



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

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DEA Reference: 14/12/16/3/3/2/1023

Enquiries: Ms Adika Rambally

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Ms Brenda Makanza
DIGES Group
PO Box 7068
MIDRAND
1685

Tel: (011) 312 2878
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PER E-MAIL / MAIL

Dear Ms Makanza

ACCEPTANCE OF THE SCOPING REPORT (WITH CONDITIONS) FOR THE PROPOSED DEVELOPMENT OF A 400KV POWERLINE WITH A LENGTH OF APPROXIMATELY 110KM FROM FOSKOR SUBSTATION TO SPENCER SUBSTATION AND THE DEVELOPMENT OF ASSOCIATED INFRASTRUCTURE/STRUCTURES AT SPENCER SUBSTATION (REFERRED TO AS THE LIMPOPO EAST CORRIDOR STRENGTHENING PROJECT) WITHIN THE MOPANI DISTRICT MUNICIPALITY, LIMPOPO PROVINCE

1. The Scoping Report (SR) and Plan of Study for Environmental Impact Assessment (PoSEIA) received by the Department on 22 September 2017, refer.
2. The Department has reviewed the SR and is satisfied that it complies with the minimum requirements of the National Environmental Management Act, Act Number 107 of 1998 (as amended) (NEMA), Environmental Impact Assessment (EIA) Regulations, 2014 (as amended).
3. The SR is hereby accepted by the Department in terms of Regulation 22(a) of the NEMA, EIA Regulations, 2014 (as amended) **subject to** the conditions contained herein.
4. Your attention is drawn to the following conditions:
 - a. As per the Department's comments on the draft SR dated 05 September 2017, you were informed that comments must be requested from the following Stakeholders:
 - i. SANParks, in respect of the proximity of the proposed activities to parks such as the Kruger National Park. Proof of submission and receipt of the reports by SANParks has not been provided in the final SR. You are again requested to ensure that SANParks is afforded an opportunity to comment on the reports as per the minimum requirements of Public Participation (PP) stipulated in Regulation 40(1)(b) of the NEMA, EIA Regulations, 2014 (as amended) and that the comments are submitted to the Department with the final Environmental Impact Assessment report (EIAR).
 - ii. The Protected Areas Planning Section within this Department ('Environmental Affairs'), in respect of the proximity of the proposed activities to parks such as the Kruger National Park. The draft SR was

received by the Protected Areas Planning Section on 27 September 2017, however this was post submission of the final SR to the Department for decision-making. As of 27 October 2017, the Protected Areas Planning Section has expressed the need for them to comment on the reports. You are again requested to ensure that the Protected Areas Planning Section is afforded an opportunity to comment on the reports as per the minimum requirements of PP stipulated in Regulation 40(1)(b) of the NEMA, EIA Regulations, 2014 (as amended) and that the comments are submitted to the Department with the final EIAr.

- iii. The Department of Mineral Resources, as some of the proposed sites are within/near mining areas. The draft SR was received by the Limpopo Department of Mineral Resources on 14 September 2017 however, this was eight (08) days prior to submission of the final SR to the Department for decision-making. You are again requested to ensure that the Limpopo Department of Mineral Resources is afforded an opportunity to comment on the reports as per the minimum requirements of PP stipulated in Regulation 40(1)(b) of the NEMA, EIA Regulations, 2014 (as amended) and that the comments are submitted to the Department with the final EIAr.
- iv. The Chemicals and Waste Management Section within this Department ('Environmental Affairs'), if asbestos or any other hazardous substance will be utilised/disturbed during the proposed activities, particularly in respect of the proposed associated infrastructure/structures at the Spencer Substation. The draft SR was received by the Chemicals and Waste Management Section on 20 September 2017 however, this was two (02) days prior to submission of the final SR to the Department for decision-making. You are again requested to ensure that the Chemicals and Waste Management Section is afforded an opportunity to comment on the reports as per the minimum requirements of PP stipulated in Regulation 40(1)(b) of the NEMA, EIA Regulations, 2014 (as amended) and that the comments are submitted to the Department with the final EIAr.
- b. You are also requested to ensure that the Sustainability Division (responsible for biodiversity conservation) within Eskom Holdings SOC Limited is afforded an opportunity to comment on the reports as per the minimum requirements of PP stipulated in Regulation 40(1)(b) of the NEMA, EIA Regulations, 2014 (as amended) and that the comments are submitted to the Department with the final EIAr.
- c. Furthermore, **comments must be obtained** from the Limpopo Department of Economic Development, Environment and Tourism and any other authorities mandated in respect of tourism within the province due to the high tourism value of the proposed sites and concerns raised in respect of (but not limited to) the visual impacts of the proposed activities on the tourism industry. Note that should these stakeholders have no comments and/or concerns then this **must be confirmed in writing** and submitted to the Department with the final EIAr.
- d. The relevance of the following listed activities must be clarified in the final EIAr:

