

APPENDIX C: PUBLIC PARTICIPATION PROCESS DOCUMENTATION

- Comments and Responses Report

1. PRE-APPLICATION PHASE COMMENT PERIOD

1.1 Pre-Application Comments and Responses Report – Emails, Whatsapp, phonecall

No.	Organisation and Contact Person	Method and Date of communication	Comment	Response
1.	Amelia	Email 22 August 2022	Good day your mail has been forwarded to the correct respondent. Any mails sent to example@debeerclaassen.co.za will be forwarded automatically to example@dbcgroup.co.za	Noted.
2.	Treasure the Karoo Johnathan Deal	Email 22 August 2022	Your mail has been received. If you do not get a reply within 48 hours please mail admin@treasurethekaroo.co.za for an immediate response. Thanks, Jonathan	
3.	John Adamson	Email 22 August 2022	I am out of the office Please forward your email to Tyron.Good @Citibearings.co.za	Email was forwarded to the given email address.
4.	Nicolien Kok	Email 22 August 2022	Ek is vanaf 1 Februarie 2022 nie meer by BVSA nie Stuur asseblief jou navraag aan die volgende persone: Bloemfontein / Kathu / Kuruman / Upington ("Sentraal") area Jou kontak persoon is Christina De Jager by christinad@bvsa.ltd / 051 430 5299, of maak kontak met jou takbestuurder Gauteng area Jou kontak persoon is Amelia Retief by ameliar@bvsa.ltd / 012 348 2150, of maak kontak met jou takbestuurder BVSA takke Jou kontak persoon is Rene Wuis by renew@bvsa.ltd / 083 280 0868, of maak kontak met jou takbestuurder	Email was forwarded to the given email address.
5.	Willem Naude	Email	I am no longer with the company please contact:	Email was forwarded to the given email address.

No.	Organisation and Contact Person	Method and Date of communication	Comment	Response
		22 August 2022	Danie Nel danien@interwaste.co.za Michael McAllister michaelm@interwaste.co.za	
6.	Louw & Mia Deale	Email 22 August 2022	Please note that we have changed our e-mail address, our new e-mail address is Louw@dealeboerdery.com <mailto:Louw@dealeboerdery.com> . Any new e-mails should be sent to the new e-mail address and not the old e-mail address.	Email was forwarded to the given email address.
7.	Landowner Johan Botha	Phone call 23 August 2022	I have received an SMS notification about Rhino Oil and Gas commencing with an application for the Environmental Authorisation for the well drilling in the Exploration Right area. I am one of the landowners and wanted to find out if other landowners and surrounding/adjacent landowners have been notified of the project and the planned public meetings? May I forward the received SMS to our Farmers Whatsapp group to raise awareness of the planned public meeting? When will specialists be headed to site to undertake their various investigations? Please kindly advise all landowners so access can be granted/ Is there a generic EMP for drilling projects such as this proposed Rhino project?	All landowners and adjacent/surrounding landowners whose contact details Rhino Oil & Gas Exploration South Africa (ROGESA) and SLR were able to source have been notified about the proposed project and planned public meetings. On-going efforts are being made to source more contact information and notify more landowners and adjacent landowners. Yes, you may. We are currently in the pre-application phase. Specialists will go to site during the Scoping phase. All relevant landowners will be notified and contacted when specialists go to site. As part of the Environmental Impact Assessment process, SLR will develop a project and site-specific Environmental Management programme.
8.	Transnet Andre Bodenstein	Email 23 August 2022	Tryst you are well. To enable this office to conduct accurate investigation and to provide detailed comments it will assist us greatly if you could provide me with a dwg/ dxf/ shp file of the two areas of interest (area 3 & area 4).	Thank you for your correspondence below. For reference, I have attached the requested areas of interest/target areas here.

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				<p>Please note that these are being circulated for Transnets information purposes only.</p> <p>With the identification of drilling sites being subject to a sensitivity analysis, we would like to include any Transnet infrastructure (along with an recommended buffer) into this analysis. If this information could be shared in a spatial format (.shp or .kml) with us, along with your recommended buffer it would greatly appreciated.</p> <p>Please do not hesitate to contact us should you require any further information.</p>
9.	SAHRA Sityhilelo Ngcatsha	Email 23 August 2022	<p>Please note that all development applications are processed via our online portal, the South African Heritage Resources Information System (SAHRIS) found at the following link: http://sahra.org.za/sahris/. We do not accept emailed, posted, hardcopy, faxed, website links or DropBox links as official submissions.</p> <p>Please create an application on SAHRIS and upload all documents pertaining to the Environmental Authorisation Application Process. As per section 24(4)b(iii) of NEMA and section 38(8) of the National Heritage Resources Act, Act 25 of 1999 (NHRA), an assessment of heritage resources must form part of the process and the assessment must comply with section 38(3) of the NHRA.</p> <p>Once all documents including all appendices are uploaded to the case application, please ensure that the status of the case is changed from DRAFT to SUBMITTED. Please ensure that all documents produced as part of the EA process are submitted as part of the application.</p>	<p>This email serves to notify you that an application on SAHRIS has been created for the project and the initial document pertaining to the Environmental Authorisation Process (i.e the Background Information Document) has been uploaded onto SAHRIS.</p> <p>All documents produced as part of the EA process will be continuously submitted onto SAHRIS.</p> <p>The case ID for the project is 19394.</p>

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			Please contact Sityhilelo Ngcatsha for any queries	
10.	DFFE Gabriel Dlamini	Email 23 August 2022	The Contact Centre has received the attached application and would like to request that you kindly assist to respond. Please copy me in your correspondence for our record.	Noted.
11.	MENAR Sarah Wanless	Email 25 August 2022	I hope you are keeping well. Please can you provide me with all information available for the aforementioned project.	All necessary information and documents (BID) were sent.
12.	Transnet Andre Bodenstein	Email 29 August 2022	I enquired with my head office, and I am instructed to request a formal letter of request from your organisation signed by the head of department, where the information is requested.	As per request a Request Letter for data and Background Information Documents (ER294 and ER318) were sent.
13.	Landowner Johan Botha	Email 29 August 2022	We spoke on the phone last week about the Rhino Oil and Gas 12/3/294 exploration project near Steynsrus. I am however one of the landowners but I want to make sure I am on your I&AP list. If you can please add my wife, Marelie Botha, to the list I would appreciate it. Her contact details are: Marelie Botha marelie@donaway.co.za Cell: 082 493 5166 Can I please ask you to send me the old reports of the project? You can share a Dropbox folder with me as well, it might be easier as to try and email larger files.	Your email below is acknowledged. You and your wife will be registered on the project's stakeholder database and, as such, will be notified and kept informed of future stakeholder engagements for this project. Please find attached previous EIA report for Rhino ER 294.

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14.	Rhino Heritage Park Twin Mosia	Letter via email 30 August 2022	<p>I am a cultural, heritage and environmental activist from Mamafubedu, Petrus Steyn, I am also a curator at Elandskop Museum.</p> <p>Please register our organisation as an interested & affected party (I&AP) so that we may get information and notifications via email. We would also like to be involved in all your Aquatic & Terrestrial Biodiversity and Heritage assessments in Petrus Steyn/ Mamafubedu. You must be aware that Petrus Steyn/Mamafubedu celebrates 110 Years in October, one of the curatorial research subject was who were the first inhabitants of Mamafubedu before Petrus Steyn whom the town is named after, arrived in the 1850's around the Basotho Wars. Centuries before this, Mamafubedu as it was called by Dihoja and Basotho, was an important cultural hub! The assessments and finding thus will be very important and form part of our museum/library archives.</p> <p>We also believe one of the meeting could have taken place in Petrus Steyn since it covers most of the land to be explored. Nonetheless, we are looking forward to working with you.</p>	<p>Your email below is acknowledged. You will be registered on the project's stakeholder database and, as such, you will be notified and kept informed of future stakeholder engagements for this project.</p> <p>As a registered I&AP you will be afforded the opportunity to review the reports including the Aquatic & Terrestrial Biodiversity Assessment Report and the Heritage Assessment Report during the Scoping phase.</p> <p>While your request to meet in Petrus Steyn is noted, Rhino Oil and Gas South Africa is currently focusing their exploration areas closer to Steynsrus and Edenville, hence hosting our planned meeting closer to these areas.</p>
15.	NRA Ria Barkhuizen	Email 31 August 2022	Please forward your application to SANRAL Eastern Region erstatutory@nra.co.za , as this falls under their jurisdiction.	Email was forwarded to the given email address.
16.	Transnet Arthur Maila	Email 05 September 2022	The Contact Centre has received the attached application and would like to request that you kindly assist to respond. Please copy me in your correspondence for our record.	Noted.
17.	Mangaung Municipality Boniswa Taju	Email 05 September 2022	Kindly send these communiques to our Environmental Management GM @Lebogang Lekhu or manager @Mpolokeng M.H. Ramongalo for assistance.	Email was forwarded to the given email addresses.
18.	DALRRD	Email	Please see attached for a response.	Noted.

No.	Organisation and Contact Person	Method and Date of communication	Comment	Response
	Lezanne Rungasamy	06 September 2022		
19.	(Department of Environmental Affairs on behalf of the Thabo Mofutsanyane District Municipality) Lifu Mofokeng	Phone call 06 September 2022	I received an email yesterday informing me that there will be public meetings held for the Rhino project, I unfortunately will not be able to attend either, but may I still partake in the public participation process? Does the project area fall under the Thabo Mofutsanyane District Municipality?	Yes, you may. The public meetings serve as pre-application consultation, however interested and/or affected parties will be afforded the opportunity to raise comments, issues or concerns regarding the proposed project throughout the Scoping and Environmental Impact Assessment phase. Yes, some of the 294 Exploration Right Area falls under the Thabo Mofutsanyane District Municipality.
20.	Nairobi Trust Johan Taljaard	Email 07 September 2022	Kindly provide us with a more detailed map for the area surrounding Reitz as we are unsure from the locality map provide (Figure 1: ER294) whether the farms owned by the Nairobi Trust fall within the ER boundary and target area. Kindly acknowledge receipt of this submission and kindly confirm that the Nairobi Trust has been registered as an I&AP. We look forward to receiving your response.	To confirm, you've been included in our I&AP database and will be notified and kept informed of future stakeholder engagements for this project. For your reference we've included the attached map. Please let us know if you need any more information.
17.	Elizmarie Bester	Email 09 September 2022	I wish to become an interested and affected party.	Your email below is acknowledged. You will be registered on the project's stakeholder database and, as such, you will be notified and kept informed of future stakeholder engagements for this project.
18.		Email 12 September 2022	Thank you for your response. If I have any issues regarding future developments, how can I address them?	Any issues, comments or concerns you may have with the proposed project can be shared with SLR via email. These will then be incorporated into a Comments and Response Report (CRR) and be responded to either by SLR, Rhino Oil and Gas or an applicable project specialist. The CRR will form part of the Scoping Report and will be made available for review and/or comment in the Scoping phase.
19.	Transnet Andre bodenstein	Email 14 September 2022	Your written request to receive Transnet Cadastral information is acknowledged. Herewith attached is a Conditions of Use letter which requires your acknowledgement and after competition and receipt	Signed conditions of use letter was sent.

