

6 *PUBLIC PARTICIPATION PROCESS FOR THE PROPOSED BATOKA GORGE HYDRO-ELECTRIC SCHEME*

6.1 *INTRODUCTION*

As a component of the ESIA for the Batoka HES Project, ERM, Black Crystal and Kaizen Consulting are undertaking a public participation process (PPP).

The PPP has been designed to comply with the regulatory requirements set out in Zimbabwe and Zambia as well as international good practise and the policies of the International Finance Corporation and World Bank Group.

Public participation in an ESIA is not only a statutory requirement, but a process that is designed to provide Interested and Affected Parties (I&APs) with an opportunity to evaluate all aspects of the proposed Project, with the objective of improving the Project by maximising its benefits while minimising its adverse effects. I&APs represent relevant interests and sectors of society and the various relevant organs of state. Through informed and transparent public participation effective social and environmental management/mitigation measures can be established and implemented should the Project be authorised.

The ESIA is currently in a stage of feedback on the Draft Scoping Report. This chapter presents an overview of the PPP, what engagement activities have been undertaken to date and issues that have been identified. It is concluded by identifying what the next steps in the PPP will be.

It is important to note that a parallel Resettlement Action Plan (RAP) is being prepared and a separate PPP will be adopted for this study. Issues and comments raised through the RAP will feed into this PPP report.

6.2 *APPROACH TO STAKEHOLDER ENGAGEMENT*

As detailed above, the PPP has been developed so as to comply with the legislation of both affected countries as well as International Good Practise. The specific requirements with regard to PPP as well as those of the local in-country legislation are set out below:

6.2.1 *International Good Practise*

Performance Standard 1 of the International Finance Corporation (PS 1) has a particular focus on requirements for stakeholder engagement in a Project. These are described in more detail below in *Box 6.1* below.

IFC PS 1: Assessment and Management of Environmental and Social Risks and Impacts: Stakeholder Engagement

Stakeholder engagement is an on-going process that may involve, in varying degrees, the following elements: stakeholder analysis and planning, disclosure and dissemination of information, consultation and participation, grievance mechanism, and on-going reporting to Affected Communities.

Disclosure of relevant Project information

Provide affected communities with access to relevant information on: (i) the purpose, nature, and scale of the Project; (ii) the duration of proposed Project activities; (iii) any risks to and potential impacts on such communities and relevant mitigation measures; (iv) the envisaged stakeholder engagement process; and (v) the grievance mechanism.

Informed Consultation and Participation

For Projects with potentially significant adverse impacts on affected communities, conduct an informed consultation and participation process. It should involve deep exchange of views and information, and an organized and iterative consultation, leading to the Project incorporating into their decision-making process the views of the affected communities on matters that affect them directly, such as the proposed mitigation measures, the sharing of development benefits and opportunities, and implementation issues.

The process should be documented, in particular the measures taken to avoid or minimize risks to and adverse impacts on the affected communities. The communities should be informed about how their concerns have been considered.

External Communications

Implement and maintain a procedure for external communications that includes methods to (i) receive and register external communications from the public; (ii) screen and assess the issues raised and determine how to address them; (iii) provide, track, and document responses, if any; and (iv) adjust the management program, as appropriate. In addition, clients are encouraged to make publicly available periodic reports on their environmental and social sustainability.

Grievance Mechanism for Affected Communities

Establish a grievance mechanism to receive and facilitate resolution of affected communities' concerns and grievances about the client's environmental and social performance.

On-going Reporting to Affected Communities

Provide periodic reports to the affected communities that describe progress with implementation of the Project Action Plans on issues that involve on-going risk to or impacts on affected communities and on issues that the consultation process or grievance mechanism have identified as a concern to those communities.

IFC Performance Standards require that after completion of an environmental assessment the consultation and disclosure must continue throughout the life cycle (construction and operation phase) of the Project.

In addition, The World Bank Operational Procedure 4.01 prescribes the following stakeholder engagement requirements:

- For all Category A and B Projects, the borrower consults Project-affected groups and local nongovernmental organizations (NGOs) about the Project's environmental aspects and takes their views into account. The borrower initiates such consultations as early as possible. For Category A Projects, the borrower consults these groups at least twice: (a) shortly after

environmental screening and before the terms of reference for the EA are finalized; and (b) once a draft EA report is prepared. In addition, the borrower consults with such groups throughout Project implementation as necessary to address EA-related issues that affect them.

- For a Category A Project, the borrower provides for the initial consultation a summary of the proposed Project's objectives, description, and potential impacts; for consultation after the draft EA report is prepared, the borrower provides a summary of the EA's conclusions. In addition, for a Category A Project, the borrower makes the draft EA report available at a public place accessible to Project-affected groups and local NGOs.

6.2.2 *Zimbabwean Legislation*

Statutory Instrument No. 7 of 2007 the Environmental Management (Environmental Impact Assessments and Ecosystems Protection) Regulations provides the requirements for stakeholder engagement in respects of the development of EIAs. Developers are required to consult widely with all stakeholders: *“Before any environmental impact report is furnished to the Director-General, the developer shall carry out wide consultations with stakeholders”*. The use of print and electronic media is recognised.

The Director General of the EMA has a right to verify whether full stakeholder participation was undertaken; the Environmental Management Agency will not issue a licence to the developer if they are not satisfied that stakeholder engagement has been undertaken to the manner required: *“During a prospectus and environmental impact assessment report review period, the Director-General shall verify whether full stakeholder participation was undertaken when the environmental impact assessment report was prepared”*. Statutory Instrument No 7 also provides that *“the Director-General may advertise in the print and electronic media when a prospectus or environmental impacts assessment report is being reviewed”*.

