

APPENDIX A

PUBLIC PARTICIPATION PROCESS RECORD

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A record of issues raised by I&APs as part of Scoping, together with corresponding responses by the project team, is presented in Appendix B as the Comments and Response Report.

1. INTRODUCTION

The objective of Appendix A is to provide an account of the Public Participation Process (PPP) conducted as part of Scoping for the Environmental Impact Assessment (EIA) for the proposed Eskom Transmission Power Line and Sub-station Integration project for the Eskom Braamhoek Pumped Storage Scheme. The Transmission Power Line and Sub-station Integration comprise the following infrastructure:

- Braamhoek Sub-station.
- Braamhoek Turn-ins.
- Braamhoek 400kV Transmission Power Line.

The PPP was aimed at establishing efficient communication channels that would allow all Interested and Affected Parties (I&APs) the opportunity to participate meaningfully and timeously in the environmental investigations. Scoping, as part of the EIA process, commenced in October 2004 and has been synchronised with the PPP for the proposed Construction and Upgrade of Access Roads for the Braamhoek Pumped Storage Scheme (BPSS). Where possible, activities were combined for optimisation and, importantly, to avoid stakeholder fatigue with duplication of information and participation activities, as well as to enhance stakeholder understanding of two EIA processes being conducted for two projects which are both part of the BPSS.

The findings of the Scoping process are presented in the Draft Scoping Report (DSR) prepared by Margen Industrial Services, the lead EIA Consultant. For the Scoping process to be completed, I&APs need to be given the opportunity to verify these findings prior to the report's submission to the environmental authorities. For this purpose, the opportunities provided for the review of the DSR will comprise:

- Distribution of the DSR to key stakeholders and the general public for review.
- Participative discussions of the DSR with various key stakeholder groups, including farmers associations and Local Municipalities, to facilitate its review.
- A public meeting to discuss the findings of the DSR.

2. SCOPE OF WORK

2.1 Terms of reference

The following terms of reference formed the scope of work for ACER (Africa) Environmental Management Consultants (ACER) as the Public Participation Consultant for the EIA of the proposed Transmission Power Line and Sub-station Integration project:

- To meet public participation requirements in the EIA Regulations and other relevant legislation, as well as those activities required by the environmental authorities.
- The initial and ongoing identification and categorisation of I&APs and their incorporation into the PPP and the EIA process, making use of existing databases where possible.
- The establishment and maintenance of liaison channels with stakeholders and stakeholder groups.
- The arrangement, co-ordination, facilitation and documentation of all PPP activities, processes and results, including public open days, focus group meetings, key stakeholder workshop and individual interaction.

- To maintain public awareness of the proposed Transmission Power Line and Sub-station Integration through a range of information dissemination activities, including Background Information Documents, general correspondence and media announcements, in close co-operation with Margen Industrial Services and Eskom Transmission.
- To record all issues raised by I&APs in a Comments and Response Report.

2.2 Assumptions and limitations

The PPP has been founded on a number of assumptions and limitations that have influenced the methodologies selected.

2.2.1 Assumptions

- All information provided by Eskom Transmission, Margen Industrial Services and I&APs to the Public Participation Consultant was correct and valid at the time that it was provided.
- There has been no final decision regarding the proposed Transmission Power Line and Sub-station Integration prior to embarking on the PPP.

2.2.2 Limitations

- The large number of potentially affected people and/or landowners and their availability for meetings/discussions for ensuring participation including the identification, by whatever means, of all potentially affected landowners or stakeholders.
- In some instances, the unavoidable reliance on representatives to notify and obtain input from constituents.
- A degree of uncertainty of the EIA process amongst some I&APs due to their experience with the EIA conducted for the Eskom Braamhoek Pumped Storage Scheme.
- Confusion amongst some I&APs, particularly the Traditional Authorities, between the roles and functions of Eskom Transmission and Eskom Distribution.

