Human rights and the promotion of positive change (e.g. addressing cultural and social issues)

As a collective we can secure ethical business practices through corporate governance and ethical leadership on all projects in Mossel Bay and ensure that both profit and non-profit organisations operate with honesty and transparency to avoid corruption.

Both TeepSa and Mossel Bay Socio-Economic Collective should strive towards the establishment of a vehicle that will carry funds (Social Fund) for achieving aforesaid programmes and projects.

TeepSa should allow towns in the region to present proposals on profit sharing and /or acquiring a capital share in the entire project. Giving communities (i) opportunities to work, (ii) sponsoring of projects and (iii) rendering assistance to any or all of the abovementioned ventures throughout the lifespan of the oil and gas exploration is hardly enough. Through this we will remain onlookers and spectators and will never become co-owners of our natural resources.

## 9. SUMMARY

<b>Matrix of Content i.t.o.</b>	
<b>Challenges</b>	<b>Possible responses (solutions)</b>
Our situation looks very bleak in terms of sustainable development.	<p>TeepSa can play a pivotal role as an engine of economic growth and job creation.</p> <p>It can provide goods and services to local communities, generate tax revenues to finance essential social and economic infrastructure. Develop new innovative solutions that help tackle development challenges.</p> <p>It is central in addressing climate change.</p> <p><b>SUSTAINABILITY</b></p>

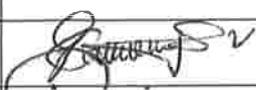
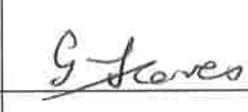
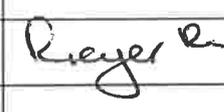
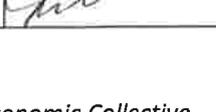
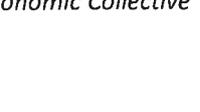
Disempowered communities in the greater Mossel Bay	<p>Identify beneficiaries and stakeholders to the TeepSa. Becoming partners of the TeepSa oil and gas exploration through production phase.</p> <p><b>SUSTAINABILITY</b></p>
Lack of descent housing	<p>Purchase land from the municipality to develop a middle-income housing project.</p>
Ensure that development of acquired skills should be ongoing	<p>Needs to prioritize upskilling opportunities; Skills should be employer-led.</p> <p>Should find a mentor to support the development of such skill. Must sign up for external skills training.</p> <p><b>SUSTAINABILITY</b></p>
Employment opportunities	<p>Essential skill be sourced locally, where it does not exist, then regionally and/or nationally and or internationally.</p> <p>All semi-skilled and unqualified labour be sourced local and regional.</p> <p>For each skill not found locally and regionally a candidate for training be sought locally and/or regionally to be empowered. Need of a well-researched skills data base.</p> <p>Design a social labour plan.</p> <p><b>SUSTAINABILITY</b></p>
Security and safety vs Criminality	<p>Safety audits within communities to establish safety needs and strategies.</p> <p>Create environmental designs aimed at addressing the safety of women; children and other vulnerable groups.</p> <p>Safety plans that have corresponding budgets.</p> <p>Empowering neighbourhood watch groups and proper training for Community Police Forums.</p> <p><b>SUSTAINABILITY</b></p>