GNR 983: Activity 27:

"The clearance of an area of 1 hectares or more, but less than 20 hectares of indigenous vegetation, except where such clearance of indigenous vegetation is required for -
(i) the undertaking of a linear activity; or
(ii) maintenance purposes undertaken in accordance with a maintenance management plan".

- i. In respect of Activity 27 of GNR 983 of the NEMA, EIA Regulations, 2014 (as amended), the prevalence of indigenous vegetation on site must be confirmed by a suitably qualified specialist (through desktop assessment **and** ground truthing). The impacts associated with this activity and appropriate mitigation measures must also be addressed in a Biodiversity Impact Assessment, which must be incorporated into the final EIAr.

GNR 985: Activity 12(e)(ii):

"The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan. In (e) Limpopo:

(iii) Within critical biodiversity areas identified in bioregional plans".

- ii. In respect of Activity 12(e)(ii) of GNR 985 of the NEMA, EIA Regulations, 2014 (as amended), the prevalence of indigenous vegetation on site must be confirmed by a suitably qualified specialist (through desktop assessment **and** ground truthing). The impacts associated with this activity and appropriate mitigation measures must also be addressed in a Biodiversity Impact Assessment, which must be incorporated into the final EIAr.
 - iii. The Environmental Assessment Practitioner must also verify the applicability of activities such as (but not limited to) Activity 12 and 19 of GNR 983 as well as Activity 14 of GNR 985 of the NEMA, EIA Regulations, 2014 (as amended) to the proposed project as the proposed route/alignments will cross watercourses. The impacts associated with activities within/near watercourses and appropriate mitigation measures must be addressed in a Hydrological Impact Assessment, which must be incorporated into the final EIAr. Further note that should the proposed project not trigger the listed threshold an assessment will still be required in terms of Section 28 of the NEMA.
- e. In addition to the aforementioned the following must be included/addressed in the final EIAr:
- i. All specialist studies must detail the positive and negative impacts of the proposed project for each phase of the project as each phase presents unique impacts e.g. construction impact: habitat transformation, operational impact: game animal deaths due to clashes with fixed structures.
 - ii. All specialist studies must rank the proposed corridors and deviations in order of High to Low risk e.g. the Tourism Impact Assessment must rank the proposed corridors and deviations in order of High to Low risk to the tourism value of the area and stipulate the preferred route/alignment.
 - iii. Proof must be provided that the specialist appointed to compile the Biodiversity Impact Assessment, as indicated in the final SR, has the expertise to undertake **both** a faunal and floral assessment. If not, a suitably qualified specialist in both faunal and floral assessments must be appointed or separate suitably qualified specialists.
 - iv. The positive environmental, social and economic impacts associated with the proposed project including ways of enhancing these positive impacts must be clearly detailed in the final EIAr.
 - v. The following statement extracted from page viii of the final SR has reference:

"Power can be transmitted by either overhead powerlines or underground powerlines. The advantages and disadvantages for installing either the underground or the overhead powerlines are mainly related to magnetic fields, engineering and costs. The advantages and disadvantages of both types of powerlines were considered and overhead powerlines were preferred hence there will be no further assessment of the underground lines".

