

Eskom Boynton Project
DEA Ref nr 14/12/16/3/3/1/497
NEAS Ref DEA/EIA/0001056/2012
Draft Basic Assessment Report
Appendix E1
Comments and Responses Report

Report prepared for Eskom Holdings SOC Ltd.
Report prepared by Texture Environmental Consultants.

The objective of this report is to supply all proceedings, findings and recommendations pertaining to the Public Participation Programme.

1 Introduction and Scope of Report

Eskom Holdings SOC (Pty) Ltd. (Eskom) proposes the upgrading of the electricity infrastructure in the Lebowakgomo area in the Limpopo Province. The current demand for electricity periodically exceeds the supply thereof in the area, and for this reason the electrical infrastructure needs to be upgraded. Furthermore, at present when a fault occurs along the exiting line, many towns are devoid of electricity, causing negative socio-economic impacts on households and businesses in these areas. In addition the

Eskom has appointed *Texture Environmental Consultants* to undertake the following activities as part of the proposed electrification project:

- Identification of potential alternative corridor routes for a 13.29km 132kV kingbird power line between the existing Lebowakgomo substation to the new Dithabaneng substation;
- Identification of potential alternative corridor routes for a 8.67km 132kV kingbird power line from the Dithabaneng substation to the new Dwaalkop substation;
- Identification of a potential alternative corridor route for an approximately 1.2km 132kV loop-in-loop-out (lilo) line from the Middelpunt-Dithabaneng 132kV line to the proposed Boynton substation;
- The project involves identification of a 100m corridor within which Eskom would be able to locate a 31m servitude for the powerline *between Lebowakgomo substation and Dwaalkop substation, and of 52 metres wide for the lilo line to Boynton substation*. The servitude is required for maintenance purposes.
- Identification of a site for the establishment of a 2X10MVA 132/22kV Boynton Substation with 4X 22kV feeder bays on a terrain of 200x200m;
- Identification of potential corridors to construct an access/ construction road of 8 meters wide for the line and substation.

As part of the BA process, this report (i.e. Public Participation Report) is attached as Appendix E1 to the Draft Basic Assessment Report (DBAR). Texture has taken cognisance of the requirements for public participation in terms of the current EIA Regulations (2010), and has ensured that the public participation principles are upheld. A successful Public Participation Programme (PPP) is one that is inclusive, actively engages the public and provides ample opportunity for the public to participate in the process. This document provides an overview of the PPP undertaken as part of the BA process for the proposed project.

The purpose of the PPP is to ensure that the issues, inputs and concerns of Interested and Affected Parties (IAPs) are taken into account during the decision-making process. This requires the identification of IAPs (including authorities, technical specialists and the public), communication of the process and findings to these IAPs and the

facilitation of their input and comment on the process and environmental impacts, including issues and alternatives that are to be investigated. The steps taken during the execution of the PPP undertaken for this project are detailed in the section that follows.

2. Project initiation

2.1 Submission of Application form

An Application form (Appendix E2) was submitted to the Department of Environmental Affairs (DEA) on 1 March 2012. DEA acknowledged receipt and acceptance of this application on 12 March 2012 and issued the DEA Ref 14/12/16/3/3/1/497 and NEAS Ref DEA/EIA/0001056/2012. (Appendix E3).

2.2 Identification of Interested and Affected Parties

- The PPP for the project was initiated with the development of a comprehensive IAP database. The list of IAPs was updated on a regular basis during the course of the project as additional IAPs were identified. Refer to Appendix E4: Register of Interested and Affected Parties.
 - Department of Water Affairs: Water Resources & Water Quality Management
 - South African Heritage Resources Agency
 - Limpopo Heritage Resource Authority
 - Limpopo Department of Economic Development, Environment and Tourism: Environmental Impact Management
 - Department of Agriculture, Forestry and Fisheries: Land Use and Soil Management
 - Department of Minerals and Energy
 - Department of Cooperative Governance, Human Settlement and Traditional Affairs
 - SA National Road Agency Ltd.: Northern Region
 - Road Agency Limpopo
 - Department of Roads and Transport
 - Department of Rural Development and Land Reform: Land Claims Commissioner
 - Department of Rural Development and Land Reform: State Land Administration
 - Endangered Wildlife Trust
 - Platmin Limited
 - Minmetals First Chrome Mining Co (Pty) Ltd
 - SRK Consulting
 - Capricorn District Municipality
 - Lepelle-Nkumpi Local Municipality
 - Eskom Transmission
 - Eskom Distribution Northern Region
 - Ledwaba Traditional Authority
 - Mphahlele Traditional Authority
 - Landowners

3. Public notification

A consultation process was undertaken with intent of informing key community stakeholders, comprising any Tribal Authorities, the Municipal structures and the local communities (directly affected people) about the proposed development and the Basic Assessment process underway.

