



forestry, fisheries & the environment

Department:
Forestry, Fisheries and the Environment
REPUBLIC OF SOUTH AFRICA

Private Bag X 447· PRETORIA ·0001· Environment House ·473 Steve Biko Road, Arcadia· PRETORIA

DFFE Reference: 14/12/16/3/3/1/2272

Enquiries: Ms Thulisile Nyalunga

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Mr Tebogo Chauke
Eskom Holdings SOC Ltd
PO Box 223
EMALAHLENI
1035

Telephone number: 013 693 2714
E-mail address: ChaukeTA@eskom.co.za

PER MAIL / EMAIL

Dear Mr Chauke

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT NO. 107 OF 1998, AS AMENDED FOR: THE DEVELOPMENT OF THE 132KV CHIKADEE POWERLINE BETWEEN THE EXISTING HENDRINA/ OPTIMUM 2 132KV OVERHEAD POWERLINE AND THE BOSCHMANSKOP SUBSTATION WITHIN THE STEVE TSHWETE LOCAL MUNICIPALITY, MPUMALANGA PROVINCE

With reference to the above application, please be advised that the Department has decided to grant authorisation. The Environmental Authorisation (EA) and reasons for the decision are attached herewith.

In terms of Regulation 4(2) of the Environmental Impact Assessment Regulations, 2014, as amended (the EIA Regulations), you are instructed to notify all registered interested and affected parties, in writing and within 14 (fourteen) days of the date of the decision, of the decision, as well as the provisions regarding the submission of appeals that are contained in the Regulations.

In terms of the Promotion of Administrative Justice Act, Act No. 3 of 2000, you are entitled to the right to fair, lawful and reasonable administrative action; and to written reasons for administrative action that affects you negatively. Further your attention is drawn to the provisions of the Protection of Personal Information Act, Act No. 4 of 2013 which stipulate that the Department should conduct itself in a responsible manner when collecting, processing, storing and sharing an individual or another entity's personal information by holding the Department accountable should the Department abuse or compromise your personal information in any way.

Your attention is drawn to Chapter 2 of National Environmental Management Act, Act No. 107 of 1998 National Appeal Regulations published under Government Notice R993 in Government Gazette No. 38303 dated 08 December 2014 (National Appeal Regulations, 2014), which prescribes the appeal procedure to be followed. Kindly include a copy of this document (National Appeal Regulations, 2014) with the letter of notification to interested and affected parties in this matter.

Should any person wish to lodge an appeal against this decision, he/she must submit the appeal to the appeal administrator, and a copy of the appeal to the applicant, any registered interested and affected party, and any

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organ of state with interest in the matter within 20 days from the date that the notification of the decision was sent to the registered interested and affected parties by the applicant; or the date that the notification of the decision was sent to the applicant by the Department, whichever is applicable.

Appeals must be submitted in writing in the prescribed form to:

The Director: Appeals and Legal Review of this Department at the below mentioned addresses.

By email: appeals@environment.gov.za;

By hand: Environment House
473 Steve Biko
Arcadia
Pretoria
0083; or

By post: Private Bag X447
Pretoria
0001

Please note that in terms of Section 43(7) of the National Environmental Management Act, Act No. 107 of 1998, as amended, the lodging of an appeal will suspend the environmental authorisation or any provision or condition attached thereto. In the instance where an appeal is lodged, you may not commence with the activity until such time that the appeal is finalised.

To obtain the prescribed appeal form and for guidance on the submission of appeals, please visit the Department's website at https://www.environment.gov.za/documents/forms#legal_authorisations or request a copy of the documents at appeals@environment.gov.za.

Yours faithfully



Mr Sabelo Malaza
Chief Director: Integrated Environmental Authorisations
Department of Forestry, Fisheries and the Environment

Date: *17/06/2021*

cc:	Mr Karthigesan Govender	Envirolution Consulting (Pty) Ltd	Email: gesan@envirolution.co.za
	Mr MW Mkhize	MD:ARLD&EA	Email: MWMkhize@mpg.gov.za
	Mr Mandla Mnguni	Steve Tshwete Local Municipality	Email: mmoffice@stlm.gov.za



forestry, fisheries & the environment

Department:
Forestry, Fisheries and the Environment
REPUBLIC OF SOUTH AFRICA

Environmental Authorisation

In terms of Regulation 25 of the Environmental Impact Assessment Regulations, 2014, as amended

The development of the 132kV Chikadee powerline between the existing Hendrina Optimum 2 132kV overhead powerline and the Boschmanskop substation within the Steve Tshwete Local Municipality, Mpumalanga Province

Nkangala District Municipality

Authorisation register number:	14/12/16/3/3/1/2272
Last amended:	First issue
Holder of authorisation:	Eskom Holdings SOC Ltd
Location of activity:	Boschmanskop 154 IS, Portion 8; Boschmanskop 154 IS, Portion 5 RE; Hendrina Power Station 162 IS, Portion 11; Boschmanskop 154 IS, Portion 19; Wards 4 and 5 of the Steve Tshwete Local Municipality, Mpumalanga Province

This authorisation does not negate the holder of the authorisation's responsibility to comply with any other statutory requirements that may be applicable to the undertaking of the activity.