6.2.3 *Zambian Legislation*

In Zambia, the Environmental Management Act, 2011 and Statutory Instrument 28 of the 1997 EIA Regulations are the key legislation that provide the requirements for stakeholder engagement in respects of the development of EIAs.

The Environmental Management Act 2011 provides that the public have the right to be informed of the intention of public authorities to make decisions affecting the environment and of available opportunities to participate in such decisions. The legislation obliges the developer to consult with the public: *“the Agency and the appropriate authorities shall establish mechanisms to collect and respond to public comments, concerns and questions relating to the environment including public debates and hearing”*.

The 1997 EIA Regulations states that stakeholder engagement needs to involve government agencies, local authorities, non-governmental and community based organisations and interested and affected parties.

“The developer shall, prior to the submission of the EIS to the Council, take all measures necessary to seek the views of the people in the communities which will be affected by the Project. In seeking the views of the community in accordance with sub-regulation, the developer shall:

- (a) publicise the intended Project, its effects and benefits, in the mass media, in a language understood by the community, for a period not less than fifteen days and subsequently at regular intervals throughout the process; and*
- (b) after the expiration of the period of fifteen days, referred to in paragraph (a), hold meetings with the affected communities to present information on the Project and to obtain the views of those consulted”.*

The Government is responsible for distributing the ESIA for public comment. The public are notified via the media including radio. Public meetings may be called, as advertised in the media. Media notices shall be published three times a week for two consecutive weeks in the national papers at least fifteen days prior to the public hearing. Comments can be received 20 days from the date of the last media notice however, the Government may extend this period up to a period of 15 days. Such hearings can only be scheduled twenty-five days after the last public notification.

6.3 OBJECTIVES OF STAKEHOLDER ENGAGEMENT

The PPP has been designed to achieve the following objectives:

- To ensure that I&APs are well informed about the proposed Project;
- To provide a broad set of I&APs sufficient opportunity to engage and provide input and suggestions on the proposed Project;
- To verify that I&APs’ issues have been accurately recorded;
- To draw on local knowledge in the process of identifying environmental and social issues associated with the proposed Project, and to involve I&APs in identifying ways in which these can be addressed; and
- To comply with the legal requirements.

The PPP has been designed in four phases, namely:

6.3.1 Screening/Key Stakeholder Engagement Phase

- Introduces the proposed Project and its processes to key I&APs;
- Obtains the blessing of these key stakeholders to consult with communities at large;

- Identifies appropriate, effective and desired means of engagement.

6.3.2 *Scoping Phase*

- Officially initiates and notifies the public of the formal ESIA process;
- Invites prospective I&APs to register as I&APs;
- Engages with I&APs to identify issues of concern, suggestions and comments about the proposed Project;
- Makes suggestions for enhanced Project benefits and reasonable alternatives;
- Verifies that issues raised by I&APs have been accurately recorded through a Draft Scoping Report; and
- Defines the Terms of Reference for the ESIA specialist studies to be undertaken in the impact assessment phase.

6.3.3 *Impact Assessment Phase*

This phase allows I&APs to provide informed comment on the findings of the specialist assessments and proposed mitigation measures. It also allows for a further confirmation on issues identified.

6.3.4 *Decision Making Phase*

This phase of the study will allow for information sharing around the environmental authorisation decision that is taken in line with the legislative requirements.

6.4 *STAKEHOLDER IDENTIFICATION*

One of the key principles informing the PPP is that it should be an inclusive process and that ample opportunity is afforded for stakeholders to register to participate in the process.

I&APs were invited to become part of the process in two ways:

- Through notification activities, which were designed to ensure that the broader public were informed of the process and invited to be involved; and
- Through ERM proactively registering I&APs identified as potentially interested or affected through the development of a stakeholder database in advance of the notification activities and directly informing these parties of the opportunity to comment and participate.

Media notices were placed in newspapers to notify the general public about the Project and request registration and participation. In Zimbabwe, notices were placed in the *Herald* and *Chronicle* due to wide readership in Harare Province and Matabeleland North Province respectively. In Zambia a notice was placed in *The Times of Zambia* and *The Post*. Further details of these notices are provided in *Table 6.1* and *Annex E*.

Proactive registration took place via the distribution of invitation letters and background information documents (BIDs) by email, post or hand delivery to those people identified upfront in the Scoping Phase as I&APs. Traditional authorities and village headmen were notified directly via preliminary meetings and provided with flyers and posters to encourage the participation of their communities. Notification and registration of public participation materials are appended to this report as *Annex E*.

Following the completion of the initial round of consultations, the following parties have been registered on the stakeholder database:

6.4.1 *Zimbabwe*

- **Government:** Stakeholders from selected National, Provincial, District and Local Departments as well as relevant Ward Councillors and elected political representatives. Specifically these have included:
 - Civil Aviation Authority of Zimbabwe;
 - Civil Protection Unit;
 - Civil Service Commission;
 - Department of Immigration;
 - Department of Physical Planning;
 - Department of Veterinary Services;
 - District Development Fund;
 - Environmental Management Agency;
 - Hwange District Administrator;
 - Hwange Local Board;
 - Hwange Rural District Council;
 - Meteorological Services Department
 - Ministry of Agriculture, Mechanisation and Irrigation Development;
 - Ministry of Defence – Engineering Battalion;
 - Ministry of Energy and Power Development;
 - Ministry of Environment, Water and Climate Resources ;
 - Ministry of Finance and Economic Development;
 - Ministry of Health and Child Care;
 - Ministry of Home Affairs;
 - Ministry of Lands and Rural Resettlement;
 - Ministry of Local Government, Public Works and National Housing;
 - Ministry of Mines and Mining Development;
 - Ministry of Primary and Secondary Education;