Public participation plays an important role in the compilation of environmental reports as well as the planning, design, and ultimately the implementation of the project. Public participation is a process leading to informed decision-making, through joint effort by the proponent, technical experts, governmental authorities, and systematically identified IAPs.

3.1 Public Notice (Poster)

A2 laminated on-site notices/posters informing IAPs of the application were placed at key points on 26 April 2012. These posters, in English and Northern-Sotho, were placed, at the following locations:

(Refer to Appendix E6: Proof of site notices)

- At the entrance to the offices of the Mphahlele Tribal Authority
- At the entrance to the offices of the Ledwaba Tribal Authority

3.2 Background Information Document

A Background Information Document (BID) was compiled, which provided a description of the proposed project and information on the BA process to be followed. The purpose of this document was to inform all IAPs about the project and afford them an opportunity to comment.

Copies of the BID were emailed to the relevant authorities, affected Tribal Authorities and relevant organisations on 23 March 2012 with due date for comment by 2 May 2012. Copies of the notification letters to IAPs are included at Appendix E7.

3.3 Advertisements

In fulfilment of the EIA Regulations, G.N. R543 Section 54, advertisements (Appendix E8) were placed in the following newspapers:

- Capricorn Voice on 28 March 2012 to notify of the proposed project.
- Capricorn Voice on 14 November 2012 to advertise the availability of the draft BAR.

Refer to Appendix E8: Proof of newspaper ad.

(Proof of placement in newspaper of 14 November 2012 was not available at the time of publishing of the draft BAR)

3.4 Landowner notification

Eskom relies on the goodwill of landowners and interested and affected parties to obtain rights of way, or servitudes for power lines. Hence, the landowners throughout the project area play an important roll in assisting with the identification of potential powerline corridors and substation site locations. Traditional Authorities, should also be consulted as they are of the landowners within the project area. In all communities affected there is already a functioning tribal system, which is successfully used for informing community members and to obtain feedback from them. Information received from the Department of Rural Development and Land Reform as well as the Regional Land Claims Commissioner indicated the relevant traditional authorities. The traditional authorities that have been consulted and perceived to have been affected (taking into account all alternative route corridors) throughout the study area are as follows:

- Mphahlele Traditional Authority
- Ledwaba Traditional Authority
- Tau Mankotsane Traditional Authority

The traditional authorities received notification letters by hand on 26 April 2012.

Contact details of all other landowners impacted by the project were obtained using Windeed or by investigation by foot of the power line route corridors. With the assistance of the Lepelle-Nkumpi Local Municipality, 35 homeowners were identified to be within the broader corridor of the powerline route. The affected properties are on the farm Voorspoed 458KS, Portions 11,15,16,17,9. On 27 August 2012 and 5 September 2012 these landowners/homeowners were visited, accompanied by the Lepelle-Nkumpi Local Municipality, and notified of the project. Letters with project information were hand delivered and comments were requested. Comment forms were signed by these landowners. (Refer to Appendix E11 for the completed comment forms). Of the 35 houses visited, 18 were unoccupied. Letters of notification were left at these premises/structures and/or handed to neighbours for delivery.

4. Meetings and site visits

4.1 Public meeting/ open day and site visit

- Notification of an information meeting/ open day was sent to all IAPs on 20 April 2012. The open day was conducted on 16 May 2012 at the Pietersburg Golf Club, Polokwane. The purpose of the meeting was to furnish all interested parties with information regarding the extent of the project, the proposed alternatives, the process of negotiations for servitudes, and the extent of the Environmental Impact Assessment Process. Project posters with information and maps of the routes were presented at the open day. Written comment was requested at the information meeting. The information meeting was conducted in the format of an open day with an invitation for attendance between 11h00 to 12h00 and a site visit for key stakeholders from 12h00 to 13h00. None of these key stakeholders, i.e. Department of Water Affairs, Department of Economic Development, Environment and Tourism and Capricorn District Municipality could attend the open day. The Lepelle-Nkumpi Local Municipality attended the site visit. No comment was received at the open day. (Refer to Appendix E9 for the attendance register and Appendix E10 for the request for comment form that was provided at the meeting).

