

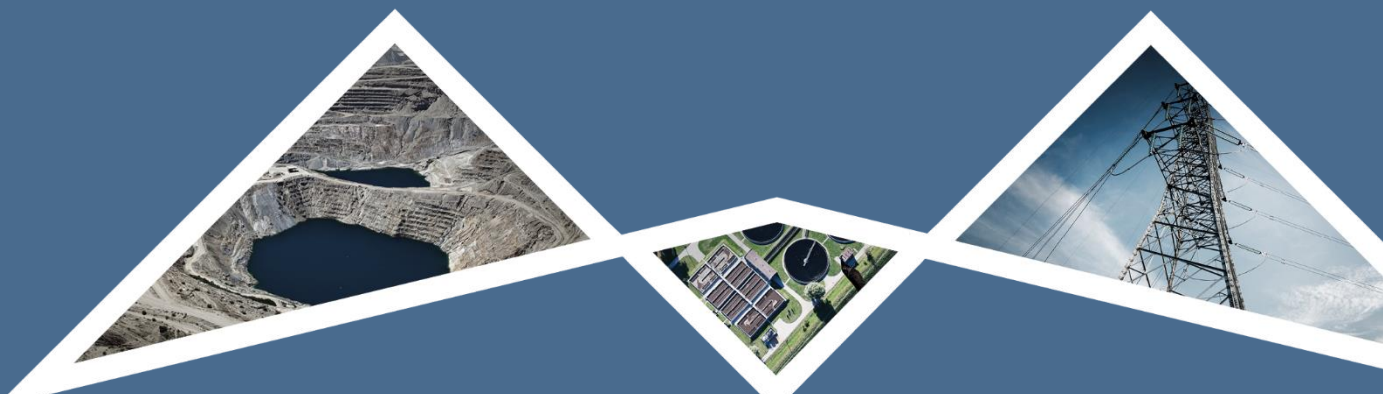


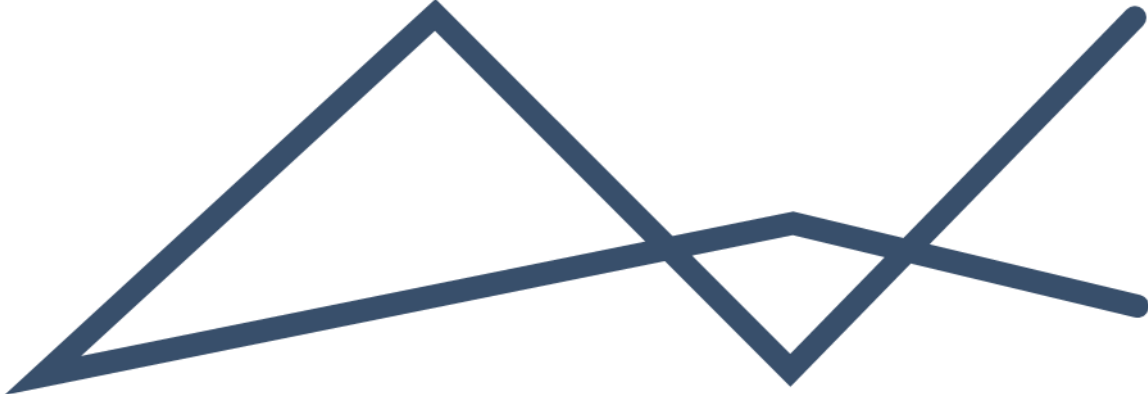
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PUBLIC PARTICIPATION REPORT

PROPOSED TETRA4 CLUSTER 2 GAS GATHERING AND PRODUCTION
PROJECT








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2022/09/02	REVISION 1	PPR – Scoping Report for Competent Authority Submission

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Abbreviation List:

DFFE	Department of Forestry, Fisheries and the Environment
EA	Environmental Authorisation
EAP	Environmental Assessment Practitioner
EIA	Environmental Impact Assessment
EIMS	Environmental Impact Management Services (Pty) Ltd
EMPr	Environmental Management Programme
MRPDA	Mineral and Petroleum Resources Development Act
LNG	Liquid Natural Gas
LHe	Liquid Helium
I&AP	Interested and Affected Party
NEMA	National Environmental Management Act
NEM:WA	National Environmental Management: Waste Act
NEM:AQA	National Environmental Management: Air Quality Act
NWA	National Water Act
PPP	Public Participation Process
PPR	Public Participation Report
WUL	Water Use Licence