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			back from you I will forward the requested data as well as the appropriate buffer distance that should be applied next to all Transnet land and infrastructure.	
20.		Email 16 September 2022	<p>Theo, please see questions below from Transnet Rail network. Will you please respond to Ian Lombard regarding these. This will determine the buffer that should be applied alongside all Transnet properties and activities.]</p> <p>In the meantime, herewith also please receive the Transnet cadastral data that you requested.</p>	Noted.
21.	Transnet Mohamed Jogiat	Email 16 September 2022	<p>Just a few questions:-</p> <p>Diameter of the hole they intend drilling</p> <p>Will the hole be filled with bentonite or slurry to ensure that there is no hole collapse or water filling</p> <p>How long will the drilling take place? Is it a continuous drill or will they be doing it in stages?</p> <p>How many holes do they intend digging underneath the railway line?</p>	<p>Thank for the Transnet cadastral data.</p> <p>Currently Rhino Oil and Gas is to avoid drilling alongside any infrastructure. Initiatively, a buffer of 100 m is to be applied to all infrastructure.</p> <p>For further details please refer to the project description in Chapter 5 of the Scoping Report.</p>
22.	Landowner Benita Norman	Email 16 September 2022	<p>Following the public participation meeting held last week Wednesday, 07 September, at Steynsrus, I would like to request the documentation, as requested on the day:</p> <ul style="list-style-type: none"> - Meeting minutes - Rhino Presentation 	<p>Thanks for your feedback,</p> <p>The minutes from the meeting are currently being compiled. Apologies for the delay as we are busy compiling these for x4 meetings.</p>

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			<p>- SLR Presentation</p> <p>Thank you in advance.</p> <p>Kind regards,</p> <p>Benita</p>	<p>The Rhino and SLR presentations are available for download from the SLR page at:</p> <p>ROGESA - Proposed Exploration Well Drilling in Targeted Areas of Interest in the Free State Province (294 ER) (slrconsulting.com)</p>
23.		<p>Email</p> <p>16 September 2022</p>	<p>Please advise the date till when we have to make commitments and add questions following the meeting?</p>	<p>Any issues, comments or concerns you may have with the proposed project can be shared with SLR throughout the Scoping & Environmental Phases of the project. These will be incorporated into a Comments and Response Report (CRR) which will form part of the Scoping report and Environmental Impact Assessment report. Each of these reports will then, during their respective phases, be made available for a 30-day public review and comment period. All Interested and/or Affected Parties registered on the project database will be notified when the reports are available for review and comment and when the review and comment periods end for each phase (i.e. the Scoping phase and the EIA phase).</p>
			<p>Also, please may I request to be added to the mailing list for all future communication. In addition, please could you add my parents to the list as well, their email address is: xtralinkptyltd@gmail.com</p>	<p>I&APs were added to the database.</p>
24.	<p>Federation for a sustainable environment</p> <p>Mariette Lieferink</p>	<p>Letter via email</p> <p>19 September 2022</p>	<p>PRELIMINARY COMMENTS ON RHINO OIL AND GAS EXPLORATION SOUTH AFRICA (PTY) LTD BACKGORUND INFORMATION DOCUMENT</p> <p>PROPOSED EXPLORATION WELL DRILLING WITHIN TWO TARGET AREAS WITHIN ER 294, FREE STATE PROVINCE</p> <p>1. INTRODUCTION</p>	<p>Thank you for your email and comments with regards to the proposed project. These comments will be included in the draft Scoping Report, which will be released for review and comment later this year.</p>

No.	Organisation and Contact Person	Method and Date of communication	Comment	Response
			<p>The following preliminary comments are submitted on behalf of the Federation for a Sustainable Environment.</p> <p>The FSE’s main objective is the realisation of Section 24 of the Constitution of the Republic of South Africa. The FSE is a member of a number of governmental and academic task teams, steering and advisory committees and forums.</p> <p>2. DESCRIPTION OF THE ACTIVITY IN TERMS OF THE BID</p> <p>We infer from the Background Information Document (BID) that the Application will involve inter alia:</p> <ul style="list-style-type: none"> • The establishment of a drill site camp • 40 exploration wells • The pumping of cement down the drill string to the bottom • A wellbore which will be displaced with “an industrial water” and which will be encased by cement • The pumping of drilling fluids down the inside of the drill pipe <p>Please advise whether the drilling fluid which will be used will be bentonite mud.</p> <ul style="list-style-type: none"> • Potential hydrocarbons or water inflow as a result of the penetration by the well • The testing of recovered hydrocarbons by sending it to a flare boom with burner 	

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			<p>The impact of gas flaring is of local and international concern. The efficiency of flares can be dependent on several factors like composition of the flare stream, flow rate of flare gases, wind velocity, ambient turbulence, presence of hydrocarbon droplets in the flare stream and presence of water droplets in the flare stream. Please advise which mitigation measures will be implemented to ensure the that the flare is not defective in order to prevent the flare from spewing hydrocarbons into the atmosphere.</p> <p>The risks of hydrocarbons are well documented.</p> <ul style="list-style-type: none"> • The installation of a flare pit <p>The risks of the flare pit to the environment ought to be assessed.</p> <p>We furthermore infer from the BID that:</p> <ul style="list-style-type: none"> • The exploration falls within the Karoo Basin • The exploration area has a high erosion hazard • There are numerous wetlands • The Vaal Dam traverses Target Area 7 of the project area <p>The impact of the proposed activity on the Vaal Dam, which supplies water to Gauteng, ought to be assessed.</p> <ul style="list-style-type: none"> • Groundwater is used for domestic/municipal and agricultural purposes • The land use is commercial agriculture <p>The impacts of the proposed activity on commercial agriculture (water availability and quality) ought to be assessed.</p>	

No.	Organisation and Contact Person	Method and Date of communication	Comment	Response
			<ul style="list-style-type: none"> • The project area has a very high fossil sensitivity <p>3. IDENTIFICATION OF THE PROCESS</p> <p>Whilst IAPs were informed by the EAP during the public participation meeting that the Application is not for hydraulic fracturing (fracking), it is the FSE’s understanding that the process will be analogous to the process used for hydraulic fracturing, which involves the injection of water containing fracking fluids and particulate materials into deep cement encased boreholes to create sufficient pressure to cause fracturing of rocks at the level that the gas resource occurs, in order to stimulate the release of gas from the rocks.</p> <p>Please advise how the proposed process differs from the process for fracking.</p> <p>4. GEOGRAPHIC AMBIT OF THE KAROO BASIN</p> <p>The project area falls within the Karoo Basin. The Karoo Basin is an area hosting a treasure trove of archaeological and paleontological remnants providing a window to eons gone by – an insight to not only the origins of humankind but the earth itself. It follows hence that if the exploration yields positive results, that it will result in shale gas extraction and production. The ancillary activities will include new roads, pipelines, infrastructure, etc. which will have a significant impact on the Karoo Basin.</p> <p>The impacts of the exploration activities as the precursor to the exploration, namely shale extraction and production, on the archaeological and paleontological remnants ought to be assessed during the EIA phase to determine whether the exploration/shale extraction and production is the Best Environmental Option for the area and the optimal land use for the area.</p>	

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			<p>5. POTENTIAL IMPACT ON GROUNDWATER (WATER AVAILABILITY AND QUALITY)</p> <p>The Karoo Basin is geologically different from equivalent shale formations elsewhere in the world in that it contains extensive dolerite intrusions and is thus unique. We consider it relevant to here refer to the academic treatise of G van Tonder, titled “Potential impacts of fracking on groundwater in the Karoo basin of South Africa” (Institute for Groundwater Studies, University of the Free State, Bloemfontein, South Africa):</p> <p>“A wild card that only exists in the karoo basin of South Africa is the numerous dolerite intrusions. [This is] associated with relative high yielding boreholes because of the fractured contact aureole that exist between solid dolerite and the adjacent Karoo sediments [This implies] that any pollutant will always try to migrate upwards in the Karoo...[T]his research clearly shows[s] that fracking in South Africa cannot be done in the same way that it is currently done worldwide.”</p> <p>The availability of surface water within the Karoo Basin is limited with the majority of rivers being ephemeral. This makes groundwater the most important source of water used within the project area, not only for agricultural use but also for domestic and municipal use. The potential impact of the project on the “water resource” of affected landowners and lawful occupiers of the land, and not on merely on the ‘water’ ought to be assessed. It should be noted that the National Water Act 36 of 1998 does not define “water” but rather the much broader term, “water resources” as the Act takes account of</p>	

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			<p>the full hydrological cycle in its integrated approach to water management. The phrase “water resource” is accordingly defined as a “water course, surface, water, estuary or aquifer or any other underground collection of water”.</p> <p>The introduction of the additional stress in the aquifer within the project area could damage the aquifer and boreholes permanently if not managed properly. It is necessary for the EAP to identify the aquifers within the project area and the risks to the aquifers as a result of the exploration activities.</p> <p>It is furthermore necessary for the EAP to demonstrate how the waste will be managed during the exploration activities, namely the (a) drilling mud, (b) the “industrial water”, (c) the drilling fluids.</p> <p>We furthermore call upon the EAP to demonstrate the wells’ integrity and that there will be no aquifer contamination by the wells penetrating the aquifer or by the migration of fluids into the well and/or aquifers.</p> <p>There are currently uncertainties regarding oil and gas extraction activities (from exploration to vertical resources delineation wells to appraisal wells) and knowledge gaps specific to groundwater systems and the interaction between surface and groundwater. In the light thereof, a risk averse and cautious approach must be applied in the application under consideration. The principles of environmental management set out in section 2(4) of the National Environmental Management Act, 107 of 1998 (NEMA) indicate, inter alia, that sustainable development requires a risk averse and cautious approach, which takes into account the limits of current knowledge about the consequences of decisions and actions.</p>	