4.2 Focus group meetings / One-on-one meetings

Key stakeholders were identified at the beginning of the PPP, these included: Traditional Authorities; key stakeholders, commenting authorities and landowners. One-on-one meetings were conducted with all landowners to assist in the identification of potential powerline corridors. (refer to Appendix E5 for the register of landowners).

4.2.1 Traditional Authorities

Meetings were conducted with the identified Traditional Authorities to obtain their requirements and comments. These meetings will in addition serve as pre-resolution meetings.

4.2.1.1 Mphahlele Traditional Authority

Meetings were held with the Mphahlele Traditional Authority on the following dates:

- 7 June 2012 (Meeting to introduce project)
- 20 July 2012 (Formal introduction meeting)
- 25 September 2012 (Meeting to arrange Public Participation meeting)
- 12 October 2012 (Public Participation meeting – Attendance register attached in Appendix E9).

4.2.1.2 Ledwaba Traditional Authority

Meetings were held with the Ledwaba Traditional Authority on the following dates:

- 26 April 2012 (Meeting to introduce project and to arrange public participation meeting)
- 19 June 2012 (Public Participation meeting – Attendance register attached in Appendix E9).

4.2.1.3 Tau Mankotsane Traditional Authority

Meetings were held with the Tau Mankotsane Traditional Authority on the following dates:

- 26 April 2012 (Meeting to introduce project and to arrange public participation meeting)
- 27 June 2012 (Public Participation meeting – Attendance register attached in Appendix E9).

5 Comments received

The Public Participation Programme allowed for informed and responsible decision-making by all interested and affected parties. A summary of IAP comments and the consultants' responses to these comments is provided below. The original IAP comments are included in Appendix E11.

5.1 Comments received in the notification phase

This section of the report synthesises the issues and concerns identified by interested and affected parties and various stakeholders during the public participation process and can be summarised as follows:

5.1.1 Verbal Comment received

At the Public Participation meeting on 12 October 2012 at the Mphahlele Traditional Authority the following comments were received:

- Mr Mazwi requested information on the location of the portions of the farm Voorspoed. *Response: It was indicated to him on the plan.*
- Mr Ngwana Mosadi enquired if the contractor will be introduced to the community. *Response: He was assured of this.*
- Mr DI Mphahlele requested an explanation of the difference between overhead and underground power lines. He confirmed his support for the upgrading of the power network in their area. *Response: Explanation provided.*
- Mr PA Mphahlele requested the existing power line to his house to go overhead and not underground. *Response: This is not within the scope of this EIA and he should take it up with the Municipality.*
- Pebetse Ntabiseng (Mphahlele Traditional Authority) asked if the Municipality will be informed re the project. *Response: The Municipality is a registered IAP.*
- Philani Mphahlele asked if 3 phase is stronger than single phase. *Response: No.*
- Maphadi Matabata commented that the project is welcomed. *Response: Noted.*
- General: The community is positive towards the project and commented that they welcome the development.

(Refer to the Attendance Register attached in Appendix E9)

5.1.2 Written Comment received

(The original IAP comments are included in Appendix E11)

Department of Water Affairs

23 March 2012

Comment:

Registered as IAP. Relevant official is indicated.

Response:

Noted.

Lepelle-Nkumpi Local Municipality

11 April 2012

Comment:

Community Services registered as IAP.

Response:

Noted.

South African National Road Agency SOC Ltd

20 April 2012

Comment:

No SANRAL routes appear to be affected. The nearest SANRAL route is the R37, which is not affected. SANRAL requested not to be registered as an IAP and will not attend the open day.

Response:

Noted.

Lepelle Nkumpi Local Municipality, Community Services

23 April 2012

Comment:

They raised concern about the venue chosen for the briefing. They are of the opinion that it will disadvantage those affected parties who cannot travel this far. They requested the venue to be changed to accommodate all that are interested and affected.

23 April 2012

Response:

This public participation meeting was only intended for key stakeholders - mostly all of them are situated in Polokwane. The affected landowners are all seen individually and in focus groups to attend to their specific requirements. The aim of this meeting was to accommodate the government departments etc who might want to attend the information meeting. Not all of them would want to go on the site visit. For that reason it is better to have the meeting in Polokwane. Otherwise all of them had to drive to Lebowakgomo just for the meeting. The venue was specifically chosen to accommodate the majority of key stakeholders.

25 April 2012

Comment:

The Municipality replied that the response by the EAP is noted.

Department of Economic Development, Environment & Tourism, Capricorn District

11 May 2012

Comment:

Not able to attend the public participation day.

Response:

Noted.

