



Image credit: Jean Tresfon – Marine Conservation Photographer of the year 2017
[Southern Right Whale Sighting Report 2021](#)

**WAPFSA COMMENTS ON THE ENVIRONMENTAL
AND SOCIAL IMPACT ASSESSMENT (ESIA)
FOR THE PROPOSED OFFSHORE EXPLORATION
WELL DRILLING IN BLOCK 5/6/7
SOUTH-WEST COAST
SOUTH AFRICA**

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WILDLIFE ANIMAL PROTECTION FORUM SOUTH AFRICA

The Sixth Assessment Report of the UN Intergovernmental Panel on Climate Change is a code red for humanity. The alarm bells are deafening, and the evidence is irrefutable

Antonio Guterres, UN Secretary-General, 2021



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PREAMBLE

The Wildlife Animal Protection Forum South Africa (WAPFSA) submitted preliminary [comments](#) to the Draft Scoping Report (DSR) on the 4th of July 2022. This network consisting of thirty-one member organisations remains deeply concerned about the overall lack of urgency in addressing the shift towards renewable energy alternatives in South Africa.

We highlight the fact that the public response to the DSC (Annexure 4.2- Comments to the DSR) reflects an overwhelming outcry against the proposed project.

This negative response to the proposed project included well-represented feedback from local municipalities, provincial and national government authorities, and National Parks and Provincial Environmental authorities.

The public adverse response to the project included representation from ratepayers' associations, community associations, councils and coalitions, scientists and researchers, representatives of local businesses and a very large number of concerned local residents.

WAPFSA members hereby highlight and reiterate many of the issues raised, especially the contradictions and crucial unresolved questions that cannot be mitigated, such as:

- a. South Africa has a high dependency on fossil fuels and as a result, is responsible for about 50% of Africa's GHG emissions. As one of the top [20 global GHG emitters](#), South Africa will need to make substantial emission cuts.

The proposed TEEPSEA 5/6/7 project will contribute to further emissions which could exacerbate climate change affecting life on both land and in the ocean; such as increased risks of prolonged droughts in an already droughts sensitive region, increased risks of wildfires and coastal systems collapse, climate change-related impacts in the ocean including sea level rise and associated storm swell and change in currents;

- b. [The National Climate Change Response White Paper](#) recommends renewable energy and not fossil fuels (including gas), and the transition to clean energy must be fair and inclusive, leaving nobody



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behind. This project will offer only about 170 local jobs;¹ furthermore, we believe that continuing to associate natural gas with clean energy is disingenuous and misleading;

- c. There are considerable predicted risks of impacts on marine wildlife, habitats, and ecosystems. It is of great concern that the area targeted for drilling encompasses one of the most pristine marine environments in South Africa and globally;
- d. The effects of drilling activities on cetaceans and other mammals and fish include tissue damage; in mammals, behavioural changes could involve changes in time spent at the water's surface, dive times and energy costs due to having to travel greater distances in an attempt to evade the sound. The stress can change body physiology, affecting growth and reproduction and can even result in death. Migratory patterns of large pelagic fish species, as well as their typical behaviour patterns, stand to be affected by drilling activities. These species include various tuna, billfish and shark species;
- e. While the abundance of turtle species in the project area is expected to be low, their exact numbers are unknown. Leatherback, Loggerhead and Green turtles are all found in the area and with six of the seven sea turtle species already endangered, the potential effects of drilling activities on turtle populations could have dire consequences; in addition, the project area overlaps with the Atlantic Southeast 19 IBA (Important Bird Area), which is a distinct area that has been identified to provide essential habitats for bird species;
- f. Spills, be them during regular operations or in the event of a blowout, will have severe impacts on the ecology and economy and the livelihoods of the area; businesses that are the pillars of the local economy will be put at risk; there are risks of reduction in income for secondary and tertiary sectors. Minor spills from refuelling at sea will have an immediate detrimental effect on water quality while there are no studies on the impacts major spills will have on a such biodiverse area including on kelp

¹ Response to DSC Comments



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beds and the consequent potential social-economic effects from any possible degradation of them. Spills will have toxic effects on marine fauna and will also result in the oiling of coastal habitats and seabirds;

- g. Drilling discharges and normal discharges such as deck drainage, machinery space drainage, sewage and galley wastes from the drilling unit and support vessels will all result in turbidity, pollution and a general reduction of water quality in the area;
- h. Short and long-term impacts on human health, on air and water quality; water pollution must be prevented [by law](#). Ballast water discharge from operational vessels will contain a variety of biological materials, including plants, animals, viruses, and bacteria. The discharge of ballast water could lead to the introduction of alien invasive species and cause extensive ecological and economic damage to the local aquatic ecosystems;
- i. Diesel fuel would be used to power generators used in the project, machinery used to power the drilling operations and the support vessels. Aviation fuel would be used for aircraft, helicopters and well flow testing. The combustion of this diesel would result in emissions which would reduce the air quality of the area, contribute to GHG emissions and have respiratory effects on the local communities;
- j. Impacts on fisheries and historically disadvantaged small-scale fishers and vulnerable communities. There are 68 communities that have been registered for small-scale fishing rights, comprising a total of 2031 fishers, and while they are thought to be in the shore of the area of interest, the far-reaching effects of the proposed drilling cannot be known with complete certainty. This would, in turn, affect the income and livelihoods of these communities. The local communities will also be affected in terms of an alteration in sense of place and cultural/spiritual reliance on the sea. Local service providers and suppliers may also have extra pressure placed on them when expected to support the proposed project;



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- k. Impacts on and conflict with well-established businesses and with tourism; reputational risks that have never been assessed. The Western and Eastern Cape both rely heavily on tourism as an important economic activity and the direct and indirect impacts of a drilling project along these coastlines will have detrimental effects on tourism in the area. Hermanus is considered the most well-known area in the country for whale watching and whale-related activities.

