

4. APPROACH TO THE ENVIRONMENTAL SCOPING STUDY

This Environmental Scoping Study (ESS), which forms part of the EIA process, identifies the potential positive and negative environmental (biophysical and social) impacts associated with the construction and operation of the proposed SPSS and associated infrastructure. The study also scoped out a number of alternatives in order to identify the site with the least anticipated negative impacts, for further investigation within the EIA phase of the project. A number of issues for consideration were identified during the Environmental Screening Investigation (ESI) undertaken in May of 2006 by BKS (Pty) Ltd, and/or by the environmental team. This chapter serves to outline the process to be undertaken during this EIA.

4.1 Authority Consultation during Scoping phase

4.1.1. Consultation with Decision-making Authorities

Through meetings with the National Department of Environmental Affairs and Tourism (N DEAT), the Mpumalanga Department of Agriculture and Land Administration (M DALA) and the Limpopo Department of Economic Development, Environment and Tourism (L DEDET), it has been established that N DEAT will act as the lead / decision-making authority for this proposed project. The provincial boundary between the Limpopo and Mpumalanga Provinces has recently been changed and there is uncertainty at provincial government level as to which of these two provinces the proposed site forms part of; therefore, both L DEDET and M DALA will both act as the commenting environmental authorities.

The above mentioned relevant authorities have been consulted from the outset of this study, and will be engaged throughout the project process. To date, authority consultation has included the following activities:

- Pre-application consultation with N DEAT (apologies received from the delegates from L DEDET and M DALA – these authorities stated that they will abide by the decision of N DEAT) regarding the process to be followed with regards to the proposed project (minutes were also forwarded to L DEDET and M DALA, who were absent from the meeting). The minutes of this meeting are attached in Appendix C of this report;
- Submission of an Application for Authorisation in terms of Section 24(5) read with Section 44 of the National Environmental Management Act (NEMA), 1998 (Act No. 107 of 1998), with respect to listed activities identified in terms of Sections 24 and 24D of the NEMA, Regulations No. R. 386 & 387, to N DEAT together with declarations of independence from the environmental consultants. Copies of the application form and declaration of independence

to DEAT, as well as the acknowledgement of receipt received from DEAT A, are included in Appendix D of this report.

4.1.2 Consultation with other Relevant Authorities

Consultation with other relevant authorities will be undertaken telephonically, through meetings and through written correspondence in order to actively engage these authorities, to provide them with information pertaining to the proposed project and to obtain feedback from them. This will be done throughout the EIA process, as agreed upon with N DEAT.

The representatives from these Departments will be requested to formally provide input into the EIA process. Non-DEAT authorities to be consulted include *inter alia*:

- Department of Water Affairs and Forestry (DWAF)
- National Department of Minerals and Energy (DME)
- South African Heritage Resources Agency (SAHRA)
- South African National Roads Agency Ltd (SANRAL)
- Provincial Departments of Roads and/or Transport
- Provincial Departments of Land Affairs
- Local and District Municipalities
- South African National Parks (SANParks)
- Relevant stakeholder groups, including tribal authorities and agricultural unions

4.2. Environmental Scoping Study (ESS)

The ESS aimed to address the following, taking into account the ESI conducted by BKS as the baseline scenario:

- description of the environment that may be affected;
- identification of potential positive and negative environmental impacts (biophysical, social, economic and cultural), including potential cumulative impacts, as well as a rating of each impact;
- identification of "hotspots" which should be avoided, where possible, due to potentially significant impacts on sensitive environments;
- description of feasible alternatives that were identified;
- evaluation of the potential feasible alternatives and the nomination of a preferred alternative to be investigated within the EIA phase of the project (done through validation of the ESI studies and conducting additional specialist studies – refer to Chapters 3, 6 and 7); and
- recommendations regarding more detailed investigations required within the EIA phase of the project.

Impacts on, *inter alia*, biodiversity (including flora and fauna), water quality, hydrology, soils, geology, agricultural potential, existing infrastructure, socio-economic issues, heritage sites and visual impacts were identified during the ESI by means of a limited site inspection together with mainly desktop studies of available information.

The assessment methodology for each of the aspect is discussed in detail in chapter 5.