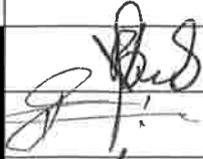
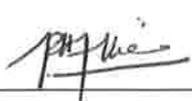
<p>People-centred broad base economic development</p>	<p>TeepSa should not limit itself to financing and investment, rather strongly focus on:</p> <ul style="list-style-type: none"> <li>➤ innovative capacities</li> <li>➤ human resources</li> <li>➤ know-how and</li> <li>➤ technological inputs from within the communities they operate.</li> </ul> <p><b>SUSTAINABILITY</b></p>
<p><b>SMALL &amp; MEDIUM ENTERPRISES</b></p> <p><b>Appropriate technology and low production capacity (includes access to electricity).</b></p> <p><b>A lack of management skills and in adequate skilled labour.</b></p> <p><b>Finance and obtaining credit.</b></p> <p><b>Access to markets and developing relationships with customers.</b></p>	<p><b>Developing alternative and/or supplementary means to get electricity.</b></p> <p><b>Adopt a system to mentor, train and support struggling enterprises.</b></p> <p><b>Asist groups in similar industries to create consortiums.</b></p> <p><b>TEEPSA to start a guardianship programme to give exposure to SME's and partner them with suitable clients.</b></p>
<p>Maintenance and repairs to fishing infrastructure.</p> <p>Ship building, maintenance and repair industry is at a critical stage in its development, the industry continues to be stifled by obsolete port infrastructure, protectionist government policy and monopoly pricing.</p> <p>Small scale fishing use different vessels and equipment than the commercial operators, and due to the low-income margin of small scale, it remains a serious challenge to meet budgetary demands, thus the maintenance of equipment brings many constrains.</p> <p>Consultation meetings were held on a racial divide.</p> <p>Rural communities were totally excluded.</p>	<p>A joint capital investment strategy needs to be developed by all parties concerned.</p> <p>TeepSa should assist the fishing community of Mossel Bay, to engage authorities to provide proper infrastructure and intervene on the cost of using such.</p> <p>Further consultations should be done more thoroughly inclusive of, but not limited to all racial groups and areas and full participation of all rural communities.</p> <p>Future consultations should be mutually agreed upon by all parties and be held in all areas interested and affected.</p> <p><b>SUSTAINABILITY</b></p>

Disturbances on the seabed and dwindling fish stocks	Aquaculture <b>SUSTAINABILITY</b>
Inequalities in the fishing industry	Empowering small scale fishers by taking care of their overall running cost Subsidizing fuel bills Assistance with acquiring fibre glass deck boats Contribute to maritime training
<b>Oceans economy:</b> Creation of sustainable job opportunities. Foster economic developments. Capitalize on export opportunities. Stimulate rural development and livelihoods. Attract foreign investments. Safeguard sustainable environmental integrity. Create small, medium and micro enterprises.	The need for <b>aquaculture</b> has become inevitable <b>SUSTAINABILITY</b>
Community absence in marine tourism	Assisting communities to obtain permits, equipment and expertise in marine tourism.  Engage current blue economy road users; i.e. big tourist vessels (cruise ships & yachts) and companies to partner with SME's in this industry.  Provide management and planning skills to SME's in the industry. <b>SUSTAINABILITY</b>
Maritime training schools currently in the eastern cape, Cape Town and Saldanha Bay.	Engage the services of TVET colleges and Nelson Mandela University in the region.  Prepare and compile a proper data base of all maritime skills needed in the maritime industry. <b>SUSTAINABILITY</b>
Capital share	To be negotiated with TeepSa by the Collective <b>SUSTAINABILITY</b>

### 10. Declaration of Intent by stakeholders

The content of this document has been designed, worked, issued, and constructed by Mossel Bay Socio-Economic Collective and officially signed on the 1 day of FEBRUARY 2023. Signatories to the document are properly vetted by the Collective and authorized by their respective boards, committees and/or executives.

No	Organization	Representative	Cell. No	Signature
	Green Worx Empowerment Centre	Jerohme Kannemeyer		
	Mossel Bay Child Welfare	Micheal Carelse		
	Siyanitanda Disabled School	Liyanda Maki		
	Mkhonto We Sizwe Liberation War Veterans	Lulamile Busakwe		
	Mossel Bay Community Care Centre	Ms.Glynnis Flores		
	SACC Forum	Willem Essau		
	SACC Veterans Association	Hilton De Kok		
	Anker Hope of New Life Relief	Ms. Nolene Cupido		
	Mossel Bay Minister's Fraternal			
	Mossel Pastoral Fraternal	Past. Peter Kees		
	Buisplaas Bewoners Vereniging	Pedro Meyer		
	Benevolent Park Old Age Home	Katriena Thiele		
	Mossel Bay Poverty Aliviation	Jerome Meyer		
	Buisplaas Kleinboere Vereniging	Gillian Thompson		
	Piet Julie's Aids Action Group	Rita Kayster		
	Mossel Bay Fishing Forum	Avril Baker		
	Ray of Hope Foundation	Larry Duncan		
	D'Almeida Activists Foundation	Linden Baker		
	SANTA Great Brak	Lindie Spandiel		
	Sao Bras Secondary School	Dawid Groenewald		

