# APPENDIX D3

PROOF OF NOTIFICATION TO LANDOWNERS

November 2018 Appendices



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Our Reference:

10580/LandownerNotification

16 May 2016

PROPOSED MOKOLO CROCODILE (WEST) WATER AUGMENTATION PROJECT PHASE 2: WATER TRANSFER INFRASTRUCTURE & BULK POWER SUPPLY - LANDOWNER NOTIFICATION

Dear Sir / Madam

This serves to notify you, as a potentially affected landowner, of the proposed Water Transfer Infrastructure and Bulk Power Supply associated with the Mokolo Crocodile Water Augmentation Project Phase 2 (MCWAP-2).

This notice is given in terms of the following:

- The Environmental Impact Assessment (EIA) Regulations (Government Notice No. R. 982 of 4 December 2014), in terms of the National Environmental Management Act (Act No. 107 of 1998); and
- The National Water Act (Act No. 36 of 1998).

#### A. PROJECT BACKGROUND

Major developments are planned for the Waterberg coalfields that are located in the Lephalale area, Limpopo Province. These developments include inter alia the new Medupi Power Station, development of possible further power stations, extension of the Grootegeluk mining operations and further coal mines, possible petrochemical industries, possible exploitation of gas, and accelerated growth in the population in the area with associated settlement and urban development.

As a direct result of the aforementioned developments, the demand for water in the Lephalale area will significantly increase over the next 20 years. Due to the limited availability of water in the area, the Department of Water and Sanitation (DWS) conducted a feasibility study of the Mokolo Crocodile (West) Water Augmentation Project (MCWAP) to establish how the future water demands could be met. The phases of the proposed project include:

- MCWAP Phase 1 (MCWAP-1): Augment the supply from Mokolo Dam to supply in the
  growing water use requirement for the interim period until a transfer pipeline from the
  Crocodile River West can be implemented. The solution must over the long term optimally
  utilise the full yield from Mokolo Dam and will be operated as a system together with
  MCWAP-2 when the latter is completed. Phase 1 is operational since June 2015; and
- MCWAP-2: Transfer water from the Crocodile River (West) to the Steenbokpan and Lephalale areas. Phase 2 is the focus of this document.

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MCWAP-2 consists of the following components:

- Water Transfer Infrastructure (main topic of this letter), which entails the transfer of water from the Crocodile River to Lephalale;
- Bulk Power Supply;
- Borrow Pits; and
- River Management System to manage abstractions from, and the river flow in, the Crocodile River (West) between Hartbeespoort Dam and Vlieëpoort Weir as well as the Moretele River from Klipvoor Dam to the confluence with the Crocodile River (West), and also the required flow past Vlieëpoort.

The main infrastructure associated with the MCWAP-2 Water Transfer Infrastructure includes the following:

- Vlieëpoort abstraction weir and pump station;
- 2. Low lift rising main:
- 3. Balancing dams and desilting works;
- 4. High-lift pump station;
- High-lift rising main;
- 6. Break pressure reservoir;
- Gravity pipeline;
- 8. Operational reservoir; and
- Gravity pipeline.

Refer to the attached Background Information Document for further information pertaining to the project. A map is also attached which shows the footprint of MCWAP-2 in relation to your property.

#### B. ENVIRONMENTAL IMPACT ASSESSMENT & LANDOWNER NOTIFICATION

## 1) Environmental Legal Framework

The key pieces of legislation and the associated environmental assessments for MCWAP-2 are listed in Table 1. A comprehensive legal framework will be included in the Scoping and EIA Reports, which will also include legislation related to specific environmental features (e.g. heritage and cultural resources, protected fauna and flora species, etc.).

Table 1: Environmental legislation and associated assessments for MCWAP-2

	MCWAP-2 Component	NEMA <sup>1</sup>	MPRDA <sup>2</sup>	NWA <sup>3</sup>
1	Water Transfer Infrastructure	Scoping & EIA	-	Water Use Authorisation
2	Bulk Power Supply	Basic Assessment	-	
3	Borrow Pits	Scoping & EIA		Process
4	River Management System	Multiple Applications	-	

- 1 National Environmental Management Act (No. 107 of 1998)
- 2 Mineral and Petroleum Resources Development Act (Act No. 28 of 2002)
- 3 National Water Act (No. 36 of 1998)

Nemai Consulting was appointed by DWS to act as the Environmental Assessment Practitioner (EAP) to undertake the requisite EIA process for the project, in accordance with Government Notice No. R. 982 of 4 December 2014. In terms of NEMA, the lead decision-making authority for the environmental assessment is the Department of Environmental Affairs (DEA) as the project proponent (DWS) is a national department.

