

## MINUTES OF MEETING

<b>CLIENT</b>	:	<b>Eskom Holdings Limited (Eskom)</b>
<b>PROJECT</b>	:	<b>Bantamsklip Transmission Line Environmental Impact Assessment (EIA) and Nuclear 1 Power Plant EIA</b>
<b>PROJECT No</b>	:	<b>J28087 and J27035</b>
<b>PURPOSE</b>	:	<b>Key Focus Group Meeting – Strandveld Conservation and Tourism Association</b>
<b>PLACE</b>	:	<b>Boardroom, Stanford Municipal Office, Stanford</b>
<b>DATE &amp; TIME</b>	:	<b>12 June 2009 @ 11:00 – 15h00</b>
<b>MINUTE TAKER</b>	:	<b>Erika Espach</b>

<b>NAME</b>	<b>REPRESENTING</b>	<b>E-MAIL ADDRESS</b>
<b>PRESENT</b>		
Danie De Villiers (DdV)	Strandveld Conservation and Tourism Association (SCTA), Board Member	<a href="mailto:stca@omail.co.za">stca@omail.co.za</a>
Geoff Whitelaw (GW)	Strandveld Conservation and Tourism Association, Board Member	<a href="mailto:gwhitelaw@xsinet.co.za">gwhitelaw@xsinet.co.za</a>
Nick Bednall (NB)	Strandveld Conservation and Tourism Association, Board Member	<a href="mailto:nic@heartstone.co.za">nic@heartstone.co.za</a>
Paul Slabbert (PS)	Environmental Consultant to the Strandveld Conservation and Tourism Association	<a href="mailto:phsconsult@telkomsa.net">phsconsult@telkomsa.net</a>
Tyrone Singleton (TS)	Eskom, Generation Division, Nuclear-1 EIA Manager	<a href="mailto:Tyrone.singleton@eskom.co.za">Tyrone.singleton@eskom.co.za</a>
Joyce Mashiteng (JM)	Eskom, Distribution Division, Manager	<a href="mailto:Mashitmj@eskom.co.za">Mashitmj@eskom.co.za</a>
Lerato Mokgwatheng (LM)	Eskom, Distribution Division, Bantamsklip Transmission Line EIA Manager	<a href="mailto:Lerato.mokgwatheng@eskom.co.za">Lerato.mokgwatheng@eskom.co.za</a>
N. Justice Mavhungu (NJM)	Eskom, Stakeholder Management, Stakeholder Centre Manager	<a href="mailto:Justice.mavhungu@eskom.co.za">Justice.mavhungu@eskom.co.za</a>
Jaana-Maria Ball (JMB)	Arcus GIBB, Independent Environmental Consultant, EIA Manager Nuclear-1 EIA and Bantamsklip Transmission Line EIA	<a href="mailto:jball@gibb.co.za">jball@gibb.co.za</a>
Erika Espach (EE)	Arcus GIBB (AG), Independent Environmental Consultant, Environmental Scientist	<a href="mailto:eespach@gibb.co.za">eespach@gibb.co.za</a>
<b>APOLOGIES</b>		
Deidre Herbst (DH)	Eskom, Generation Division, Manager	<a href="mailto:Deidre.herbst@eskom.co.za">Deidre.herbst@eskom.co.za</a>
Tony Stott (TS)	Senior Manager	<a href="mailto:Tony.stott@eskom.co.za">Tony.stott@eskom.co.za</a>
Natalie Ritsch(NR)	Arcus GIBB, Independent Environmental Consultant, Bantamsklip Transmission Line EIA Project Leader	<a href="mailto:nritsch@gibb.co.za">nritsch@gibb.co.za</a>

Attendees at the meeting are required to take their own notes and act on these rather than await the arrival of the minutes. The minutes serve as a record of events at the meeting.