4.2.1. Specialist Inputs

In undertaking the ESI, a number of specialist studies were conducted in order to comprehensively identify both potential positive and negative environmental impacts (social and biophysical) associated with the project as well as to evaluate the extent of such impacts and determine their status. Through the ESS, which followed a two-pronged approach of validating the ESI and conducting certain additional specialist studies, the specialist team identified and considered the potential impacts for the proposed SPSS in order to identify a preferred alternative and any impacts of potential significance. Impacts determined to be of potential significance will be assessed for the preferred alternative in the EIA phase of the project. The following specialist studies have been conducted during the ESI and ESS (studies not conducted during the ESI but which were conducted during the ESS, have been *italicized*):

- Biophysical
 - Terrestrial Ecology (including fauna and flora)
 - Riverine Ecology (including wetlands)
 - Water Quality
 - Hydrology
 - Soils and Agricultural Potential
 - *Wetlands*
 - *Groundwater*

- Social
 - Displacement of persons
 - Heritage study
 - Health and safety (including HIV/Aids)
 - Access route (accessibility to site)
 - Visual (deterrent in ecological scenic environment)
 - *Tourism aspects*
 - *Traffic impacts*
 - *Air quality impacts*
 - Infrastructural development (water, electricity, etc.)

- Economic
 - Loss or improvement of local income due to project
 - Generation of employment by project

4.2.2 Assumptions of the Study

The assumptions on which this study has been based include the following:

- Assumptions
 - All information provided by Eskom to the Environmental Team was correct and valid at the time it was provided.
 - The alternative sites selected by Eskom and investigated during the ESI and ESS are all feasible.
 - All data from unpublished research is valid and accurate.
 - It is not always possible to involve all Interested and Affected Parties (I&APs) individually. However, every effort is being made, and will continue to be made, to involve as many I&APs and representatives of the stakeholders in the study area as possible. The assumption is furthermore that representatives consulted with, are acting on behalf of the parties whom they represent and that they are mandated to do so.

4.3 Public Participation Process for the Environmental Scoping Study

The public participation process undertaken to date and through the Scoping Phase is discussed below.

Some of the main aims of the public participation process are to serve as a structure for communication and consultation with I&APs and to assist I&APs in identifying issues of concern and suggestions for enhanced benefits of the project and to comment on the findings of the EIA process. To this end, the primary aims of the public participation process during the ESS phase of the project will be:

- To inform interested and affected parties (I&APs) and key stakeholders of the proposed project.
- To initiate meaningful and timeous participation of I&APs.
- The identification of issues and concerns of key stakeholders and I&APs with regards to the proposed development (i.e. focus on important issues).
- The promotion of transparency and an understanding of the proposed project and its potential environmental (social and biophysical) impacts.
- To provide information used for decision-making.
- To provide a structure for liaison and communication with I&APs and key stakeholders.

- To assist in identifying potential environmental (social and biophysical) impacts associated with the proposed development.
- To ensure inclusiveness (the needs, interests and values of I&APs must be considered in the decision-making process).
- To focus on issues relevant to the project and issues considered important by I&APs and key stakeholders.
- To provide responses to I&APs' queries.
- To encourage co-regulation and shared responsibility.

Public participation will continue throughout the EIA process. Public participation to be conducted in the EIA Phase is outlined in Chapter 9 (Plan of Study for EIA).

4.3.1 Advertising

In terms of the EIA Regulations (2006), the commencement of the EIA process has been advertised in the following manner at the outset of the process (Appendix E):

- *Site Advertisements*
On-site posters have been placed in public places in the study area to advertise the proposed project. These have been placed in the predominant languages in the area, viz. sePedi, siSwati and English (upper reservoir sites) and Afrikaans and English (lower reservoir sites).
- *Newspaper Advertisements:*
The EIA process has been advertised to inform I&APs of the proposed project. Adverts were placed in the following local newspapers (adverts will also be placed in these newspapers in the following stages in the EIA process):
 - Steelburger – English and Afrikaans – 29 September 2006
 - City Press – English – 1 October 2006

Copies of the advertisements of the commencement of the EIA process are included as Appendix E of this report.