1 INTRODUCTION

Tetra4 (Pty) Ltd (hereafter referred to as the applicant) has appointed Environmental Impact Management Services (Pty) Ltd (EIMS) as the Environmental Assessment Practitioner (EAP) to assist with undertaking the required authorisation processes (including the statutory public participation), and to compile and submit the required documentation in support of application for:

- Environmental Authorisation (EA) and amendments in accordance with the National Environmental Management Act- NEMA (Act 107 of 1998).
- Atmospheric Emissions Licence variation in accordance with the requirements of the National Environmental Management: Air Quality Act- NEM:AQA (Act 39 of 2004).
- Waste Management Licence in accordance with the requirements of the National Environmental Management: Waste Act- NEM:WA (Act 59 of 2008).
- Water Use Licence (WUL) in accordance with the National Water Act – NWA (Act 36 of 1998).
- Amendment of Rights Permits or Plans in accordance with Section 102 of the Mineral and Petroleum Resources Development Act – MPRDA (Act 28 Of 2002).

The applicant wishes to expand their natural gas operations, to be located within the approved production right area. This planned expansion to the existing approved production activities will involve up to 300 new production wells, gas transmission pipelines and associated infrastructure, compressor stations and a new combined Liquid Natural Gas (LNG) and Liquid Helium (LHe) plant (“LNG/LHe Plant”) and associated infrastructure as part of the Cluster 2 expansion of the Project in order to meet the future production requirements.

The proposed project falls within the Masilonyana and Matjhabeng Local Municipalities, in the Lejweleputswa District Municipality, Free State Province. The site boundary is ~5km south west of the town of Virginia, ~9km south the town of Welkom and ~16km north of the town of Theunissen. The application area covers approximately 27 500 hectares, and the approximate centre point of the site is located at 28°10'20.47"S and 26°43'50.79"E.

2 OBJECTIVES OF THE PUBLIC PARTICIPATION

South Africa, being one of the countries with the most progressive constitutions, enshrined the public’s right to be involved in decisions that may affect them in its Constitution. Section 57(1) of the new Constitution that provides: “*The National Assembly may (b) make rules and orders concerning its business, with due regard to representative and participatory democracy, accountability, transparency and public involvement*”. This provision, along with several others gave rise to many new trends in South African legislation. In environmental legislation, the idea of public participation (or stakeholder engagement) features strongly and especially the National Environmental Management Act (Act 107 of 1998, NEMA) and the recent regulations passed under the auspices of this Act makes very strict provisions for public participation in environmental decision-making.

Public participation can be defined as...“*a process leading to a joint effort by stakeholders, technical specialists, the authorities and the proponent who work together to produce better decisions than if they had acted independently*”¹. From this definition, it can be seen that the input of the public is regarded as very important indeed.

The PPP is designed to provide sufficient and accessible information to Interested and Affected Parties (I&APs) in an objective manner to assist them to:

¹ Greyling, T. (1999) Towards Managing Environmental Disputes: Appropriate Public Participation. Prepared for Conference on Environmental Dispute Resolution 10-11 June 1998, Fourways, Gauteng, Manyaka Greyling Meiring (Pty) Ltd, South Africa



- During the Scoping and Environmental Impact Assessment (EIA) Process:
 - Contribute relevant local information and knowledge to the environmental assessment;
 - Verify that their issues have been recorded;
 - Comment on the findings of the environmental assessments; and
 - Provide relevant local information and knowledge to the environmental assessment.

The PPP is a requirement of several pieces of South African Legislation and aims to ensure that all relevant I&APs are consulted, involved and their opinions are taken into account and a record included in the reports submitted to Authorities. The process ensures that all stakeholders are provided this opportunity as part of a transparent process which allows for a robust and comprehensive environmental study. The PPP for the necessary authorisation required for the proposed Tetra4 Gas Gathering and Production Project needs to be managed sensitively and according to best practises in order to ensure and promote:

- Compliance with international best practice options;
- Compliance with national legislation;
- Establishment and management of relationships with key stakeholder groups; and
- Encouragement of involvement and participation in the environmental study and authorisation/approval process.