Department of Rural Development and Land Reform, Land Reform Office, Limpopo

7 June 2012

Comment:

The department stated the farms that are state land allocated to certain tribal authorities. In addition, the procedures to be followed with regards to consultation with these tribal authorities are stipulated.

Response:

Noted. During the course of the EIA, all affected landowners and land rights holders are identified and consulted with regarding the proposed projects. A negotiator has also been appointed by the applicant to consult with land rights holders and to conduct resolution meetings. Further negotiations are taking place to confirm the details for the acquisition of the servitudes and compensation.

Department of Rural Development and Land Reform, Land Claims Commissioner, Limpopo

19 June 2012

Comment:

Regional Land Claims Commissioner stated that the Mphahlele Tribe lodged land claims against the farm Voorspoed 458 KS.

Response:

Refer to response above. The Mphahlele Traditional Authority was consulted at various occasions i.e. 7 June, 20 July, 25 September, 12 October 2012. In addition refer to 5.1.1 for feedback received at a public participation meeting with the Mphahlele Traditional Authority.

Mphahlele Traditional Authority

1 August 2012

Comment:

The Mphahlele Traditional Council has no objection to the project and confirms their support.

Response:

Noted.

Homeowners on Voorspoed 458KS, Portions 11,15,16,17,9

On 27 August 2012 and 5 September 2012 these landowners/homeowners were visited, accompanied by the Lepelle-Nkumpi Local Municipality, and notified of the project. Letters with project information were hand delivered and comments were requested. Comment forms were signed by these landowners. (Refer to Appendix E11 for the completed comment forms). Of the 35 houses visited, 18 were unoccupied. Letters of notification were left at these premises/structures and/or handed to neighbours for delivery.

Comment:

The homeowners are in support of the project and their comment can be summarised as follow:

- Mapula Malatji: In agreement/support. They will be in contact should a problem occur.
- M.P. Ramobike: Do not foresee as problem, will inform the senior pastor.
- Abram Maruma: As long as this process will not affect their electric equipment.
- Mr J.T. Mokoena: Welcomes the development.
- P.K.H. Mashengoaneng: He understood that the supply of power will in future be firm. He requested all trees next to the project be removed and that a "no-dumping" sign be erected. They request pavers from the tar road to the project gate.
- C Shirley Maimele: Welcomes the project.

5.1.2 Written Comment received at the open day

No comment was received at the open day.

6 Distribution of Draft Basic Assessment Report for comment

Copies of the Draft Basic Assessment Report (BAR), inclusive of the executive summary, will be distributed to the following relevant authorities and key IAPs for review and comment:

- Department of Water Affairs: Water Resources & Water Quality Management
- South African Heritage Resources Agency
- Limpopo Heritage Resource Authority
- Limpopo Department of Economic Development, Environment and Tourism: Environmental Impact Management
- Department of Agriculture, Forestry and Fisheries: Land Use and Soil Management
- Department of Minerals and Energy
- Department of Cooperative Governance, Human Settlement and Traditional Affairs
- SA National Road Agency Ltd.: Northern Region
- Road Agency Limpopo
- Department of Roads and Transport
- Department of Rural Development and Land Reform: Land Claims Commissioner
- Department of Rural Development and Land Reform: State Land Administration
- Endangered Wildlife Trust
- Platmin Limited
- Minmetals First Chrome Mining Co (Pty) Ltd
- SRK Consulting
- Capricorn District Municipality

- Lepelle-Nkumpi Local Municipality
- Eskom Transmission
- Eskom Distribution Northern Region
- Ledwaba Traditional Authority
- Mphahlele Traditional Authority
- Landowners

7 Conclusion of Public Participation Programme for the Basic Assessment Report

The Environmental Impact Assessment included a first phase Public Participation Process. The project was advertised with **onsite notices, newspaper notices and notification letters** to facilitate informed decision. Landowners were notified of the project in one-on-one discussions. In addition several **information meetings** were conducted to furnish the landowners and other interested parties with information regarding the extent of the project. The consultants endeavoured to facilitate a transparent and accommodating Public Participation Process.

A **draft Basic Assessment Report** – this document - was compiled with the main aim to identify issues, potential impacts and potential alternatives associated with this project. It included proceedings of the PPP and communication with registered Interested & Affected Parties (IAPs). **Notification** of the availability thereof was sent to all IAPs on **12 November 2012** with the **due date for comment by 15 January 2013**. The Consultants (EAPs) will ensure that all comments/concerns raised to the draft BAR will be addressed in appropriate detail in the final Basic Assessment Report, that will subsequently be submitted to DEA. The Public Participation Programme allowed for informed and responsible decision-making by all interested and affected parties.