- Ministry of Tourism and Hospitality Industry;
 - Ministry of Transport and Infrastructural Development;
 - Ministry of Women Affairs, Gender and Community Development;
 - Ministry of Youth, Indigenisation and Economic Empowerment;
 - National Museums and Monuments of Zimbabwe;
 - Registrar General's Office;
 - Rural Electrification Agency;
 - Social Services Department;
 - Victoria Falls Municipality;
 - ZESA Holdings;
 - Zimbabwe Council of Tourism;
 - Zimbabwe Electricity Transmission and Distribution Company;
 - Zimbabwe Energy Regulatory Authorities;
 - Zimbabwe Forestry Commission;
 - Zimbabwe National AIDS Council;
 - Zimbabwe National Statistics Agency (ZIMSTATS)
 - Zimbabwe Parks and Wildlife Management Authority;
 - Zimbabwe Parks and Wildlife Management Authority;
 - Zimbabwe Tourism Authority;
 - ZIMRA;
 - ZINARA;
 - ZINWA;
 - ZRP.
- **Traditional Leadership:** areas are governed by Traditional Leaders, Village Heads and Village Headmen:
 - Bishop Matata Sibanda;
 - Chief Hwange;
 - Chief Shana;
 - Headmen of the affected wards.
- **Tourism stakeholders:** these include stakeholders having an economic interest in the Project area as a result of tourism activities and include:
 - Adventure Zone;
 - African Paddling Association
 - African Predator Diving
 - Azambezi Hotel;
 - Backpackers Lodge
 - Bonisair;
 - CANSAF;
 - Cheziya Crocodile Ranch;
 - Croc Cage Diving;
 - Dabula Safari
 - Dingane Tours;
 - Eco Elements;
 - Elephant Hills Hotel;

- Employers Association of Tourism and Safari Operators;
 - Hotel Association for Mataberland North
 - Ilala Lodge;
 - Imvelo Safari Lodges;
 - Invilo Gorges Lodge;
 - Khanando;
 - Kingdome Hotel;
 - Lion Encounter Alert;
 - Rafting Association;
 - Rainbow Hotel;
 - Regional Tourism Organisation of Southern Africa;
 - Shearwater Adventures
 - Shock Wave;
 - Spray View Hotel (Cresta);
 - Stanley and Livingstone;
 - The Elephant Camp (Wild Horizons);
 - Victoria Falls Hotel;
 - Victoria Falls Publicity Association;
 - Victoria Falls Safari Lodge
 - Victoria Falls Wonders Online;
 - Wild Horizons;
 - Zambezi Helicopter Company (Shearwater).
- **Community/development organisations:** these involve stakeholders involved in community development and social improvement Projects in the area
 - CAMPFIRE Project;
 - Chisuma Clinic;
 - Rose of Charity;
 - Intengwe;
 - Catholic Development Commission / Caritas.
- **Interest Groups:** these are organisations with an environmental or other interest in the Project
 - *Non-Governmental Organisations*
 - Bird Life Zimbabwe;
 - Environment Africa;
 - Green Fund;
 - KAZA (Kavango-Zambezi Transfrontier Conservation Area);
 - The Victoria Falls Wildlife Trust;
 - Victoria Falls Anti-Poaching Unit;
 - Zambezi River Society;
 - Zambezi Society;
 - Zimbabwe Conservation Task Force.

- *International Organisations*
 - International Rivers;
 - Man & the Biosphere (MAB);
 - South African Development Committee (SADC)
 - UNESCO;
 - UNICEF;
 - United Nations Development Programme;
 - University of California; and
WWF.

Other Interest Groups

- Batoka Clan;
 - CADEC Hwange;
 - EMRAS Ambulance Services;
 - Finx;
 - Friends of Victoria Falls ;
 - Hwange Colliery;
 - Hwange Power Station (HPS);
 - Hwange Show Society;
 - Jafuta Foundation;
 - Matetsi ECS;
 - Mputalo hunters;
 - PSMI Medical Clinic (VF);
 - The Chronicle;
 - The Falls Private Medical Centre - Health Bridge;
 - Tree Society of Zimbabwe;
 - University of Zimbabwe's Centre for Applied Social Studies;
 - UZ Department of Biological Sciences;
 - VFM;
 - Victoria Falls Communications Bureau;
 - Zimbabwe Power Company (ZPC).
- **Affected communities:** these entail those both directly and indirectly affected by the proposed Project. On the commencement of the resettlement work, this will be expanded to include affected individuals within communities:

Directly affected villages

In Jambezi, Nemangana, Kattchecheti, Chidobe, Chikandukubi, Matetsi, Mbhizi, Sidinda and Mashala wards

Neighbouring villages and those experiencing indirect benefits

- **Government:** Stakeholders from selected National, Provincial, District and Local Departments as well as relevant Ward Councillors and elected political representatives. Specifically these have included:
 - Choma District Council;
 - Department of Water Affairs;
 - Energy Department;
 - Energy Regulation Board;
 - Environment Department;
 - Geological Survey Department;
 - Human Rights Commission;
 - Kazungula District Council;
 - Kalomo District Council;
 - Legal, Social and Governance;
 - Livingstone City Council;
 - Livingstone Museum;
 - Ministry of Agriculture;
 - Ministry of Chiefs and Traditional Affairs;
 - Ministry of Community Development, Mother and Child Health;
 - Ministry of Education, Science and Vocational Training;
 - Ministry of Finance and National Planning;
 - Ministry of Health;
 - Ministry of Labour and Social Security;
 - Ministry of Lands, Natural Resources and Environmental Protection;
 - Ministry Of Livestock And Fisheries Development;
 - Ministry of Local Government and Housing;
 - Ministry of Mines, Energy and Water Development;
 - Ministry of Tourism and Arts;
 - Ministry of Transport, Works, Supply and Communication;
 - National AIDS Council;
 - National Council for Construction;
 - National Heritage Conservation Commission (NHCC)
 - National Parks and Department of Maritime and Inland Waterways;
 - National Road Fund Agency;
 - Planning and Information Department;
 - Road Development Agency;
 - Road Transport & Safety Agency;
 - Southern Water and Sewerage Company Limited;
 - The National Water Supply and Sanitation Council;
 - Water and Sanitation Association of Zambia (WASAZA);
 - Water Authority Board;
 - Zambia Environmental Management Agency
 - Zambia National Commission for UNESCO;
 - Zambia National Museums and Monuments;
 - Zambian National Commission for Development Planning;
 - Zambia Wildlife Authority;

