

WHAT YOU NEED TO KNOW

Shell's proposed Northern Cape Ultra Deep (NCUD) oil and gas exploration

RECEIVES ENVIRONMENTAL AUTHORISATION

Appeals are due 29 July 2025

AREA OF INTEREST

The area extends from about 300km offshore of Port Nolloth south along the western coastline towards Strandfontein, about 5,254km² in size. The area is in waters of approximately 2,500m to 3,200m deep.

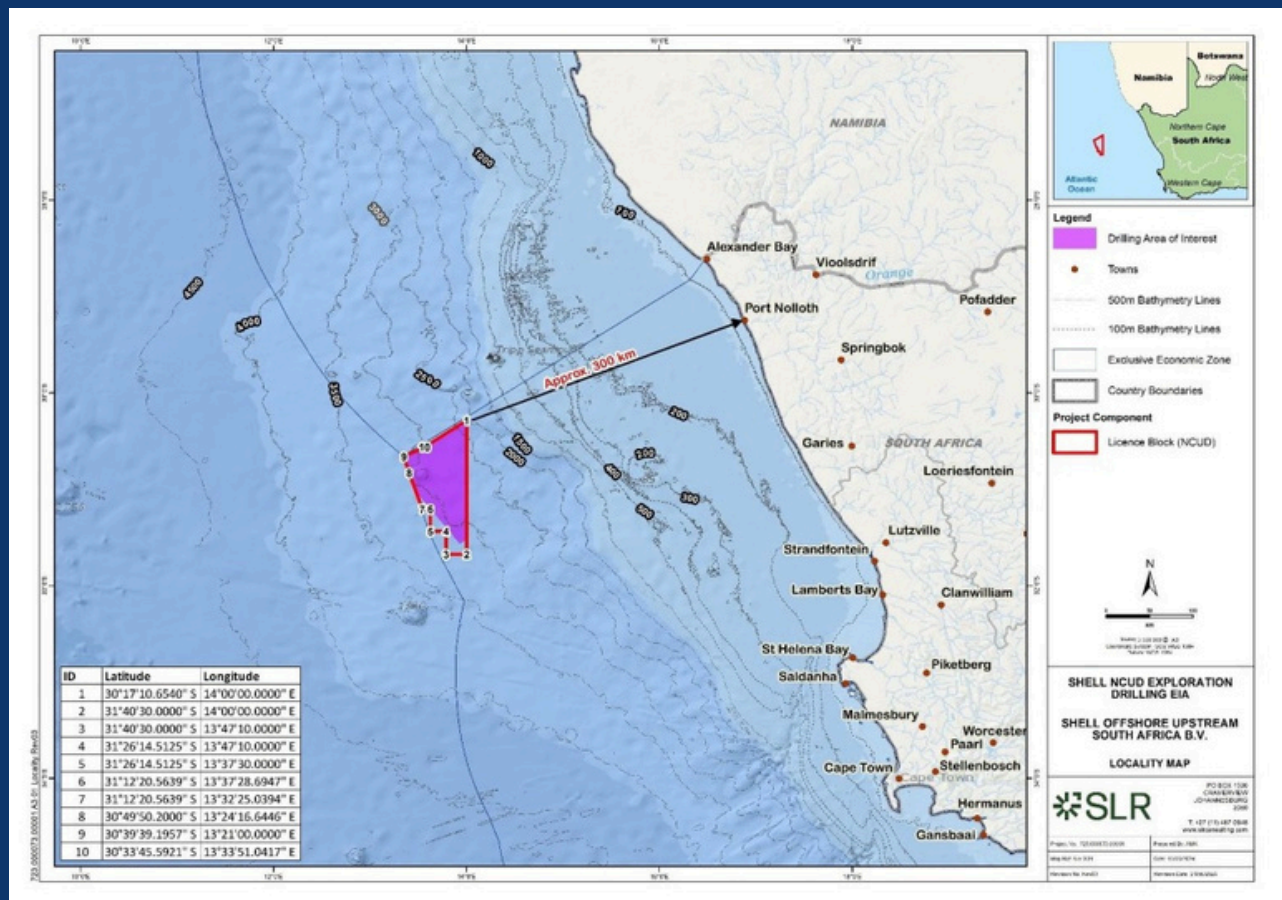
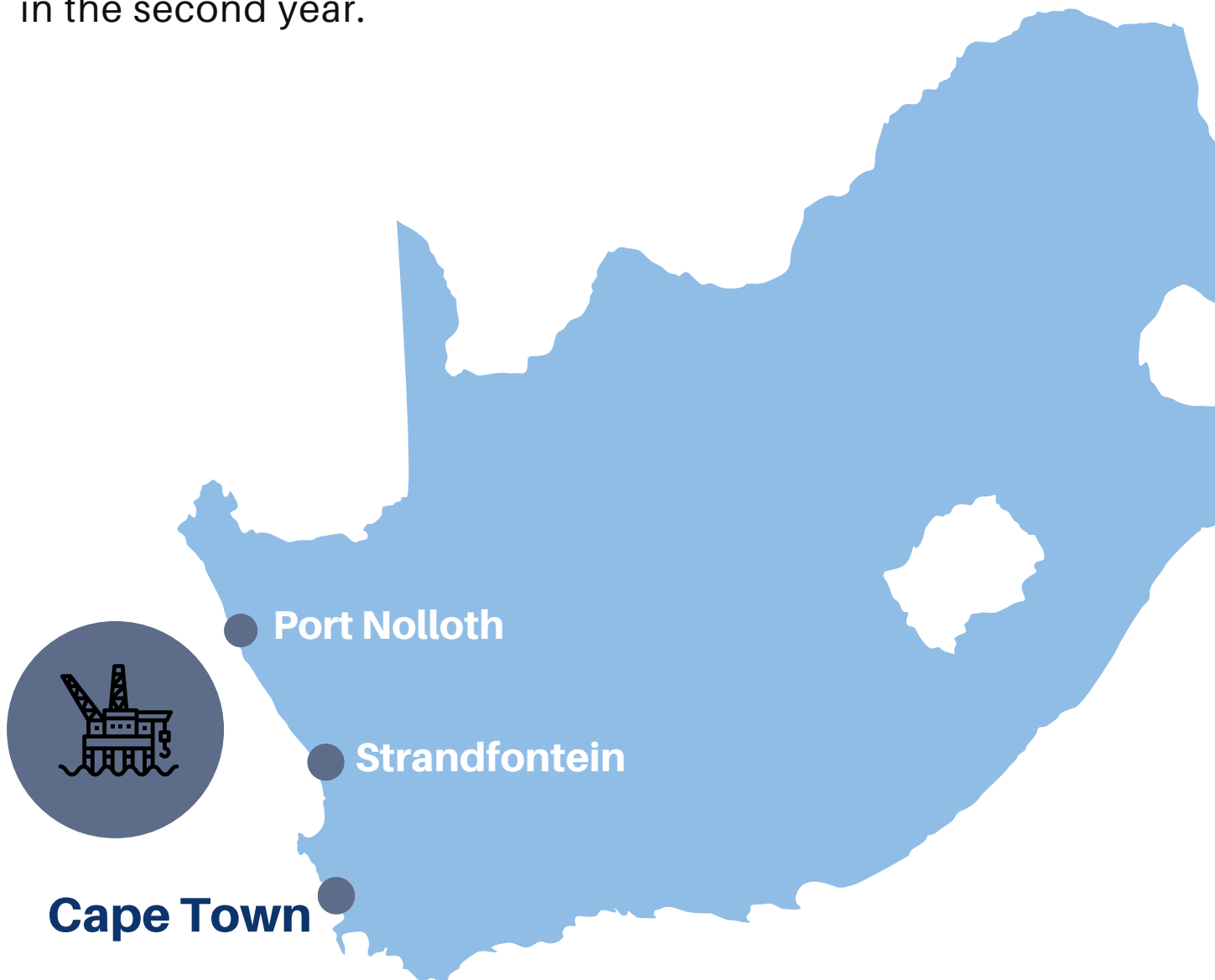


