

6 EIA PROCESS AND METHODOLOGY

6.1 Introduction

The Environmental Impact Assessment (EIA) and Waste Licence Application process for the proposed extension of the Hendrina Ash Dams is comprised of two main phases, namely the Scoping phase and Impact Assessment phase (which will include the Waste License Report and the Conceptual Designs). This report documents the tasks which have been undertaken as part of the Scoping phase of the EIA. These tasks include the public participation process and the documentation of the issues which have been identified as a result of these activities.

The Scoping Phase of an EIA serves to define the scope of the detailed assessment of the potential impacts of a proposed Project. The Environmental Scoping Phase has been undertaken in accordance with the requirements of sections 24 and 24D of the National Environmental Management Act (NEMA) (Act 107 of 1998), as read with Government Notices R 543 (Regulations 26-30), 544, 545 and 546 of the NEMA. The objectives of the Scoping Phase are to:

- Ensure that the process is open and transparent and involves the Authorities, proponent and stakeholders (see **Chapter 2 and 6**);
- Identify the important characteristics of the affected environment (see **Chapter 7 and 8**);
- Ensure that feasible and reasonable alternatives are identified and selected for further assessment (see **Chapter 4**);
- Assess and determine possible impacts of the proposed Project on the biophysical and socio-economic environment and associated mitigation measures (see **Chapter 8**); and
- Ensure compliance with the relevant legislation (see **Chapter 5**).

6.2 Authority Consultation

6.2.1 Consultation with Authorities

The relevant authorities required to review the proposed Project and provide an Environmental Authorisation were consulted from the outset of this study, and have been engaged throughout the project process. The competent authority for this project is DEA. The DWA and MDEDET are noted as key commenting authorities.

Authority consultation included the following activities:

- Pre-Application Meeting with DEA, on **7 December 2010** (minutes of this meeting are included in **Appendix E**);
- Submission of an application for authorisation in terms of NEMA (Act 107 of 1998) on **2 February 2011** (Included in **Appendix A**).

Following the submission of the application for authorisation DEA acknowledged receipt thereof in the form of an Acknowledgement of Receipt letter (dated **21 February 2011**, see **Appendix B**) and issued an EIA reference number for the proposed project (**12/12/20/2175**).

6.2.2 Consultation with other Relevant Authorities

Background information regarding the proposed Project was provided to the other relevant authorities, together with a registration and comment form formally requesting their input into the EIA process. The authorities include *inter alia*:

- Mpumalanga Department of Economic Development, Environment and Tourism (MDEDET);
- Department of Water Affairs;
- Nkangala District Municipality;
- Steve Tshwete Local Municipality; and
- South African Heritage Resources Agency (SAHRA) – head office (provincial office closed down).

6.3 Environmental Scoping Study

6.3.1 Overview of the Public Participation Process

A comprehensive Public Participation Process (PPP) was implemented as part of the Scoping Phase of the EIA. The PPP aims to:

- Ensure all relevant stakeholders and I&APs have been identified and invited to engage in the scoping process;
- Raise awareness, educate and increase understanding of stakeholders and I&APs about the proposed Project, the affected environment and the environmental process being undertaken;
- Create open channels of communication between stakeholders and the project team;
- Provide opportunities for stakeholders to identify issues or concerns and suggestions for enhancing potential benefits and to prevent or mitigate impacts;
- Accurately document all opinions, concerns and queries raised regarding the Project; and
- Ensure the identification of the significant alternatives and issues related to the Project.

(a) Identification of stakeholders or I&APs

The identification and registration of I&APs is an ongoing activity during the course of the EIA. Please note however that only a registered I&AP is entitled to comment, in writing, on all written submissions made to the competent authority by the applicant or the EAP

managing an application, and to bring to the attention of the competent authority any issues which that party believes may be of significance to the consideration of the application, provided that comments are submitted within the timeframes that have been approved or set by the competent authority or any extension of a timeframe agreed to by the applicant or Environmental Assessment Practitioner (EAP). Lidwala EPS will develop, maintain and constantly update an electronic I&AP database for the Project (see **Appendix F**). The I&APs for this Project have been identified using the following:

- Existing I&APs databases from other projects in the area;
- I&APs identified through networking by the project team;
- Placement of newspaper advertisements in the Beeld, Sowetan, Middleberg Observer and Ekasi news. The advertisements were placed during the week of **25 March 2011**;
- Placement of site notices at the proposed site locations;
- Distribution of Background Information Documents (BIDs);
- Discussions with community leaders and relevant ward councillors;
- Completed comments sheets; and
- Attendance registers at meetings.