- Zamtel;
 - ZESCO Ltd;
 - Zimba District Council;
- **Traditional Leadership:** areas are governed by Traditional Leaders, Village Heads and Village Headmen:
 - Chief Mukuni;
 - Chief Musokotwane;
 - Chief Sipatunyana;
 - Chief Simwatachela;
 - Chief Chikanta;
 - Headmen of the affected wards.
- **Tourism stakeholders:** these include stakeholders having an economic interest in the Project area as a result of tourism activities and include:
 - Adventure logic;
 - Bundu Adventures Ltd.;
 - Euma Tours;
 - Fawltly Towers;
 - Limbo lodge;
 - Livingstone Business District Association;
 - Livingstone Tourism Association;
 - Maramba River Lodge;
 - Mukwa Travel & Tours Zambia;
 - Munga Eco Lodge;
 - Raft Extreme;
 - Safari Par Excellence;
 - Safari Trek International Group;
 - Savannah Southern Safaris
 - Stanley Exploration & Safari;
 - Tabonina Guesthouse;
 - Taita Falcon Lodge;
 - United Air Charter;
 - Wasawange Lodge & Tours
 - Water Rafters Association;
 - Zambezi Rafting Company.
- **Community/development organisations:** these involve stakeholders involved in community development and social improvement Projects in the area
 - Alliance for Sustainable Agriculture(ASA);
 - Catholic Development Commission / Caritas.
 - Cheshire Homes;
 - Community Based Natural Resources Management Forum;

- Integrating Climate Change in Water Resource Monitoring in Zambia;
 - Jesuit Centre for Theological Reflection;
 - Livingstone & Kazungula Farmers Association ;
 - MS Zambia;
 - Mukuni Health Centre;
 - Non-Governmental Coordinating Council;
 - Republic of Zambia (Ministry of Agriculture and Livestock (MAL) Policy and Planning Department;
 - Southern Medical Centre;
 - The Butterfly Tree;
 - Water and Sanitation Association of Zambia (WASAZA);
 - Wildlife and Environmental Conservation Society of Zambia;
 - Zambia Climate Change Network;
 - Zambia Community Based Natural Resource Management Forum;
 - Zambia Vulnerability Assessment Committee.
- **Interest Groups:** these are organisations with an environmental or other interest in the Project
 - *Non-Governmental Organisations*
 - Environment Africa.
 - *International Organisations*
 - Care International;
 - International Rivers;
 - OWA;
 - Oxfam;
 - Red Cross;
 - South African Development Committee (SADC)
 - UNESCO;
 - World Vision;
 - WWF.
 - *Other Interest Groups*
 - EAG;
 - AZMEC, WECSZ, ZAMDEX;
 - Copperbelt University;
 - Hearth Earth Art (Permaculture Fundi)
 - Livingstone Chamber;
 - Livingstone General Hospital;
 - Private Sector Development Association;
 - The Livingstone Man;
 - University of California;
 - Zambezi Memories
 - Zambia Chamber of Small and Medium Business Associations
- **Affected communities:** these entail those both directly and indirectly affected by the proposed Project. On the commencement of the resettlement

work, this will be expanded to include affected individuals within communities:

Directly affected villages

In Livingstone, Zimba, Kalomo and Choma Districts

Neighbouring villages and those experiencing indirect benefits

An I&AP database has been compiled and will continue to be updated throughout the PPP. The existing detailed I&AP database is appended as *Annex D*.

6.5 ACTIVITIES UNDERTAKEN DURING THE SCOPING PHASE TO DATE

Table 6.1 below provides details of the PPP activities undertaken during the Scoping Phase of the ESIA to date. Where activities have already been completed, annexes of supporting material are indicated.

Table 6.1 Public Participation Activities undertaken to date

Activity	Details	Reference in DSR
Pre-Scoping/Key Stakeholder Phase		
Site visit for orientation and identification of affected area, stakeholders and logistical considerations	A site visit was undertaken to inform the scope of work for this Project. This was undertaken between 9 th and 13 th June 2014.	
Meetings with key I&APs to determine stakeholder engagement approach	Meetings with local authorities and traditional authorities. Introduction of the proposed Project and its processes. The key purpose of these meetings was to refine the stakeholder engagement plan. These meetings took place between 29 th July and 8 th August 2014.	<i>Annex F</i> I&AP meeting minutes
Meetings with key I&APs to expand on approach and assist with logistics for community meetings	Further meetings were held with the traditional authorities in order to set dates and venues for community meetings and ensure that their permission for these meetings was provided. These meetings were undertaken between 17 th and 23 rd September 2014.	
Scoping Phase		
Identification of I&APs	I&AP database was compiled which includes interested and affected parties from various sectors of society and the regulatory environment including directly and indirectly affected communities in and around the proposed Project area. This was expanded on following the first round of PPP and will continue to be updated throughout the PPP process.	<i>Annex D</i> I&AP database

