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Mr Kemraj Parsram
Executive Director
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15th December 2021

Dear Mr Parsram,

Esso Exploration and Production Guyana Ltd (EEPGL): Proposed Yellowtail Project
Public Submission

I refer to the Yellowtail EIA prepared by ERM for EEPGL. I also refer to your email dated 17th November 2021 confirming that the closing date for public submissions is 15th December 2021.

Citizens letter of 10th December 2021

I note that the citizens' letter of 10th December has raised many valuable points about the inadequacy of the EIA produced by ERM. I support the efforts of those citizens to protect Guyana.

In particular I endorse and repeat here their points set out at 1, 2, 3, 4, 6, 7, 8, 9 and 10.

I also submit the following:

1. **Dr Erik Cordes Independent Review**

I attach an 'Independent Review of Environmental Impact Assessment for Yellowtail Development Project, Guyana. Submitted by Esso Exploration and Production Guyana Limited.'

Dr Erik Cordes is an Associate Professor and Vice Chair of Biology at Temple University in Philadelphia. He is an expert i.e. a person who is qualified, has over 20 years' experience of deep sea ecology hydrocarbon seeps, and is recognised by his peers as an expert. He has been chief scientist on 10 research cruises. His details are here <https://schmidtocean.org/person/erik-cordes-pi/>

Dr Cordes' report states that the sections of the EIA that he reviewed are, "missing critical information that is required to make an informed decision."

For example, he points out the paucity of the data relating to fish. You will be aware of the recent collapse in fishing stocks as evidenced by the testimony of Guyana's fishing community and therefore of the need to have accurate and up to date information in order to protect marine wildlife.

Dr Cordes' recommendation is that, "additional data are required to properly evaluate the potential impacts of the proposed project."

His conclusion is that, "... the EIA is deficient and the EPA does not have the scientific and technical information required to make an informed decision about the potential impacts of the proposed project in the Stabroek Block."

Dr Cordes also warns that without this information the Yellowtail project is highly likely to have greater impacts than those indicated.

2. ELAW Comments on Marine Mammals as treated in EIA vol 1 rev 0 Yellowtail Development Project

I attach a review from the Environmental Law Alliance Worldwide Scientific Team. The team includes Dr Heidi Weiskel a marine expert. Her information is here: <https://elaw.org/users/heidi-weiskel>

The ELAW science team point out that ERM's conclusions are incorrect and unsupported by evidence.

ERM claims that the impact of the proposed Yellowtail Project will be negligible. ELAW points to a review of 538 studies of the effects of noise on marine mammals. They conclude that, "This kind of scientific analysis makes it difficult to find the EIA's conclusions of negligible impact credible."

According to the ELAW review, ERM reviewed these studies. In that case the EPA must seriously question the competence of ERM in reaching a conclusion of 'negligible' impact that is contradicted by the science that ERM reviewed. This is particularly blatant as ERM admits that there is 'high confidence that anthropogenic noise negatively affected marine animals.'

The devastating impact of sound on marine mammals is no longer a matter of specialist scientific knowledge but has made its way into general and public knowledge. This is a matter of grave public concern given the rich marine life in the area, including rare and endangered cetaceans.

The ELAW review also points out that the EIA treats light pollution as a positive impact not a negative impact.

In light of these glaring errors, the EPA must seriously question ERM's competence to carry out this EIA.

3. Evaluation of the EIA for the Proposed Yellowtail Development Project: Dr Mark Chernaik

I attach an independent review by Dr Mark Chernaik a science expert as well as a respected lawyer. Dr Chernaik's opinions have been cited in courts in various jurisdictions.

Dr Chernaik points out that the EIA

- (i) fails to address the indirect impacts of greenhouse gas emissions.
- (ii) fails to disclose how the inconsistency with the Glasgow Climate Pact; and
- (iii) fails to contain the required information about waste.

This information is required by law. In light of these deficiencies, the EPA cannot accept the EIA prepared by ERM,

4. Public Submission of 6th June 2021

The EIA produced by ERM has not addressed adequately (or at all in many areas) the issues raised by citizens in their submission of 6th June 2021. I attach that submission.

These issues must be addressed or the EPA must explain with reasons why ERM is not required to do so.

5. Study: Soundscape of the Anthropocene: Duarte et al.

I attach the above study which is referred to in the ELAW Comments.

Conclusion

It is clear that the EIA produced by ERM contains conclusions that are contrary to science, gives assurances that are unsupported by evidence and lacks the technical and other data necessary to provide an adequate professional assessment of the environmental impacts of the proposed Yellowtail Project.

The EPA must therefore reject the EIA and require EEPGL to submit an EIA that meets the required technical and legal standard.

Until that is done the EPA must refuse EEPGL's application for an environmental authorisation.

Please do not hesitate to contact me if you have any questions or require any clarification.

Yours sincerely,
Melinda Janki
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