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			<p>6. CONCLUSION</p> <p>We reserve the right to augment our preliminary comments. Kindly confirm receipt of this document.</p> <p>SUBMITTED BY:</p> <p>Mariette Lieferink.</p> <p>CEO: FEDERATION FOR A SUSTAINABLE ENVIRONMENT.</p> <p>19 September 2022.</p>	

2. DRAFT SCOPING REPORT COMMENT PERIOD

2.1 DSR Comments and Responses Report - Emails

No.	Organisation and Contact Person	Method and Date of communication	Comment	Response
1.	Dr SR Koller	Email 12 October 2022	I strongly object to the exploration objectives in our area as it will have a negative impact on the water resources and the total agricultural setup.	Thank you for your email and comments with regards to the proposed project. These comments will be included in the final Scoping Report, which will be released for review and comment later this year. As outlined in the Plan of Study detailed in the Scoping Report, these potential impacts, along with others, will be assessed as part of the subsequent environmental impact assessment phase.
2.	Daily Maverick Tony Carnie	Email 13 October 2022	A copy of the Free State public participation notice by Rhino/SLR in respect of ER 294 was sent to me by a third party. 1. I understand there is a similar concurrent process in respect of ER318. Can you kindly forward the relevant docs to me or advise of the status of this application (and map of the exploration area)?	Thank you for your comments received as part of the ongoing environmental impact assessment process. Details of the environmental impact assessment being undertaken for Rhino Oil and Gas's ER 318 project can be found on SLR's website at www.slrconsulting.com .
			2. What is the status of ER 350 (and can you also assist with a locator map/brief details of this exploration area)?	Unfortunately, SLR is not engaged on the Rhino's ER350 exploration right as a result would like to refer you to Rhino in order to get the most current information. details for Rhino are available in the scoping report in Section 5.1.
3.	SAHRA Sityhilelo Ngcatsha	Letter via Email 19 October 2022	Interim Comment In terms of Section 38(3), 38(8) of the National Heritage Resources Act (Act 25 of 1999) Attention: Rhino Oil & Gas South Africa	Noted.

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			<p>Proposal to continue exploration within identified Target Areas within Exploration Right (ER) 294 (ER reference: 12/3/294) located within the Free State Province.</p> <p>SLR Consulting (South Africa) (Pty) Ltd was appointed by Rhino Oil and Gas Exploration South Africa (Pty) Ltd to undertake the Environmental Authorisation (EA) Application for the exploration within Exploration Right (ER) 294 located within the Free State Province (ER reference: 12/3/294).</p> <p>The Scoping Report was submitted in terms of the e National Environmental Management Act, 1998 (No. 107 of 1998) (NEMA) and the NEMA 2014 Environmental Impact Assessment (EIA) Regulations in for activities that trigger the Minerals and Petroleum Resources Development Act, 2002 (No. 28 of 2002). Rhino Oil and Gas have proposed the drilling of several exploration wells to test for the presence, quantity and quality of gas within specific. The two areas targeted for exploration are Target Area 4 which extends for an area of about 550 km² over about 300 properties and Target Area 5 which is about 1 300 km² and extends across about 1000 properties.</p> <p>DFFE Screening Tool classifying the study areas as a Low Archaeological and Cultural Heritage Sensitivity and Very High paleontological sensitivity. An Archaeological and Cultural Heritage Impact Assessment and Palaeontology Impact Assessment will be undertaken.</p> <p>SAHRA issued an interim comment dated 31/08/2022 on Case ID 19394 (https://sahris.sahra.org.za/cases/rhino-oil-gas-proposed-exploration-wel...) which requested that a Heritage Impact Assessment (HIA) inclusive of a field based Palaeontological Impact Assessment (PIA) and Archaeological Impact Assessment (AIA) any other heritage resources as defined in section 3 of the NHRA, such as</p>	

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			<p>built structures over 60 years old, sites of cultural significance associated with oral histories, burial grounds and graves, graves of victims of conflict, and cultural landscapes or viewsapes that may be impacted, to be undertaken and submitted at the start of the public review periods.</p> <p>Interim Comment</p> <p>The SAHRA Archaeology, Palaeontology, Meteorite (APM) Unit notes that a HIA will be undertaken. Further comments will be issued upon submission of the field-based PIA and the AIA.</p> <p>Should you have any further queries, please contact the designated official using the case number quoted above in the case header.</p>	
4.	Webber Wentzel Manus Booysen	Email 20 October 2022	Please could you furnish me with a copy of the scoping report.	Link to scoping report was sent.
5.	University of Free State Dr Surina Esterhuysen	Email 21 October 2022	Can you please send me the scoping reports for the formal application to extend existing oil and gas exploration rights for another two years for the two Free State exploration areas: ER 294 and ER 318. Please also let me know to whom I can send my comments.	Link to scoping report was sent.
6.	Neil Pendock	Email 23 October 2022	Have you decided on where you will drill the holes yet? Would be interested in seeing if there are any methane seeps in satellite imagery before you drill.	Thank you for your involvement in the ongoing EIA process. Rhino has identified several preferred drill site location and is currently engaging with the various landowners. The risks associated with each of these site will be assessed as part of the subsequent impact assessment phase. these reports will be made available to you as an registered interested and affected party.
7.	Anonymous	Email	No meaning no. It will pollute our groundwater in the area. Exploration impact on environment and groundwater.	The opposition to the proposed project is noted and recorded here for consideration by the Competent Authority.

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	Envir Onmental	23 October 2022	Withdraw your application . Choose a clean environment, not a dirty environment.	A detailed assessment of potential environmental and social impacts are to form part of the subsequent EIA Phase. The proposed scope of works of the EIA Phase is provided in Section 9 of the Scoping Report.
It will pollute our drinking water and pollute the area. The explora will impact crops if it happens . Do you have a heart or only a cold heart?				
It will pollute our drinking water. Choose a clean environment, Can withdraw your application . Farmers have rights too and said NO . Just stop it				
Email 24 October 2022		Withdraw your application . It will pollute our drinking water and air. Just leave it alone.		
			Withdraw your application . It will pollute our drink water and air quality in the area. No means no. It will pollution our drink and air quality in the area. NO means NO	
8.	Natural Justice Allan Basajjasubi	Email 24 October 2022	We as Natural Justice would like to be registered as Interested and Affected parties for this particular project and would like to be sent any new information related to this project.	I&AP was registered onto the database.
9.	Anonymous Envir Onmental	Email 25 October 2022	It will pollute our drinking water and air quality in the area. NO meaning no.	The opposition to the proposed project is noted and recorded here for consideration by the Competent Authority. A detailed assessment of potential environmental and social impacts are to form part of the subsequent EIA Phase. The proposed scope of works of the EIA Phase is provided in Section 9 of the Scoping Report.
			It will pollute our drink water and air quality. The community has the right to say NO to the exploration. No means NO. I choose a clean environment, not a dirty environment.	
			The environment has rights too. It will pollute our drink and air quality. Just leave it underground. No to drilling. Drill will pollute .	
		Email	It will pollute our groundwater and negatively affect our air quality . No means no.	

No.	Organisation and Contact Person	Method and Date of communication	Comment	Response
		26 October 2022	It will pollute our groundwater and can negatively affect air quality. It too impacts on human health. The environment has too rights too. The community has the right to say NO.	
		Email 27 October 2022	It will pollute our groundwater and effect negative air quality in the area.	
		Email 28 October 2022	It can pollute our groundwater in the area. It will pollute our groundwater and impact our air quality in the area. Gas is worse for the environment. Section 24 everybody have right on clean environment.	
		Email 30 October 2022	It will pollute our air quality in the area. NO to gas https://www.bbc.com/news/science-environment-63284896	
		Email 1 November 2022	Withdraw yours application. The Conventional will pollution pollution our drink water do you know water is very important than gas. I choose water over gas. The farmers have rights to say NO. No to Gas.No means Gas is the worse fuels in the world.	
		Email 6 November 2022	No means No . Just leave the beautiful Free State alone. It will pollute our drink and impact air quality in the area. Withdraw your application in ER 294 and ER 318, Pollution groundwater in area and pollution . Gas flaring causes cancer for community . Communities have rights said NO to exploration in their area. No gas in the Free State. 100 time NO https://guardian.ng/property/gas-flares-oil-spills-worsen-climate-change-in-niger-delta-communities/	

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10.	Elizabeth Balcomb	Email 7 November 2022	<p>So you plan to create hell on earth for personal wealth. You say these are exploratory wells and you pledge not to frack. Who are you selling our birthright to? I struggle to believe that Agri SA is swallowing your deceit.</p> <p>NO FRACKING SOUTH AFRICA! NO EXORATORY FRACKING.! We citizens have enough pressure to deal with, we don't need our land, water and air to be poisoned! Just f*** off!</p>	Thank you for your comments. These have been recorded in our comments and responses report and will be submitted to the competent authority for consideration.
11.	Anonymous Envir Onmental	Email 8 November 2022	No mean no. It will pollute our groundwater and air quality in the area.	The opposition to the proposed project is noted and recorded here for consideration by the Competent Authority.
			It will pollute our groundwater and air quality. This impacts human health in the area. The community has the right to say NO. Farmers have right to say no.	A detailed assessment of potential environmental and social impacts are to form part of the subsequent EIA Phase. The proposed scope of works of the EIA Phase is provided in Section 9 of the Scoping Report.
12.	Natural Justice Melissa Groenink groundWork Avena Jacklin Vaal Environmental Justice Alliance Samson Mokoena	Letter via email 10 November 2022	<p>COMMENTS ON SCOPING REPORTS FOR PROPOSED ONSHORE EXPLORATION WELL DRILLING IN THE FREE STATE</p> <p>(SLR Project Reference: 720.18034.00020) (ER reference: 12/3/294)</p> <p>(SLR Project Reference: 720.18034.00018) (ER reference: 12/3/318)</p> <p>INTRODUCTION</p> <p>1. groundwork is an environmental justice and non-profit organization that works with South and Southern African communities on environmental justice and human rights issues focusing on coal, climate and energy justice, waste and environmental health. groundWork works with a number of community groups throughout South Africa including: the Vaal Environmental Justice Alliance; South Durban Community Environmental Alliance; Mfuleni Community</p>	Noted.