Activity	Details	Reference in DSR
Distribution of proposed Project announcement letter and Background Information Document (BID)	BID and announcement documentation emailed and posted to pre-registered I&APs. (Registration period: 1st Oct to 30th Oct in Zambia; 18th Sept to 19th Oct in Zimbabwe)	<i>Annex E</i> BID, letters, registration and comment sheet, media notices, flyers and site notices
Placing of media notices	Adverts were placed in the <i>Herald</i> (18 th September 2014 - Zimbabwe) and <i>Chronicle</i> (18th September 2014 and 22 nd December 2014 - Zimbabwe) and <i>Times of Zambia</i> (1 st October 2014 - Zambia) and <i>The Post</i> (19 th December 2014 - Zambia) newspapers. These media notices also advertised the public open days in Harare, Lusaka, Victoria Falls and Livingstone	<i>Annex E</i> BID, letters, registration and comment sheet, media notices, flyers and site notices
Distribution of site notices and flyers for community meetings	In agreement with the traditional authorities, headmen and village headmen, flyers were distributed via these representatives and site notices printed also for their placement at suitable venues. Community meetings were advertised in this manner. These were distributed on 20 th September 2014 in Zimbabwe and on 22 nd September 2014 in Zambia (Chief Musokatwane only as Chief Mukuni requested that these external notification means not be utilised for his communities as he wanted to notify them directly)	<i>Annex E</i> BID, letters, registration and comment sheet, media notices, flyers and site notices
I&AP meetings	A full schedule of PPP engagements is provided in <i>Table 6.2</i> below. At the request of stakeholders an additional meeting in Victoria Falls and Livingstone with technical team members was held on 22 nd and 23 rd January 2015 respectively. An interpreter was provided for all community meetings.	<i>Annex C</i> Attendance registers
Obtained comments from I&APs	Comments, issues of concern and suggestions received from I&APs were captured in the Comment and Response Report.	<i>Annex B</i> Comment and Response Report
Draft Scoping Report	A DSR was compiled on the basis of comments received. This included a component detailing the public participation activities undertaken to date.	Not applicable
Announcement of DSR	DSR announcement letter sent to all I&APs on the database along with a copy of the comments and response report and non-technical summary of the Draft Scoping Report.	<i>Annex G</i> DSR Public Participation Material
Making DSR available to I&APs	DSR and/or accompanying/summary documents were placed at the following public places within the proposed Project area: <i>Zimbabwe</i> Hwange Rural District Council Office District Administrators Office in Hwange Jambezi Clinic	<i>Annex G</i> DSR Public Participation Material

Activity	Details	Reference in DSR
	Chisuma Clinic Harare Black Crystal Office Provincial Administrators Office Victoria Falls Municipal Office Victoria Falls Environment Africa Office Zambia Livingstone City Council Livingstone District Office Kazungula District Council Kazungula District Office Lusaka Kaizen Consulting Office District Commissioners offices in Zimba, Kalomo and Choma District Council Offices in Zimba, Kalomo and Choma National Assembly Offices Zimba, Kalomo and Choma Chiefs Palaces (Sipatunyana, Simwatachela & Chikanta)	

Table 6.2 I&AP Engagements Undertaken During the Scoping Phase of the Study

Meeting	Venue	Date
Public Open Day, Harare	Harare Royal Golf Club	30 th Sep 2014
Authorities Meeting, Bulawayo	Bulawayo Club	1 st Oct 2014
Community meeting, Jambezi	Chief Shana's homestead	2 nd Oct 2014
Hwange Rural District Council Meeting	Hwange Rural District Council Offices	3 rd Oct 2014
Community meeting, Nemangana	Sacred Heart Mission	4 th Oct 2014
Victoria Falls Open Day	Victoria Falls Municipal Offices	4 th Oct 2014
Community meeting, Kattchecheti	Ndhlovu Business Centre	5 th Oct 2014
Community meeting, Chidobe	Chisuma Primary School	6 th Oct 2014
Community meeting, Chikandukubi	Mashake Secondary School	6 th Oct 2014
Livingstone Open day	Livingstone Municipal Offices	6 th Oct 2014
Community meeting, Matetsi	Matetsi Police Station	7 th Oct 2014
Community meeting, Mbhizi	Milonga Clinic	7 th Oct 2014
Lusaka Open Day	Long Acres Lodge	7 th Oct 2014
Regulatory authority meeting, Lusaka	Long Acres Lodge	8 th Oct 2014
Community meeting, Sidinda	Lumbora Primary School	8 th Oct 2014
Community meeting, Mashala	Mashala Secondary School	8 th Oct 2014
Livingstone Council Meeting	Provincial Conference Room, Livingstone	9 th Oct 2014

Kazangula District Council Meeting	Kazungula Council Chambers	10 th Oct 2014
Community meeting for Chief Musokotwane villages	Musokotwane Primary School	11 th Oct 2014
Community meeting for Chief Mukuni villages	Njando Primary School	13 th Oct 2014
Victoria Falls Information Sharing Meeting	Victoria Falls Municipal Offices	22 nd Jan 2015
Livingstone Information Sharing Meeting	Livingstone Lodge	23 rd Jan 2015

6.6 *ACTIVITIES PROPOSED FOR THE WAY FORWARD*

6.6.1 *Scoping Phase*

Feedback on the results of the Scoping Phase of the Project so that issues identified to date can be confirmed and expanded on will take place as detailed in *Table 6.2* above. The report will also be made available for a 30 day comment period, after which comments received will be included into the Final Scoping Report which will be submitted to EMA and ZEMA. In addition the Comments and Response Report will be updated with all comments received.

6.6.2 *Impact Assessment*

During the impact assessment phase of the Project, the primary aim of the PPP will be to engage I&APs with regard to the results of the studies and the proposed management measures. A public comments period of 30 days for comment on the Draft ESIA and ESMP is currently proposed. Stakeholders will be notified via email, sms, mail, hand delivery and/or fax of the availability of the Draft ESIA and ESMP and engagements that are proposed during this phase.

Table 6.3 below provides details of the public participation activities proposed for the impact assessment phase of the ESIA.

