

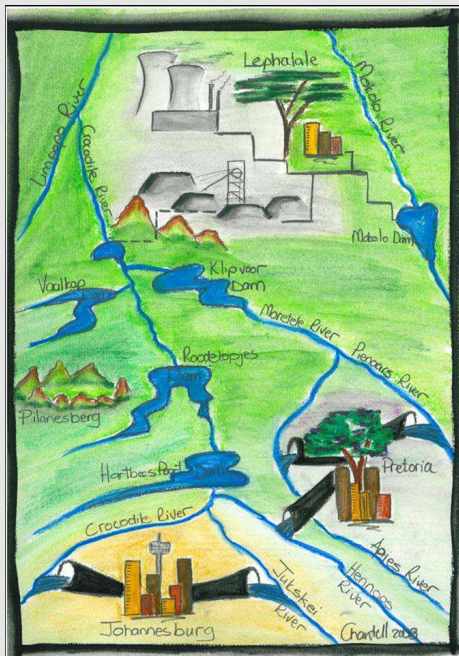


water affairs

Department:
Water Affairs
REPUBLIC OF SOUTH AFRICA

MOKOLO AND CROCODILE RIVER (WEST) WATER AUGMENTATION PROJECT (MCWAP)

De-bottlenecking of an Existing Pipeline



FINAL PUBLIC PARTICIPATION REPORT

December 2009



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1 PUBLIC PARTICIPATION

The purpose of public participation for the Mokolo Crocodile (West) Water Augmentation Project (MCWAP) includes:

1. Providing Interested and Affected Parties (I&APs) with an opportunity to obtain information about MCWAP;
2. Allowing I&APs to present their views, issues and concerns regarding MCWAP;
3. Granting I&APs an opportunity to recommend measures to avoid or reduce adverse impacts and enhance positive impacts associated with MCWAP; and
4. Enabling the Department of Water Affairs (DWA) and the project team to incorporate the needs, concerns and recommendations of I&APs into the project.

The public participation process that was followed for MCWAP De-bottlenecking (see **Figure 1** below for outline of process) is governed by NEMA and Government Notice No. R. 385.

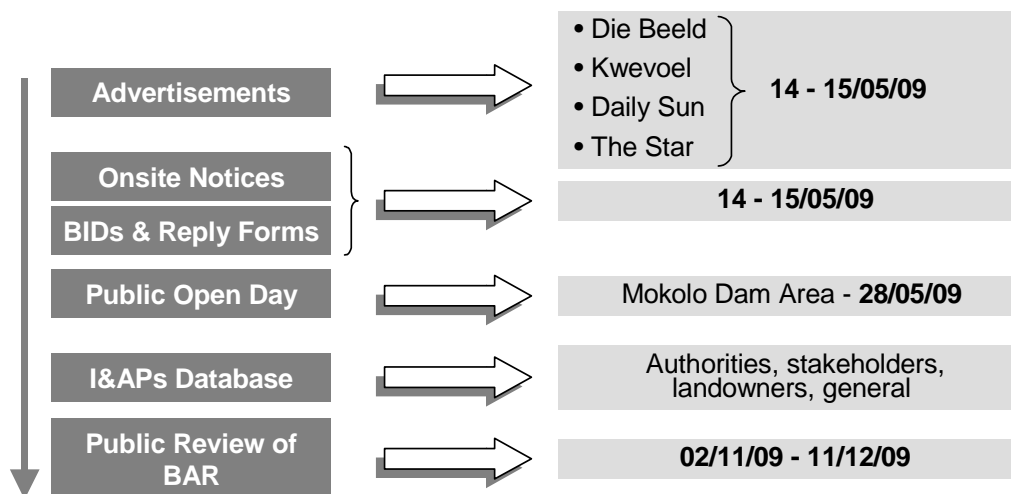


Figure 1: Public Participation Process for MCWAP De-bottlenecking

1.1 Notification

| Box 1: | What is an "I&AP"? |
|--------|---|
| | According to Government Notice GN No. R. 385 (2006), " <i>Interested and Affected Party</i> " (I&AP) means an party contemplated in section 24(4)(d) of the NEMA, and which in terms of that section includes – (a) any person, group of persons or organisation interested in or affected by an activity; and (b) any organ of state that may have jurisdiction over any aspect of the activity. |

1.1.1 Database of I&APs

A database of I&APs, which contained authorities, stakeholders, landowners and members of the general public, was prepared for the project and is contained in **Annexure A**. Directly affected landowners were identified using the information provided by Exxaro for their existing pipeline from Mokolo Dam, through a deed search on all the affected properties within a 200m corridor for the pipeline route, and through discussions held with the Agricultural Sector, Councillors and known landowners.