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			Environmental Justice Organisation; South African Waste Pickers' Association; and Highveld Environmental Justice Network; Support Centre for Land Change; Environmental and Rural Solutions and the South African Water Caucus.	
			2. The Vaal Environmental Justice Alliance (VEJA) is an environmental justice and non-profit organisation based in Vanderbijl Park, working on environmental justice and human rights issues, focusing on fossil fuels, waste and climate and energy justice. VEJA supports and collaborates with several organizations, including the National Water Caucus, Sasolburg Air Quality Monitoring Committee (SAQMC), Justice and Peace, and the Samancor Chemical Workers Committee, and also engages with local and provincial government and industries in the area, to promote a healthy, safe and sustainable environment. VEJA are the co-secretariat of the National Water Caucus.	Noted.
			3. 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. Natural Justice also conducts comprehensive research on environmental and human rights laws, as well as engaging in key national and international processes with, for and alongside indigenous peoples and local communities.	Noted.
			4. We set out below our comments on the Rhino Oil and Gas Updated Exploration Work Programme / Scoping Reports ("the Scoping Reports") for both ER 294 and ER 318.	Thank you for the comments.
			COMMENTS	The typo in the Scoping Report text has been corrected.

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			<p>Proposed development area of ER 294</p> <p>5. The ER 294 Scoping Report indicates that the extent of ER 294 includes ~ 3 000 properties over an area of ~ 6 600 ha. However, the public participation presentation indicates that “ER 294 is 656 114 hectares (ha) in extent”. There is clearly an error, likely in the Scoping Report, which misrepresents the extent of the right, and consequently its impacts.</p>	<p>It has no bearing on the representation of the potential impacts.</p>
			<p>Alternatives</p> <p>6. The Scoping Reports fail to identify and assess activity and technology alternatives. Contrary to the requirements of the National Environmental Management Act (“NEMA”) and the EIA Regulations, the Scoping Reports state that “[o]nly the preferred alternative and the no-go alternative will be considered during the EIA”. This is justified on that basis that “no alternatives exist to definitively establish the presence of hydrocarbon reserves”. However, this fails to appreciate or explore alternatives to meeting the overall objectives of the project, through for example, renewable energy technologies.</p>	<p>Rhino Oil and Gas’ objective, in terms of the Exploration Right they were previously granted under the MPRDA, is to identify the presence of petroleum resources. The consideration of renewable energy technologies is not reasonable alternative to their objective.</p>
			<p>7. In respect of technology alternatives, the Scoping Reports state that “Rhino Oil and Gas’s preference is to use the hybrid air/mud drilling rig provided by the local South Africa experienced drilling contractor”. They proffer no other justification for failing to consider technology alternatives.</p>	<p>There are only two drilling techniques available in the world for the drilling program to be executed: either air drilling or mud drilling. Using rigs that have both capabilities takes all available technologies therefore no alternatives are to be considered. The drilling programme is fit for purpose and executable from drilling contractors with broad experience in South Africa and long track record experience in the Free State region.</p>
			<p>8. The Scoping Reports further indicate that Rhino Oil and Gas will not be using hydraulic fracturing technology. However, they do not detail how the proposed technology differs from fracking in methodology and impacts (despite a request to do so by an I&AP). They also do not provide any assurance that the company will not later on utilise</p>	<p>Rhino have stated that they will not use hydraulic fracturing for planned exploration or potential future production. They have also detailed the technology that is proposed for the exploration drilling. As indicated in Section 2.5 of the Scoping Report, hydraulic fracturing is a technique of completion for production wells involving the</p>

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			hydraulic fracturing methodologies, given its acknowledgement in the reports that there are extensive shale gas and oil and coalbed methane reserves in the area.	fracturing of formations by introduction of a pressurized liquid. The proposed exploration drilling would use standard borehole drilling rigs (as used for water boreholes) that do not involve hydraulic fracturing.
			Centre for Land Change; Environmental and Rural Solutions and the South African Water Caucus. 9. The Scoping Reports fails to identify positive impacts associated with the No-Go Alternative, and consequently fail to provide a full and proper assessment of this alternative.	Not undertaking the proposed activity would not directly result in positive impacts. It would however prevent the occurrence of negative and positive impacts potentially resulting from the undertaking of the proposed activity. This is detailed in Section 8 of the Scoping Report.
			10. The consideration of alternatives is vastly deficient and fails to meet the requirements of NEMA and the EIA Regulations.	SLR refutes this statement. The legal requirement is to consider alternatives which offer a means different means of meeting the general purpose and requirements of the proposed activity, in a manner that is both reasonable and feasible. The Scoping Report provides appropriate considerations, which will be addressed in more detail in the EIA Report.
			Splitting of applications 11. Regulation 11(3) of the EIA Regulations requires that a single application be submitted where more than one activity is part of the same development within the area of jurisdiction of the competent authority.	Each of the ERs held by Rhino Oil and Gas are distinct and separate and are not considered a single development. While it may arise that certain activities are undertaken across the ER, this does not mean that all activities and developments would be. Thus the ERs, activities in them, and required permits are considered separately.
			12. ER 294 and ER 318 areas, including their Target Areas, share a border between Target Area 3 (ER 318) and Target Area 4 (ER 294). The four target areas between the two exploration right areas are even numbered sequentially.	See above response
			13. Clearly, these are two applications which form part of the same development by Rhino Oil and Gas, have been unlawfully split, in contravention of the EIA Regulations.	See above response

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			<p>Need and Desirability Assessment</p> <p>14. According to the EIA Regulations, one of the main objectives of the scoping process is to “motivate the need and desirability of the proposed activity”.¹ Therefore, a Scoping Report must contain adequate information on the positive and negative impacts and policy context to motivate the need and desirability of the proposed project:</p> <p><i>“A Scoping Report must contain the information that is necessary for a proper understanding of the process, informing all preferred alternatives, including location alternatives, the scope of the assessment, and the consultation process to be undertaken through the environmental impact assessment process, and must include—</i></p> <p><i>(f) a motivation for the need and desirability for the proposed development including the need and desirability of the activity in the context of the preferred location.”</i></p>	<p>As quoted, the objective of the Need and Desirability section is to motivate (our highlight) the proposed activity.</p>
			<p>15. The need and desirability analysis presented in the Scoping Reports fail to recognise the inextricable links between exploration and production—that this project’s outcome would be the production of oil and gas. Therefore, beginning in the scoping phase, the EAP must assess the cumulative impacts of exploration and foreseeable production.</p>	<p>Exploration and Production, while sequential in nature, are defined as distinct activities in the MPRDA. The MPRDA and NEMA both recognise the distinction and provide for a separation of application, assessment and authorisation processes which applicants must follow when seeking permission to undertake either Exploration or Production activities. The Scoping Report is consistent with the approach defined in the regulatory framework.</p>
			<p>16. Furthermore, the need and desirability assessments fail to consider all relevant factors, including those contemplated by NEMA and in the Guideline. These factors include considerations of intra- and inter-generational equity in the context of sustainability, cumulative impacts that account for intended future phases of this project, and site-specific need and desirability.</p>	<p>Refer to the response above in respect of the consideration of impacts related to future production activities. Per the EIA Regulations, Scoping is the first in a two part process during which relevant information is gathered, considered and presented. The Need and Desirability section in the Scoping Report is first iteration and will be updated with relevant considerations in the EIA Report.</p>

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			<p>17. The EIA Regulations require that the need and desirability assessment be site specific, that it should be considered “in the context of the development footprint on the approved site”.⁴ This requirement has not been met.</p>	<p>The correct quote from Appendix 3 to the EIA Regulation on the content of a Scoping Report reads “a motivation for the need and desirability for the proposed development including the need and desirability of the activity in the context of the preferred location;”. The purpose of the EIA process is to gather information in order to determine the ‘preferred’ alternatives for the proposed activity. At the Scoping stage the relevant information is not yet available to confirm all of the preferred components. As indicated in the Plan of Study further work is still to be undertaken to arrive at a preferred alternative.</p> <p>The Need and Desirability section in the Scoping Report is first iteration and will be updated with relevant considerations in the EIA Report.</p>
			<p>18. These drilling proposals, which facilitate a dependence on oil and gas exploration for production, is incompatible with South Africa’s national climate change policies and South Africa’s international climate change commitments. South Africa has committed itself to combat climate change under international law, with South Africa’s 2021 Nationally Determined Contribution under the Paris Agreement representing an ambitious goal which will necessitate adjustments to national policies in order to achieve this. However, the stated need for and desirability of the proposed exploratory right to inform further exploration and production strategies is incompatible even with these less ambitious national policies.</p>	<p>The proposed drilling would enable an improved understanding of the gas resource in the ER.</p> <p>The Need and Desirability section in the Scoping Report includes details on the legislation and policy on South Africa’s climate change commitments.</p>
			<p>19. Key contributors to this transition will include a commitment to undertake mitigation actions and policy instruments that support mitigation and an expanded renewable energy programme. By 2030, a substantial proportion of the low-carbon infrastructure should be in</p>	<p>Noted.</p>

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			place or at an advanced stage of planning, particularly in the energy and transport sectors.	
			20. The need and desirability chapter highlights the supposed alignment of gas extraction with the National Development Plan and the 2019 IRP, but South Africa’s carbon space has significantly narrowed since the NDP was drafted. South Africa’s current NDC commitments and net zero aspirations have led to a finite carbon space—the upper bound of which is now 50% lower than the upper bound of the range envisaged as acceptable at the time of the NDP’s drafting. Ignoring the reality of this limited carbon space will lead to stranded assets and could “result in the economic stranding of entire sectors of the economy.	The references to the IRP are correct.
			<p>21. Although the Scoping Reports refers to national policies which seemingly affirm the need to acquire and develop infrastructure necessary for development, particularly in the energy sector, it fails to account for national policy documents which commit South Africa to cutting greenhouse gas emissions, with a majority of those cuts occurring within the energy sector. These include:</p> <p>21.1. The National Climate Change Response White Paper (2011) sets out its National Climate Change Response Objective, which includes making “a fair contribution to the global effort to stabilise [greenhouse gas] concentrations in the atmosphere at a level that avoids dangerous anthropogenic interference with the climate system”. This White Paper also identifies the energy sector as the main contributor to South Africa’s greenhouse gas emissions and considers “the most promising mitigation options” to be energy efficiency, demand side management and investment in renewable energy.</p>	This is not correct. The Need and Desirability section in the Scoping Report includes details on the legislation and policy on South Africa’s climate change commitments.