All comments and issues submitted by I&APs during the course of the EIA have been recorded in a comment and response report (**Appendix G**)

(b) Notification and Advertisements

In accordance with the requirements of the NEMA EIA Regulations, the Project was advertised in both local and regional newspapers. The purpose of the advertisement was to notify the public about the proposed Project and to invite them to register as I&APs (see **Appendix H**). The relevant advertisement dates undertaken during Scoping is listed in **Table 6.1** below.

Table 6.1 Date on which the adverts were published

Newspaper	Publication Date	Language
Beeld	25 March 2011	Afrikaans
Sowetan	25 March 2011	English
Middleberg Observer	25 March 2011	English, Afrikaans, Zulu and Pedi
Ekasi News	8 April 2011	Zulu and Pedi

The Project, the environmental assessment and the waste license application process was widely announced with an invitation to the general public to register as I&APs and to actively participate in the PPP. This will be achieved by using:

- Print media advertisements in English, Afrikaans, Zulu and Pedi that were placed in the Beeld, Sowetan, Middleberg Observer and Eskasi News newspapers;
- Key Stakeholders were contacted telephonically and informed of the Project and the EIA process;

- A Background Information Document (BID) and comment sheet were produced in English and Afrikaans detailing the proposed Project and explaining the EIA process. The BID was emailed and posted to I&APs and uploaded on the website;
- Copies of the BID were made available to I&APs as and when requested. Public documents were also made available in public libraries and other local public venues.

General project notices were erected at the following locations:

- Hendrina Power Station: Reception (**Figure 6.1**)
- Pullens Hope Library
- Hendrina Municipal Library
- Alternative Sites (**Figure 6.2 and 6.3**)
- Pullens Hope Post Office

The official site notices were erected as per the NEMA EIA Regulations at four of the five alternative sites. Due to the fact that no access was available to Alternative C no site notice was erected at this location.



Figure 6.1: Site notice at Hendrina Power Station



Figure 6.2: Site notices at Alternative Sites (Alternative E – top and Alternative D – bottom)



Figure 6.3: Site notices at Alternative Sites (Alternative A – top and Alternative B – bottom)

A second round of advertisements will be published in order to notify the public about the availability of the Draft Scoping Report as well as inviting the public to attend the Public

Open Day and the Public Meeting. The advertisement reflected the date and venue where the Public Open Day and Public Meeting was to take place.

(c) *Background Information Document*

The Background Information Document (BID) that briefly describes the proposed Project was compiled in English, Afrikaans, Zulu and Pedi and was distributed to all identified I&APs. The BID introduces the proposed Project and contains background information on the Project, the proponent, consultants and proposed process to be followed. It also includes a locality map, and a registration/comment sheet inviting I&APs to submit details of any issues, concerns or inputs they might have with regards to the proposed Project. The BID was distributed via e-mail and post to the I&APs identified through networking and was also distributed to the attendees at the Public Open Day and Public Meeting. A copy of the BID is included in **Appendix I**.

(d) *Meetings*

A public open day and meeting was held during the review period of the draft Scoping Report. One-on-one interactions were also held. The purpose of these meetings was to present the I&APs with information pertaining to the Project and the process being followed, as well as to document and discuss any issues which the public wished to raise.

Invitations to the Public Open day were extended in advertisements, letters, telephone and public notices at numerous relevant public places. **Table 6.2** provides the date and venue where the public open day will be held.

The purpose of the Public Open Day is to provide an appropriate platform to enable I&APs to raise issues and have the opportunity to interact one-on-one with the applicant and the EIA Project Team, either in English, Afrikaans, Zulu or Pedi. A formal meeting followed the public open day to ensure that all I&APs are provided an opportunity to comment on the project.