This statement must be expanded on in the final EIAr in particular the advantages and disadvantages related to magnetic fields, engineering and costs of overhead vs underground powerlines. Estimated costs of the proposed project in respect of overhead vs underground powerlines (for the entire lifecycle of the project i.e. construction, operation, maintenance and decommissioning) must also be detailed

in the final EIAr. The estimated costs must be well-reasoned and compiled by a suitably qualified industry specialist.

5. The Department brings the following to your attention:

- a. Based on the conditions herein the PoSEIA must be amended subsequently, you may proceed with the EIA process. Also note that the application form for Environmental Authorisation (EA) may need to be amended.
- b. Should the appointed specialists specify contradicting recommendations, the EAP must clearly indicate the most reasonable recommendation and substantiate this with defensible reasons; and where necessary, include further expertise advice.
- c. Where specialist studies are conducted in-house or by a specialist other than a suitably qualified specialist in the relevant field, such specialist reports must be peer reviewed by a suitably qualified external specialist in the relevant field. The terms of reference for the peer review must include:
 - A CV clearly showing expertise of the peer reviewer;
 - Acceptability of the terms of reference;
 - Is the methodology clearly explained and acceptable;
 - Evaluate the validity of the findings (review data evidence);
 - Discuss the suitability of the mitigation measures and recommendations;
 - Identify any short comings and mitigation measures to address the short comings;
 - Evaluate the appropriateness of the reference literature;
 - Indicate whether a site-inspection was carried out as part of the peer review; and
 - Indicate whether the article is well-written and easy to understand.
- d. Should there be similar applications in the area, all the specialist assessments must include a cumulative environmental impact assessment for all identified and assessed impacts. The cumulative impact assessment must indicate the following:
 - Identified cumulative impacts must be clearly defined, and where possible the size of the identified impact must be quantified and indicated, i.e. hectares of cumulatively transformed land.
 - Detailed process flow and proof must be provided, to indicate how the specialist's recommendations, mitigation measures and conclusions from the various similar developments in the area were taken into consideration in the assessment of cumulative impacts and when the conclusion and mitigation measures were drafted for this project.
 - The cumulative impacts significance rating must also inform the need and desirability of the proposed development.
 - A cumulative impact environmental statement on whether the proposed development must proceed.
- e. The Department may undertake a site inspection prior to or upon receipt of the final EIAr.
- f. Should the EIAr fail to adequately comply with any condition of this acceptance letter, any provision of the NEMA, EIA Regulations, 2014 (as amended) and/or Annexure A herein, then the project may be refused in accordance with Regulation 24(1)(b) of the NEMA, EIA Regulations, 2014 (as amended).
- g. The applicant is hereby reminded to comply with the requirements of Regulation 45 of the NEMA, EIA Regulations, 2014 (as amended) with regard to the time period allowed for complying with the requirements of the Regulations, and Regulations 43 and 44 with regard to the allowance of a comment period for interested and affected parties on all reports submitted to the competent authority for decision-making.

- h. You are requested to submit two (02) electronic copies (flash stick/CD/DVD) and two (02) hard copies of the EIAR to the Department as per Regulation 23(1) of the NEMA, EIA Regulations, 2014 (as amended).
- i. You are hereby reminded that in terms of Section 24F(1)(a) of the NEMA, no person may commence with an activity listed or specified in terms of Section 24(2)(a) of the NEMA unless a positive EA has been granted by this Department for the activity.

Yours faithfully



Mr Sabelo Malaza
Chief Director: Integrated Environmental Authorisations
Department of Environmental Affairs
Letter signed by: Mr Coenrad Agenbach
Designation: Deputy Director: Strategic Infrastructure Developments
Date: 03/11/2017

CC:	Mr David Tunncliff	Eskom Holdings SOC Limited	david.tunncliff@eskom.co.za
	Mr Kishaylin Chetty	Eskom Holdings SOC Limited (Sustainability Division)	ChettyKC@eskom.co.za
	Ms T Ramathavha	Limpopo Department of Economic Development, Environment and Tourism	RamathavhaT@ledet.gov.za
	Mr Paul Van Royen	Ba-Phalaborwa Local Municipality	vanroyenp@ba-phalaborwa.gov.za
	Ms Tivane Tsakane	Maruleng Local Municipality	tivanit@maruleng.gov.za
	Ms Julie Somanje	Greater Giyani Local Municipality	somanjeni@greatergiyani.gov.za
	Ms Maggy Machumeme	Greater Tzaneen Local Municipality	maggy.macumeme@tzaneen.gov.za
	Ms Lerato Shukuma	Greater Letaba Local Municipality	sukumal@glm.gov.za
	Mr Mudau Tshavheni	Mopani District Municipality	mudaun@mopani.gov.za

