



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

Private Bag X 447 · PRETORIA · 0001 · Fedsire Building · 315 Pretorius Street · PRETORIA
Tel (+ 27-12) 310 3911 · Fax (+ 2712) 322 2682

Enquiries: R Nkosi

Ref: 12/12/20/691

Telephone: 012 310-3036 Fax: 012 320-7539 E-mail: Rnkosi@environment.gov.za

Jenny Barnard
Divisional Director
Unit 112
Wentworth Building
Somerset Links
De Beers Avenue
SOMERSET WEST
7130

Fax no: 021 852 2660

Tel no: 021 852 2988

PER FACSIMILE / MAIL

Dear Ms Barnard

RE: PROPOSED WAY FORWARD FOR THE CONSTRUCTION OF A 66KV ESKOM POWER LINE FROM THE EXISTING ROBBERG SUBSTATION TO THE NEW SUBSTATION SITE ON FARM 305/16 EAST OF BITOU RIVER, WESTERN CAPE (DEA: 12/12/20/691)

Your letter dated 02 February 2011 has reference.

The Department has evaluated the information provided in the abovementioned letter, which requires guidance from the Department regarding the process to be followed for the possible amendment of an existing authorisation or the requirement for a new application for the abovementioned project.

In your letter, four issues were proposed as paraphrased below:

- 1) Submit an Application for the amendment of the EA issued on the 30th of April 2010 (DEA Ref: 12/12/20/691) to exclude Authorisation of the portion of Route 4B (section crossing the Keurbooms Estuary as described above) and the new Substation Site C. Request that Eskom may proceed with the construction for the rest of the power line (as approved in the EA), which will include site preparation, bush clearing, etc.
- 2) SiVEST to complete a Basic Assessment Process (site specific application) for Route 4B and Substation Site C to include all listed activities triggered in terms of the NEMA EIA Regulations of 2010.
- 3) Submit a request to deviate from distributing the FBAR for an additional 21 days – submission to DEA for a decision after completion of the 40 Day Public Participation Period;
- 4) Completion of Applications for a Water Use License (National Department of Water Affairs).

The Department in principle does not support the commencement of construction while you are applying for the section that has been appealed. The Department is of the opinion that the proposed approach will pre-empt the decision on the amendment application and "Incremental Decision Making" is not supported. The proposed approach will inadvertently imply that the amendment application for the second section must be approved; as the completion of the project is dependent on that decision. This project is treated as a single development proposal and therefore the decision on the amendment application will have implications for the already approved section.

If the applicant can demonstrate to the Department that the project can operate without the appealed section, then the Department will further consider the proposed approach. This also applies to the consideration of the deviation from distributing the Final BAR for an additional 21 days and the concurrent completion of Applications for a Water Use License.

Please feel free to contact this Department for further enquiries in this regard.

Yours faithfully



Mr. Ishaam Abader

**Deputy Director General: Environmental Quality and Protection
Department of Environmental Affairs**

Letter signed by: Ms Fatima Rawjee

Designation: Acting Director: Environmental Impact Evaluation

Date: 25/04/2022