As such, the purpose of the PPP and stakeholder engagement process is to:

- Introduce the proposed project and process for the authorisation project;
- Explain the environmental authorisation;
- Determine and record issues, concerns, suggestions, and objections to the project;
- Provide opportunity for input and gathering of local knowledge;
- Establish and formalise lines of communication between the I&APs and the project team;
- Identify all significant issues for the project; and
- Identify possible mitigation measures or environmental management plans to minimise and/or prevent negative environmental impacts and maximise and/or promote positive environmental impacts associated with the project.

This Public Participation Report (PPR) lists all verbal and written issues raised by I&APs and stakeholders from the 30-day initial notification and call to register period from the 20 May 2022 to date. A breakdown of the PPP is given within the remaining sections of this PPR.

2.1 LEGAL COMPLIANCE

The PPP must comply with all environmental legislation that requires public participation as part of an application for authorisation or approval; namely:

- NEMA;
- NEM:WA
- NEM:AQA; and
- NWA.



Adherence to the requirements of the above-mentioned Acts will allow for an Integrated PPP to be conducted, and in so doing, satisfy the requirement for public participation referenced in the Acts. The details of the Integrated PPP are provided below.

3 IDENTIFICATION OF INTERESTED AND AFFECTED PARTIES (I&APS)

An initial I&AP database has been compiled from historic projects in the area and Windeed searches to obtain the contact details of the affected and surrounding landowners. The I&APs referred to in the PPR include:

- Pre-identified and registered landowners and surrounding/adjacent landowners;
- Pre-identified and registered key stakeholders;
- Regulatory authorities;
- Specialist interest groups; and
- All I&APs who responded to the initial notifications and requested to be registered.

Efforts to pre-identify key I&APs involved various avenues such as consultation with the proponent and known landowners within the study area, review of related previously conducted studies, and identification of key interest groups and authorities within the vicinity of the study area and municipality. Refer Appendix B 1 for the Key Stakeholder/I&AP Database.

All landowners whose properties are within the study area have been notified about the project via post, fax and/or email as well as through advertisements and/or site notices inviting them to participate in the EIA process. Refer to Appendix B 2 for the landowner, key stakeholder and I&AP initial notifications.

3.1 LIST OF AUTHORITIES NOTIFIED

The following authorities, but not limited to, were notified of the proposed project and invited to participate in the public participation process:

- Free State Development Corporation
- Free State Department of Cooperative Governance and Traditional Affairs
- Free State Department of Economic, Small Business Development, Tourism and Environmental Affairs
- Free State Department of Mineral Resources and Energy
- Free State Department of Police, Roads and Transport
- Free State Department of Public Works and Infrastructure
- Free State Department of Water and Sanitation
- Free State Development Corporation
- Free State Heritage Resources Authority
- Lejweleputswa District Municipality
- Masilonyana Local Municipality
- Matjhabeng Local Municipality
- National Department of Agriculture, Land Reform and Rural Development;
- National Department of Forestry, Fisheries and the Environment;
- National Department of Transport
- National Department of Water and Sanitation; and
- National Department of Mineral Resources
- National Energy Regulator of South Africa
- National House of Traditional Leaders
- Sedibeng Water
- South African Heritage Resources Agency (SAHRA).



3.2 LIST OF OTHER KEY I&APS AND STAKEHOLDERS IDENTIFIED AND NOTIFIED

The following key I&APs, but not limited to, were notified of the proposed project and invited to participate in the public participation process:

- AFGRI Agri Services
- African Carbon Energy (Pty) Ltd
- AFRI forum
- Agri Free State
- Agri South Africa
- Birdlife SA
- Botanical Society
- Centre for Environmental Rights
- Conservation South Africa
- Council for Geoscience
- CSIR
- Earth Life Africa
- Endangered Wildlife Trust
- Eskom Holdings SOC Ltd;
- Federation for a Sustainable Environment
- Free State Wetland Forum
- GroundWork SA
- Local Ward Councillors
- Matjhabeng Ratepayers Association
- National Farmers Union
- Sibanye Stillwater
- South African National Biodiversity Institute
- South African National Roads Agency Ltd: Eastern Region
- Tara Wildlife SA
- Transnet SOC Ltd
- World Wildlife Fund

4 NOTIFICATION OF INTERESTED AND AFFECTED PARTIES

This section provides details on the notifications that were distributed as part of the consultation process to date.