Despite these assumptions and limitations, ACER is confident that the PPP was adequate, afforded I&APs adequate opportunities to contribute to Scoping and accurately reflects issues raised in the public domain.

2.3 Methodology

Scoping is defined as the identification of issues in the public domain through technical scoping, specialist scoping, proponent scoping and public scoping. Thus, in order to determine key issues and potential impacts of the proposed development, two interlinked processes were followed during Scoping. These were:

- A public participation process.
- A technical process (described in the DSR).

3. PUBLIC PARTICIPATION PROCESS

A PPP was undertaken in terms of the Plan of Study for Scoping as approved by the Department of Environmental Affairs and Tourism (DEAT), with input from the KwaZulu Natal, Department of Agriculture and Environmental Affairs (DAEA).

Drawing from the principles contained in legislation and from best practice, the following standards guided the PPP for this project:

- Inclusive consultation with all sectors of society, affording a broad range of I&APs the opportunity to become involved (bearing in mind that it is not practically possible to personally consult with every individual in the project area).
- Wide announcement of the project in a variety of ways.
- Provision of sufficient and easily accessible information to allow meaningful participation of I&APs.
- Provision of information in a variety of forms, viz. by way of discussion documents, public open day meetings, visual displays and print media.
- Providing sufficient time and various opportunities for comment, at various stages in the process.
- Enabling I&APs to provide inputs by various methods, for example, written submissions, comment sheets, email, faxing, public open day meetings, personal contact with members of the EIA team.
- I&APs have the opportunity to exchange information and viewpoints, for example, at public open day meetings.
- Providing I&APs with ongoing feedback and acknowledgement, and the opportunity to verify that their issues have been considered (and if not, to receive an explanation for this).

3.1 I&AP identification and registration

The identification and registration of I&APs was ongoing for the duration of the study, although concentrated during the initial phase. I&APs were identified from reconnaissance visits to the area, use of existing databases, internet searches, stakeholder referrals, advertisements, completed comment sheets and attendance registers at meetings. These I&APs were entered onto a database. At the time of completing Appendix A, the database contained 650 I&APs across a range of sectors, including:

- National and Provincial Government (Transport, Environmental Affairs, Tourism, Agriculture, Education, etc.).
- Local Government (District and Local Municipalities).
- Conservation authorities, notably, Ezemvelo KZN Wildlife, and environmental groups, for example, the Wildlife and Environmental Society of Southern Africa, Birdlife Africa and Ekangala Grassland Trust.
- Cultural heritage authorities, notably, Amafa aKwaZulu-Natali, South African Heritage Resources Agency and other organisations such as Institute for Cultural Resource Management.
- Farmers Union (KwaNalu) and Farmers Associations.
- Tourism Associations.
- Traditional Authorities and local communities.
- Non Government and Community Based Organisations.
- Landowners.
- Bulk infrastructure authorities and service providers (e.g. Petronet, South African National Roads Agency, N3TC)

- Learners.
- Media.
- Academics and consultants.

The database was also used to code key stakeholders. These include the authorities (relevant national, provincial, local government and traditional authorities) and I&APs who act as sectoral representatives (e.g. Agricultural Unions, Farmers Associations and Conservation Organisations). Key stakeholders received all project documentation and special efforts were made to encourage their attendance at the Key Stakeholder Workshop and Public Open Days as well as submission of their comment.

In terms of landowners, considerable effort was made to notify those potentially affected and to provide them with opportunities to participate in the EIA process, both as individuals and through the structures representing them. The process of landowner identification is a lengthy and difficult process as there is no single database that records all the property names, associated landowner names and contact details and recent changes in ownership are not always reflected on available records. To date, ACER has identified as many potentially affected landowners as possible and briefed them about the project. This is an on-going exercise that will continue for the duration of the project.

An electronic database was used to capture I&AP details and interactions, which was updated as and when information was distributed to or received from I&APs. A list of registered I&APs is provided in Annexure 6.

