



PROJECT NAME: PROPOSED Eskom POWERLINE AND SUBSTATION NEAR THE BITOU RIVER
NEAS REFERENCE: DEA/EIA/0002060/2013 DEA REFERENCE : 14/12/16/3/3/1/570

PROJECT NO. 10817

DESCRIPTION: MINUTES FROM MEETING WITH DEA

VENUE: DEA OFFICE (315 PRETORIUS STREET, PRETORIA)

DATE & TIME: 12 SEPTEMBER @ 13H00

	ID	Company	Tel	Fax	Cell	Email
In Attendance						
Lerato Mokoena	LM	DEA	-	-	-	LMokoena@environment.gov.za
Ndivhudza Sebei	NS	DEA	012 395 1774	012 320 7539	073 836 8156	NSebei@environment.gov.za
Justine Wyingaardt	JW	Eskom Distribution	021 980 3112	082 980 3503	082 938 3479	wynгааJO@eskom.co.za
Jenny Barnard	JB	SiVEST	021 852 2988	021 852 2660	082 4444364	jennyb@sivest.co.za
Ursina Rusch	UR	SiVEST	021 852 2988	021 852 2660	071 6363045	ursinar@sivest.co.za

NOTE: All persons present at the meeting will be deemed to have taken note of such items as concerns him/her. Failure to receive these notes timeously cannot be taken as a reason for not taking the necessary action.

ITEM NO.	ITEM DESCRIPTION	ACTION	COMPLETION DATE
1.	PRESENT		
	Refer to the table above for those present.		
2.	PROJECT BACKGROUND		
	2.1 UR presented background information on the history and way forward		
	Presentation contained the following headings (as attached): - Approved Basic Assessment (EA 30 April 2010) - Appealed Section - New Basic Assessment Process for Appealed Section - Site assessment on 21/8/13 & information requirements requested by DEA - Letter of Rejection (dated 3 Sept 2013)		
	2.2 Questions/clarification with regards to the presentation		
	NS noted that the information requested on the site visit (21 August 2013), including the motivation for lack of alternatives, response letter to Plettenberg Bay Community Environment Forum (PBCEF) and the information packages containing DEA-Eskom-SiVEST correspondence has not been submitted to DEA. NS noted that DEA has not yet received a response with regards to the Final BAR rejection letter dated 3 September 2013. UR responded that the paperwork has been drafted and information packages assembled, however SiVEST wanted to await the outcome of the meeting before submitting the requested documents and replying to the Final BAR rejection letter.	SiVEST	
3.	DISCUSSION		
	3.1 JB opened discussion		
	JB requested that, in terms of the process, SiVEST would like to apply for an EA Amendment at this stage. LM explained that missed Listed Activities cannot be added to an existing EA as it requires a new process. Because the 2010 Regulations were used to assess the missed Listed Activities, the 2010 EA cannot be amended (authorised in terms of 2006 Regulations). The 2010 EA is a stand-alone authorisation, and Eskom could have/can construct the powerline on the proposed route for which the EA is valid (ed. note: Route 4), up until the beginning of the 2.5km stretch of the route which is currently undergoing the BA process. However, construction of the powerline at this stage would be at Eskom's own risk.		
	JW noted that Eskom motivated for the construction of the section of the route which holds a EA, however DEA discouraged this in official correspondence dated 20 April 2012 (refer to attached).		