Item No	DESCRIPTION	ACTION	DEADLINE
1.	<b>WELCOME</b>		
1.1	<p>DdV welcomed all attendees and asked if there were any apologies. JMB indicated that apologies were received from Deidre Herbst and Tony Stott of Eskom Holdings Limited (Eskom), as well as from Natalie Ritsch of Arcus GIBB. TS would join the meeting as soon as he could as his flight from Johannesburg had been delayed.</p> <p>A round of introductions were made by all meeting attendees, as well as their role on the EIA explained.</p> <p>DdV explained that the members of the Strandveld Conservation and Tourism Association (SCTA) was a fairly new Non Governmental Organisation (NGO) operating in the Stanford area and had approximately 200 members. The NGO promoted conservation and tourism in the area and was against the proposed construction of Nuclear-1 and associated transmission lines at the Bantamsklip site, although they were not against the construction of nuclear generation facilities. The members of the SCTA had given DdV, and his colleagues present at the meeting, the mandate to talk on their behalf. DdV added that the SCTA did not include the Agulhas Biodiversity Initiative (ABI) or all conservation groups in the area.</p>		

2		<b>INTRODUCTION</b>		
	2.1	<p>DdV explained that the main purpose of the meeting was to give Arcus Gibb and Eskom an opportunity to respond to the many unanswered questions that has been raised in numerous correspondences regarding both the EIA for the proposed Bantamsklip Transmission Line routes and the EIA for the proposed Nuclear-1 Power Station. It was agreed that unanswered questions will be responded to by Arcus GIBB in due course.</p> <p>JMB listed the key issues as raised in various letters, e-mails, meetings and telephone conversations by the SCTA, and broadly categorised them. She stated that issues discussed in the meeting would be recorded in the minutes of the Focus Group Meeting and included in the Issues and Response Reports (IRRs) of the Nuclear-1 EIA and the Bantamsklip Transmission Line EIA, where relevant. Where possible she and the Eskom Generation (Gn) and Transmission (Tx) Division representatives would provide answers to the issues raised. In the event that answers were not readily available they would be provided at a later stage to the SCTA.</p> <p>DdV indicated that Natalie Ritsch (note: this was a mistake and it was actually Ms. Ashlea Strong) had done a very good job in difficult situation (given Eskom's announcement at the meeting that the organisation intended to apply for a combined application for all three sites) at the public meeting he attended in Stanford for the Bantamsklip Transmission Line EIA.</p> <p>It was agreed that key EIA process issues for both EIAs would be discussed as a priority, given the time constraints.</p>		

3		<b>ISSUES DISCUSSED</b>		
	3.1	<p><b>EIA ASSESSED AS CUMULATIVE IMPACT</b></p> <p>PS indicated that the SCTA would prefer that the proposed Nuclear Power Station (NPS) and Transmission Lines be handled in one EIA Application. This would assist the Interested and Affected Parties (I&amp;APs) to understand the overall development proposed development and associated potential impacts.</p> <p>JMB indicated that the national Department of Environmental Affairs and Tourism (DEAT) (and now the Department of Environmental Affairs or DEA) and the provincial Department of Environmental Affairs and Development Planning (DEA&amp;DP) have, to date, been satisfied with the approach Eskom has taken to split the proposed Plant and Transmission Line Applications. She added that the approach was common practice for very large proposed projects. She added that it would have been very difficult for one consultant to have the resources to undertake a single EIA for both Nuclear-1 and all alternative transmission lines at the three sites being assessed (i.e. Thyspunt, Bantamsklip and Duynefontein). JMB confirmed that cumulative impacts will be assessed by all EIA Consultants involved in the EIAs and that there was communication between the various EIA Teams (including specialists).</p> <p>PS was of the view that a Strategic Environmental Assessment (SEA) should have been undertaken before such EIAs are undertaken in a seemingly ad hoc fashion. He continued by suggesting that a strategic stakeholder committee be put together, who could assess overall potential impacts from various EIAs. He suggested that the committee comprise Eskom, DEA, DEA&amp;DP, the EIA consultants and other key stakeholders.</p> <p>NJM responded that all strategic corridors should be assessed via a SEA and EMFs which should be undertaken by DEAT. Organisations such as Transnet and Eskom do contribute to a central fund to ensure that DEAT is financially assisted with such studies.</p> <p>JMB pointed out that the EIA Consultant could not form part of a strategic stakeholder committee as they had to remain independent. DEA could also not be part of such a committee as it has to make the final decision regarding authorisation.</p> <p>Tyrone Singleton joined the meeting.</p> <p>GW suggested that one central branch in Eskom should assess all related EIA studies.</p>		