3.2 Project Announcement

The project and environmental assessment process was widely announced, with an invitation to the general public to register as I&APs and to actively participate in the PPP. This was achieved via the following activities:

- Print media **advertisements** in English, Zulu and Afrikaans were placed in national, regional and local newspapers for project announcement as indicated in Table 1. Copies of the advertisements are provided in Annexure 1.
- **Key stakeholders** were contacted telephonically and informed of the project and EIA process.
- A **letter of invitation** (dated 18 November 2004) was faxed to key stakeholders inviting them to a **Key Stakeholder Workshop** as well as informing them of the project and inviting their participation in the EIA process. Follow up contact was also made telephonically.
- A personally addressed **letter of invitation** written in English was sent on 25 November 2004 to identified I&APs announcing the project and opportunities for participation (Annexure 2).
- A **Background Information Document** (BID) and **comment sheet** were produced in English detailing the proposed project and anticipated impacts associated with the Transmission Power Line and Sub-station Integration construction and explaining the EIA process (Annexure 3). The BID was mailed with the letter to I&APs on the database, e-mailed to I&APs with e-mail addresses and delivered to traditional authorities, farmers associations and municipalities.
- Copies of the BID were also placed at public libraries, municipal offices and schools.
- **Flyers** (Annexure 3) advertising the project and Public Open Days were placed at and/or distributed to the following areas:
 - Ladysmith/Emnambithi Municipal Offices.
 - Ladysmith/Emnambithi Public Library.
 - Estcourt/Umtshezi Municipality.
 - Hlomisa School, Harrismith District.
 - Hamilberg School, Harrismith District.

- A **letter** was e-mailed on 17 November 2004 to Eskom Distribution staff to announce the project and invite participation in the EIA process (Annexure 2).
- An article was published in the February/March 2005 issue of Agri-SA Magazine (Annexure 3).
- The Eskom **website** was used to house the various public documents, which have been available on line from 18 November 2004 and will continue to be available throughout the project. The website address is *www.eskom.co.za/eia*.

Table 1: Paid advertisements: project announcement

Publication	Distribution	Language	Dates
Ilanga	Regional	Zulu	25 November 2004
Ladysmith Gazette	Local	English	26 November 2004
Harrismith Chronicle	Community	Afrikaans	26 November 2004
Harrismith Chronicle	Community	English	26 November 2004
Natal Witness	Regional	English	26 November 2004
Estcourt and Midlands News	Local	English	26 November 2004
Sunday Times	National	English	28 November 2004
Rapport	National	Afrikaans	28 November 2004

3.3 Identification of issues

Various opportunities were provided for I&APs to participate in the process and submit comment. These included a Key Stakeholder Workshop, Public Open Days, Focus Group Meetings and a Public Participation Office was established. In many cases, stakeholders were involved in more than one category of meeting. The issues raised by I&APs at the various meetings have been incorporated into the Comments and Response Report (Appendix B).

3.3.1 Key Stakeholder Workshop

A Key Stakeholder Workshop to discuss key issues around the proposed Transmission Power Line and Sub-station integration was held at Ladysmith on 30 November 2004. Stakeholders that were invited to the workshop were representatives of relevant sectors. The objectives of the workshop were to:

- Provide stakeholders with an overview of the proposed developments by Eskom.
- Provide stakeholders with an overview of potential issues and concerns regarding the proposed developments.
- For stakeholders to raise additional issues that should be evaluated to reduce negative and enhance positive impacts.
- Provide an opportunity for stakeholders to comment, ask questions and raise issues to be addressed by Eskom and the EIA Project Teams.
- Conduct constructive debate and discussion.

The workshop invitation, list of invited stakeholders, attendance list and proceedings of workshop are provided in Annexure 4.

3.3.2 Public Open Days

Invitations to the Public Open Days were extended in advertisements, BIDs, letters, flyers and telephone as described above in Section 3.2. Table 2 lists the various dates and venues where the Public Open Days were held.