1.1.2 Background Information Document

Background Information Documents (BIDs) and Reply Forms (refer to **Annexure B**) were distributed as follows:

- Registered mail to Councillors and landowners (and occupiers) adjacent to and within 100 metres of centerline of the pipeline route; and
- Fax and email to remaining parties of database.

The BIDs (English, Afrikaans and Sepedi) provided a brief background and description of the project, as well as the Basic Assessment process, and listed the details of the public open days for MCWAP (Phase 1, Phase 2 and De-bottlenecking).

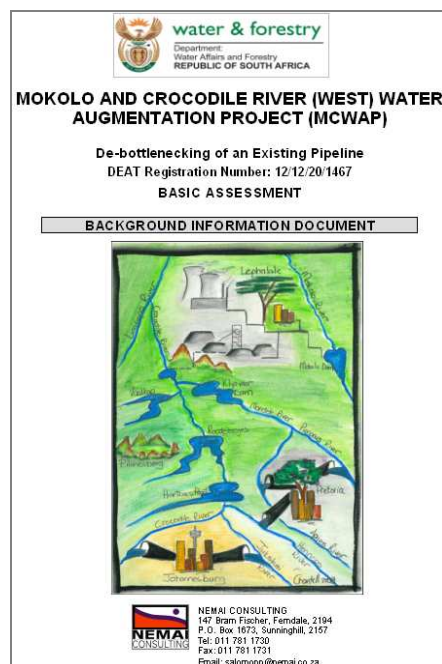


Figure 2: Cover page of BID (English version)

The BID included a Reply Form, which granted the public an opportunity to register as an I&AP, and to raise queries or concerns regarding the project. The time period stipulated in the BID for submitting completed Reply Forms and registering as an I&AP was from **14 May 2009 – 19 June 2009**.

1.1.3 Onsite notices

Onsite notices were also placed at strategic points (refer to **Figure 3** and **Annexure C**) along the route.



Figure 3: Examples of Onsite Notices erected for MCWAP De-bottlenecking

1.1.4 Newspaper Advertisements

In addition, advertisements were placed in the following newspapers (refer to copies of the newspaper advertisements contained in **Annexure D**):

- Regional newspapers –
 - Die Beeld (Afrikaans) on 15 May 2009;
 - The Star (English) on 14 May 2009;
 - Daily Sun (English) on 15 May 2009;
- Local newspaper –
 - Kwevoel (Afrikaans) on 15 May 2009.

1.2 Open Day

An open day was held on 28 May 2009 at the Ashante Conference Venue in the Mokolo Dam area. A copy of the Afrikaans version of the presentation is included in **Annexure E**.

Matters that also pertain to MCWAP Phase 1 were discussed at the open day for the De-bottlenecking component.

1.3 Broader Public Involvement Process

Over-and-above public participation associated with the EIA protocol, a broader Public Involvement Process (PIP) is also being conducted for MCWAP to ensure that comprehensive, inclusive and robust consultative procedures are followed. The process aims to also adhere to the DWAF Generic Public Participation Guidelines (2001).

The Agricultural Sector is the most prominent interest group, considering the issues surrounding water availability and the land use type encountered in the project area. From the overall MCWAP perspective, key members from this sector include (*inter alia*):

- Lephalale District Agricultural Union;
- Transvaal Agricultural Union (TAU);
- Agri SA;
- National African Farmers' Union (NAFU);
- Mokolo Irrigation Board;
- Crocodile West Irrigation Board;
- Hartebeespoort Dam Irrigation Board;
- Makoppa farmers; and
- Steenbokpan Farmers Association.