Table 6.3 Public Participation Activities Proposed During the ESIA Phase of the Project

Activity	Details
Notification of the ESIA Feedback Phase and availability of the Draft ESIA and ESMP	<p>Registered I&APs will be notified by mail/email/hand delivery/fax/sms of the availability of the Draft ESIA and ESMP for public comment and further I&AP engagements. The Draft ESIA and ESMP and/or accompanying and summary documents will be placed at the following venues for a 30 day period:</p> <p>Zimbabwe Hwange Rural District Council Office District Administrators Office in Hwange Jambezi Clinic Musana Chisuma Clinic Harare Black Crystal Office Provincial Administrators Office Victoria Falls Municipal Office Victoria Falls Environment Africa Office</p> <p>Zambia Livingstone City Council Livingstone District Office Kazungula District Council Kazungula District Office Lusaka Kaizen Consulting Office District Commissioners offices in Zimba, Kalomo and Choma District Council Offices in Zimba, Kalomo and Choma National Assembly Offices Zimba, Kalomo and Choma Chiefs Palaces (Sipatunyana, Simwatachela & Chikanta)</p> <p>Additional notification measures will include:</p> <ul style="list-style-type: none"> • Flyers and site notices for community meetings • Telephonic follow up for meeting attendance.
I&AP meetings	<p>The following I&AP engagements are proposed for feedback on the results of the EIA:</p> <ul style="list-style-type: none"> • Information sharing meeting in Victoria Falls; • Information sharing meeting in Livingstone; • Information sharing meeting in Victoria Falls; • Information sharing meeting in Livingstone; • Community meeting for Chief Shana’s villages; • Community meeting for Chief Mvutu’s villages; • Community meeting for Chief Hwange’s villages; • Community meeting for Chief Musokotwane chiefdom; • Community meeting for Chief Mukuni chiefdom; • Community meeting for Chief Sipatunyana chiefdom; • Community meeting for Chief Simwatchela chiefdom; • Community meeting for Chief Chikanta chiefdom.
Obtained comments from I&APs	<p>Comments, issues of concern and suggestions received from I&APs will be captured in the updated Comment and Response Report. Responses have been provided by EAP, Project engineers and ZRA.</p>
Preparation of the Final ESMP	<p>The Draft ESIA and ESMP will be modified on the basis of issues raised during the comments period. This will be submitted to the regulatory authorities to inform the environmental authorisation decision.</p>

6.6.3 *Environmental Authorisation*

The environmental authorisation decisions taken by EMA and ZEMA will be advertised in the media and all registered I&APs will be informed by email/fax/hand delivery/ mail/sms of the environmental authorisation decision.

6.7 *SUMMARY OF ISSUES IDENTIFIED TO DATE*

A summary of comments raised by I&APs are included in *Table 6.4* below. A full list of comments and associated responses are included in the Comment and Response Report (*Annex B*).

Table 6.4 *Summary of Interested and Affected Parties' Comments*

Category	Comments Raised
Biodiversity	<ul style="list-style-type: none"> • Requirement for an offset for National Park area lost • Need for the relocation of crocodiles in the Gorge • Need for liaison with and engagement between stakeholders to monitor and relocate affected species • Loss of birding tourism • Loss of endemic bird species • Loss of nesting areas for several unique bird species • Loss of unique insect life • Threat to animal life • Impact on bats • Loss of unique aloes and succulents • Impact on unique vegetation found in the Gorge • Movement of wild animals from the Gorge into the communities • Disruption of livelihoods as a result of an increase in human-wildlife conflict • There are elephant corridors in the area and consultation is required with the Zambian Wildlife Authority • Impact on elephant crossing and therefore increase in human-wildlife conflict • Impact on Community Wildlife Project in Chief Mukuni's area • Impact on the Chete and Secula islands which are both rich in wildlife • Zambian transmission line on the bird migratory path between Mozambique and Okavango • Need for appointment of a bird specialist and the study cannot just be undertaken at a desktop level • Spread of water hyacinth • Impact on freshwater biodiversity and downstream ecological processes • Impact on large mammals • Relocation of communities should promote conservation and take into account animal corridors and routes • Need to monitor environmental attributes to guide policy and decisions for similar future Projects
Community development	<ul style="list-style-type: none"> • Use of local companies as sub-consultants for the Project • Use of local companies for the supply of goods and services

Category	Comments Raised
	<ul style="list-style-type: none"> • Need for plans to support the youth of the area • Provision of power to those impacted • Employment of local people required • Social benefits for local people is required • Need for a reliable water supply in the communities • Need for transparency with regard to Project benefits • Need for the development of social infrastructure • Need to benefit from the water supply provided by the dam • Need to upgrade roads in the area to improve community access • Need for water and sanitation projects • Need for recreational facilities • Compensation required to the community as a whole in the form of community development projects
Heritage	<ul style="list-style-type: none"> • Impact on cultural sites • Impact on historical sites and graves • Need for presentation on how cultural heritage will be addressed • Measures to protect the “boiling pot” • Relocation of heritage sites • Engagement of heritage authorities
Dam stability	<ul style="list-style-type: none"> • Impact downstream if dam failure • Historical concerns raised with regard to dam failure • Suitability of the geology for the dam development
Downstream water impacts	<ul style="list-style-type: none"> • Impact on downstream water quality and flow • Information required with regard to releases of water from the dam - issues around regularity of these and seasonality • Availability of existing water quality data • Impact on Kariba water levels during construction and operation • Impact on energy generation at Lake Kariba • Impact on downstream tourism activities including those located in Binga • Impact on downstream conservancies • Impact on Hwange Colliery water abstraction • Impact on downstream irrigation schemes • Impact on falls in close proximity to the dam? • Full comprehensive assessment required on environmental flows • Will water require treatment prior to release? • Impact on sedimentation downstream
Upstream water impacts	<ul style="list-style-type: none"> • Impact on Victoria Falls as a result of sedimentation • Impact on Victoria Falls if there is flooding
Impact on surface and groundwater bodies	<ul style="list-style-type: none"> • Impact on the water table and surface and groundwater bodies as a result
Details about the EIA Process	<ul style="list-style-type: none"> • Need for the use of local baseline data collectors • Validity of the environmental authorisation decision and change to baseline conditions during this period • Implications if one country approves the Project and the other does not • Request for a copy of the ESIA • Duration of ESIA • Lack of suitable responses provided at the Scoping Meetings • Current stage of the ESIA • Meaning of “Scoping” • Independence of the ESIA Consultant