The purpose of Public Open Days was to provide an appropriate platform to enable I&APs to raise issues and have the opportunity to interact one-on-one with Eskom Transmission and the EIA Project Team, either in English, Afrikaans or Zulu. There were presentations by the consultants and Eskom, after which I&APs were given the opportunity to raise their issues and concerns. Translations were provided where necessary. A poster display was also on view (Annexure 5). The attendance registers are provided in Annexure 5. A record of comments raised has been incorporated in the Comments and Response Report (Appendix B).

Table 2: Public Open Days

Date	Place	Venue	Time
29 November 2004	Estcourt	Umtshezi Municipal Public Library	13H00-18H00
30 November 2004	Ladysmith	Ladysmith Royal Hotel	13H00-18H00
01 December 2004	Harrismith	Hamilberg School	10H00-12H00
01 December 2004	Harrismith	Hlomisa School	14H00-17H00

3.3.3 Focus Group Meetings

Where there was significant common interest around a particular issue or geographic area, meetings were held with these interest groups. Many of these meetings were upon request. These included Local Municipalities, Farmers Associations and Traditional Authorities.

3.3.3.1 Local Government

In response to requests from the representatives of Emnambithi/Ladysmith Local Municipality and Council, a meeting was held on 09 December 2004 with the Municipal Manager, Mayor, Councillors, Development and Planning Managers, Chairpersons of Development Portfolios within the Municipality. The objective of the meeting was to provide information about the proposed projects and EIA process. This meeting also enabled representatives to identify issues that need to be investigated. A record of the meeting, which includes an attendance register, is provided in Annexure 5.

3.3.3.2 Farmers Union and Associations

Telephonic contact¹ was made with the Chairperson, Ms Sandy La Marque of the KwaZulu Natal Agricultural Union (KwaNalu) during scoping. The objectives of this contact was as follows:

- Inform the KwaZulu Natal Agricultural Union of the proposed project.
- Obtain approval to contact all potentially affected farmers that fall under the KwaZulu Natal Agricultural Union.
- Identify all Farmers Associations in the study area under the KwaZulu Natal Agricultural Union.

¹ The intention of the telephonic contact was to set up a meeting between Eskom Transmission, KwaNalu and ACER (Africa), the Public Participation Consultant. Based on the Study Area map, a list of potentially affected Farmers Associations and permission to contact Farmers Associations was granted by KwaNalu to ACER telephonically.

A large percentage of potentially affected landowners are members of Farmers Associations. Thus, in addition to raising issues specific to a particular area or type of farming, these meetings were also considered to be the most logical and practical point of contact with individual landowners.

Notably, interaction with landowners as part of the EIA process does not replace the negotiation process that will be conducted by Eskom Transmission with those landowners directly affected by the Transmission Power Line and Sub-station Integration. Meetings were held with representatives and members of the following associations:

- Ladysmith and District Farmers Association (09 December 2004).
- Colenso Farmers Association (09 December 2004).
- Besters Farmers Association (21 January 2004).
- Matiwanoskop Farmers Association (26 January 2004).

Records of meetings and attendance lists are provided in Annexure 5.

3.3.3.3 Traditional Authorities

Personal visits to Traditional Authorities along the route were undertaken by Margen Industrial Services, ACER (Africa) and Eskom Transmission.

These meetings were aimed at informing the Traditional Authorities of the proposed project, establish contact, explain opportunities for participation and get baseline information and *status quo* of areas where the Transmission Power Line and Sub-station Integration is proposed. Issues raised were recorded and attendance registers completed at the meetings. A4 photographs indicating construction of a 400kV Transmission Power Line were used to explain the proposed project. Traditional Authorities visited are indicated in Table 3 below.