Hill Crest Secondary School			
Gourikwa Khoisan Stamsuis	Khoi Barry		
Gouriqua Khorana Kraal	Khoi Tiekie		
Great Brak Multi-Purpose Centre	Past. Leon Prinsloo		
Trawl and Linefish Union	Mervyn Barnard		
Imakhaya Health & Welfare Academy	Karel September		 K. September
Eden Labour Forum	Peter Fillies		
JOUNQU ARTS FOUNDAT.	N. PHILANDER		
CRUIT-BRAKRIVIER SEK. SKOOL	I. A. SPEELMAN		
FRIEMERSHEIM PRIMARY	J. SPEELMAN		

## **MEMORANDUM OF AGREEMENT BETWEEN LISTED PARTIES**

1. **Parties.** This Memorandum of Agreement (hereinafter referred to as “MOA”) is made and entered into by and between the

2. **Purpose.** The purpose of this MOA is to establish the terms and conditions under which the above institutions intend to submit comments, proposals and directives to Total Energies (TeepSa). This MOA includes non-governmental organizations (NGO), faith based organizations (FBO), Community based organizations (CBO); small famers associations (SFA); Small scale fishers; War Veterans and institutions of learning and care. These partners are representatives from the greater Mossel Bay, inclusive of the rural areas around Mossel Bay

3. **Term of MOU.** This MOA is effective upon the day and date last signed and executed by the duly authorized representatives of the parties to this MOU and shall remain in full force and effect for not longer than \_\_\_\_\_ This MOA may be terminated, without cause, by either party upon 30 (thirty) days written notice, which notice shall be delivered by hand or by email to the given address listed above.

4. **Responsibilities of [other agencies].**

Other agencies refer to as Total Energies (TeepSa) and related contractors and service providers:

- Other agencies will be entered into agreements for furthering the aims and objectives of all parties to this agreement.
- All obligations from other agencies, including, but not limited to material, physical and monitory obligations will be negotiated and honored.

5. **Responsibilities of [agencies].**

- \* All parties to this MOA will adhere to, follow and defend decisions made as the collective.
- \* All documentation submitted by parties will be treated confidential until parties collectively agree to put it in the public domain.

- \* The collective will be responsible to raise funds in the initial period to cover any cost that may be incurred by any party in the event of services and goods supplied for its cause.
- \* No party will be allowed to engage other parties on similar matters, with whom the parties to this MOA are intending to make engagements, negotiated deals and settlements
- \* Each party to this MOA will keep and maintain its identity, sovereignty, character, programs and operations and will be respected and honored by associated parties to this MOA.

## 7. **General Provisions**

**A. Amendments.** Either party may request changes to this MOA. Any changes, modifications, revisions or amendments to this MOU which are mutually agreed upon by and between the parties to this MOA shall be incorporated by written instrument, and effective when executed and signed by all parties to this MOA.

**B. Applicable Law.** The construction, interpretation and enforcement of this MOA shall be governed by the laws of the Republic of South Africa. The courts of the State of the Republic of South Africa shall have jurisdiction over any action arising out of this MOA and over the parties, and the venue shall be the judiciary of the Western Cape.

**D. Entirety of Agreement.** This MOA, consisting of 5 (five), pages, represents the entire and integrated agreement between the parties and supersedes all prior negotiations, representations and agreements, whether written or oral.