ANNEXURE A:

1. Information that must be used in the preparation of the EIAR

- a. All relevant listed activities applied for must be specific and linked to the development activity or infrastructure as described in the project description.
- b. The EIAR must provide an assessment of the impacts and mitigation measures for each of the listed activities applied for.
- c. The EIAR must provide a description of any identified alternatives for the proposed activity that are feasible and reasonable, including the advantages and disadvantages that the proposed activity or alternatives will have on the environment and on the community that may be affected by the activity. Alternatively, submit written proof of an investigation and motivation if no reasonable and feasible alternatives exist.
- d. The EIAR must provide the technical details for the proposed activity in a table format as well as their description and/or dimensions.
- e. The EIAR must provide the start, middle and end point of all linear activities (note that if the linear activity has numerous bend points, coordinates for each and every bend point must be provided).
- f. The EIAR must provide:
 - i. A clear indication of the envisioned area for the proposed activity i.e. powerlines, transformation yards and all associated infrastructure should be mapped at an appropriate scale.
 - ii. A clear description of all associated infrastructure. This description must include, but is not limited to the following:
 - Transformers;
 - Oil dams;
 - Access roads; and;
 - All supporting onsite infrastructure such as laydown areas, a guard house and control room.
- g. The EIAR must provide detailed need and desirability for the project and why the specific location/route is desirable.
- h. The EIAR must provide an indication of the access roads and the associated impacts must be adequately assessed in the EIAR.
- i. The EIAR must provide all comments and responses thereto in the comments and response report.
- j. Information on services required on the site e.g. sewage, refuse removal, water and electricity. Who will supply these services and whether an agreement and confirmation of capacity has been obtained. Proof of these agreements must be provided in the EIAR.
- k. The assessment of impacts and the EIA process; and, the requirements of the Public Participation Process (PPP) must be in accordance with Regulation 39 to 44 of the GNR 982 of NEMA, EIA Regulations 2014 (as amended).
- l. The EIAR must provide a copy of the final site layout map. All available environmental and social information must be used in the finalisation of the layout map. Existing infrastructure must be used as far as possible e.g. access roads. The layout map must indicate the following:
 - i. Route/alignment of the powerlines and its associated infrastructure;
 - ii. Permanent laydown area footprint;
 - iii. Access roads indicating width (construction period width and operation period width) and with numbered sections between the other site elements which they serve (to make commenting on sections possible);
 - iv. Wetlands, drainage lines, rivers, stream and water crossing of roads and powerlines indicating the type of bridging structures that will be used;
 - v. The location of sensitive environmental features on site e.g. CBAs, heritage sites, wetlands, drainage lines that will be affected by the project and its associated infrastructure;
 - vi. Substation(s) and/or transformer(s) sites including their entire footprint;
 - vii. Buffer areas;
 - viii. Buildings including accommodation; and,
 - ix. All "no-go" areas.
- m. An environmental sensitivity map indicating environmentally sensitive areas and features identified during the EIA process.

- n. A map combining the final layout map superimposed (overlain) on the environmental sensitivity map.
- o. A shapefile of the preferred project layout/alignment must be submitted to this Department. The shapefile must be created using the Hartebeesthoek 94 Datum and the data should be in Decimal Degree Format using the WGS 84 Spheroid. The shapefile must include at a minimum the following extensions i.e. .shp; .shx; .dbf; .prj; and, .xml (Metadata file). If specific symbology was assigned to the file, then the .avl and/or the .lyr file must also be included. Data must be mapped at a scale of 1:10 000 (please specify if an alternative scale was used). The metadata must include a description of the base data used for digitizing.