Category	Comments Raised
	<ul style="list-style-type: none"> • Availability of the Final Inception Report • Infrastructure included in the Scope of the ESIA • Design changes may necessitate the need for another round of meetings and repeat of Scoping • The Ministry of Community Development – Mother and Child Health and ZESCO would like to review the terms of reference for the health impact study • The socio-economic study needs to consider impacts on the community as a whole and not just those parties affected by resettlement • A review of the legislation that is deemed relevant is required • Need for the presentation of mitigation measures • Involvement in water flow workshop and use of results • •
Employment	<ul style="list-style-type: none"> • Local people to benefit from employment • Training of local people now so they can benefit when Project commences • Monitoring of local employment required • Corruption in employment selection is of concern • Clarity required with regard to criteria for employment • Split of employment opportunities between Zimbabwe and Zambia • After construction it will just be qualified people that are provided with employment
Grievance management	<ul style="list-style-type: none"> • Clarity required for the process of grievance management
Impact on fishing activities	<ul style="list-style-type: none"> • Impact on the tiger fishing industry • Loss of fishing livelihood
Impact on river rafting activities	<ul style="list-style-type: none"> • Compensation required for the loss of livelihood derived from river rafting and other tourism activities • Anticipated impact on the flow of the rapids and resultant impact on the river rafting industry • Loss of jobs and compensation for this • Loss of jobs as a result of reduced river rafting needs to be weighed up against jobs provided by the dam
Improved access	<ul style="list-style-type: none"> • Social impacts associated with improved access to the area • Cross-border cattle theft and other security issues to increase with improved access • Improved access to the area may improve tourism in the area
Project alternatives	<ul style="list-style-type: none"> • Solar power versus hydroelectric power to be considered • Alternatives for power distribution and use • Alternatives for the siting of the dam • Record of Project alternatives considered to date • Turbine generated power to be considered as an alternative • Options for power supply for Zambia require consideration • Options of a smaller dam require consideration as Zambia is near to achieving its required power quota • Generation of dam elsewhere in Zambia and export of power to Zimbabwe • Development of the Kafue Stage 2 dam as an alternative • Use of fish friendly turbines • Expansion of Hwange Power Station • Run of river power generation without the development of a dam
Project details	<ul style="list-style-type: none"> • Clarity required regarding the extent of the dam and size of inundation area

Category	Comments Raised
	<ul style="list-style-type: none"> • Need for the Hwange powerline alternative • Rationale for the location of the permanent camps, transmission lines and dam site • Need for blasting • Need for a new customs post over the dam • Who to be housed in the permanent villages? • % power contribution offered by the Project in terms of national requirements • Why Batoka Gorge site was selected? • Why is spillway located in Zimbabwe? • Size of spillway and commercial value for the loss of this land • Location of the permanent villages • Who is the construction contractor? • Use of existing roads as a preference • Suggestion for environmentally friendly technologies to be employed in permanent camps • How is the population for the permanent camps derived if there are only 1500 employees? • Fate of township infrastructure? • Number of spillway gates? • Type of surfacing for access roads and which roads to be upgraded • Alignment of access roads • Number of transmission lines • Height of the dam above or below the gorge • Width of powerline servitude • Volume of water in the dam • Will new roads be constructed? • Which communities will be impacted on by the Project? • Different construction phases and what proposed during these. • Duration of construction period • Ownership of the Project • Why power lines proposed to Choma instead of Livingstone? • Lots of activity already underway in Zimbabwe, but not Zambia • Location of Project headquarters? What governance structure to be employed? • Meaning of “impoundment” • Need for a holding dam • Change to design of dam if 3000 MW capacity is desired • Has a pre-feasibility study been undertaken? • Will dam expand in the future? • What could impact on the start date for the Project? • Will there be access between the two countries as part of the development? <p>Have cost calculations included costs for de-commissioning of the dam?</p>
Impact on existing roads	<ul style="list-style-type: none"> • Decreased condition of roads as a result of increased construction traffic • Increased traffic resulting in noise and air quality impacts
Resettlement	<ul style="list-style-type: none"> • Compensation for loss of hunting quotas • Provision of social services and infrastructure for resettled households • Land availability for resettlement • Need to stay in traditional area of jurisdiction • Compensation for loss of biodiversity, fishing and wildlife