	<p>TS explained that Eskom consisted of various Divisions namely Generation, Transmission, Distribution, Enterprise and Corporate. A brief description of the functions and roles of the Divisions was provided. It was indicated that the Transmission (Tx) EIA and Generation (Gx) EIAs were managed by two separate divisions within Eskom. The reasons for this were a result of various timing and information requirements of each of the EIAs. Typically Tx EIAs require a longer lead time with respect to information requirements and various Tx studies that need to be conducted. Conversely, Gx are in a position to initiate the EIA earlier than Tx. Moreover, Gx requires a decision from government sooner than Tx as the construction lead time is longer. It is up to the Eskom Nuclear-1 project team (Project Manager) to ensure the consistency of information across EIAs. However, decisions for each EIA are not dependent on each other. A positive or negative decision on the sites EIA will not guarantee a similar decision by DEA for the Tx EIAs.</p> <p>NB commented that stakeholders could not provide constructive comment on the various EIAs due to the different timeframes, and the fact that findings of some of the various EIAs were not available at the same time.</p> <p>JMB indicated that many specialists subcontracted to undertake specialist work for Nuclear-1 are also working on the various transmission line EIAs. She added that in most cases these were the top specialists in their respective fields. She confirmed that there was much communication between the specialists and the EIA Consultants for the various EIAs and data, findings etc were being 'swapped' throughout the EIAs.</p> <p>The specialist studies for both the proposed Nuclear-1 and Bantamsklip Transmission Line EIAs are still far from being complete and I&amp;APs still have opportunity to comment and make inputs to all specialist reports, as part of the EIA process.</p> <p>TS added further that Eskom, as indicated in the previous public meetings for the Nuclear-1 plant EIA, will make every attempt to align the processes but a lag between them is inevitable. At the next round of public meetings for the Nuclear-1 plant EIA an update as well as opportunity to discuss the Tx EIA will be provided to the public.</p>		
3.2	<p><b>PROPOSED COMBINED APPLICATION FOR THE PROPOSED NUCLEAR-1 PLANT EIA</b></p> <p>JMB stated that the Final Scoping Report for the proposed Nuclear-1 has been approved by the DEAT, the competent environmental authority, but the Plan of Study for EIA has been revised by Arcus GIBB, on DEAT's request.</p>		

	<p>Eskom has indicated to the South African public, via the Revised Plan of Study for EIA, that the utility intends to change its Application to DEAT with respect to the proposed Nuclear-1 to a combined application for the Thyspunt, Bantamsklip and Duynefontein sites.</p> <p>PHS stated that at one of the recent public meetings for the Bantamsklip Transmission Line EIA it was stated that Eskom planned to apply for three nuclear plants.</p> <p>TS apologised on behalf of Eskom for this miscommunication. He reiterated that the application was still for a single nuclear power station with a maximum generating capacity of 4000MW. It was further confirmed that Eskom has only stated its <b>intention</b> of changing the current Application to a combined application. DEAT will only issue a positive authorisation, for the respective sites if the EIA identifies that all the sites are suitable for the proposed nuclear plants.</p> <p>JMB stated that Eskom was still applying to build conventional nuclear plants with a total capacity of 4 000 MW.</p> <p>SCTA members wanted to know why the two Northern Cape sites had been dropped from the Application, how these sites were originally identified and whether any public participation had been undertaken during this process.</p> <p>TS replied that Eskom undertook public consultation in the early 1980s on the utilities' plan for its nuclear programme via the Nuclear Site Investigation Programme (NSIP). It was further indicated that the site assessment study (NSIP) conducted by UCT Environmental Evaluation Unit (EEU) identified the 5 sites out of many potential sites. These sites were included as the initial five sites assessed as part of the scoping phase of the EIA. A grid planning study undertaken by Eskom, undertaken during the scoping phase showed it was not feasible to use the Northern Cape sites for the proposed Nuclear-1. TS conceded that although an initial comparison was undertaken a full comparative assessment between all sites was not completed and neither were the sites compared to each other in terms of cumulative impacts of the proposed plants and transmission lines. However, such a comparison at the scoping phase would not have resulted in different recommendation. In this regard TS reiterated that the Northern Cape sites were scoped out as they were not deemed feasible as a result of several Tx issues, including their distance from load centres, grid stability issues, the absence of existing power corridors and the time available to complete the necessary studies and undertake the necessary grid integration assessments and projects to ensure the feasibility of the Northern Cape sites.</p> <p>TS noted that some environmental aspects could have changed since the UCT study but as part of the proposed plant EIA, specialists had to confirm that a site was still feasible and reasonable for the construction, operation and decommission of a conventional nuclear power station.</p> <p>PS stated that the Revised Plan of Study for EIA created a larger magnitude of potential impacts if all three sites are approved.</p>		
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At the onset of the Nuclear-1 project Eskom has clearly stated that it is investigating building 20 000 MW of nuclear generation capacity i.e. more than one conventional nuclear plant. This EIA always formed part of this investigation. Despite Eskom notifying of its intention to change the current application to a combined application the application is still for the construction of a single Nuclear power station with a capacity of 4 000 MW. DEA will consider comments from the public and only provide a response if and when the legislation changes.