**E. Severability.** Should any portion of this MOA be judicially determined to be illegal or unenforceable, the remainder of the MOA shall continue in full force and effect, and either party may renegotiate the terms affected by the severance.

**F. Sovereign Immunity.** The agencies and their respective governing bodies do not waive their sovereign immunity by entering into this MOA and each fully retains all immunities and defenses provided by law with respect to any action based on or occurring as a result of this MOA.

**G. Third Party Beneficiary Rights.**

- The parties do not intend to create in any other individual or entity the status of a third-party beneficiary and this MOA shall not be construed so as to create such status.
- The rights, duties and obligations contained in this MOA shall operate only between the parties to this MOA and shall inure solely to the benefit of the parties to this MOA.
- The provisions of this MOA are intended only to assist the parties in determining and performing their obligations under this MOA.
- The parties to this MOA intend and expressly agree that only parties signatory to this MOA shall have any legal or equitable right to seek to enforce this MOA, to seek any remedy arising out of a party's performance or failure to perform any term or condition of this MOA, or to bring an action for the breach of this MOA.

## 8. Signatures.

In witness whereof, the parties to this MOU through their duly authorized representatives have executed this MOU on the days and dates set out below, and certify that they have read, understood, and agreed to the terms and conditions of this MOU as set forth herein.

The effective date of this MOA is the \_\_\_\_\_ day of \_\_\_\_\_ 2023.

No	Organization	Representative	Cell. No	Signature
1.	Green Worx Empowerment Centre	Jerohme Kannemeyer		
2.	Mossel Bay Child Welfare	Micheal Carelse		
3.	Siyanitanda Disabled School	Liyanda Maki		
4.	Mkhonto we Sizwe Liberation War Veterans	Israel Syfers		
5.	Mossel Bay Community Care Centre	Ms. Glynnis Flores		
6.	SACC Forum	Willem Essau		
7.	SACC Veterans Association	Hilton De Kok		
8.	Anker Hope of New Life Relief	Ms. Nolene Cupido		
9.	Mossel Bay Minister's Fraternal			
10.	Mossel Pastoral Fraternal	Past. Peter Kees		
11.	Buisplaas Bewoners Vereniging	Pedro Meyer		
12.	Benevolent Park Old Age Home			
13.	Mossel Bay Poverty Aliviation	Jerome Meyer		
14.	Friemersheim Kleinboere Vereniging	Koos Gelderbloem		
15.	Buisplaas Kleinboere Vereniging	Gillian Thompson		
16.	Piet Julies Aids Action Group	Rita Kayster		
17.	Bathesda Worship Ministries	Charlie Muller		
18.	Mossel Bay Fishing Forum	Avril Baker		
19.	Ray of Hope	Larry Duncan		

20.	@ Peace			
21.	D'Almeida Activists Foundation	Linden Baker		
22.	SANTA Great Brak	Lindie Spandiel		
23.	Sao Bras Secondary School	Dawid Groenewald		
24.	Hill Crest Secondary School			
25.	Gourikwa Khoisan Stamhuis	Khoi Barry		
26.	Korana Khoisan Stamhuis	Khoi Tiekie		
27.	Ridgeview Primary School			
28.	Diaz Primary School			
29.	All Saints Primary			
30.	Erika Primary			
31.	St. Blaize Primary			
32.	Babarian Rugby Club			
33.	Sussex			
34.	Great Brak Rugby Club			
35.	TM Ndanda Primary School			
36.	Mossel Bay Guiding Stars			
37.	Brandwag Communal Property Assoc.	Johnny Beukes		
38.	Imakhaya Health & Welfare Academy	Karel September		