Table 3: Meetings with Traditional Authorities

MUNICIPALITIES	TRADITIONAL AUTHORITIES	DATES	MEETING WITH
Emnambithi/Ladysmith Local Municipality	Emnambithi Regional Authority	12 November 2004	Amakhosi from all Traditional Authorities
	Mthembu Traditional Authority	26 January 2005	'Nkosi NE Mthembu, Induna, Councillor and Community Members.
	Shabalala Traditional Authority	26 January 2005	'Nkosi N Shabalala, Izinduna, Councillors, Tribal Police, Isigungu and Community Members.
	Abantungwa-kholwa Traditional Authority	16 February 2005	'Nkosi TR Khumalo, Izinduna, Councillors, Development Committee Members and Community Members.
	Amahlubi Traditional Authority	16 February 2005	'Nkosi MA Radebe, Councillors and Development Committee Members.
	Amanteshe Traditional Authority	17 February 2005	'Nkosi MP Zondi, Induna, Councillors, Isigungu, Development Committee Members and Community Members.

3.3.4 Website and e-mail address

Project information has been available on Eskom's website from 18 November 2004 and will continue to be available throughout the project. The website address is www.eskom.co.za/eia. I&APs were also able to submit comment via the project's e-mail address (bhkintegration@acerafrica.co.za).

3.3.5 Public Participation Office

The public and the registered I&APs were provided with the contact details (telephone, facsimile, postal address and e-mail address) of the Public Participation Office in order for them to interact directly with the PPP team, either with queries or to submit comment. All interaction was recorded on the database and the issues captured in the Comments and Response Report (Appendix B).

3.4 Ongoing communication

In addition to initial interaction with I&APs through the various communication tools described above in Sections 3.2 and 3.3, there was ongoing communication between the Public Participation Team, Eskom Transmission, the EIA team and I&APs. These interactions included:

- Forwarding of information requests, including maps, and issues raised by stakeholders to the Project Team and Eskom Transmission.
- Timely feedback to stakeholders, individually and collectively. Written responses (e-mail, faxes and letters) were provided to numerous I&APs acknowledging issues raised and providing information requested.
- Distribution of minutes of meetings for verification.
- Stakeholder interactions with Traditional Authorities took place in Zulu.

3.5 Record keeping

An important part of the PPP is record keeping. The following information has been kept on record as hard copy and on the electronic database:

- Minutes and notes of meetings.
- Attendance registers.
- Comments sheets.
- Letters, e-mails and faxes.
- Telephone conversations.
- Public Participation Process Report (this Appendix), which summarises the Public Participation Process from November 2004 up to the distribution of Draft Scoping Report (April 2005).
- Comments and Response Report (Appendix B).

4. ISSUES RAISED BY I&APS

4.1 Issues raised

Issues were raised by I&APs as part of Scoping at the various meetings, on comment sheets, and by letter, fax or e-mail. These issues were forwarded to the project team members and collated in the Comments and Response Report (Appendix B). Issues that were raised but fall outside of the scope of the EIA have also been recorded in Appendix B.

4.2 Public review of Draft Scoping Report (DSR)

The following are proposed actions associated with the public review process of the DSR.

- The DSR will be made available in the public domain for review and comment before it is finalised and submitted to the KwaZulu-Natal Department of Agriculture and Environmental Affairs (KZN DAEA) and National Department of Environmental Affairs and Tourism (DEAT) for consideration. The duration of the comment period will be approximately five weeks.
- A letter will be sent to all registered I&APs informing them of the report's availability and comment period.
- Key stakeholders will be contacted telephonically.
- Print media advertisements will be placed in national, regional and local newspapers in English, Afrikaans and Zulu.
- The DSR with comment sheets will be made available at public venues and on the project website.
- Assistance, where required, will be provided to I&APs in order to facilitate understanding of the DSR so that I&APs have the opportunity to provide meaningful comment.
- An advertised Public Meeting will be held.
- Meetings will be held with key stakeholder groups at their request.
- Comments on the DSR will be included in a Comment and Response Report submitted to DEAT, and KZN DAEA with the Final Scoping Report.