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			<p>21.2 The Climate Change Bill (B9-2022) also states the objective to “make a fair contribution to the global effort to stabilise greenhouse gas concentrations in the atmosphere at a level that avoids dangerous anthropogenic interference with the climate system...”</p>	
			<p>22. All the benefits Rhino Oil and Gas claim, stem from the production of the oil and gas that they hope to find in this block. If positive effects of production are taken into account during the need and desirability analysis of the exploration stage, then the negative impacts of production must be assessed as well.</p>	<p>The Need and Desirability section in the Scoping Report presents a context. The Scoping Report is explicit that the assessment of potential impacts (both positive and negative) will be limited to those from exploration. No consideration is, or will be, given to production related activities as these would form part of a subsequent application, assessment and authorisation process. This is consistent with the approach defined in the regulatory framework.</p>
			<p>23. The need and desirability analyses repeatedly reference the benefits South Africa’s economy would reap from production of indigenous oil and gas:</p> <p><i>“The global gas supply/demand balance has changed significantly since the date of the publication of the Gas Master Plan as a result of the Russia/Ukraine conflict, with several implications on the global gas market. Such volatility in gas market dynamics highlights the importance of diversified supply options, whether from a large-scale offshore gas development, importation via pipeline, LNG regasification or onshore domestic gas production close to a major demand centre”</i></p>	<p>The Need and Desirability section in the Scoping Report presents a context, and includes consideration of the legislation and policy on South Africa’s climate change commitments.</p>
			<p>24. Furthermore, the Scoping Reports notes that:</p> <p><i>“Identification and use of domestic natural gas reserves could enable South Africa to take steps to secure the country’s energy supply (through diversification), assist in reducing the emissions of greenhouse gases (by reducing the country’s reliance on coal for electricity generation) and reduce the need for the importation of gas.</i></p>	<p>The references to the IRP are correct.</p>

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			<p><i>As such, exploration for additional domestic hydrocarbon reserves is consistent with the Integrated Resource Plan (IRP) (2019)"</i></p>	
			<p>25. The Scoping Reports also discuss the call for natural gas in South Africa’s Gas Master Plan, and National Development Plan. Page 33 states that <i>“This project seeks to explore for gas in regional proximity to the demand, specifically in the Free State. Any discoveries would not only supply this critical latent demand but would be well placed to further supply other strategically important plants” as well as that “there would be significant advantages for South Africa if such gas can be found and produced domestically rather than imported via pipelines or as LNG”</i>. Not only do these statements demonstrate that Rhino Oil and Gas Exploration (Pty) Ltd and SLR are focusing on the need and desirability of eventual production rather than exploration, but they also show explicit acknowledgements of the intrinsic link between the exploration and production phases of the proposed project.</p>	<p>The references to the Gas Master Plan are correct. The Need and Desirability section in the Scoping Report presents a context, and includes consideration of the legislation and policy on South Africa’s climate change commitments.</p> <p>The Scoping Report is explicit that the assessment of potential impacts (both positive and negative) will be limited to those from exploration. No consideration is, or will be, given to production related activities as these would form part of a subsequent application, assessment and authorisation process. This is consistent with the approach defined in the regulatory framework.</p>
			<p>26. There is no mention in the Scoping Reports of the impact that oil and gas production would have on the terrestrial environment and its biodiversity, climate change impacts to water sources such as wetland and related water infrastructure, food security or sustainability of natural resources linked to the agricultural sector.</p>	<p>The Scoping Report is explicit that the assessment of potential impacts (both positive and negative) will be limited to those from exploration. No consideration is, or will be, given to production related activities as these would form part of a subsequent application and assessment process. This is consistent with the approach defined in the regulatory framework.</p>
			<p>27. If the oil and gas reserves are ultimately exploited and used for energy needs in South Africa, this will prevent South Africa from fulfilling its international climate obligations, including its 2021 Nationally Determined Contribution (NDC) under the Paris Agreement, and thus eliminating the desirability of the proposed project. South Africa has committed to stay on a pathway to keep global average temperature increases below 1.5 degrees Celsius,</p>	<p>The current assessment process has not set out to assess potential impacts of possible, future production activities as these would form part of a subsequent application, assessment and authorisation process. This is consistent with the approach defined in the regulatory framework.</p>

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			<p>which global experts agree can only be achieved if no new oil and gas reserves are exploited.</p>	
			<p>28. The current draft of the Scoping Reports overstate the need to rely on oil and gas exploration and production, as necessary remedies for South Africa’s energy insecurity issues. At pages 32-35, the EAP refers to the 2019 IRP as supporting the need to develop gas for diversifying South Africa’s energy mix, as well as being considered a “transition fuel”. Need and desirability analysis should not rely on the incorrect presumption that South Africa will require significant amounts of gas as part of its energy mix as soon as 2030. Reliance on this presumption is flawed in three key respects:</p> <p>28.1. First, reliance on the 2019 Integrated Resource Plan (IRP) does not excuse the EAP from undertaking a need and desirability analysis, including consideration of climate change, in terms of NEMA requirements.</p> <p>28.2. Second, the IRP does not indicate a need for significant amounts of gas by 2030.</p> <p>28.3. Third, recent reports have suggested that even the 2019 IRP’s small allocation of gas within the energy mix is more than will ever be required. The Vital Ambition Report by Meridian Economics in collaboration with the Council for Scientific and Industrial Research (“CSIR”) Energy Centre (“Vital Ambition Report”) states that gas to power is only justified in the South African energy mix in so far as it is required for low-utilisation flexible capacity (peaker plants) for balancing the system during peak power demand. The report confirms that no investments in gas infrastructure for energy production and generation is needed now or in the near future.</p> <p>28.4. Furthermore, the 2019 IRP will likely need updating in the foreseeable future to align with South Africa’s 2021 Nationally</p>	<p>To SLR’s knowledge the 2019 IRP remains a valid document and is one of the guides for government decision-making in respect of energy resources.</p> <p>The scope of the proposed exploration project is to identify the presence of gas resources. The volume of gas that may be discovered is unknown. In any event the proposed exploration would not directly result in the utilisation of any gas, as this requires a production which would form part of a subsequent application, assessment and authorisation process.</p> <p>SLR will review the “Vital Ambition Report” during the EIA phase and incorporate relevant considerations in the EIA report.</p>

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			<p>Determined Contribution under the Paris Agreement and to keep pace with quickly evolving science and significant reductions in price for solar and wind energy. However, even the 2019 IRP, which is rooted in an outdated and scientifically and economically unsound understanding of the necessity for any gas in the energy mix, only projects the collective contribution of gas and diesel to the 2030 energy mix to be 1.3% combined.</p>	
			<p>29. It is therefore clear that the promise of improved energy security underpins the need and desirability analyses in the Scoping Reports. This is used to promote the reliance on significant amounts of gas as a “transition fuel”. However, this particular project will not in any way remedy nor provide for a short-term solution to South Africa’s current energy insecurity. The exploration drilling will not take place until late 2023 or early 2024 with extraction and production occurring only years later. Therefore, the proposed exploration in no way provides a remedy for current energy insecurity in South Africa.</p>	<p>The Need and Desirability section in the Scoping Report presents a context.</p> <p>The Scoping Report is explicit that the assessment of potential impacts (both positive and negative) will be limited to those from exploration. No consideration is, or will be, given to production related activities as these would form part of a subsequent application, assessment and authorisation process. This is consistent with the approach defined in the regulatory framework.</p>
			<p>30. The proposed project which envisions utilising exploratory well drilling to explore for oil and gas, would not necessarily improve South Africa’s energy security. This is because any extracted oil and gas would belong to the for-profit companies undertaking the project, not South Africa. Energy companies compete for access to mineral rights granted by governments by either entering a concession agreement, meaning any discovered oil and gas are the property of the producers, or a production-sharing agreement.</p>	<p>No consideration is, or will be, given to production related activities during the current application as these would form part of a subsequent application, assessment and authorisation process. This is consistent with the approach defined in the regulatory framework.</p>
			<p>31. If we consider the ownership of any extracted oil and gas, we can see that these resources will ultimately be exploited for profit, based on the best interests of the company. The project does not guarantee improvement of energy security for South Africa and its citizens. If, following a successful exploration phase, the company elects to exploit these extracted resources in a manner that does not directly</p>	<p>No consideration is, or will be, given to production related activities during the current application as these would form part of a subsequent application, assessment and authorisation process. This is consistent with the approach defined in the regulatory framework.</p>

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			improve South Africa’s energy security, this invariably undermines the foundational reasoning that underpins the need and desirability of this proposed reconnaissance project—it’s supposed contribution to energy security for South Africa—and provides no tangible benefit for South Africans.	
			32. It is common practice that proposed exploration activities such as exploratory well drilling, only commence months and sometimes years after the need and desirability assessment is undertaken, with appraisal and production only commencing years later. According to one study, the world’s largest oil and gas fields took an average of 5.5 years from discovery to first production and 17 years to reach peak output. Chevron Corporation’s (CVX) Gorgon natural gas development project off the coast of Australia took 30 years to complete, and another six years to begin producing liquefied natural gas. Given the examples provided above which are of common practice, the proposed exploration programme project in no way provides a remedy nor will address in the immediate future South Africa’s current energy insecurity issues.	No consideration is, or will be, given to production related activities during the current application as these would form part of a subsequent application, assessment and authorisation process. This is consistent with the approach defined in the regulatory framework.
			33. Further, by the time any resources discovered in the subject exploration block are ready for production, South Africa will already be at a different stage in its international climate commitments. If the country intends to adhere to these commitments, it will have to transition to renewable energy sources, meaning that oil and gas will not be as beneficial to South Africa’s economy as claimed in the need and desirability assessment.	This may be the case and is a risk which the ER holder will need to consider in their decision making. No consideration is, or will be, given to production related activities during the current application as these would form part of a subsequent application, assessment and authorisation process. This is consistent with the approach defined in the regulatory framework.
			Climate change commitments 34. If the oil and gas reserves that are ultimately exploited are used for energy needs in South Africa, this will prevent South Africa from fulfilling its international climate obligations, including its 2021	No consideration is, or will be, given to production related activities during the current application as these would form part of a subsequent application, assessment and authorisation process. This is consistent with the approach defined in the regulatory framework.