**Witnesses :**

1. Name and Surname

Signature

\_\_\_\_\_

2. Name and Surname

Signature

\_\_\_\_\_

3. Name and Surname

Signature

\_\_\_\_\_

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**From:** fos <[REDACTED]>  
**Sent:** Tuesday, 31 January 2023 17:20  
**To:** ZA - GLD - Teepsa Esia  
**Cc:** Mareo Bekker; Frits Nortje; Martin Pauw; Talitha Venter  
**Subject:** Comments on Scoping Report for the ESIA for the Proposed offshore PR and EA Application for Block 11B/12B by TotalEnergies EP South Africa  
**Attachments:** ESIA TEEPSA 11B12B response 2023013.pdf  
**Importance:** High

Dear Sir

Attached please find REVAG's (Rescue Vleesbaai Action Group) comments regarding the Scoping report for the Proposed offshore PR and EA Application for Block 11B/12B by TotalEnergies EP South Africa.

REVAG represents the interest of the communities of the Vleesbaai Area. **As such we are compelled to stress the catastrophic impact of a potential well blow-out on the Southern Cape coast.** Our attached submission clearly sets this out.

It would be **inconceivable that such a risk can be worth taking for a relatively short term benefit. The inhabitants of the area would agree if they were aware of this danger.**

**Please acknowledge receipt and confirm that our submission will be included in the ESIA.**

**Sincerely**

Dr Fritz Snyckers  
Chairman Rescue Vleesbaai Action Group



## **Comments on Scoping Report for the Environmental and Social Impact Assessment (“ESIA”) for the Proposed offshore PR and EA Application for Block 11B/12B by TotalEnergies EP South Africa (“TEEPSA”)**

We refer to the information about the Environmental and Social Impact Assessment (ESIA) and public participation process that form part of the proposed Production Right and EA project for Block 11B/12B.

Although the scoping report mentions that some attention will be given to the **potential impact of a well blow-out, we would like to highlight the crucial need to fully investigate this** consideration as part of the ESIA.

The real danger of a deep-sea well blow-out and the devastating consequences thereof, were illustrated by the “Deepwater Horizon” catastrophe in the Gulf of Mexico. Such an event would be utterly disastrous to the whole Southern Cape coast. Due to the depth of the drilling, the sea conditions and the very strong and unpredictable deep currents, this is not such a remote possibility at all.

The item is briefly covered in the scoping report under “Specialist Studies – Oil Spill Modelling (Executive Summary §2.2 & Chapter 9, in §9.2.3)”. Missing here is the description of the extent of the modelling of the environmental consequences of such spills. Also the limitation of 20 days may be optimistic. The Deepwater Horizon spill lasted 5 months, i.e. 150 days, in seabed conditions which were probably less severe than in this case.

The draft ESIA for TEEPSA 5/6/7 in respect of drilling along the south-western coast of South Africa, compiled by SLR, provides a full and frightening picture of the extent and consequences of a blow-out in that exploration area ([https://cdn.slrconsulting.com/uploads/2022-10/010\\_TEEPSA\\_567\\_ESIA\\_DEIR\\_Chap\\_10\\_Impact\\_Assessment\\_Unplanned\\_Events.pdf](https://cdn.slrconsulting.com/uploads/2022-10/010_TEEPSA_567_ESIA_DEIR_Chap_10_Impact_Assessment_Unplanned_Events.pdf), §10.4). Extensive modelling has been applied and shows an apocalyptic disaster scenario for the Cape coast – with a risk probability of “unlikely”.

According to your own definitions, “unlikely” indicates a 5% or lower probability. **The sea conditions and the very strong and unpredictable deep currents in the 11B/12B area significantly enhance that risk** in this case and place the probability near the top of this range.

As supportive as one may be to the need for a gas supply to Gourikwa and PetroSA, especially in the current conditions, it still seems completely irresponsible to expose the whole economy of the Southern Cape to such a catastrophic risk.

We therefore request that the **ESIA MUST INCLUDE DETAILED AND RELIABLE SCIENTIFIC DATA WHICH SHOWS WHAT THE CONSEQUENCES OF A WELL BLOW-OUT AND THE RESULTANT IMPACT ON THE OCEAN ENVIRONMENT, FISHING, TOURISM INDUSTRY ETC.** Simply relegating this to an “unlikely” risk will not do.