DdV said that with current legislation a full EIA would have to be done for each new plant but if the intended amendment to Eskom's application is accepted by DEA after the EIA Regulations are promulgated, three nuclear plants could be built without any further future EIAs or public participation.

JMB indicated that should a positive authorisation be provided by DEA, the environmental authorisation would likely provide Eskom with a limited timeframe to exercise its rights. In the event that these rights were not exercised within the stipulated timeframe, DEA could request that specialist studies be revised.

TS added that Eskom had purchased the properties that comprised the three proposed sites and that the utility had done so at risk. There is still the risk of the plant EIA being approved but that the transmission lines associated with the proposed plant are not approved and *vice versa*.

PS said it would not be acceptable that new legislation or regulations be used for an existing application. The process should be started anew to take the new amended Regulations into account.

TS re-iterated that it was Eskom's intention to make a combined application. He indicated that the plant and Tx line EIA studies were split, as the planning and preparation for a plant takes much longer than for transmission lines. Eskom has the option of extending the Public Participation to make sure all I&APs have the chance to participate fully. Eskom is taking information into account for all EIAs no matter in which EIA process the information was identified in.

JMB stated that the EIA Team will look at identifying further groups of I&APs and the public participation processes for both the proposed Nuclear-1 and the Bantamsklip Transmission Lines were ongoing.

PS again stated that it is not acceptable that the plant EIA now apply for authorisation of three sites and would request that the Plan of Study for EIA be modified to state that Eskom would remain with its original Application.

TS replied that such comments would be noted but that Eskom still planned to continue with the amended application once the amended legislation comes into effect.

A strategic forum of stakeholders would only be able to assess future Nuclear Plant applications as the current EIA application would not be halted.

		<p>JMB indicated that should the amendments to the NEMA EIA Regulations be promulgated, DEA could still turn down Eskom's formal request to change the EIA Application. Eskom will only submit the formal request once the amended EIA Regulations are promulgated.</p> <p>TS stated that Eskom would be happy to have further Key Focus Group meetings to obtain I&amp;AP's inputs on the suitability of the Bantamsklip site. Such inputs would be assessed by the EIA specialists.</p> <p>GW said he would still want to see additional information on the rationale for choosing Bantamsklip as a possible site.</p>	Eskom	
	3.3	<p><b>STRATEGIC PLANNING OF DEVELOPMENTS</b></p> <p>GW stated that the EIA process has lost credibility in the eyes of the I&amp;APs. He continued by stating that the public would like to contribute and understand the strategic importance of Eskom's proposed nuclear power programme.</p> <p>PS said that a Strategic Stakeholder Committee could be a body through which stakeholders could discuss the overarching potential impacts and importance of such developments</p> <p>JMB mentioned that a Multi-Stakeholder Workshop (MSW) has been suggested to Eskom as part of the Bantamsklip transmission Line EIA Public Participation Process. The aim of such a Workshop would be to enable a diverse group of key stakeholders in the Agulhas Plan area to (hopefully) reach consensus with respect to alternative transmission line corridors.</p> <p>NB suggested that the SEA and EMF for the area should first be undertaken before the EIAs continue. It was also questioned if DEA has sufficient resources to undertake such assessments</p> <p>TS indicated that a high-level decision has been made that DEA will make resources available to continue assessing the wider area and impact of such developments. Parastatal financial contributions will be used towards resources to support the peer review committee which is currently assisting DEA with EIA decisions.</p> <p>JMB indicated that as part of the Nuclear-1 EIA all specialist study findings would be subject to a peer review.</p> <p>PS asked that it be noted that the SCTA requests that the Nuclear-1 EIA Plan of Study for EIA be kept to the original i.e. an application for the construction of only one nuclear power station. If it happened to be Bantamsklip based on sound justification, this would have to be accepted by the I&amp;APs.</p> <p>JMB confirmed that as part of specialist's Terms of References they had to assess the cumulative impacts on the environment.</p>	<p>Eskom</p> <p>Arcus GIBB</p> <p>Arcus GIBB</p> <p>Arcus GIBB</p>	