5. ANALYSIS OF THE PUBLIC PARTICIPATION PROGRAMME

As evidenced in Sections 3 and 4, the PPP conducted for Scoping as part of the EIA for the proposed Transmission Power Line and Sub-station Integration:

- Utilised a range of communication tools to notify I&APs of the proposed project and the associated EIA process.
- Provided a range of opportunities for participation.
- Disseminated information that was accessible and understandable and in languages spoken in the study area (English, Afrikaans and Zulu).
- Made a special effort to meet with I&APs outside of scheduled meetings at a venue and time convenient to them.
- Maintained ongoing communication to ensure I&APs were aware of timeframes and key milestones.
- Responded to requests and queries and provided timeous feedback.
- Provided an efficient communication channel between the project team and I&APs.
- Kept a complete record of all interactions with I&APs.

In analysing I&AP participation in the process, the following overall comments can be made:

- A range of issues were raised as evidenced in Appendix B.
- The Farmers Associations have shown a great deal of interest in the project and responded positively to the meetings arranged with Eskom Transmission team.
- Eskom Transmission has made a concerted effort by having additional meetings with the Ladysmith and District Farmers Association in order to clarify and explain some specific issues raised.
- Traditional Authorities have also showed a great deal of interest in the project although their comments were mainly focusing on the Eskom's Distribution electrification programme.

6. CONCLUDING REMARKS

It is ACER's opinion that due process has been followed. With the release of the Draft Scoping Report, I&APs are afforded the opportunity to verify that the issues they raised have been accurately captured and have been adequately assessed.

BRAAMHOEK TRANSMISSION POWER LINE AND SUB-STATION INTEGRATION

ANNEXURE 1: ADVERTISEMENTS

Paid advertisements were placed in the following newspapers in order to announce the project and EIA process.

National/Regional/local advertisement	English
National/local advertisement	Afrikaans
Regional advertisement	Zulu

BRAAMHOEK TRANSMISSION POWER LINE AND SUB-STATION INTEGRATION

ANNEXURE 2: PROJECT ANNOUNCEMENT LETTER

A letter was disseminated to identified I&APs:

- **23 November 2004: Invitation to participate (with BID and comment sheet).**

BRAAMHOEK TRANSMISSION POWER LINE AND SUB-STATION INTEGRATION

ANNEXURE 3: BACKGROUND INFORMATION DOCUMENT

- **Background Information Document**
- **Flyer**
- **Comment Sheet**
- **Agri-SA Article**

BRAAMHOEK TRANSMISSION POWER LINE AND SUB-STATION INTEGRATION

ANNEXURE 4: KEY STAKEHOLDER WORKSHOP

- 1. Invitation, RSVP form and list of invited key stakeholders**
- 2. Proceedings, including attendance registers**

BRAAMHOEK TRANSMISSION POWER LINE AND SUB-STATION INTEGRATION

ANNEXURE 5: PUBLIC OPEN DAYS & OTHER MEETINGS

Public Open Days

- Posters
- Record of issues and comments
- Attendance registers

Focus Group Meetings

The following Focus Group Meetings were held:

- Emnambithi/Ladysmith Local Municipality (09 December 2004)
- Farmers Association Meetings
 - Ladysmith and District Farmers Association (09 December 2004)
 - Colenso Farmers Association (09 December 2004)
 - Besters Farmers Association (21 January 2005)
 - Matiwanoskop Farmers Association (26 January 2005)

Traditional Authority Meetings

- Mthembu Traditional Authority (26 January 2005)
- Shabalala Traditional Authority. (26 January 2005)
- Amantungwa-kholwa Traditional Authority. (16 February 205)
- Amahlubi Traditional Authority. (16 February 2005)
- Amanteshe Traditional Authority. (17 February 2005)

Comments and Issues raised are incorporated in the Comments and Response Report (Appendix B).

BRAAMHOEK TRANSMISSION POWER LINE AND SUB-STATION INTEGRATION

ANNEXURE 6: LIST OF REGISTERED I&APs (DATABASE)