4.3.2 Identification of and Consultation with Stakeholders and I&APs

Various key stakeholders are being contacted and will continue to be contacted as part of the public participation process, including:

- National, provincial and local government departments;
- Ward councillors;
- Agricultural unions;
- Local, District and Provincial Authorities;

- Tribal Authorities;
- Department of Agriculture;
- Land owners affected by project as well as neighbouring landowners;
- Department of Minerals and Energy (DME);
- Department of Water Affairs and Forestry (DWAF);
- Land Claims Commission;
- Community based organisations (CBOs, development bodies, etc);
- South African National Parks (SANParks);
- Other NGO's (such as WESSA (Wildlife and Environmental Society of South Africa), Earthlife Africa, Groundworks, etc);
- Mining companies; and
- Local businesses.

Identification of I&APs is being undertaken, and will continue to be undertaken, through existing contacts and databases, responses to newspaper advertisements, public meetings, networking and a proactive process to identify key I&APs within the nominated study area.

The process envisaged to identify possibly affected landowners will be as follows:

- Liaison with the relevant local authority – including Land-use and Rights Divisions;
- Industry and mining (e.g. Chamber of Commerce & Industries, where identified);
- Liaison with agricultural bodies in South Africa, i.e. AgriSA and the Transvaal Agricultural Union SA (Chairperson of the local union);
- Telephone directories (Telkom);
- Referrals from identified landowners regarding his/her/their neighbour(s) and
- Information obtained from the site visit.

As far as possible, information will be obtained from the landowners as to whether there are land claims lodged against their properties with the National Land Claims Authority. This information will be captured on the landowner map as and when the information becomes available.

All I&AP information (including contact details), together with dates and details of consultations and a record of all issues raised will be recorded within a comprehensive database of affected landowners and the Issues Trail (and occupiers / tenants where relevant and available). This database will be updated on an on-going basis throughout the EIA process, and will act as a record of the communication/consultation process. The database and issues trail will be submitted to the authorities with the final ESR.

4.3.3 Background Information Document

A Background Information Document (briefing paper) for the project has been compiled in English and Afrikaans. Should any other language requirements be identified during the consultation process, Eskom will be informed accordingly for decision-making purposes. A copy of the background information document is included in Appendix F. The aim of this document is to provide a brief outline of the proposed project, provide I&APs with a map of the study area, provide preliminary details regarding the EIA process, and explain how I&APs can become involved in the project. The background information documents will be distributed to all identified stakeholders and I&APs together with a registration and comment form, inviting I&APs to submit details of any comments and / or concerns they might have at that stage regarding the proposed project.

4.3.4 Consultation and Public Involvement

Through consultations, issues for inclusion within the EIA will be identified and recorded. Consultations will take the form of telephonic interviews and personal interviews with affected and surrounding landowners, key I&APs and stakeholders to inform them of the proposed project and to record their comments.

- Directly Affected Landowners

Every reasonable effort will be made to create an opportunity for potentially affected landowners to participate in the study. The following approaches will be followed to satisfy legal requirements:

- Meetings are to be held with organised structures that represent a fair percentage of the potentially affected landowners, e.g. Farmers' Associations.
- Briefing papers and questionnaires will be distributed to as many of the landowners directly affected by the proposed route of the pipeline, as can possibly be reached.

- Focus Group Meetings with Landowner Groupings

As it is preferable to consult personally with potentially affected landowners along the proposed route, a series of focus group meetings will be held with these parties. In order to ensure that all potentially affected landowners were afforded the opportunity to comment on the proposed project, it is considered most appropriate to hold small meetings with landowners within a specific area and/or who may have similar issues regarding the proposed project. Landowners will be invited in writing to attend these focus group meetings and minutes of all meetings will be compiled and made available to all

attendees as well as parties from whom apologies are received. Minutes of Focus Group Meetings conducted to date are included as Appendix G of this report.

- Key Stakeholder Focus Group Meetings

Focus group meetings with identified key stakeholders in the study area will be held during the EIA phase of the project. These meetings will be held with groups that have similar interests, such as environmental NGOs, local authorities, landowner's associations, etc. The main aims of these meetings will be to provide stakeholders with information regarding the proposed project and provide them with the opportunity to raise any comments, issues or concerns regarding the proposed project. Identified key stakeholders will be invited in writing to attend these focus group meetings. Minutes of all meetings will be compiled and distributed to all attendees and parties from whom apologies are received.