4.1 INITIAL NOTIFICATION OF LANDOWNERS AND I&APS

The PPP commenced on the 16th May 2022 with an initial notification and call to register ending on the 21st June 2022. Notification during this initial consultation was given in the manner described below.

4.1.1 REGISTERED LETTERS, FAXES AND EMAILS

Notification letters in English, Afrikaans and Sesotho were distributed to pre-identified I&APS through either registered mail, faxes, and/or emails. Please refer to Appendix B 2 for initial notification and proof of initial notification.

The notification documents included the following information:

- List of anticipated activities to be authorised;
- Sufficient detail of the proposed development to enable I&APs to assess/surmise what impact the development will have on them or on the use of their land;
- The purpose of the proposed project;
- Details of the application processes associated with proposed activities;
- Details of the affected properties (including a locality map);



- Details of the South African environmental legislation that must be adhered to;
- Date by which the I&AP must register and send comments through to EIMS;
- Contact details of the EAP.

4.1.2 NEWSPAPER ADVERTISEMENTS

Advertisements describing the proposed project and EIA process were placed in the Vista Newspaper (in English, Afrikaans and Sesotho) with adequate circulation in the vicinity of the study area on the 19th May 2022. A notice was also placed in the Free State Provincial Gazette on the 01st July 2022. The newspaper advert and notice included the following information:

- Project name;
- Applicant name;
- Project location;
- Nature of the activity;
- Legislative requirements; and
- Relevant EIMS contact person for the project.

Please refer to Appendix B 3 for proof of adverts and notices placed.

4.1.3 SITE NOTICE PLACEMENT

Seventy-Eight (78) A1 Correx site notices (in English, Afrikaans and Sesotho) were placed at 78 locations along, within and surrounding the perimeter of the proposed project study area on the 16th-19th May 2022. The on-site notices included the following information:

- Project name;
- Applicant name;
- Project location;
- Map of proposed project area;
- Project description;
- Legislative requirements; and
- Relevant EIMS contact person for the project.

Please refer to Appendix B 4 for proof of site notice and site notice distribution.

4.2 NOTIFICATION OF INTERESTED AND AFFECTED PARTIES OF SCOPING REPORT AVAILABILITY

Notifications (in English, Afrikaans and Sesotho) regarding the availability of the Scoping Report were distributed to pre-identified and registered I&APs through either faxes, registered mail, SMS and/or emails. The notification included details regarding where hard copies of the reports can be accessed.

Contact details were provided to I&APs if they require assistance accessing the information or require copies of the reports.

The Scoping report and associated appendices were made available for public review and comment from the 30th of July 2022 to the 30th of August 2022 at the Virginia Public Library. An additional hard copy of the report was placed at the Welkom Public Library.



Please refer to Appendix B 5 for proof of Scoping Report notification.

4.3 KEY STAKEHOLDER AND PUBLIC MEETINGS/OPEN DAYS

During the scoping report review period a series of focus group meetings and open days were held with different stakeholders to present the findings from the scoping report and solicit comments.

Community focus group meetings were held on the 23rd of August 2022 with the communities within the application area to present a high-level summary of the scoping report and to solicit comments regarding the project. The meetings were held at the Stilte Community Primary school, and at the Adamsonvley Community Primary School, from 12pm to 2pm and from 4pm to 6pm, respectively.

A Landowner Focus Group Open Day was held on the 24th August 2022 at the Goldfields Game Ranch between 10am and 4pm, subsequently followed by a Landowner Focus group meeting between 5pm and 7pm with the pre-identified and registered affected and adjacent landowners. A high-level summary presentation of the scoping report and its findings were presented whereafter discussions were held.

A public open day was held on the 25th August 2022 at the NG Virginia Kerk, Virginia between 10am and 5pm to present a high-level summary of the Scoping Report. I&APs were invited to attend the open day. The findings from the Scoping Report were presented and discussions based on the findings were also undertaken.

Please refer to Appendix B 6 for Public Open Day documentation.

4.4 SUMMARY OF PUBLIC PARTICIPATION OPPORTUNITIES

The table below provides a summary of the opportunities provided to I&APs for participation in the public participation process to date.