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#### 2) Water Transfer Infrastructure – Scoping & EIA

The proposed Water Transfer Infrastructure trigger certain activities listed in Government Notice No. R. 983, R. 984 and R. 985 of 4 December 2014, which require environmental authorisation in terms of the EIA Regulations of 2014 that were promulgated in terms of NEMA.

Based on the listed activities triggered by the Water Transfer Infrastructure, the requite process to be conducted is a Scoping and EIA process.

# 3) Bulk Power Supply – Basic Assessment

The proposed Bulk Power Supply project triggers certain activities listed in Government Notice No. R. 983 and R. 985 of 4 December 2014, which require environmental authorisation in terms of the EIA Regulations of 2014 that were promulgated in terms of NEMA.

Based on the types of activities triggered by the Bulk Power Supply, the requite process to be conducted is a Basic Assessment.

### 4) Public Participation

As part of the EIA, public participation will be conducted which will serve the following purposes:

- To provide Interested and Affected Parties (I&APs) with an opportunity to obtain information about the project;
- 2. To allow I&APs to express their views, issues and concerns with regard to the project;
- To grant I&APs an opportunity to recommend measures to avoid or reduce adverse impacts and enhance positive impacts associated with the project; and
- To enable DWS and the project team to incorporate the needs, concerns and recommendations of I&APs into the project, where feasible.

This notification, which forms part of the EIA public participation process, is provided in accordance with Regulation 41(2)(b) of Government Notice No. R. 982, which requires that the EAP provides written notice to (amongst others):

- (i) The occupiers of the site and, if the proponent or applicant is not the owner or person in control of the site on which the activity is to be undertaken, the owner or person in control of the site where the activity is or is to be undertaken or to any alternative site where the activity is to be undertaken; and
- (ii) Owners, persons in control of, and occupiers of land adjacent to the site where the activity is or is to be undertaken or to any alternative site where the activity is to be undertaken.

# 5) Access to Land

During the EIA process access may be required to land for the following purposes:

- · Placing notices associated with public participation;
- Engaging with the affected landowners;
- Assessing the receiving environment, which includes fieldwork by the project team (including specialist studies).

Project team members will not enter private or occupied communal land without prior permission. As a minimum, any formal protocols that exist for accessing farms will be abided by. When requesting access to land, the following information will be provided to the landowner:

- Purpose of the required access;
- Number of people for which access is required;
- Date on which access is required; and
- Estimated timeframe for which access is required.

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In addition, the following provisions in the National Water Act (Act No. 36 of 1998) will also apply:

- Section 124 (Appointment of authorised persons) -
  - The Minister or a water management institution may, in writing, appoint any suitable person as an authorised person to perform the functions contemplated in section 125(1), (2) and (3).
  - (2) An authorised person must be provided with a certificate of appointment signed by or on behalf of the Minister or a water management institution in which the nature of the authorised person's functions is described.
- Section 125 (Powers and duties of authorised persons) -
  - (2) An authorised person may enter a property with the necessary persons, vehicles, equipment and material -
    - (a) after giving reasonable notice to the owner or occupier of the property, which
      notice must state the purpose of the proposed entry; and
    - (b)(iii) after obtaining the consent of the owner or occupier of that property, in order to establish the suitability of any water resource or site for constructing a waterwork.

We kindly request that the attached Acknowledgement Form be completed and provided to Nemai Consulting as proof of this notification.

We will keep you posted as the EIA process unfolds. Please contact the undersigned for any queries.

Yours faithfully Nemai Consulting C.C.

Donavan Henning

Environmental Assessment Practitioner

# PROOF OF NOTIFICATION OF LANDOWNERS - DIRECTLY AFFECTED & ADJACENT PROPERTIES

Note that due to the linear nature of the water transfer scheme, which is approximately 130 km in length, there are a large number of properties that are directly affected by or adjacent to the proposed project footprint. Hence, there are still some properties for which the landowners' details need to be confirmed to allow for notification. This will continue to take place during the EIA process.

Proof of notification of landowners where contact details were available is provided below.

# 1) Proof of Notification via Emails

































