

**OPASA Comment Table on the Publication of Draft Marine Sector Plans**

Sector plan	Section	Concern	Comments and Recommendations
Draft Wild Fisheries Sector Plan	Part 4: Proposed marine zones and spatial regulations	The draft sector plan proposes that “mineral and petroleum resources exploration and exploitation activities” be <b>prohibited</b> in areas classified as “I&II: Fisheries Intensive and High Use Areas” due to conflict with the fisheries sector management objectives.	<p><u>Comment:</u></p> <p>OPASA submits that:</p> <ol style="list-style-type: none"> <li>1. There should be a distinction drawn between petroleum exploration and mineral exploration, as these are two different sectors with different objectives and related activities.</li> <li>2. Petroleum exploration and production activities are not in conflict with the Fisheries industry’s objectives.</li> </ol> <p>Exploration activities are conducted over a short period of time, generally amounting to a period of up to three to four months per activity. Such activities are also not permanent and two to three such activities might be undertaken over a full nine year exploration right term.</p> <p>The footprint of such activities is also limited – for example:</p> <ul style="list-style-type: none"> <li>• Seismic – exclusion zone of 1km around vessel and streamers (+/- 8-12km<sup>2</sup>) which continuously move around and may only be on one location for a few hours at a time.</li> <li>• Drilling – 500m safety zone around drilling vessel (+/- 1km<sup>2</sup>)</li> </ul> <p>As a result, the impacts of exploration activities “Fisheries High Intensive” and “Fisheries High Use” areas are temporal in nature and occupy a small footprint. Therefore, fishing and exploration activities are not in direct conflict and can be managed through proper</p>

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			<p>consultation and agreement that minimises the impact on both sectors.</p> <p>Production activities are undertaken over a longer period - up to 30 years. However, the footprint of production activities is relatively small, including a 500m safety exclusion zone around platforms and subsea infrastructures (+/- 1km<sup>2</sup> areas).</p> <p><u>Recommendation:</u></p> <p>OPASA proposes that offshore petroleum exploration and production activities be zoned in the Wild Fisheries Sector Plan as “consent use”.</p> <p>This is in keeping with the statement in Part 6 of the draft Wild Fisheries Sector Plan that the intent is to enable “harmonious co-existence between fishing and other users and activities”.</p>
Draft Marine Underwater Infrastructure Sector Plan	Part 2: Sector development objectives	Recognition of offshore petroleum infrastructure as marine underwater infrastructure.	<p>On the basis that the infrastructure for the offshore petroleum industry constitutes “underwater infrastructure”, OPASA proposes that the following additional objective be added to the development objectives listed on page 6 of the draft Marine Underwater Infrastructure Sector Plan:</p> <ul style="list-style-type: none"> <li>• <i>Development of hydrocarbon pipelines to shore in support of the offshore oil and gas development to produce domestic oil and gas fields to support local economic growth.</i></li> </ul>
	Part 3: Sector development guidelines	Proposed addition to proposed development guideline no. UI SecDG3 described on page 7.	OPASA proposes that the following additional decision making factor be added for consideration when reaching decisions regarding submarine cable and pipeline development:

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			Where no alternative routing options are available, pipelines may be permitted to cross through critical biodiversity areas (CBAs) delineated by DFFE.
Draft Offshore Oil and Gas Sector Pan	General	<p><u>Quantification of sector benefit</u></p> <p>In contrast to other Sector Plans, OPASA submits that the Draft Marine Offshore Oil and Gas Sector Plan does not provide quantitative details of the benefit of the sector to the South African economy.</p>	<p><u>Quantification of sector benefit</u></p> <p>OPASA requests that a value is placed on the economic benefit of potential future developments so that the economic importance can be quantified in contrast with other sectors.</p>
		<p><u>Frequency of Sector Plan Updates</u></p> <p>The updating of sector plans every five years is not suitable to the oil &amp; gas industry.</p> <p>Under the MPRDA, Exploration Rights are granted for an initial period of three years, and thereafter may be renewed for three renewal periods of two years.</p> <p>The potential for an operator to move from reconnaissance to production in less than five years is highly unlikely.</p>	<p><u>Frequency of Sector Plan Updates</u></p> <p>OPASA recommends that it be explicitly stated that any updates to marine sector plans will not impact approvals previously granted to oil &amp; gas operators.</p> <p>This would prevent the occurrence of a scenario where, for example, a development operation that is halfway through its 25-to-30-year lifespan is rendered incompatible with particular area's development objectives.</p> <p>OPASA proposes that offshore exploration and production activities be ring fenced once approved to ensure security of tenure.</p>
	Part 5: Map	<p><u>Delineation of Prospectivity and Exploration &amp; Production Activities</u></p> <p>The "Map depicting the Proposed Oil and Gas Production Zones" included on page 10 of the draft sector plan does not indicate areas of potential prospectivity and areas for current and future exploration activities.</p>	<p><u>Delineation of Prospectivity and Exploration &amp; Production Activities</u></p> <p>OPASA proposes that the map be updated to include prospectivity areas for both current and future exploration and potential development areas.</p>

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	<p>Introduction</p> <p>II (c): Zoning scheme</p>	<p>We refer to the following extract on page 4 of the draft sector plan:</p> <p><i>“The regulations of each zone do not replace existing sector regulations for specific uses (e.g. marine protected area regulations, fisheries regulations, UNCLOS, port regulations). Rather, their specific purpose is to guide development and, in some cases, complement the existing regulations on a spatial planning level. In particular, any licensing that may impact the environment still needs to go through an EIA. EIAs will need to also consider the regulations set out in the respective zoning scheme.”</i></p>	<p>With reference to the statement that “the regulations of each zone do not replace existing sector regulations” OPASA requests that it be clarified that the marine spatial planning guidelines will not impact the security of tenure for Exploration and Production Rights already granted in terms of the MPRDA (as well as any petroleum rights granted in terms of the Upstream Petroleum Resources Development Act, once published). It is further noted that the Environmental Impact Assessments (EIA) conducted in respect of these rights will have already given due consideration to other sea uses.</p>
<p>Draft Biodiversity Sector Plan</p> <p>Marine Sector Plan</p>	<p>Part 4: Proposed marine zones and spatial regulations</p>	<p>In the Broad sea use table, on page 17 of the draft sector plan, it is proposed that (1) the installation of oil and gas pipelines; and (2) petroleum production activities be zoned as <b>not compatible</b> with Biodiversity Conservation Areas and Biodiversity Restoration Areas – see page 17</p>	<p><u>Comment:</u></p> <p>It is noted that exploration activities are proposed to be zoned as “requiring consent” in these areas. However, the exclusion of production activities over Biodiversity Conservation Areas and Biodiversity Restoration Areas, which hold significant potential oil and gas resources would have the effect of sterilising the oil and gas sector in those areas. Operators would not undertake exploration activities over areas in which production activities are prohibited.</p> <p>Furthermore, any prohibition against the installation of offshore pipelines through these areas will have the effect of sterilising the South African oil &amp; gas sector in its entirety, given that the proposed delineation of Biodiversity Conservation Areas and Biodiversity Restoration Areas cut off any potential routes for transport of domestic gas from offshore fields to shore for domestic use.</p>

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			<p data-bbox="1332 119 1451 145"><u>Proposal:</u></p> <p data-bbox="1332 188 2141 323">The proposed classification of pipeline installation and production activities as “not compatible” with Biodiversity Conservation Areas and Biodiversity Restoration Areas is a critical issue for the oil &amp; gas industry.</p> <p data-bbox="1332 367 2141 536">OPASA therefore strongly recommends that the compatibility classification of these sea-use activities be reconsidered in order to preserve the outlook of the oil &amp; gas industry, which is a strategic industry for the South African economy, as more comprehensively set out in our covering letter.</p>