Table 1: Opportunities Provided for Public Participation

PUBLIC PARTICIPATION PHASE				
ACTION	DESCRIPTION	PUBLICATION/PLACE	DATE	
Initial Public Notification (announcement of project and call to register)	Newspaper advertisements	Vista Newspaper (English, Afrikaans and Sesotho)	19 May 2022	
	Placement of site notices.	78 A1 site notices (English, Afrikaans and Sesotho) within and around the study area (78 placement locations).	16 - 19 May 2022	
	Notification of landowners, occupiers, and other key I&APs.	Affected landowners and key I&APs were notified via email, fax, and/or post (English, Afrikaans and Sesotho).		20 May 2022
		Government Gazette (English, Afrikaans and Sesotho)		01 July 2022
Scoping report public review and comment period	Notification of landowners, occupiers, and other key I&APs (including Authorities, NGO's etc).	Affected landowners, legal occupiers, key and registered I&APs were notified via email, fax, SMS and/or post.	30 th of July 2022 to the 30 th of August 2022	



PUBLIC PARTICIPATION PHASE			
ACTION	DESCRIPTION	PUBLICATION/PLACE	DATE
		Hard Copies of the report were placed at the Virginia and Welkom Public Libraries. A digital copy of the report was made available on the EIMS website.	
	Notification of landowners, occupiers, and other key I&APs.	Affected landowners, legal occupiers, and key I&APs were notified via email, fax, and/or SMS.	05 th August 2022
Public Open Days and Focus Group Meetings	<ul style="list-style-type: none"> • Stilte Community • Adamsonvley Community • Landowner Focus Group Open Day • Landowner Focus Group Open Day and Meeting • Public Open Day 	<ul style="list-style-type: none"> • Stilte Community Primary School • Adamsonvley Primary School • Goldfields Game Ranch • Goldfields Game Ranch • NG Virginia Kerk 	<ul style="list-style-type: none"> • 23rd Aug 2022 (12pm – 2pm) • 23rd Aug 2022 (4pm – 6pm) • 24th Aug 2022 (10am – 4pm) • 24th Aug 2022 (5pm – 7pm) • 25th Aug 2022 (10am – 5pm)

5 NOTIFYING INTERESTED AND AFFECTED PARTIES OF THE DECISION

Registered I&APs will be notified via either fax, registered mail, SMS and/or email (where contact details are available) of the decision once available including the appeal process should they wish to appeal the decision.

6 RECORD OF ISSUES RAISED

The summary of comments presented in the sub-section below are those that have been received and addressed from 20 May 2022 to date.

6.1 Summary of Comments Received

A high-level summary of the comments raised to date are presented below.

- Concerns of water availability to farmers and air quality impacts of the proposed project.
- Groundwater contamination concerns.
- I&AP deregistration.
- I&AP registration.
- KMZ file request by Eskom.
- Notification of ongoing PV Authorization project from EAP within project area notification, locality map sharing and BID documents.
- Request for a list of farms to be affected by the proposed developments.
- Seeking of potential business opportunities from the proposed development.



- Transnet commented that the proposed development does not affect their pipeline servitudes in the region.
- SAHRA provided an interim comment that a comment is to be provided once a HIA and draft EIA Report are made available for comment.
- Query regarding website document accessibility.
- Requests by various members of the community for jobs as well as other specific services such as electricity, skills upliftment, etc.
- Concerns by NGO's about the living standards of the community members.
- NGOs highlighted the possible confusion regarding Tetra4 vs Renergen and how the two companies relate to this project.
- Concerns that impacts on landowners seem to have been underestimated.
- Concerns regarding the project's impacts on the safety, livelihoods and land value for landowners.
- Access road degradation concerns from landowners.
- Request by landowner for more detail on infrastructure specific location and timing of the project aspects.
- Request by landowner for more detail on logistics regarding access and maintenance of Tetra4 infrastructure on farmlands as well as contractual concerns.

All comments and/or queries received to date are appended to this report and presented in Appendix B 7 and Appendix B 8 for submission to the competent authority, the Petroleum Agency SA (PASA). Please refer to Appendix B 7 for the table of comments and responses and then Appendix B 8 for proof of correspondence.

7 CONCLUSION AND RECOMMENDATIONS

This report has been updated for submission to the PASA, following the 30-day public review period of the Scoping Report and associated appendices.