- Key Stakeholder Workshop

A key stakeholder workshop will be held with I&APs who are identified as key stakeholders in the project. This meeting will allow key stakeholders to air their views and issues and will facilitate interaction between the key stakeholders and the project team. In addition, the workshop will allow for smaller groups of I&APs and/or representatives of larger interest groups or organisations to play an active role in the EIA process and provide an opportunity for dialogue and consultation with these parties. Registered stakeholders will be invited in writing to attend the key stakeholder workshop. Minutes of this workshop will be compiled and distributed to all attendees and parties from whom apologies are received.

- Public Meetings and Open Days

A number of public meetings and Open Day(s) will be held during both the ESS and the EIA phases of the project. The primary aim of these meetings and Open Day(s) will be to:

- disseminate background information regarding the proposed project to I&APs,
- supply more information regarding the EIA process and the findings of the specialist studies undertaken;
- answer questions regarding the project and the EIA process;
- obtain feedback and input from I&APs with respect to the proposed project; and
- receive input regarding the public participation process.

In accordance with the requirements of the EIA Regulations, these meetings will be advertised prior to the event, within the same newspapers as listed in Chapter 4.4.1. Registered I&APs and stakeholders will furthermore be invited in writing to attend the public meetings. Minutes for these meetings will be compiled and distributed to all attendees and parties from whom apologies are received.

- On-going Consultation

Consultation with all key stakeholders and I&APs through various means commenced with the draft ESR and Plan of Study for EIA being made available for public review and comment. Consultation will be on-going throughout the EIA process.

4.3.5 Social Issues Trail

Issues and concerns raised in the public participation process during the EIA process are compiled into a Social Issues Trail (Appendix H of this report contains the ESS-phase Issues Trail, in which all comments received to date have been captured). This Issues Trail reflects the issues raised by I&APs during consultation, and provides an indication of particular areas within which concerns were raised. The social issues trail which is being submitted to the authorities (N DEAT, M DALA and L DEDET) and being made available for public comment with this draft ESR includes all issues and comments raised to date. The issues trail which will be submitted to the authorities with the final ESR will include any issues and comments raised during the public review of the draft Environmental Scoping Report.

4.5 Review of Draft Environmental Scoping Report and Plan of Study for EIA

4.5.1 Public Review of Draft Environmental Scoping Report and Plan of Study for EIA

The draft Environmental Scoping Report, together with the Plan of Study to conduct the Environmental Impact Assessment (Plan of Study for EIA), is available for public review at the following public locations within the study area, which were all readily accessible to I&APs:

- Offices of Bohlweki Environmental, Kyalami, Gauteng Province;
- Greater Sekhukhune municipal offices;
- Greater Tubatse municipal offices;
- Elias Motsoaledi municipal offices;

- Steelport Post Office;
- Roosenekal Public Library;
- Roosenekal Post office;
- Groblersdal Public Library; and
- Electronically on Eskom's website (www.eskom.co.za/eia) and that of Bohlweki Environmental (www.bohlweki.co.za).

The availability of the draft Environmental Scoping Report and the Plan of Study to undertake the EIA is being advertised in the following newspapers:

- Steelburger – 19 November 2006
- City Press – 24 November 2006

A copy of this advert is attached in Appendix I. In addition, all registered I&APs are being notified of the availability of the report in writing.

The draft Environmental Scoping Report is available for public comment from **17 November 2006** until **01 January 2006**. This translates to a period of 45 calendar days. The NEMA EIA Regulations for public review period indicate that a minimum of 30 days needs to be provided for public review; however, due to the December holidays it was felt that it would be prudent to extend the public review period in order to afford all I&APs and Stakeholders sufficient time to peruse the draft ESR and provide their comments.

4.5.2 Authority Review of Draft Environmental Scoping Report and Plan of Study for the EIA

The draft Environmental Scoping Report, including the Plan of Study for the EIA, is being to the authorities (Lead Authority: DEAT; Commenting Authorities: L DEDET and M DALA) for review at the same time as it was made available to the public.

4.6 Final Environmental Scoping Report

All comments received regarding the draft ESR will be incorporated into the final Environmental Scoping Report. Following the public review period of the draft ESR, the final ESR will be submitted to N DEAT, L DEDET and M DALA along with a Plan of Study to undertake an EIA, for final review and acceptance.