In recognition of the abovementioned, the project team engaged with this sector prior to the initiation of the EIA process. On 27 January 2009 a meeting was convened with representatives from the Agricultural Sector, in order to establish an Agricultural Forum. This forum, which has been active since March 2009, grants the Agricultural Sector an opportunity to collectively engage with DWA and the project team regarding planning aspects and the impacts of MCWAP on this interest group. Working groups have also been held with the irrigation boards, which allowed for more technically-orientated discussions.

Focus group meetings were convened on 24 April 2009 in Thabazimbi and Lephalale for MCWAP. The purpose of the focus group meetings were primarily to assist with understanding the potential concerns before the formal EIA public participation process commenced.

A Project Steering Committee (PSC) chaired by DWA was established for MCWAP, and the first meeting was held on 03 February 2009. The purpose of the meetings was to allow for the sharing of information, to ensure improved coordination, and to provide a platform for high-level discussions between the intended water users, affected parties and various relevant government departments and stakeholders.

Separate meetings have been held with landowners that are directly affected by the project infrastructure. On 05 March 2009 a meeting was convened with the landowners of MCWAP Phase 1 (including the De-bottlenecking section), which served to identify concerns of I&APs and to guide the technical and environmental investigations. The minutes of the aforementioned meeting are contained in **Annexure F**.

A summary of the meetings held under the overall MCWAP PIP and Environmental Impact Assessment (EIA) public participation is tabulated below.

Table 1: Meetings held for MCWAP PIP and EIA public participation

| No. | Date | Meeting Type |
|-----|------------------|--|
| 1 | 27 January 2009 | Agricultural Sector |
| 2 | 03 February 2009 | MCWAP PSC |
| 3 | 05 March 2009 | Phase 1 Landowners |
| 4 | 06 March 2009 | Agricultural Sector – Water Forum |
| 5 | 06 March 2009 | Agricultural Sector – Environmental Forum |
| 6 | 09 April 2009 | Vlieëpoort Landowners |
| 7 | 14 May 2009 | Crocodile (West) Working Group |
| 8 | 26 May 2009 | Mokolo Working Group |
| 9 | 26 May 2009 | Agricultural Forum |
| 10 | 27 May 2009 | MCWAP Phase 2 EIA Open Days (x2) |
| 11 | 28 May 2009 | MCWAP Phase 1 EIA Open Day |
| 12 | 28 May 2009 | MCWAP De-bottlenecking Basic Assessment Open Day |
| 13 | 08 June 2009 | Phase 2 - Farms Inmalkaar and Rooibokkraal |
| 14 | 18 June 2009 | Phase 2 - Farm Welgevonden |
| 15 | 19 June 2009 | Phase 2 - Farm Mabulskop |

1.4 Consultation with Authorities

A pre-consultation meeting was held with the Department of Environmental Affairs (DEA) on 09 January 2009, and the aims of this meeting were as follows:

- To provide additional project information to DEA regarding MCWAP;
- To discuss the timeframes of the EIA process, and the alignment with the Strategically Important Development (SID) timeframes;
- To decide on the type of applications (Basic Assessment / Scoping and EIA) for the MCWAP components;
- To provide opportunity to seek clarification; and
- To determine specific requirements of DEA.

In addition, another meeting was held with DEA on 03 March 2009 to discuss the approach to the Basic Assessment for the proposed De-bottlenecking of the existing Exxaro pipeline, as a sub-project to MCWAP.

An authorities meeting was held on 14 July 2009 with DEA, Limpopo Department of Economic Development, Environment and Tourism (DEDET), Department of Mineral Resources (DMR), DWA and the Waterberg District Municipality, and apologies were tendered by local authorities. BIDs were also forwarded to the authorities and they were invited to the PSC meeting and Open Days.

1.5 Landowner Consent

In terms of regulation 16(1) of Government Notice No. R. 385 of 21 April 2006, landowner consent is required if the applicant (i.e. DWA) is not the owner of the land on which the proposed activity is to be undertaken. According to regulation 16(3), this stipulation does not apply to a linear activity provided the applicant “has given notice of the proposed activity to the owners of the land on which the activity is to be undertaken as soon as the proposed route or route alternatives have been identified”. The lastmentioned provision was attended to during public participation. Landowner consent will thus not be sought for the linear components of MCWAP Phase 1.