	<p>JMB indicated that DEA could still decide to postpone the decision with respect to the proposed power plant until the transmission line EIAs had been submitted to the authority.</p> <p>TS confirmed that the plant EIA would include a discussion in the Environmental Impact Assessment Reports regarding the cumulative impacts of other Tx EIAs. He however emphasised that the comments should be limited to the respective processes i.e. the Nuclear 1 EIA will focus on all comments pertaining to the site.</p> <p>JMB indicated that the following Multi-Stakeholder Workshops (MSWs) were planned as part of the Bantamsklip Transmission Line EIA :</p> <ul style="list-style-type: none"> <li>• A MSW for study area South of the N2, and</li> <li>• A MSW for study area for Muldersvlei to Bacchus (Wellington area).</li> </ul> <p>The proposed plan for the MSW and agenda would be circulated to I&amp;APs for comment and to put forward mandated representatives for attendance at the Workshop.</p> <p>GW indicated that many stakeholder groups did not have the resources to fund a specialist assessment of an alternative route.</p> <p>JMB indicated that stakeholders should identify critical factors based on local knowledge in their own area and highlight these to the EIA specialists who would continue to assess potential environmental impacts of the alternative corridors, with the assistance of the appointed specialists.</p> <p>JMB stated that the EIA specialists would assess the proposed alternative corridors, using the issues identified by stakeholder groups.</p> <p>GW requested that the MSW also assess historic information and that the reasoning on how the 5 sites were chosen by Eskom be explained to stakeholders.</p> <p>JMB agreed that this reasoning be explained by Eskom to stakeholders but cautioned that the MSW was planned to be a one day session. As much preparation as possible should be undertaken by stakeholders before the Workshop. Stakeholders would be given a chance to make inputs on the methodology used in the MSW. The approach proposed is used when an impasse is reached between stakeholders with opposing interests. The MSW would be limited to the Bantamsklip Transmission project.</p> <p>JMB requested that the names of local specialist be submitted to Arcus GIBB, so that they can be invited to participate/ provide information on the study area, with the view of improving the quality of the EIA specialist studies.</p>	<p>Arcus GIBB</p> <p>Arcus GIBB</p> <p>STCA</p>	
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	3.4	<p><b>CRITERIA USED TO IDENTIFY ALTERNATIVE CORRIDOR ROUTES AND SITES</b></p> <p>GW said they would like to understand the initial criteria used by Eskom to identify alternative routes and plant sites.</p> <p>TS indicated that the Site Safety Report (SSR) report was being compiled parallel to the EIA. The SSR assesses the site in terms of technical, financial and radiological aspects of each of the proposed sites. Typically the SSR study does not compare alternatives rather it is a direct assessment of an identified site's suitability for a nuclear power station. The SSR subsequently feeds into the (Site Assessment Report) SAR which is a more plant specific document and details the means in which the plant design will meet the requirements identified in the SSR. The SSR and SAR both form part of the National Nuclear Regulator (NNR) licensing process, which includes a public participation component. Eskom is currently compiling the required SSR documents for each of the proposed sites.</p> <p>DdV mentioned the technology alternative of having the proposed transmission lines underground.</p> <p>JMB replied that this would be assessed as an alternative in the Bantamsklip Transmission Line EIA.</p>	Eskom/ Arcus GIBB	
	3.5	<p>JMB indicated that DEA and DEA&amp;DP have agreed that only landowners in a 1km width corridor along the alternative routes will be contacted directly. JMB suggested that maps can be generated to indicate these landowners and can then be updated to show which landowners have been contacted already. The SCTA members agreed that the approach to the PPP for the EIA outlined above is acceptable. GW indicated that he did not think that NMA have been very good with ensuring as wide as possible public participation to identify possible problems associated with the proposed transmission lines.</p> <p>JMB promised to investigate shortcomings with respect to this aspect of the Bantamsklip Transmission Line EIA.</p>	Arcus GIBB	