Table 6.2: Public Open Day and meeting

Province	Area	Venue	Date
Mpumalanga	Pullen's Hope	<u>Cynthia Murphy Hall</u>	Tuesday 5 <u>19</u> July 2011 14:00 – 18:00 (Open Day) 18:00 – 19:00 (Meeting)

The original date published for the Public Open Day and meeting was 5 July 2011. However, after consultation with Eskom and DEA and to follow best practice, it was decided best to postpone the date to 19 July 2011 in order to ensure that the meeting and open day were held outside of the July school holidays. It should be noted that during one-on-one consultation the Landowners indicated that they did not feel the need to attend the Public Open Day or Public Meeting as they were satisfied with the information that had been presented.

In addition to this it was decided to hold a joint open day with another Eskom project – the Reverse osmosis Plant Basic Assessment Project being undertaken by Aurecon. Therefore, a joint advertisement was published to make the public aware of the change of date.

This notice was published in English, Afrikaans, Zulu and Pedi in the Middelburg Observer on 8 July 2011. Registered I&APs were also informed via email. The combined advert has been included in **Appendix Q**.

One-on-one interactions were held with individuals and representatives of relevant sectors as and when required. These interactions were particularly useful in identifying key issues and other relevant stakeholders.

Minutes of meetings held with I&APs were taken and have been forwarded to the attendees for verification of their issues. The minutes of the consultation have been included within **Appendix R**. The comments raised during the public participation process described above, have been recorded in the updated Comment and Response Report and included in **Appendix G**.

Figure 6.4 to 6.6 provide photographic proof of the open day and meeting held on 19 July 2011.



Figure 6.4: Notice at Pullenshope Recreation Centre informing I&APs of the change of venue



Figure 6.5: I&APs attending the Public Open Day



Figure 6.6: Presentation of the Scoping Report at the Public Meeting

(e) *Ongoing Consultation and Engagement*

In addition to the public documents distributed to I&APs, there will be ongoing communication between the applicant, the EIA team and I&APs throughout the EIA process. These interactions include the following:

- In addition to the project announcement letters, a letter will be sent out to all registered I&APs providing them with an update of the Project once the Scoping report has been approved;
- Interactions with I&APs will take place in English, Afrikaans, Pedi and Zulu where required;
- Feedback to stakeholders, individually and collectively;
- Written responses (email, faxes and letters) will be provided to I&APs acknowledging issues and providing information requested (dependent on availability);
- As per the NEMA EIA regulations, particular attention will be paid to landowners, and neighbouring communities, specifically where literacy levels and language barriers may be an issue.

The consultation with all stakeholders and I&APs will continue into the Impact Assessment and EMP phase. Consultation will continue and will include:

- Distribution of all project information and findings to I&APs;
- EIA feedback open days and public meetings; and
- Information in the media and press.

6.3.2 Public Review of the Draft Environmental Scoping Report

The draft Environmental Scoping Report was made available for review for a period of **51 calendar days** from **2 June 2011** to **22 July 2011** at the following public locations within the study area, which are readily accessible to I&APs:

- Pullens Hope Municipal Library
- Hendrina Municipal Library
- Hendrina Power Station: Reception
- Middleburg Municipal Library
- Middleburg Chamber of Commerce
- Steve Tshwete Local Municipal offices in Middleburg and Hendrina
- Lidwala Website

The availability of the draft Environmental Scoping Report was advertised in the following newspaper on **3 June 2011 (Appendix J)** and again on 8 July 2011 (Appendix Q):

- Middleburg Observer

The review of the Final report will follow the same notification process as described above.

All registered I&APs were notified of the availability of the report in writing. A 51 day period was provided for public review and comments. Comments received during the review period have been included in **Appendix G**.

6.3.3 Final Environmental Scoping Report

The final stage in the Environmental Scoping Study process entailed the capturing of responses and comments from I&APs on the draft Scoping Report in order to refine the Environmental Scoping Report, and ensure that all issues of significance are addressed. The final Environmental Scoping Report has been submitted to DEA for review and decision-making.

6.4 Conclusion

This chapter discussed the various tasks that have been undertaken as part of the scoping phase of the EIA process. The main component includes the Public Participation Process that has been undertaken as part of the scoping phase. The Environmental Scoping Phase has been undertaken in accordance with the requirements of sections 24 and 24D of the National Environmental Management Act (Act 108 of 1998), as read with Government Notices R 543, 544, 545 and 546 of the NEMA.