1.6 Issues raised by I&APs

Apart from the communication with landowners during meetings (notably the meetings on 05 March 2009 and 28 May 2009), no formal correspondence was received from the I&APs on the de-bottlenecking section. The Comments and Response Report, which summarises the salient issues raised by I&APs during meetings and the project team's response to these matters, is contained in **Annexure G**.

Note that only those comments received up until the cut-off date for the submission of completed Reply Forms (stipulated in the BID as 19 June 2009), are included in this draft Basic Assessment Report (BAR). The comments and issues raised by I&APs thereafter will be addressed in the final BAR that will be submitted to DEA.

1.7 Review of Draft Basic Assessment Report

1.7.1 Notification

I&APs were notified as follows of the opportunity to review the draft BAR:

1. A notification letter was forwarded to I&APs; and
2. The following newspaper advertisements were placed as notification:
 - Regional newspapers –
 - Die Beeld (Afrikaans) on 21 October 2009;
 - The Star (English) on 21 October 2009;
 - Daily Sun (English) on 21 October 2009;
 - Local newspaper –
 - Kwevoel (Afrikaans) on 23 October 2009;
 - Mogol Pos (Afrikaans) on 22 October 2009.

1.7.2 Lodging of Draft Basic Assessment Report

The draft BAR was placed at the locations provided in **Table 2** to allow the I&APs to review the document. A forty-day review period (from 02 November 2009 until 11 December 2009) was granted.

Table 2: Locations for review of Draft BAR

| Copy No. | Location | Address | Tel. No. |
|----------|----------------------------------|---|--------------|
| 1 | Lephalale Local Municipal office | Lephalale Civic Centre, corner of Joe Slovo and Dou Water St, Lephalale | 014 763 2193 |
| 2 | Lephalale Public Library | | 014 762 1453 |
| 3 | Lephalale Dept of Agriculture | Cnr Chris Hani St and Groote Geluk St | 014 763 2137 |

The draft BAR could also be downloaded from the DWA website (<http://www.dwaf.gov.za/projects.asp>).

1.7.3 Commenting on the Draft Basic Assessment Report

For remarks on the draft BAR the reviewer was requested to complete a Comment Sheet, which accompanied the summary of the report forwarded to I&APs and which was also included as an appendix in the document. I&APs were notified (see **Section 1.7.1.**) that the completed Comment Sheets needed to be forwarded to Nema Consulting on or before 11 December 2009.

In accordance with regulation 59 of Government Notice No. R. 385 of 21 April 2006, the comments received from I&APs (including correspondence and completed Comment Sheets) from the review of the draft BAR are included in **Annexure I. General comments made on the Phase 1 and Phase 2 Reports pertaining to water availability and management issues for the Mokolo Dam are also included under Annexure I and will be addressed during the Environmental Impact Reports for the Phase 1 and Phase 2 projects.**

1.7.4 Public Meeting

A public meeting was held to present the MCWAP De-bottlenecking draft BAR on 12 November 2009 at the Ashante Conference Venue in the Mokolo Dam area. All I&APs were notified via email, fax or post regarding the details of the meeting. The minutes of the meeting are contained in **Annexure H.**

ANNEXURE A

DATABASE OF I&AP^S

ANNEXURE B

BACKGROUND INFORMATION DOCUMENT & REPLY FORM

ANNEXURE C

ONSITE NOTICES

ANNEXURE D

NEWSPAPER ADVERTISEMENTS

ANNEXURE E

OPEN DAY PRESENTATION

ANNEXURE F

MINUTES OF MEETING –

Phase 1 & De-bottlenecking Landowners (05 March 2009)

ANNEXURE G

COMMENTS AND RESPONSE REPORT

ANNEXURE H

MINUTES OF PUBLIC MEETING TO PRESENT DRAFT BASIC ASSESSMENT REPORT

ANNEXURE I

COMMENTS RECEIVED ON DRAFT BASIC ASSESSMENT REPORT