No.	Organisation and Contact Person	Method and Date of communication	Comment	Response
			<p>Nationally Determined Contribution (NDC) under the Paris Agreement, and thus eliminating the desirability of the proposed project.</p>	
			<p>35. South Africa has committed to stay on a pathway to keep global average temperature increases below 1.5 degrees Celsius, which global experts agree can only be achieved if no new oil and gas reserves are exploited.</p>	<p>The commitment is recorded in the Need and Desirability section in the Scoping Report.</p> <p>No consideration is, or will be, given to production related activities during the current application as these would form part of a subsequent application, assessment and authorisation process. This is consistent with the approach defined in the regulatory framework.</p>
			<p>36. The need and desirability analysis relies heavily on a presumption that South Africa will require significant amounts of gas as part of its energy mix as soon as 2030. Reliance on this presumption is flawed in three key respects.</p> <p>36.1. First, reliance on the 2019 Integrated Resource Plan (IRP) does not excuse the EAP from undertaking a need and desirability analysis, including consideration of climate change.</p> <p>36.2. Second, the IRP does not indicate a need for significant amounts of gas by 2030.</p> <p>36.3. Finally, recent reports have suggested that even the 2019 IRP's small allocation of gas within the energy mix is more than will actually ever be required.</p>	<p>To SLR's knowledge the 2019 IRP remains a valid document and is one of the guides for government decision-making in respect of energy resources.</p>
			<p>37. The call for gas as a minor part of the energy mix in the 2019 IRP does not excuse the decision-maker from taking climate change impacts into account, including as part of the need and desirability assessment. As one of the primary objectives of the scoping report is to make a case for the need and desirability of the proposed project, the scoping report's case for need and desirability must directly</p>	<p>The Need and Desirability section in the Scoping Report presents a context, and includes consideration of the legislation and policy on South Africa's climate change commitments.</p> <p>It is the view of the EAP that the undertaking of the proposed exploration activities would pose limited risks to climate change. As</p>

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			address climate impacts and cannot simply rest on the 2019 IRP as evidence of need or desirability.	indicated in section 7.1.6 further consideration will be given to air quality issues in the EIA.
			<p>38. The High Court in <i>Earthlife Johannesburg v Minister of Environment and Others</i> stated the following with respect to a decision-maker’s reliance on the IRP in rendering a decision on an application for environmental authorisation:</p> <p><i>“Policy instruments developed by the Department of Energy cannot alter the requirements of environmental legislation for relevant climate change factors to be considered.”</i></p>	Noted.
			<p>39. The Scoping Reports rely on the 2019 IRP and other policy documents to suggest that gas is a necessary and desirable component of the energy mix, and that the proposed exploration activities are therefore also necessary and desirable. As noted in <i>Earthlife Johannesburg v Minister of Environment and Others</i>, the case for need and desirability of oil and gas exploration must be established and assessed independent of the 2019 IRP. Pointing to the existence of a national policies without an assessment of the specific project activities in their specific context does not meet these requirements. The Scoping Reports must establish and evidence the case for the project’s need and desirability without reliance on the 2019 IRP.</p>	The IRP is one of many documents quoted in the Need and Desirability section in the Scoping Report. There are many other policies, laws and regulations which promote the understanding of South Africa’s mineral resources, as the proposed exploration aims to do.
			<p>40. The 2019 IRP will likely need readjusting in the coming years to align with South Africa’s 2021 Nationally Determined Contribution under the Paris Agreement. According to a recent report by Meridian Economics, the only economically rational role for gas in power generation is in very low volumes as a fuel for peaking plants, though diesel can fill this role with a similar carbon footprint, and that gas may never be a necessary or economical component of South Africa’s energy mix.</p>	To SLR’s knowledge the 2019 IRP remains a valid document and is one of the guides for government decision-making in respect of energy resources.

No.	Organisation and Contact Person	Method and Date of communication	Comment	Response
			<p>41. The Meridian report found that forcing high-use gas-to-power generation into the energy mix would entail a cost 40% higher than the alternative combination of peaking plant and renewables, with seven-fold higher carbon emissions for the power generation.</p>	<p>No consideration is, or will be, given to production related activities during the current application as these would form part of a subsequent application, assessment and authorisation process. This is consistent with the approach defined in the regulatory framework.</p>
			<p>42. Further, with no economic rationale for large-scale gas use in power, following such a strategy would deliver assets that are stranded before their first kWh of power is generated. Even a recent report from the National Business Initiative—of which most multinational oil and gas companies are members of—heavily emphasised the risk of stranded assets that would necessarily accompany any investment in gas-to-power infrastructure.</p>	<p>No consideration is, or will be, given to production related activities during the current application as these would form part of a subsequent application, assessment and authorisation process. This is consistent with the approach defined in the regulatory framework.</p> <p>This may be the case and is a risk which the ER holder will need to consider in their decision making.</p>
			<p>43. It is worth noting that impending Global North carbon border adjustment mechanisms will impose restrictions on the export of products with a high carbon footprint, putting South Africa's economy at greater risk of developing gas-to-power energy systems, rather than clean renewable alternatives. As the impending risks of investing in fossil fuels increase, oil and gas projects will no longer represent a viable solution to South Africa's ambitions to balance the goals of economic development with respect for universal and regional climate change obligations.</p>	<p>This may be the case and is a risk which the ER holder will need to consider in their decision making.</p>
			<p>44. We submit that exploration for new gas reserves by way of exploratory well drilling is neither needed nor is it desirable. These activities fail to align with the public interest, the Constitution, and other applicable laws. This is due to the unacceptable and likely risks of harm arising from these activities. Exploration for new gas reserves and subsequent production of oil and gas products contribute towards further climate disaster and significantly reduce South Africa's resilience against impacts to human health and the environment more broadly. These activities also</p>	<p>As indicated in the Scoping Report "The promotion of the oil and gas sector could also be considered in contradiction with some of the other plans and policies, which identify the need to reduce the reliance on fossil fuels in order for South Africa to reduce GHG emissions and meet commitments in this regard. Nevertheless, the current limitations of renewable energy technologies are such, that there is still a need to include fossil fuels (notably natural gas) within the energy mix of the country."</p>

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			increase South Africa’s reliance on the inordinately high costs involved in gas power generation for energy.	The Scoping Report sets out a Plan of Study for EIA which addresses the assessment of potential impacts from exploration activities.
			<p>Regional and municipal policies relevant to need and desirability assessment</p> <p>45. The need for and the desirability of a proposed development forms a key component of any EIA application. The consideration of the various spatial planning tools and policies applicable to the study area form an integral part of the present environmental assessment and authorisation processes. The “need and desirability” will be determined by considering the broader community’s needs and interests as reflected in a credible IDP, SDF and EMF for the area, and as determined by the EIA. It is important that policies take cognisance of strategic concerns such as climate change and food security, as well as the sustainability in supply of natural resources and the status of our ecosystem services.</p>	Noted.
			<p>Free State Green Economy Strategy</p> <p>46. According to the Free State Green Economy Strategy, one of its stated goals is to provide for the facilitation of increased investments in renewable energy. The Free State Green Economy Strategy focuses on reducing health and environmental impacts from energy production and use, while ensuring the basis for long-term economic growth. Such an integrated strategy can increase provincial and national energy security and reduce carbon emissions while providing new employment opportunities that may more than compensate for jobs that disappear due to the reduced use of other sources of energy (e.g. fossil fuels).</p>	Exploration for gas and other investment decisions, inter alia for renewable energy, are not mutually exclusive.
			47. The Free State Green Economy Strategy recognizes that renewable off-grid and mini-grid options tend to be more cost effective than expanding existing electricity grids in remote locations.	Noted.

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			<p>The strategy also recognizes that the Free State province is rich in these renewable energy sources, such as small hydro, mini-wind, bio-energy, and the increasingly popular solar household systems (SHSs). Furthermore, the strategy acknowledges that the Free State Province has a huge potential to alleviate rural energy poverty and to displace costly diesel-based power generation through the development of renewable energy infrastructure.</p>	
			<p>48. The strategy also prioritises the support of its agriculture, tourism, and built infrastructure sectors, as well as the growth of the renewable energy sector, all to the benefit of the local communities and the economy. This all hinges on a climate resilient Free State province, which will be threatened by climate change impacts and biodiversity impacts brought on by this potential development. These impacts could destabilise environmental and socio-economic sustainability as established by the latest IPCC reports.</p>	<p>The undertaking of exploration activities as proposed is unlikely to have impacts on climate resilience or biodiversity. The Scoping Report sets out a Plan of Study for EIA which addresses the assessment of potential impacts from exploration activities.</p>
			<p>49. Given the above, it is improbable that the proposed gas exploration, and possible production which will lead to upstream gas infrastructure, is indeed needed and desirable. The potential threats a catastrophic gas leak, water and soil contamination, or decreased climate resilience poses to the Municipality's desired net zero carbon economy outweigh the potential benefits of this activity.</p>	<p>The Scoping Report sets out a Plan of Study for EIA which addresses the assessment of potential impacts from exploration activities.</p> <p>No consideration is, or will be, given to production related activities during the current application as these would form part of a subsequent application, assessment and authorisation process. This is consistent with the approach defined in the regulatory framework.</p>
			<p>50. What is needed and desired for a specific area is best determined strategically and democratically.</p> <p>The strategic context informing the elements of need and desirability should first be addressed and determined during the formulation of the sustainable development vision, goals and objectives of the various provincial and municipal plans and policies. These greater considerations should be determined beyond the spatial extent of a</p>	<p>Noted.</p>

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			specific and individual EIA process, and then considered in the context of an individual EIA.	
			51. Therefore, the substance of related plans, frameworks, policies and strategies must be considered when examining the merits of each application when "need and desirability" must be examined as part of an EIA process.	Noted. Not forgetting the context of nationally determined policies and legislation.
			52. It is in this context that it is submitted that the EAP ought to have considered the Free State Green Economy Strategy, Free State 2030 Vision, in order to give effect to the underlying principles which are the consideration of the strategic context of the development proposal along with the broader societal needs and the public interest.	SLR will review the "Free State Green Economy Strategy and , Free State 2030 Vision" during the EIA phase and incorporate relevant considerations in the EIA report.
			53. Furthermore, the Free State provincial authorities, through their district and municipal spatial development frameworks and Green Economy strategies, indicate their commitment to ensuring that there is a consideration and identification of climate change related impacts on the water-food-energy nexus.	Noted.
			54. The current Scoping Reports have not identified nor addressed the types of impacts that would befall local communities in all aspects of the water-energy-food nexus system as it relates to food production, processing, availability, distribution, accessibility, utilization and consumption and stability through agriculture, water resource preservation and energy generation.	The undertaking of exploration activities as proposed is unlikely to have impacts on the water-energy-food nexus. The Scoping Report sets out a Plan of Study for EIA which addresses the assessment of potential impacts from exploration activities.
			55. In order to determine whether the development will result in the securement of ecological sustainable development and the promotion of justifiable social and economic development, the specific needs of the broader community should be considered alongside the opportunity costs and distributional consequences.	Noted.