The shapefile must be submitted in a zip file using the EIA application reference number as the title. The shape file must be submitted to:

Postal Address:

Department of Environmental Affairs
Private Bag X447
Pretoria
0001

Physical Address:

Department of Environmental Affairs
Environment House
473 Steve Biko Road
Arcadia
Pretoria

For Attention: Mr Muhammad Essop
Integrated Environmental Authorisations
Strategic Infrastructure Developments
Telephone Number: (012) 399 9406
E-mail Address: MEssop@environment.gov.za

- p. The Environmental Management Programme (EMPr) to be submitted with the EIAR must include the following:
 - i. All recommendations and mitigation measures recorded in the EIAR and the specialist studies conducted.
 - ii. The final site layout map.
 - iii. An environmental sensitivity map indicating environmental sensitive areas and features identified during the EIA process.
 - iv. A map combining the final layout map superimposed (overlain) on the environmental sensitivity map.
 - v. An alien invasive management plan to be implemented during construction and operation of the project. The plan must include mitigation measures to reduce the invasion of alien species and ensure that the continuous monitoring and removal of alien species is undertaken.
 - vi. A plant rescue and protection plan which allows for the maximum transplant of conservation important species from areas to be transformed. This plan must be compiled by a vegetation specialist familiar with the site and be implemented prior to commencement of the construction phase.
 - vii. A re-vegetation and habitat rehabilitation plan to be implemented during the construction and operation of the project. Restoration must be undertaken as soon as possible after completion of construction activities to reduce the amount of habitat converted at any one time and to speed up the recovery to natural habitats.
 - viii. An open space management plan to be implemented during the construction and operation of the project.
 - ix. A traffic management plan for the site access roads to ensure that no hazards would result from the increased truck traffic and that traffic flow would not be adversely impacted. This plan must include measures to minimize impacts on local commuters e.g. limiting construction vehicles travelling on public roadways during the morning and late afternoon commute time and avoid using roads through densely populated built-up areas so as not to disturb existing retail and commercial operations.
 - x. A transportation plan for the transport of components and other large pieces of equipment.

- xi. A storm water management plan to be implemented during the construction and operation of the project. The plan must ensure compliance with applicable regulations and prevent off-site migration of contaminated storm water or increased soil erosion. The plan must include the construction of appropriate design measures that allow surface and subsurface movement of water along drainage lines so as not to impede natural surface and subsurface flows. Drainage measures must promote the dissipation of storm water run-off.
 - xii. A fire management plan to be implemented during the construction and operation of the project.
 - xiii. An erosion management plan for monitoring and rehabilitating erosion events associated with the project. Appropriate erosion mitigation must form part of this plan to prevent and reduce the risk of any potential erosion.
 - xiv. An effective monitoring system to detect any leakage or spillage of hazardous substances during their transportation, handling, use and storage. This must include precautionary measures to limit the possibility of hazardous substances from entering the soil or storm water systems.
 - xv. Measures to protect hydrological features such as streams, rivers, pans, wetlands, dams and their catchments, and other environmentally sensitive areas from construction impacts including the direct or indirect spillage of pollutants.
 - xvi. Measures to protect other sensitive areas from construction impacts including the direct or indirect spillage of pollutants.
- q. The EAP must provide a detailed motivation if any of the above requirements is not required by the proposed project and not included in the EMPr.

2. EIA INFORMATION REQUIRED FOR POWERLINES

a. General site information

The following general site information is required:

- Descriptions of all affected farm portions
- 21 digit Surveyor General codes of all affected farm portions
- Copies of deeds of all affected farm portions
- Photographs of areas that give a visual perspective of all views of the site
- Photographs from sensitive visual receptors (tourism routes, tourism facilities, etc.)
- Powerline design specifications including:
 - Type of technology / structure
 - Structure height
 - Surface area to be covered (including associated infrastructure such as roads)
 - Structure orientation
 - Laydown area dimensions
 - Capacity

b. Sample of technical details for the proposed project

Component	Description / dimensions
Powerline capacity	
Pylon type	
Height of powerlines	
Length and width of servitude	
Area occupied by laydown areas	
Length and width of access roads	
Height of fencing	
Type of fencing	