Category	Comments Raised
	<ul style="list-style-type: none"> • Affected people to input into compensation decisions • Types of compensation anticipated • Compensation required for psychological and emotional inconvenience • Resettlement required as a result of the access roads • Compensation for temporary structures • False promises will be made with regard to compensation • Need for compensation to be agreed in writing • Uniformity of compensation • Compensation for economic displacement • Minimise compensation by the avoidance of structures • Identification of host sites and ability to choose where resettled to • Continuation of livelihoods and improvements with resettlement been discussed • Explanation of physical versus economic displacement • Desire for resettlement schemes according to government models • Clarification required regarding the resettlement process • Assistance in the preparation of agricultural land • Suitability of replacement agricultural land and remediation if less productive than previous • If people have to be resettled, will they need to move on their own or have government assistance • If there is a need for resettlement will whole villages be resettled or just parts thereof? • Will replacement grazing land be provided? • Sufficient and good quality agricultural and grazing land needs to be provided • Will our replacement houses be built before we are resettled? • Will our access to water be maintained if we are resettled? • Need for resettlement on both Zambian and Zimbabwean sides of the dam? • Impact on fields as a result of the transmission line • Why is a RAP being undertaken for the dam and an RPF for the transmission lines? • Lessons should be taken from the Kariba experience for resettlement.
Stakeholder engagement	<ul style="list-style-type: none"> • How will the implementation and addressing of stakeholder concerns and comments be monitored? • Request for the involvement of the local authority on the Technical Team • Opportunities for people to raise concerns • Why consulting with multiple wards in Zimbabwe? Jambezi is the most affected • Consultation required before any agreements are reached • Lack of respect for traditional leadership as no prior consultation • Why addressing Chiefs in Zambia, but not Zimbabwe? • Consultations required with all chiefs in the Kazangula District • Poor notice period for open day in Livingstone • Request for a further meeting in Livingstone before the Scoping Report is submitted. • Comment received from World Heritage Authorities • Comment received from International Rivers • Need for an engineer to be present to answer stakeholder

Category	Comments Raised
	<ul style="list-style-type: none"> concerns • Need for translators and interpreters • Need for accurate co-ordinates in the Background Information Document • Need for accurate Districts to be marked on the maps • Meeting format preferred to a public open day • What Community engagement undertaken? • National Parks boundary not denoted clearly on the map. • The local offices of Museums, Wildlife and Tourism and other critical stakeholders need to be invited personally to attend • Need to consult tourism stakeholders • Meeting flawed as names associated with issues have not been recorded • Processing of comments • Need for stakeholders to have view of both Zimbabwe and Zambian concerns and comments • A review of the stakeholder list is required • Consultation with key stakeholders before the EIA meetings are held. • Date of release for reports and comments and response report? • Need to advertise Project internationally
Sustainability of dam	<ul style="list-style-type: none"> • For how long will Batoka Dam meet the Zimbabwean power requirements • Financial provision for maintenance during operation required • Loss of employment opportunities following the completion of the construction phase • Feasibility of dam in dry season
Health and Safety	<ul style="list-style-type: none"> • Compensation for work related injuries if employed • Project impact in terms of the spread of HIV/AIDS. There are legislative requirements now for the consideration of this in Zambia • Spread of Ebola if in-migration • Potential risk of malaria due to impoundment • Safety of livestock and poultry • Health impact resulting from stagnant water in dam and hence further need for resettlement • Safety of employees during construction • Potential for rockfall into the gorge and dam as a result • Health impact assessment needs to consider what authorities require and need to mobilise for in order to accommodate the development.
Aesthetic impact	<ul style="list-style-type: none"> • Loss of geological and aesthetic value of Victoria Falls
Seismic Activity	<ul style="list-style-type: none"> • Seismic activity with dam filling
Project benefits	<ul style="list-style-type: none"> • Will reduced load-shedding result from the Project? • Easier extraction of water from the dam
Service provision	<ul style="list-style-type: none"> • What are the proposals for solid waste management as part of this Project? • The provision of sanitation in the permanent villages is of concern
Odour	<ul style="list-style-type: none"> • Is there a potential impact of odour due to the presence of stagnant water?
Climate change	<ul style="list-style-type: none"> • Need to consider climate change in the design, capacity and feasibility of the dam. • Uncertainty regarding use of historical data •

Category	Comments Raised
Other	<ul style="list-style-type: none"> • Concern that empty promises are being made by the developer • Mistrust of developer and consultants • Project is a “fait accompli” • Cumulative impact of multiple dams on the Zambezi River • Consideration to be given to the construction of Kazangula Bridge • All chiefdoms should benefit from the Project • Lots of Projects in the past in Mukuni and Musokotwane has been left out of Project benefits • Has the funding of the Project been finalised? • Need to access the engineering and cost details of the Project • Need for the Project in Zimbabwe driving this Project. Not required in Zambia • Risk of the dam overflow • Project previously cancelled by Government. Why now under consideration? • Appointment of the construction contractor – has this been finalised? • The history of Kariba requires consideration in this Project. Lessons can be learnt from the Kariba experience • Ownership of the dam infrastructure • Will noise as a result of the dam impact on schools in the area? Will vibrations result in collapsing structures? • The development of a national park around the dam development is a requirement of the legislation. Is there potential for this? • Will fishing and agricultural activities still be permitted in the Muzuma/Sidinda area? • The Scoping studies undertaken in 1998 have never been disclosed to stakeholders. Who has access to these reports? • Cumulative impact on the river as a result of multiple water abstraction schemes

6.8

CONCLUSION

A comprehensive PPP has been undertaken to date and the following can be concluded in this regard:

- A significant number of issues have been identified through this process and have been recorded and responded to in the Comments and Response Report. These issues will guide the scope of specialist investigations and ultimately the Environmental and Social Impact Assessment.
- Initial key stakeholder discussions proved effective in terms of convening and facilitating the community meetings. The correct notification channels for the community meetings were followed and should continue to be used throughout the Project.
- Concerns have been raised by stakeholders in the Livingstone and Victoria Falls areas with regard to the format of the public meetings and level of information provided there. These concerns were addressed through a second round of information sharing meetings.

- Concerns have also been raised with regard to the notice period provided for stakeholder engagements. As requested, all notice periods will now be a minimum of 21 days.
- An extensive stakeholder database has been compiled for both countries which can now be used for direct communication with these parties for the remainder of the Project. Mechanisms for the greater involvement of international stakeholders, as requested by the local consultants, are currently being identified.
- The stakeholder engagement plan for the remainder of the Project has been updated to reflect the content of this chapter. It is presented in *Annex A*.