

3 EMP APPROACH AND PROCESS

This chapter introduces the project team and outlines the methodology followed in the EMP process.

3.1 DETAILS OF THE PROJECT TEAM

As noted in Section 1, SLR has been appointed as the independent EAP to undertake the EMP process for the proposed speculative exploration activities. The details of the SLR project team and appointed specialists are provided in Table 3-1 below.

SLR has no vested interest in the proposed project other than fair payment for consulting services rendered as part of the EMP process and has declared its independence as required by the EIA Regulations 2014, as amended (see Appendix 1).

Table 3-1: Details of the EMP project team and specialists.

Company	Name	Qualifications	Experience (years)	Roles
SLR Project Team				
SLR Consulting	Andrew Bradbury	MSc (Env. Assessment & Mgt), Oxford Brookes University	27	Project Director, Report review and QA/QC
	Eloise Costandius	MSc (Ecol. Assessment), University of Stellenbosch	16	Project Management and Report compilation
	Bronwyn Gernet	-	19	GIS data management and mapping
Specialist Team				
SLR Consulting Australia	Binghui Li	PhD (Physics – Underwater Acoustics), Curtin University	18	Sound Transmission Loss Modelling Study
	Dana Lewis	ME (Mech), University of Queensland	3	
Pisces Environmental Services	Andrea Pulfrich	PhD (Fisheries Biology), Christian-Albrechts University, Kiel, Germany	26	Marine Ecology Impact Assessment
Capricorn Marine Environmental	Dave Japp	MSc (Ichthyology and Fisheries Science), Rhodes University	33	Commercial Fisheries Impact Assessment
	Sarah Wilkinson	BSc (Hons) (Botany), University of Cape Town	18	

Andrew Bradbury is a Technical Director at SLR and leads the Energy Sector for SLR in Africa. Andrew is an environmental professional with over 27 years of consulting experience in the oil & gas, power (conventional, hydro and renewable), finance & legal, chemical, infrastructure and built environment sectors. His areas of experience cover Environmental and Social Due Diligence, Environmental and Social Impact Assessment, Environmental and Social Planning and Management, Compliance, Training and Capacity Building and Policy work. He has worked on some of the largest impact assessment and due diligence projects in Southern Africa. Andrew's Master's Degree from Oxford Brookes University in the UK is in Environmental Impact Assessment.

Eloise Costandius has worked as an environmental assessment practitioner since 2005 and has been involved in numerous projects covering a range of environmental disciplines, including Basic Assessments, Environmental

Impact Assessments and Environmental Management Programmes. She has gained experience in a wide range of projects relating to oil and gas exploration, infrastructure projects (e.g. roads) and industrial developments. She is registered as a Professional Natural Scientist with SACNASP.

CVs of the SLR project team are included in Appendix 2.

3.2 ASSUMPTIONS AND LIMITATIONS

The EMP process assumptions and limitations are listed below:

- SLR assumes that all relevant project information has been provided by Spectrum and that it was correct and valid at the time it was provided.
- The proposed survey area is indicative and the EMP has considered this and the fact that the final survey layout might change slightly.
- This EMP considers potential impacts of the proposed seismic survey activities on the biophysical and social environments that have been identified within the project's area of influence, which encompasses:
 - Activities and facilities that are directly owned, operated or managed by Spectrum (including contractors and sub-contractors) as part of the project;
 - Unplanned events, which are unintended but may occur as a result of accidents or abnormal operating conditions; and
 - Indirect project impacts on biodiversity or ecosystem services upon which potential affected communities' livelihoods are dependent.
- The EMP considers the assessment of activities proposed as part of exploration, but does not aim to identify or assess the impacts or benefits of possible future exploration or production activities or outcomes.
- The EIA Regulations 2014 (as amended) require the consideration of the "cumulative impact", which includes the 'reasonably foreseeable future impact of an activity'. Cumulative impacts of the proposed activities, in the context of other exploration activities, are considered in the EMP, to the extent that this is feasible and 'reasonably foreseeable' based on the available information about other authorised oil and gas developments at the time the EMP was prepared. While it is foreseeable that further exploration and future production activities could arise from the proposed exploration activities (if granted), there is not currently sufficient information to make reasonable assertions as to the nature of any future activities. This is due to the current lack of relevant geological information, which the proposed additional exploration activities aims to address.
- No significant changes to the project description or surrounding environment will occur between the submission of the final EMP and implementation of the proposed project that could substantially influence findings and recommendations with respect to mitigation and management.