3.6	<p><b>EXTENDED TIMEFRAMES FOR COMMENT ON DOCUMENTS</b></p> <p>JMB stated that the request from SCTA to extend the Comment Period for the Bantamsklip Transmission Line EIA Draft Scoping Report had been received by Arcus GIBB and assessed. The Environmental Assessment Practitioner had consulted the Applicant with respect to the independent consultant's decision to extend the public commenting period. Out of courtesy, DEA is informed of such proposed extensions. In this case the Comment Period had been extended to 81 days. Comments received after the Comments Period deadlines will always be accepted by Arcus GIBB but may only be included in the next Report, unless otherwise confirmed by Arcus GIBB. JMB apologised that the STCA had not been kept abreast of development with respect to their request for extension of the Comments Period.</p>		
3.7	<p><b>SERVITUDE REQUIREMENTS FOR LINES</b></p> <p>JMB confirmed that additional technical and safety information on requirements for spacing of the proposed transmission lines (400 kV and 765 k) has been requested from Eskom by the Bantamsklip Transmission Line EIA Team. This information will be included in the MSW pack to be sent to I&amp;APs, for consideration when identifying other alternative corridor routes.</p>	Eskom/ Arcus GIBB	

4	<p><b>CONCLUSIONS</b></p> <p>A member of the STCA complained that certain Eskom personnel were providing incorrect and inconsistent information at public meetings. TS confirmed that only Deidre Herbst (EIA and nuclear issues), Tony Stott (EIA, nuclear and radiological issues) or Mervin Theron (project issues) are official spokespersons for Eskom with respect to the proposed nuclear programme. Alternatively in instances such as this where he has been formally mandated to discuss nuclear issues he will also be in a position to provide responses – this will be case specific. It would be required that all communication from Eskom at future public meetings be provided by one of these individuals or a person mandated with such a responsibility.</p> <p>In conclusion the most important points raised by the STCA were:</p> <ul style="list-style-type: none"> <li>• It is of great concern that Eskom was allowed to enter into separate EIAs for a power station and transmission lines at different stages and on an ad-hoc basis, without a Strategic Environmental Assessment having been done to guide an application of this scale with it's potential negative impact on the social, economic and bio-physical environment. It is also imperative that the cumulative impact that involves both site and transmission lines be assessed and presented to the public in a combined or strategic assessment application.</li> <li>• A proposal was made for the formation of a Strategic Stakeholder Committee which could be a body through which stakeholders could discuss the overarching potential impacts and importance of such developments.</li> <li>• Eskom's intent to amend the current application for Nuclear-1 to a combined application for Nuclear 1, 2 and 3 was noted. However, the view of the STCA is that this is totally unacceptable. If a revised or amended application under new regulations is submitted the EIA and PPP processes will need to be started over; in effect a completely new application will have to be lodged.</li> </ul> <p>JMB requested that the SCTA members continue to provide any comments directly to NMA (Bantamsklip Transmission Line EIA) or ACER Africa (Nuclear-1 EIA) but copy JMB for Nuclear-1 EIA issues and Natalie Ritsch for Bantamsklip Transmission Line EIA issues to ensure timeous feedback, as far as possible.</p> <p>DdV thanked all for their attendance and participation of the meeting and formally closed the meeting.</p>	Eskom  I&APs	
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