- l. Various causes of noise pollution, such as increased underwater noise from vessels, drilling and VSP, noise from the drilling unit, support vessels and helicopter operations, as well as ambient lighting from said operations will result in disturbance of and behavioural changes to marine and coastal faunal species. Marine species could potentially be displaced from important feeding and/or breeding areas and experience a loss of sense of place

- m. On the seafloor, drilling activities and infrastructure placement will result in sediment disturbance. Sedentary benthic species and other relatively immobile species will experience smothering and biochemical effects, such as direct toxicity and bioaccumulation) of the discharge of cuttings, drilling fluid and cement during the well drilling process. No provision appears to have been made for the long-term monitoring of well plugs and other structures that will be abandoned at the end of the project life cycle. Also, alien invasive marine species will also potentially be introduced into the area due to international vessels and equipment being used and ballast water discharge;

- n. There is a possibility of collision hazards due to the equipment being lost and drifting to the surface, which may pose a public health and safety risk. Lost equipment would also pose a significant risk in terms of the entanglement of marine animals;

- o. Activities and mitigation procedures are difficult to be independently monitored or enforced.



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NEED AND DESIRABILITY

The current crisis in global energy markets shows that there is absolutely no reason for South Africa to increase its reliance on fossil fuels. Overall fossil gas expansion is inconsistent with the [Paris Agreement](#) goals, and as a signatory to the Agreement South Africa should not undertake any exploration and investment in the development of new gas projects.

South Africa is committed under the [United Nations Framework Convention on Climate Change \(UNFCCC\)](#) to contribute to the global climate change effort of limiting warming to well below 1.5 degrees above pre-industrial levels.

Investing in fossil fuels explorations is robbing South Africa of the economic opportunity to change its energy to renewables, including producing green hydrogen with electrolysis from solar and wind resources; the demand for green hydrogen is in fact steadily growing; investing in this sector would offer opportunities and build capacity, while significantly reducing in the long-term carbon emissions and environmental risks.

In addition, to properly interpret the [EIA Regulations'](#) requirement to consider "*need and desirability*", it is necessary to turn to the principles contained in [NEMA](#), which serve as a guide for the interpretation, administration and implementation of NEMA and the EIA Regulations.² With regard to the issue of "*need*", it is important to note that this "*need*" is not the same as the "*general purpose and requirements*" of the activity.

While the "*general purpose and requirements*" of the activity might to some extent relate to the specific requirements, intentions and reasons that the applicant has for proposing the specific activity, the "*need*" relates to the interests and needs of the broader public.³

The consideration of "*need and desirability*" in EIA decision-making, therefore, requires the consideration of the strategic context of the development proposal along with the broader societal needs and the public interest. The government decision-makers, together with the environmental assessment practitioners and planners, are therefore accountable to the public and must serve their social, economic and ecological needs

² The Green Connection submission July 2022 (Annexure 4.2 – Comments on the DSR)

³ Ibid



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equitably. Ultimately development must not exceed ecological limits to secure ecological integrity, while the proposed actions of individuals must be measured against the short-term and long-term public interest to promote justifiable social and economic development.⁴

Considering the merits of a specific application in terms of the need and desirability considerations, it must be decided which alternatives represent the "**most practicable environmental option**", which in terms of the definition in NEMA and the purpose of the EIA Regulations are that option that provides the most benefit and causes the least damage to the environment as a whole.⁵

CONCLUSION

South Africa should not undertake any exploration and investment in the development of new gas projects. This also means no new infrastructure for production, refining, exporting and transport. These massive investments in new infrastructure create new fossil fuel dependence,⁶ making the transition to actual low-carbon and no-carbon energy even more difficult.

Numerous legal challenges and countrywide protests against oil corporations demonstrate that the public is against the continuation of fossil fuel explorations in the country. The recent [judgements in Sustain The Wild Coast NPC v Shell Exploration](#) and [Production and Earthlife Africa Johannesburg v Thabametsi Power Project](#), and the ongoing case of [South Durban Community Environmental Alliance v Department of Mineral Resources and Energy](#), indicate the overwhelming position against climate change triggers.

Any proposal attempting to bypass environmental and human rights legislation will be challenged by civil society.

RECOMMENDATIONS

The project should be suspended until an independent objective study can demonstrate the "*need and desirability*" of developing natural gas resources and prove that natural gas exploration and extraction are preferred environmental and socio-economic strategies.

⁴ The South African Constitution, section 24

⁵ NEMA EIA Regulations, Appendix 2, section 1(b)

⁶ Swanson, Levin, Stevenson, Mall & Spencer 2020



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We thank you for the continued engagement and opportunity to comment,

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