These assumptions, however, are not considered to have any negative implications in terms of the credibility of the results of the study or the required management actions included in this EMP.

3.3 OBJECTIVES

The overall objectives of this EMP process include the following:

- To provide a reasonable opportunity for I&APs to be consulted on the proposed project;
- To ensure that potential key environmental issues and impacts that could result from the proposed project

are identified;

- To assess potential impacts related to the proposed project;
- To present appropriate mitigation or optimisation measures to minimise potential impacts or enhance potential benefits; and
- Through the above, to ensure informed, transparent and accountable decision-making by the relevant authorities.

3.4 EMP PROCESS

The EMP process steps are set out below.

3.4.1 Specialist Studies

Three specialist studies were undertaken to address the key issues that required investigation. These included:

- Sound Transmission Loss Modelling Study;
- Biodiversity and Ecosystem Services (Marine Fauna) Impact Assessment; and
- Commercial Fisheries Impact Assessment.

Details of the appointed specialists are provided in Table 3-1.

Specialist studies involved the gathering of data relevant to identifying and assessing environmental impacts that may occur as a result of the proposed exploration activities. These impacts were then assessed according to pre-defined rating scales (see Appendix 7). Specialists also recommended appropriate mitigation or optimisation measures to minimise potential impacts or enhance potential benefits, respectively.

3.4.2 Integration and Assessment

The specialist studies and other relevant information / assessments have been integrated into this report. Many of the issues associated with seismic surveys are generic in nature and have been assessed based on previous seismic survey programmes off the coast of South Africa and the Generic Environmental Management Programme (EMPr)¹ prepared for seismic surveys in South Africa. Recommendations proposed are based on specialist input and are in line with the Generic EMPr and the general principles of the Joint Nature Conservation Committee (JNCC) seismic guidelines.

This report contains the key information from each of the specialist studies, including a description of the affected environment, and the description and assessment of impacts. Each impact is described and assessed in terms of the sensitivity of a receptor, the magnitude/consequence (a combination of the intensity, duration and extent of the impact) and the significance level, which is assigned according to pre-defined rating scales (see Appendix 7).

This report aims to present all information in a clear and understandable format to I&APs and authorities and provides an opportunity for I&APs to comment on the proposed seismic survey and EMP (see Section 1.3). Steps undertaken as part of the public participation process are set out in Chapter 4.

² Crowther Campbell & Associates and Centre for Marine Studies (1999) Generic Environmental Programme Report for oil and gas exploration off the coast of South Africa. Volume 4: Generic Manual for the preparation of a Lease Specific Environmental Management Programme Report for seismic surveys. Petroleum Agency of South Africa, Cape Town, South Africa.

3.4.3 Completion of the EMP Process

The following steps are envisaged for the remainder of the EMP process:

- After closure of the comment period on the draft version of the EMP, all comments received will be incorporated and responded to in a Comments and Responses Report. The EMP will then be updated into a final report, to which the Comments and Responses Report will be appended.
- The final EMP will be submitted to PASA for consideration and decision-making by the Minister responsible for mineral resources (or delegated authority DMRE).
- After the Minister has reached a decision, all I&APs on the project database will be notified within 14 days of the outcome of the application and the reasons for the decision.

4 PUBLIC PARTICIPATION PROCESS

This chapter presents the principles of public participation, the process undertaken during the EMP process to date and the proposed tasks for the remainder of the EMP process.

4.1 PRINCIPLES

As stated in Chapter 1, the EMP process undertaken as part of a Reconnaissance Permit application is not a legislated process. In order to ensure informed decision-making, the Public Participation guideline in terms of the NEMA EIA Regulations, 2017 is, however, being implemented for this EMP process. The above guideline sets out the principles and characteristics of a comprehensive Public Participation Process. At a minimum, the process undertaken must allow for the following:

- to provide an opportunity for all role players, including potential and registered I&APs, EAPs, state departments, organs of state, and the competent authority to obtain clear, accurate and understandable information about the environmental impacts of the proposed activity or implications of a decision;
- to provide for role-players to voice their support, concerns and questions regarding the project, application or decision;
- to provide an opportunity for role-players to suggest ways for reducing or mitigating any negative impacts of the project and for enhancing its positive impacts;
- to enable the party conducting the public participation process to incorporate the needs, preferences and values of potential or registered I&APs into the proposed project and relevant environmental regulatory application process;
- to provide opportunities for clearing up misunderstandings about technical issues, resolving disputes and reconciling conflicting interests;
- to encourage transparency and accountability in decision-making;
- to contribute toward maintaining a healthy, vibrant democracy; and
- to give effect to the requirement for procedural fairness of administrative action as contained in the Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000; PAJA).