No.	Organisation and Contact Person	Method and Date of communication	Comment	Response
			<p>56. Natural Justice submits that it is imperative that the Scoping Reports consider to the above long-term goal of the Free State Green Economy Strategy and the Free State 2030 Vision, as it is relevant to the current context and is necessary to factor into the need and desirability assessment.</p>	<p>SLR will review the “Free State Green Economy Strategy and , Free State 2030 Vision” during the EIA phase and incorporate relevant considerations in the EIA report.</p>
			<p>Climate change and the right to sustainable development</p> <p>57. The proposed application, through its greenhouse gas emissions and contributions to global climate change, undermines the constitutionally protected rights of present and future generations to environmental protection and ecologically sustainable development.</p>	<p>It is the view of the EAP that the undertaking of the proposed exploration activities would pose limited risks to climate change. As indicated in section 7.1.6 further consideration will be given to air quality issues in the EIA.</p>
			<p>58. Section 24 of the Constitution states:</p> <p><i>“Everyone has the right— to have the environment protected, for the benefit of present and</i></p> <p><i>future generations, through reasonable legislative and other measures that –</i></p> <p><i>iii. secure ecologically sustainable development and use of natural resources while promoting justifiable economic and social development”</i> (emphasis added).</p>	<p>Noted.</p>
			<p>59. The principles and provisions of NEMA provide legislative implementation for these rights to environmental protection and sustainable development.</p> <p>59.1. NEMA states that “the environment is held in the public trust for the people and the beneficial use of the environmental resources must serve the public interest and the environment must be protected as the people’s common heritage”.</p>	<p>Noted.</p>

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			59.2. Further, one of NEMA’s core principles is that “the exploitation of non-renewable resources must be responsible, equitable and take into account the depletion of that resource.”	
			60. The preamble of the Mineral and Petroleum Resources Development Act (“MPRDA”) similarly affirms these principles.	Noted.
			61. Therefore, not only does an applicant for environmental authorisation need to provide an assessment of the project’s localised impact on the environment and communities, including cumulative impacts, but the project’s proponents must also satisfy the decision maker that onshore oil and gas exploration and production are a responsible and equitable use of South Africa’s resources and that they serve the interest of the wider South African public.	<p>The Scoping Report sets out a Plan of Study for EIA which addresses the assessment of potential impacts from exploration activities.</p> <p>As indicated in the Scoping Report “The promotion of the oil and gas sector could also be considered in contradiction with some of the other plans and policies, which identify the need to reduce the reliance on fossil fuels in order for South Africa to reduce GHG emissions and meet commitments in this regard. Nevertheless, the current limitations of renewable energy technologies are such, that there is still a need to include fossil fuels (notably natural gas) within the energy mix of the country.”</p>
			62. In Earthlife Africa Johannesburg v. Minister of Environmental Affairs and Others, the High Court held that “climate change poses substantial risk to sustainable development in South Africa, which is enshrined in the constitutional environmental right.	Noted.
			63. The High Court elaborated on the connection between consideration of climate change and intergenerational justice: <i>“The effects of climate change, in the form of rising temperatures, greater water scarcity, and the increasing frequency of natural disasters pose substantial risks. Sustainable development is at the same time integrally linked with the principle of intergenerational justice requiring the state to take reasonable measures protect the environment ‘for the benefit of present and future generations’ and</i>	Noted.

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			<i>hence adequate consideration of climate change. Short-term needs must be evaluated and weighed against long-term consequences."</i>	
			64. Exacerbating climate change through the exploitation of new fossil fuel reserves undermines the constitutional right to sustainable development and does not serve the public interest.	<p>The current application is limited to Exploration activities for the gathering of information on the resource. No exploitation is contemplated.</p> <p>It is the view of the EAP that the undertaking of the proposed exploration activities would pose limited risks to climate change. As indicated in section 7.1.6 further consideration will be given to air quality issues in the EIA.</p>
			65. A risk-averse approach to decision-making should lead to the denial of environmental authorisations for new oil and gas exploration projects, including the proposed project. NEMA requires "that a risk-averse and cautious approach should be applied which takes into account the limits of current knowledge about the consequences of decisions and actions." Existing evidence indicates that oil and gas exploration and production is not a responsible or equitable use of South Africa's natural resources. South Africa has committed to stay on a pathway to keep global average temperature increases below 1.5 degrees Celsius, which global experts agree can only be achieved if no new oil and gas reserves are exploited.	The DMRE, as the competent authority, will need to make their decision light of the relevant principles, policies, legislation and information.
			66. Therefore, the proposed exploration is contrary to scientific consensus and a risk-averse approach would dictate from the outset that this project should not move forward.	The scope of the proposed exploration project is to identify the presence of gas resources.
			67. Exacerbating the climate crisis by exploiting new oil and gas reserves is against the public interest of South Africa, which is particularly vulnerable to the impacts of climate change and violates the constitutional environmental rights of present and future generations.	The scope of the proposed exploration project is to identify the presence of gas resources. The proposed exploration would not directly result in the utilisation of any gas, as this requires a production which would form part of a subsequent application, assessment and authorisation process.

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			<p>67.1. Climate change poses a significant threat to other rights enshrined in South Africa’s Constitution as well, including the rights to life, housing, water and food.</p> <p>67.2. South Africa’s vulnerabilities include impacts on the agricultural sector from changes in precipitation, temperature and evaporation; impacts on health through an increased burden of disease; and threats to territorial ecosystems including rising average temperatures, more temperature extremes, shifting rainfall season, and a higher chance of extreme weather events.</p> <p>67.3 Issues of particular concern include the effect of changing rainfall patterns on water resources, crop production and livestock; possible increases in insect-borne diseases such as malaria; and reduced forestry plantations. Rising sea-levels could also pose a threat to coasts, and changes in oceanic conditions may have significant implications for fisher resources as well as for biodiversity.</p> <p>67.4 Water crises in the Eastern and Western Capes and deadly floods in KwaZulu-Natal are just a few examples of the extreme weather events in South Africa that are made more likely, frequent and severe due to climate change.</p>	<p>The Scoping Report sets out a Plan of Study for EIA which addresses the assessment of potential impacts from exploration activities.</p>
			<p>68. Climate change must be considered in the Scoping Reports, even if a climate change specialist report will ultimately be produced at a later stage. However, the Scoping Reports failed to provide sufficient consideration and analysis of climate change in at least six key respects:</p> <p>68.1 the assessments of need and desirability does not provide adequate consideration to the climate impacts of interlinked exploration and production activities;</p>	<p>It is the view of the EAP that the undertaking of the proposed exploration activities would pose limited risks to climate change. However, as indicated in section 7.1.6 further consideration will be given to air quality issues in the EIA.</p> <p>No consideration is, or will be, given to production related activities during the current application as these would form part of a subsequent application, assessment and authorisation process. This is consistent with the approach defined in the regulatory framework.</p>

No.	Organisation and Contact Person	Method and Date of communication	Comment	Response
			<p>68.2 the need and desirability analyses is incompatible with South Africa’s international climate commitments and national climate policy context;</p> <p>68.3 the Scoping Reports fail to consider relevant national, provincial, and municipal policies, including climate change policies, in assessing need and desirability;</p> <p>68.4 the Scoping Reports do not sufficiently discuss climate change in its analysis of alternative activities and alternative locations;</p> <p>68.5 the assessments of environmental impacts does not properly identify and assess the cumulative impacts of the project in conjunction with current and anticipated climate change impacts; and</p> <p>68.6 the Scoping Reports do not address, or indicate that further studies will address the impacts of climate change on the proposed project itself.</p>	<p>The Need and Desirability section in the Scoping Report presents a context, and includes consideration of the legislation and policy on South Africa’s climate change commitments.</p> <p>The Scoping Report sets out a Plan of Study for EIA which addresses the assessment of potential impacts from exploration activities. This includes the consideration of cumulative impacts, which does not extend to potential impacts of possible activities of future production activities. These would form part of a subsequent application, assessment and authorisation process. This approach is consistent with the approach defined in the regulatory framework.</p>
			<p>Socio-economic assessment</p> <p>69. The claims for gas exploration and production's contribution economic growth are general and unsubstantiated. These claims should be backed by evidence and compared to alternative projects, such as renewable energy projects.</p>	<p>The Scoping Report provides initial consideration of potential socio-economic impacts from exploration. Refer to Section 7.3.6. There are no claims of any significant economic growth from exploration activities.</p>
			<p>70. Given the likely concerns around cost and benefits relating to project feasibility in light of the threat of climate change as well as potential impacts to the viability of commercial agriculture within the area and region, it is imperative that a specialist socio-economic study be conducted.</p>	<p>The claims of threats to climate change and the viability of commercial agriculture are out of context (presumably in relation to future production) and are considered unlikely by the EAP.</p> <p>It is the EAP’s opinion that no information relevant to decision-making for the current application for an EA of exploration well drilling would result from a socio-economic study. Thus there is no recommendation for a socio-economic study in the Plan of Study for EIA.</p>

No.	Organisation and Contact Person	Method and Date of communication	Comment	Response
			<p>71. The scope of the socio-economic impact assessment study should include an assessment on the efficiency, equity and sustainability of the project, with an economic specialist conducting the above assessment. Additionally, the economic specialist must assess what the opportunity costs or net benefit of the next best alternative will be. Issues that need to be addressed by the specialist include:</p> <p>71.1. assessment of the financial viability or justification for the project (including risks to the long-term success of the project, such as becoming stranded assets);</p> <p>71.2. discussion of distortions in the assessment financial viability, such as where the financial viability of a project does not provide meaningful benefit to the wider society;</p> <p>71.3. identification of environmental externalities that are not accounted for in costs and benefits;</p> <p>71.4. valuation of the project's degree of fit with economic development planning in the area;</p> <p>71.5. consideration of alternative forms of the project (including the no-go alternative) and whether these would be more economically efficient; and</p> <p>71.6. evaluation of macro-economic risks of the project.</p>	<p>Refer to the above response.</p>
			<p>72. The socio-economic specialist study should evaluate impacts both with and without mitigation measures. It is necessary to understand the full cost and effectiveness of the mitigation measures for the entire lifecycle of the project. This allows for an accurate assessment of the project's viability and desirability prior to significant financial investment from project proponents.</p>	<p>Refer to the above response.</p>
			<p>An Agricultural Agro-Ecosystem Specialist Assessment study</p>	<p>Noted.</p>