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	<p>LM responded that the EA (2010) approved construction from point A to point B but missed Listed Activities for the top 2.5km section, as Listed Activities pertaining to the HWM are not approved. The current BA process includes those missing Listed Activities for the powerline and substation.</p> <p>LM advised SiVEST to use the BAR from the current BA process, add the alternative routes that were ruled out during the 2008-2010 BA process and re-assessed 2.5km top part of the powerline and substation, and submit to DEA. Makes sense to have one EA that speaks to current BAR and provides reasons why Route Alternatives 1-3 are not feasible. PPP has been done already.</p>		
	<p>LM enquired about the CapeNature objection to the BAR.</p> <p>UR responded that CapeNature objected during the Draft BAR phase pending an Estuarine Ecological study. The study has been conducted and included in the Final BAR, and CapeNature's concerns have been addressed. The Final BAR was delivered to CapeNature, however CapeNature has not yet commented on the Final BAR.</p>		
	<p>JW confirmed that the 2010 EA is valid and that construction can commence up until the re-assessed part of the route.</p> <p>LM responded that the EA is valid as the time extension was granted in April 2013, but that construction would be at Eskom's own risk. Re-iterated that the Route Alternatives from the 2008-2010 BA process should be included in the current Final BAR as to obtain one EA that will address all the sensitive areas during the construction phase.</p>		
	<p>UR enquired whether the entire Route 4 (part of the route that holds a valid EA and the re-assessed part) should be included in the Final BAR re-submission.</p> <p>LM responded that the re-submitted Final BAR should contain alternative routes as the current BAR assesses new Listed Activities.</p>		
	<p>UR confirmed that the way forward is to re-submit the Final BAR with the route alternatives and substation alternatives considered during the 2008-2010 BA process.</p> <p>LM: it should be avoided that the route and substation site will have two EA's. Motivate why Route Alternatives 1-3 are not feasible and update the specialist reports from 2008, confirming that they are still valid. The Listed Activities applied for in the Final BAR must pertain to the entire Route 4 (part that has a valid EA and the re-assessed part).</p>		
	<p>LM enquired about new landowners on Route Alternatives 1-3 and 4 that would not have received PPP notifications.</p> <p>UR responded that for the current BA process for the re-assessment of the top part of Route 4 (2.5km), all I&AP's of Route 4 (6km) were notified, therefore PPP has been completed for all of Route 4. All I&AP's for Route Alternatives 1-3 and 4 were notified of the EA time extension in April 2013.</p>		
	<p>LM: provide DEA with a consolidated Final BAR.</p> <p>JB confirmed that, besides the information from the 2008-2010 BAR, no new information will be added to the Final BAR.</p>		
	<p>UR confirmed that no PPP phase is necessary before Final BAR re-submission. LM and NS confirmed this.</p>		
	<p>UR enquired about a comment in the Final BAR rejection letter pertaining to the BAR format. The Final BAR was submitted in the old format as the Draft BAR was submitted in June 2012, 3 months before the new format was published by DEA. The letter stated that the BAR is to be submitted in the new format to avoid rejection.</p> <p>LM confirmed that due to the Draft BAR having been submitted in the old format, the Final BAR can be re-submitted in the old format.</p>		
	<p>JB confirmed that SiVEST will follow-up on the outstanding comments from CapeNature, DEA:ICM and DEA&DP and that a response will be sent to the PBCEF and DEA will receive a copy of the response. SiVEST to prepare minutes for this meeting.</p>	SiVEST	
	<p>LM: DEA will look at the existing EA (2010) and see how the 2010 EA will be superceded by the 2013 EA.</p>	DEA	
	<p>LM enquired about Mr. Stoloff, the appellant of the 2010 EA and whether he has commented on the current BAR.</p> <p>UR responded that Mr. Stoloff requested to be registered as an I&AP during the Draft BAR PPP but that he has not provided comments.</p>		
11.	CLOSURE		
	The meeting was closed at approximately 14h15.		

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	<p><i>Minutes accepted as correct and complete, on behalf of:</i></p> <table border="0" style="width: 100%;"> <tr> <td style="width: 33%;">DEA</td> <td style="width: 33%;">Eskom</td> <td style="width: 33%;">SIVEST</td> </tr> <tr> <td>.....</td> <td>.....</td> <td>.....</td> </tr> <tr> <td><i>Signature</i></td> <td><i>Signature</i></td> <td><i>Signature</i></td> </tr> <tr> <td>.....</td> <td>.....</td> <td>.....</td> </tr> <tr> <td><i>Print Name</i></td> <td><i>Print Name</i></td> <td><i>Print Name</i></td> </tr> <tr> <td>.....</td> <td>.....</td> <td>.....</td> </tr> <tr> <td><i>Date:</i></td> <td><i>Date:</i></td> <td><i>Date</i></td> </tr> </table>	DEA	Eskom	SIVEST	<i>Signature</i>	<i>Signature</i>	<i>Signature</i>	<i>Print Name</i>	<i>Print Name</i>	<i>Print Name</i>	<i>Date:</i>	<i>Date:</i>	<i>Date</i>		
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