Figure 1: Locality map of Licence Block NCUD off the South African West Coast. Page 5 of the Basic Scoping Report, by SLR accessed here:

<https://www.slrconsulting.com/afr/public-documents/shell-ncud/>.

What happened?

The Environmental Authorisation for the NCUD project has been granted by the Department of Mineral and Petroleum Resources (**DMR/ the Department**). This means that the government has given permission to Shell Offshore Upstream South Africa B.V. and its Joint Venture partners to start drilling activities. They plan to begin these activities in 2026 or 2027. The Environmental and Social Impact Assessment (**ESIA**) assumes that two exploration wells will be drilled in the first year and three in the second year.



The steps to get the approval

- Step **1** **Exploration Right (ER):** An ER is applied for and obtained from the DMR once an Environmental Authorisation has been granted.
- Step **2** **Environmental Impact and Social Assessment (ESIA):** This is a draft research report done by an Environmental Assessment Practitioner (**EAP**). It aims to study how the project might affect the environment and communities. The EAP for this ESIA was SLR Consulting South Africa (Pty) Ltd.
- Step **3** **Public comments:** All registered Interested and Affected Parties (**I&APs**) are given an opportunity to have a say and comment on the draft ESIA report drafted by the EAP.

In December 2024, the EAP published the draft ESIA report to inform communities and other interested and affected people about what they found, including risks, opportunities, impacts and ways to decrease those impacts on the environment and communities.

- Step **4** **Environmental Authorisation (EA):** Based on the final ESIA report and recommendation by the Petroleum Agency South Africa (PASA), the DMR decides whether to grant or refuse EA.



APPROVED:

On 30 June 2025 the DMR approved the EA. This means that Shell has permission to start exploring for oil and gas off the West Coast of South Africa in the NCUD Block. The decision was made according to the National Environmental Management Act (NEMA). See the decision here: <https://cdn.sanity.io/files/b0ecix6u/production/b6f9e552d470fba0acf4c72cb687b6b206cb7b4b.pdf>

What if I am not happy with this decision?

You have the right to appeal



NEMA allows any interested and affected person (I&APs) who disagrees with the decision made by the Department to appeal against the decision. The appeal must be submitted to the Department of Forestry Fisheries and Environment (DFFE) within 20 days from the date the DMR's decision is communicated to I&APs. (**20 days from the date it was communicated (9 July) is 29 July 2025**).

How does it work?



- Anyone who is affected by the project or who participated in the EIA process as an I&AP can appeal;
- You must be registered as an I&AP in order to submit an appeal. You can register as an I&AP by emailing shell-NCUD@slrconsulting.com before submitting your appeal;
- The appeal must be submitted in 20 days from 9 July 2025, when the decision was announced;
- Appeals must be submitted to the Appeals and Legal Review Directorate at DFFE by sending an email to appeals@dffe.gov.za and to Shell - Appeals Coordinator: SNU-NCUD@shell.com

REMEMBER...

This is not sent to the DMR, appeals go to the DFFE as the appeal authority!

What to include in the appeal?



- Full names and contact details like Cell Number, Email Address, Home Address.
- Topic, what you are appealing: 'Shell EA for NCUD'.
- List the reasons why and what you are appealing.
- Add any documents, pictures, or research facts as evidence.
- Conclude by asking the appeal authority to reconsider the decision made by the DMR. If there is a good reason, I&APs can ask for as extension or approval of a late appeal submission.
- Remember to Sign and add the Date!

How to submit your appeal

- Your appeal must be placed on the appeal template and submitted as a Word document. You can find the template here: https://www.dffe.gov.za/sites/default/files/docs/forms/appeals_form.doc. The appeal template only has five rows, you are welcome to add more rows to the template.
- If you received notification (either an email or sms from the EAP) that Shell received the environmental authorisation, your email must include this phrase: "I received notification of the decision on (insert date), so this appeal is submitted within 20 days. Attached is a copy of the notification and the environmental authorisation. I do not have the facilities to send the appeal to all I&APs and request that the EAP sends the appeal to the I&AP database".
- If you did not receive the notification, your email must include this phrase: "I did not receive notification but became aware of the decision on (insert date), so this appeal is submitted within 20 days. I have attached a copy of the environmental authorisation. I do not have the facilities to send the appeal to all I&APs and request that the EAP sends the appeal to the I&AP database".
- Remember, you must attach the environmental authorisation to your email.

What happens next?

DFFE's appeal authority has 50 days to decide the appeal



YES: Appeal is successful!

If the appeal's authority agrees with the appeal, the EA can be cancelled or changes made or sent back for more research and public participation.



NO: Appeal is not successful!

If the appeal's authority dismisses the appeal and agrees with the original decision by DMR, the decision can be taken to court to ask the judge to review the appeal decision and the original decision.

Under the Section 47(7) of NEMA an appeal will automatically stop (or suspend) the EA until the appeal is fully decided. This means that the project must pause, and Shell cannot go ahead with their exploration activities until the appeal authority has considered the appeals and made a final decision.

The DFFE can ask for more information about the project from Shell and make a final decision on the EA. Shell has to share copies of any appeals it receives with all registered I&APs, as well as relevant government departments.

If you submit an appeal, remember that the information you include will be shared with others involved in the process, as required by law.

HAVE YOU THOUGHT ABOUT...

How the DMR's decision and Shell's activities may impact fish and other sea life and the livelihoods of communities such as fishers and those who work in tourism? How will the culture and heritage of Indigenous and local communities be affected? Will the project affect how the sea or beaches are accessed?

Potential concerning impacts identified in the draft ESIA*

*These impacts have been highlighted in specialist reports that are part of the Draft ESIA Report. This is a summary and therefore not all the impacts are described.

Impacts on fish and marine life

The project aspects that will result in underwater noise may cause a behavioural response from fish, and ultimately changes in catch. Depending on the received sound level, noise could impact fish by causing direct physical injury to hearing or other organs, including permanent or temporary shifts in hearing, interference with other biologically important sounds (e.g. communication, echolocation, signals and sounds produced by predators or prey), and causing disturbances to the receptor resulting in behavioural changes including displacement from fishing grounds, important feeding or breeding areas.