It would be **inconceivable that such a risk can be worth taking for a relatively short term benefit. The inhabitants of the area would agree if they were aware of this danger.**

Please acknowledge receipt and confirm that our request will be included in the ESIA.

Sincerely

Dr Fritz Snyckers  
Chairman, RESCUE VLEESBAAI ACTION GROUP

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**Subject:** FW: Comments on TEEPSA Scoping Report  
**Attachments:** CMP TEEPSA Comments 20230203.docx

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**From:** Pauw, Martin [REDACTED] <[REDACTED]>  
**Sent:** 03 February 2023 23:20  
**To:** ZA - GLD - Teepea Esia <[gld.teepsaesia@wsp.com](mailto:gld.teepsaesia@wsp.com)>  
**Cc:** TEEPSA EIA <[teepsaEIA@wsp.com](mailto:teepsaEIA@wsp.com)>  
**Subject:** Comments on TEEPSA Scoping Report

Attached please find my comments.

Dr CM Pauw  
Vleesbaai  
[REDACTED]

The integrity and confidentiality of this email are governed by these terms. [Disclaimer](#)  
Die integriteit en vertroulikheid van hierdie e-pos word deur die volgende bepalinge bereël. [Vrywaringsklousule](#)

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-LAEmHhH2dJzBITWfa4Hgs7pbKl

**Residential address (non postal):**



3 Feb 2023

**Comments on Scoping Report for the Environmental and Social Impact Assessment (“ESIA”) for the Proposed offshore PR and EA Application for Block 11B/12B by TotalEnergies EP South Africa (“TEEPSA”**

**The WSP Public Participation Office,**

[gld.teepsaesia@wsp.com](mailto:gld.teepsaesia@wsp.com)

cc: [teepsaEIA@WSP.com](mailto:teepsaEIA@WSP.com)

I refer to the submission by the Chairman of REVAG (Rescue Vleesbaai Action Group) Dr Fritz Snyckers, as sent to you per email on 31 January 2023.

As a member of REVAG I fully concur with Dr Snyckers’ comments and wish to endorse them in their entirety.

I also refer to a submission by Mr Ben Burke, (also a member of REVAG) more particularly pertaining to your presentation on 17 Jan 2023 at Mossel Bay. In this respect I particularly refer to your proposal to make use of the facilities of PetroSA, including the F-A platform and the pipeline through the bay of Vleesbaai which was installed to bring LNG from the platform to the PetroSA GTL refinery.

To the best of my knowledge there is only one pipeline from the platform to the refinery and not two as your report seems to suggest.

It is common knowledge that PetroSA has lately been floundering both financially and in terms of being able to meet its commitments.

It is also a fact that the PetroSA refinery and its infrastructure, including the F-A platform and pipeline which was commissioned more than 30 years ago and was designed for a life cycle of 20 years is by now aged and well beyond its ‘Best Before’ date.

This is illustrated by the fact that the pipeline has been giving more and more problems and regularly needs to be repaired. Recent media reports have reiterated this.

Your presentation on 17 January gave the impression that negotiations are taking place in order for PetroSA to take responsibility for the operation of the field, once commissioned, through the existing infrastructure. This is expected to continue for the next 20 years.

Added to the already aging infrastructure, another 20 years can hardly be contemplated without realising that major problems will become unavoidable.

Such problems could conceivably include major ecological disasters, both inshore and offshore, as well as threats to life and property.

Despite these facts, your presentation and the documents you subsequently sent to I&APs do not indicate clearly whether these matters have been adequately addressed with PetroSA and whether PetroSA will indeed be able to fully address them and ensure that problems do not arise.

Mr Burke's submission refers to the fact that your report indicates that PetroSA will cease production from its other fields in order for TEEPSA to fully and exclusively use the existing offshore installation and infrastructure. This implies that the existing wells will need to be decommissioned by PetroSA.