The requirements of the public participation process are clearly set out in Chapter 6 of the EIA Regulations, 2014 (GN No. R982, as amended) and will be adhered to during the EMP process. It specifically makes provision for the requirement to apply alternative consultation methods for persons with disability who wish to participate; to disseminate all relevant facts; provide reasonable opportunity for comment; and for disclosure of the EMP to I&APs. The South African public participation process requirements are considered to meet international standards for consultation.

4.2 PUBLIC PARTICIPATION STEPS

The public participation steps undertaken/to be undertaken are summarised below.

4.2.1 Stakeholders Identification

A preliminary I&AP database (see Appendix 3.1) has been compiled based on:

- SLR's existing databases for offshore oil and gas impact assessments undertaken for the South and West Coasts of South Africa; and
- Input from the Commercial Fisheries Specialist (CapMarine) in order to ensure the fisheries sector database is comprehensive and up to date.

There are currently 298 stakeholders registered on the project database which may be directly or indirectly affected by the project. These stakeholders have been divided into the following categories:

- **Authorities:**
 - South African Government (National, Provincial and Local).
 - Maritime Authorities.
- **Civil Society:**
 - Fishing Associations.
 - Environmental, Social, NGOs and Public -Private Partnerships.
 - General Public.
- **Business:**
 - Offshore Oil and Gas Operators.
 - Fishing companies.
 - Recreational fishing and tourism

The I&AP database will be continually updated during the EMP process. Additional I&APs will be added based on responses to advertisements and notification letters and comments received on this draft version of the EMP.

4.3 EMP COMMENT PHASE

4.3.1 Advertising

Advertisements announcing the proposed project and the availability of the draft EMP for review and comment were placed in three regional newspapers: Cape Times, Die Burger, Die Son, and three local papers: Namakwalander, Ons Kontrei and Weslander during the week of 2 to 6 August 2021 (see Appendix 3.2 for the text of the advertisements). Advertisements were translated into Afrikaans. Proof of newspaper placement will be provided in the final EMP.

4.3.2 Availability of the EMP for Review

The draft version of the EMP has been released for a 30-day review and comment period from 04 August to 06 September 2021 (see Section 1.3). The objective of this comment period is to ensure that I&APs are notified about the proposed project and given a reasonable opportunity to provide comments on detailed project

information and the findings of the EMP process. The full report has been made available on the SLR website for download, as well as on a zero-data website. The zero-data website enables I&APs to access and download the EMP and Executive Summary from internet enabled mobile devices without incurring any data costs. Note: due to COVID-19 restrictions, no hard copies of the report could be made available in public libraries. Hard copies of the Executive Summary were, however, made available for collection at libraries.

All I&APs registered on the project database were notified of the EMP comment and review period by means of a notification letter (via E-mail). To facilitate the commenting process, a copy of the Executive Summary to the report was attached to the letter. Where I&APs registered with a cell phone number, they were notified via SMS or WhatsApp. A copy of the letter, SMS and proof of distribution will be provided in the final EMP.

4.3.3 Online Focus-Group Meeting

A virtual meeting (via Microsoft TEAMS) will be held with representatives of the commercial fishing sectors active off the West Coast. The purpose of the meeting will be to provide an overview of the project proposal and findings of the EMP to the most active users of the offshore environment in the vicinity of the proposed survey area, the fishing sector. It will also provide them with an opportunity to ask questions and provide comments. Minutes of the meeting will be presented in the final EMP.

4.3.4 Completion of the EMP Process

The following public participation tasks will be undertaken up to the completion of the EMP process:

- EMP submission: All I&APs will be notified via e-mail of the submission of the final EMP to PASA for consideration and recommendation to DMRE. The notification will also include a link to download the final EMP, including the Comments and Responses Report on the draft version of the report.
- Decision notification: DMRE's decision will be uploaded onto the SLR website for review. All registered I&APs will be notified via e-mail of the issuing of DMRE's decision on the Reconnaissance Permit application and EMP.