No.	Organisation and Contact Person	Method and Date of communication	Comment	Response
			73. The Free State agricultural sector is the economic backbone of the province. Similar to the national agricultural sector, it is made up of crop and animal production, horticulture, dairy farming, game farming, aquaculture, fruit production and agro-processing. It is estimated that at least 14.5% of South Africa's commercial farming is conducted in the Free State, which is approximately 90% of the economy of the province.	
			74. According to a speech by the honourable MEC Thembeni Nxangisa of the Free State Agriculture and Rural Development, the value that agriculture plays as a driver of local economic development of the Free State is significant: <i>"Agriculture provides 10.5% of the formal jobs in the province, which is the third most after Services and Trade. In the past quarter, Stats-SA indicated that agriculture and mining in the Free State lost the most jobs of all the provinces. Climate changes such as unpredictable torrential rain has further led to loss of livestock, field crops and other valuable farming assets".</i>	Noted.
			75. At this time, the horticulture and agricultural sector faces significant challenges due to over exploitation of groundwater resources by mining and other energy projects. As such, it is important to ensure that the agricultural sector is protected from further harm.	Noted.
			76. An Agricultural Agro-Ecosystem Specialist Assessment study should be included.	There is currently no indication that the undertaking of the proposed exploration well drilling would result in any significant risks to the horticultural and agricultural sector. The Scoping Report sets out a Plan of Study for EIA which addresses the assessment of potential impacts from exploration activities. Potential risks to land use (section 7.3.3) are identified and will be

No.	Organisation and Contact Person	Method and Date of communication	Comment	Response
				<p>assessed in the EIA Report. The primary measure to avoid risks to other land use (including horticulture and agriculture) will be negotiated access with the landowner. Where economic loss was relevant, compensation would be agreed with landowners.</p> <p>It is the EAP's opinion that no information relevant to decision-making for the current application for an EA of exploration well drilling would result from an Agricultural Agro-Ecosystem Specialist Assessment. Thus there is no recommendation for an Agricultural Agro-Ecosystem Specialist Assessment in the Plan of Study for EIA.</p>
			<p>Assessment of cumulative impacts</p> <p>77. The Scoping Reports and subsequent environmental impact assessment (EIA) processes cannot make an arbitrary, artificial distinction between the impacts of oil and gas exploration and production.</p> <p>77.1. Rhino Oil and Gas Exploration (Pty) Ltd, wish to explore for oil and/or gas for the sole purpose of discovering deposits that they can then exploit.</p> <p>77.2. The legislative framework itself indicates that a production right flows directly from an exploration right, meaning that the two processes are inextricably linked. The MPRDA closely connects the rights of exploration with production by granting a holder of an exploration right the exclusive right to apply for, and be granted, the renewal of the exploration right or a production right, subject to few conditions. It also gives the Minister the right to grant both exploration and production rights.</p> <p>77.3. Further, impacts related to production activities are reasonably foreseeable impacts eventuating from exploration. If the impacts and risks associated with production are unacceptable, then any and all</p>	<p>Exploration and Production, while sequential in nature, are defined as distinct activities in the MPRDA and are covered under separate rights. The MPRDA and NEMA both recognise the distinction and provide for a separation of application, assessment and authorisation processes which applicants must follow when seeking permission to undertake either Exploration or Production activities. The Scoping Report is consistent with the approach defined in the regulatory framework.</p> <p>The EIA Regulations 2014 require the consideration of the 'cumulative impact', which includes the "reasonably foreseeable future impact of an activity". While it is foreseeable that further exploration and future production activities could arise from the Exploration Right (if granted and successful), there is not currently sufficient information to make reasonable assertions as to nature of any future activities. This is due to the current lack of relevant geological information, which the proposed exploration process aims to address. The possible range of the future exploration or production activities that may or may not arise vary hugely in scope, location, extent, and duration depending on whether a petroleum resource(s) is discovered, its size, properties and location, etc. These cannot be reasonably defined until this study has been completed and further exploration undertaken. It would not</p>

No.	Organisation and Contact Person	Method and Date of communication	Comment	Response
			<p>risks and impacts associated with exploration activities are unnecessary, undesirable, and completely avoidable.</p> <p>77.4. Despite the fact that exploration and production activities are listed separately for the purposes of the EIA Regulations, in reality they are steps in a single process. It is artificial to exclude consideration of the impacts of the production process, or of the need for, and desirability of, producing oil and gas, when deciding whether or not to authorise exploration activities. The Scoping Reports misinterpret cumulative impacts of exploration by failing to consider the impacts of production as well. The detrimental environmental impacts of the project, as part of an entire petroleum beneficiation process involving both exploration and production activities, may be substantial and therefore an assessment of the cumulative impacts of both exploration and production activities is required.</p>	<p>be reasonable to undertake an assessment of the environmental impacts of an undefined project. Potential impacts could not be reliably assessed, and the range of outcomes is so vast that the findings would be speculative at best and of no value in ascertaining the potential impacts. It is also possible that the proposed, or future, exploration determines that an economic petroleum resource does not exist, in which case there would be no production or potential impacts.</p> <p>The provisions of NEMA and the EIA Regulations 2014 neither provide for, nor contemplate, that potential impacts and risks of production activities must be considered and assessed at the exploration stage. Any potential further or future activities would need to be subject to the requisite environmental assessment and authorisation process under the NEMA, during which, the impacts related to these activities would need to be assessed as part of this separate EIA process. This is typical of the lifecycle of a development project.</p>
			<p>78. Therefore, the scoping process for the proposed project must recognise the inextricability of exploration from production and the scope of the EIA, climate change impact assessment, and all other expert reports, must assess the cumulative impacts of oil and gas exploration and production.</p>	<p>This claim is incorrect and inconsistent with the regulatory framework applicable to impact assessment of proposed exploration activities.</p>
			<p>CONCLUSION</p> <p>79. The Scoping Reports and plans of work for the EIA are deficient in many respects, including those set out above. In its current form, we submit that it should not be accepted.</p>	<p>This claim is refuted, as evidenced in the preceding responses.</p>
			<p>80. We request that our comments are taken into account by the Environmental Assessment Practitioner and that further, rigorous assessment of the full scope of impacts be undertaken.</p>	<p>The comments have been received, responded to and both included in the Scoping Report.</p>

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				The EIA will give consideration to the comments, where relevant and applicable to the context of the proposed exploration activities.

2.3 Post DSR Comments and Responses Report - Emails

No.	Organisation and Contact Person	Method and Date of communication	Comment	Response
1.	Bradley Gibbons	Letter via email 12 November 2022	<p>Good day</p> <p>Response to the Application by Rhino Oil and Gas Exploration South Africa [Pty] Ltd with reference ER 12/3/294 located in the Free State province</p> <p>The Endangered Wildlife Trust [EWT] is a non-governmental, non-profit, conservation organisation, founded in 1973 and operating throughout southern Africa. The EWT conserves threatened species and ecosystems in southern Africa by initiating research and conservation action programmes, implementing projects that mitigate threats facing species diversity and supporting sustainable natural resource management. The EWT furthermore communicates the principles of sustainable living through awareness programmes to the broadest possible constituency for the benefit of the region.</p> <p>Our comments herein relate to the application by Rhino Oil and Gas Exploration South Africa [Pty] Ltd with reference ER 12/3/294.</p> <p>1. The Prospecting Area</p>	Comments will be added to the draft environmental impact report.

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			<p>The prospecting area for this application is found in areas of the Free State that contain remaining intact grassland.</p> <p>2. Species that are Threatened or Endangered</p> <p>The EWT is concerned about the threatened and endangered species found in this region, especially Vulnerable Sungazer lizards <i>Smaug giganteus</i> that are found in the remaining intact grassland vegetation in both areas: Steynsrus [Target Area 4] and Petrus Steyn [Target Area 5].</p> <p>The habitat for Sungazers has shrunk in size and populations of Sungazers are declining at a rapid rate and remaining grassland habitat needs to be protected from non-sustainable development.</p> <p>3. Water Production in the Prospecting Area</p> <p>Water availability is a concern for South Africa, being a semi-arid country.</p> <p>The EWT hereby concludes that we oppose this proposed activity due to the following reasons:</p>	

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			<p>0 The area should be avoided, due to the future activities that could result should the presence of oil and gas be confirmed from surveys. The possibility of the devastating effects that pollution [as a result of drilling for oil and gas] could have on water that will result in a reduced amount of potable water for communities within the application area and surrounding areas dependent on this area as a source of water.</p> <p>0 The threat to biodiversity and substantial declines of species due to habitat change and habitat fragmentation from caused from drilling for oil and gas that could possibly take place in the future.</p>	
2.	Anonymous Envir Onmental	Email 14 November 2022	Do the environment have rights too? This project will only pollute our groundwater and air quality in the area. Do the environment have rights too?	Comments will be added to the draft environmental impact report.
3.		Email 21 November 2022	Withdraw our application ER 294 and ER318.	
4.		Email 26 November 2022	My answer is NO to ER 294 and ER 318. It will pollute our drink and air quality. There are many studies that show gas, not a cleaner source of energy, is the dirtiest fuel. The community has the right to say NO. I say NO is NO	

No.	Organisation and Contact Person	Method and Date of communication	Comment	Response
5.		Email 27 December 2022	It will pollute our drinking groundwater and air quality in the area. Do the farmer or community have the right to say NO . No is no	
6.		Email 04 January 2023	No means no. I think of the people of the area. It can lead to water pollution and air quality in the area. Community or farmers have right to say NO to it.	
7.		Email 23 February 2023	No to this project. It will pollute our drink and air quality in the area. Leave our hand off the Free State.	
8.		Email 11 April 2023	No is no, Natural gas are not clear source of energy	