I reiterate mr Burke's questions in this respect:

**Question :-** Will PetroSA rehabilitate the sea beds, by removing or rendering the wells 'safe' similarly as per in para 5.4.1.3 Decommissioning Activities.

**Question :-** Does PetroSA have sufficient reserved funds for this process of "Decommissioning" to be undertaken.

**Question :-** Who will monitor the decommissioned wells for the next 20 years as required and stated in this report.

As to these questions, I refer the Mineral and Petroleum Resources Development Act, No. 28 of 2002 as amended and in particular to the making of financial provision as contemplated in the Act for the costs associated with the undertaking of management, rehabilitation and remediation of environmental impacts from prospecting, exploration, mining or production operations through the lifespan of such operations and latent or residual environmental impacts that may become known in the future.

See also Ch 10 of the Act, S130, S131 and S132.

All said and done, it is not clear at all whether these issues have been adequately addressed and conclusively and satisfactorily agreed upon with PetroSA.

Dr CM Pauw

Cell: [REDACTED]

Email: [REDACTED]

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**From:** Karel September <[REDACTED]>  
**Sent:** Monday, 30 January 2023 10:33  
**To:** TEEPSA EIA  
**Subject:** Submission on ESIA public participation  
**Attachments:** Submission of Imekaya Health and Welfare Academy to TEEPSA.docx

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

The above mentioned refers:  
Attached pls find our submission.

Kalla September  
[REDACTED]

THIS IS SUBMISSION OF IMAKAYA HEATH AND WELFARE ACADEMY

234-756 NPO

**SUBJECT:** TOTAL ENVIROMENTAL AND SOCIAL IMACT ASSESSMNET (ESIA) FOR THE PROPOSE OFFSHORE PRODUCTION RIGHTS AND ENVIROMENTAL AUTHORISATION APPLICATION FOR BLOCK 11B/ 12B DRAFT SCOPING REPORT

TOTAL ENERGIES PUBLIC PARTICIPATION PROCESS (WSP)

The above mentioned NPO of Mosel bay would like Total Energies to develop and implement comprehensive human resource development programmed, Mine Community Development Plan Promoting employment, advance of social an economic welfare, Socio Economic Development, Social Fund, Safety and security, Social Fund Sustainable Development and to utilize and expand the exiting skill base for Empowerment of H.D.S.A. and serve the and to serve the community

As a stakeholder and I/AP I futher request that the Mine Community be part of the Production Rights and further exploration rights, and therefore must benefit in the construction and all phases of the project of Total.

We must be an active participant in the development of the project.

Our NPO support the Exploration and Production rights and father exploration rights of Total Energies.

We as **Imakaya Health and Welfare Academy recommend** the following for consideration:

To advance youth and women empowerment

To advance Socio Economic Welfare in our Area.

To advance Socio Economic Development in our Area.

To expand the existing skills development

To have direct employment from TEEPSA and not make use of Labor Brokers

To ensure the development of required skills in respect of core and critical skills, artisans ext.

To identified f significant business opportunities.

To trained the locals in ocean economy.

To give training in marine equipment

To forester an entrepreneurial culture

To give back up support to new and existing entrepreneurs towards he project the development and facilitation of business skills and courses

To Facilitate of access to business premises (Spatial Development)

To get Alignment with the IDP with locals prioritize there needs

To give support to environmental programmed/kloof project, beach cleaning ext.

To establish a Social Fund or Trust Fund made available by the company TEEPSA for the needs of the poor (infrastructure development) ext

Safety and Security: to give priority to our hot spots per area with support of camera project and support to neighborhood watches

Sustainable development: the social, economic and environmental functions must be bringing into planning, implementation and decision making by all stakeholders affected.

**From: KALLA SEPTEMBER**

**IMAKAYA HEALTH AND WELFARE ACADEMY**