Although drilling activities would be undertaken in the offshore marine environment, 300km from the shore, there could still be a direct effect on migratory pelagic species (pelagic seabirds, marine mammals and fish) transiting through the drilling area. Some of the species potentially occurring in the drilling area, are considered regionally or globally 'Critically Endangered' (e.g. Leatherback turtles and blue whales), 'Endangered' (e.g. Black-Browed and Atlantic Yellow-Nosed Albatross and fin whales), 'Vulnerable' (e.g. Loggerhead turtles, Great White shark, Shortfin Mako and sperm whale) or 'Near Threatened' (e.g. Blue shark, Longfin Tuna/Albacore and Yellowfin tuna).

In the event of an oil spill there would be an immediate and direct effect on water quality and detrimental effects on marine fauna. These could range from death (due to toxicity or suffocation) to physiological damage and long-term effects including disruption of behavioural mechanisms, reduced tolerance to stress, and incorporation of toxins into the food chain. If the spill reaches the coast, it can result in the smothering of sensitive coastal habitats.



Impacts on livelihoods

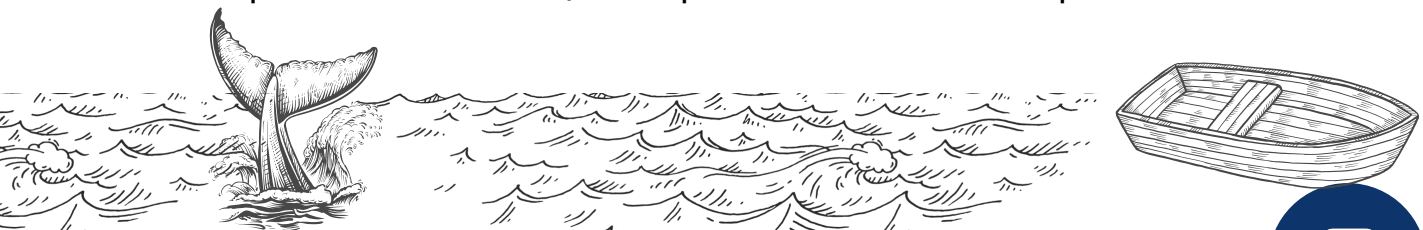
Small-Scale Fishing (SSF) communities are directly reliant on the sea for subsistence and livelihood. Research shows that livelihoods are also influenced by cultural valuations of nature and of place. Secondary livelihood activities, such as seafood restaurants, seaside hotel establishments and entrepreneurs who rely on tourism generated by unique coastal areas are also reliant on the sea. Pollutants arising from operations may affect marine species health and the movement of vessels to the platform may impact SSF mobility along coastal waters.

Drilling impacts may affect the mobility of both key West Coast species (snoek and hake) and their prey in the affected areas. In this regard, it is not only the livelihoods per se that is being affected but potentially also the cultural attachments that people have with these forms of livelihood.

In the event of an oil spill, impacts on fisheries livelihoods include periodic closure of fishing grounds for clean-up and rejuvenation, long-term displacement from fishing areas to minimize pollution effects, lost jobs and unemployment, and lost seafood markets and revenues. Additionally, the displacement of fishing vessels from the oil spill area can disrupt fishing operations, as vessels may need to relocate to alternative fishing grounds, resulting in increased fuel costs and reduced catch.

Impacts on culture and heritage

The sea is described as 'living' waters and is believed to play a critical role in spiritual and health management in indigenous groups specifically (First Peoples and Nguni). The sea is believed to be a living organism that forms part of and sustains a balanced global ecosystem. Any impact on these 'living' waters may therefore impact communication with the ancestors, who are consulted for a diversity of reasons. Impact on the 'living' waters is also considered to be a violation of the ocean (since the ocean is alive). Thus, any potentially negative impact requires specific mitigation (cultural measures to lessen future negative consequences both in the natural and cultural world). In addition, activities can disturb the seabed where ancestral spirits are believed to reside, and polluted water may impact seawater use for health or ritual practices. However, the report identifies these impacts to be limited.



Stay informed and take action



- Attend public meetings about developments in your area and voice concerns directly.
- If the Appeal is not successful, follow up by monitoring Shell's activities and reporting any environmental concerns.



You can access all Shell's project documents by emailing shell-NCUD@slrconsulting.com or access them at www.slrconsulting.com/afr/public-documents/shell-ncud/ and share this information with your neighbours and community.



If you need more information or help with the appeal process, contact:

DFFE Appeals:

Tel: 012 399 9000

Email: appeals@dffe.gov.za.