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Decision

The Department is satisfied, on the basis of information available to it and subject to compliance with the conditions of this Environmental Authorisation, that the applicant should be authorised to undertake the activities specified below.

Non-compliance with a condition of this Environmental Authorisation may result in criminal prosecution or other actions provided for in the National Environmental Management Act, Act No. 107 of 1998, as amended and the EIA Regulations, 2014, as amended.

Details regarding the basis on which the Department reached this decision are set out in Annexure 1.

Activities authorised

By virtue of the powers conferred on it by the National Environmental Management Act, Act No. 107 of 1998, as amended and the Environmental Impact Assessment Regulations, 2014, as amended, the Department hereby authorises –

ESKOM HOLDINGS SOC LTD

(hereafter referred to as the **holder of the authorisation**)

with the following contact details –

Mr Tebogo Chauke
Eskom Holdings SOC Ltd
PO Box 223
EMALAHLENI
1035

Telephone number: 013 693 2714
Cell phone number: (076) 012 0114
E-mail address: ChaukeTA@eskom.co.za

to undertake the following activities (hereafter referred to as "the activity") indicated in Listing Notice 1, Listing Notice 2 and Listing Notice 3 of the EIA Regulations, 2014 as amended:

Activity number	Activity description
<p><u>Listing Notice 1, Item 11:</u></p> <p><i>The development of facilities or infrastructure for the transmission and distribution of electricity—</i> <i>(i) outside urban areas or industrial complexes with a capacity of more than 33 but less than 275 kilovolts</i></p>	<p>The powerline will be constructed outside an urban area and will transmit electricity of up to 132 kilovolts.</p>
<p><u>Listing Notice 1, Item 19</u></p> <p><i>The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10 cubic metres from a watercourse.</i></p>	<p>Two wetlands (a seepage wetland and an unchannelled valley bottom wetland) are crossed by the powerline corridor, and an additional two wetlands lie within 500m of the powerline. These additional wetlands are unlikely to be impacted by the development. Potential wet areas (likely artificial wetlands formed by seepage from the adjacent mine tailings) are also located in the northern section of the powerline corridor.</p> <p>The development may directly or indirectly involve the infilling or depositing of material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10 cubic metres from a watercourse for the placement of pylon foundations in or near these wetlands.</p>
<p><u>Listing Notice 1, Item 27:</u></p> <p><i>The clearance of an area of 1 hectares or more, but less than 20 hectares of indigenous vegetation.</i></p>	<p>The development may result in the clearance of more than 1 hectare but less than 20 hectares of indigenous vegetation for the ancillary infrastructure, such as construction site camps. Ancillary infrastructure triggering this activity is to be located within the assessed and approved 300m corridor.</p>

as described in the Basic Assessment Report (BAR) dated February 2021 at:

Farm Name, Portions and 21 Digit SG Code:

Farm name/s, Portions and number/s	SG 21 Code
Boschmanskop 154 IS, Portion 8	TOIS00000000015400008
Boschmanskop 154 IS, Portion 5 RE	TOIS00000000015400005
Hendrina Power Station 162 IS, Portion 11	TOIS00000000016200011
Boschmanskop 154 IS, Portion 19	TOIS00000000015400019

Coordinates for the powerline corridor (preferred Alternative 1; approximately 2.7km long)

Point	Latitude	longitude
Hendrina/ Optimum 2 Powerline (Start)	26°02'40.15"S	29°35'56.82"E
500m	26°02'54.25"S	29°35'53.28"E
1000m	26°03'07.84"S	29°35'43.45"E
1500m	26°03'20.47"S	29°35'35.98"E
2000m	26°03'32.43"S	29°35'23.85"E
2500m	26°03'44.42"S	29°35'11.70"E
Boschmanskop Sub-Station (End)	26°03'46.97"S	29°35'09.18"E

- for the development of the 132kV Chikadee powerline from the existing Hendrina Optimum 2 132kV overhead powerline to the Boschmanskop Substation within the Steve Tshwete Local Municipality, Mpumalanga Province, hereafter referred to as "the property".

The project will consist of the following components:

The development will include two 132kV single tern distribution powerlines on a double-circuit structure, typically steel monopole structures to span the lines. Monopole structures/pylons and Chickadee conductors will be used. The powerline will be constructed within an approved 300m corridor (depicted in the locality map in Annexure 2). Ancillary infrastructure will include construction site camps. At least one site camp will be setup, but due to the length of the line, it is possible that more than one site camp will be required. Ancillary infrastructure triggering Item 27 of Listing Notice 1 is to be located within the assessed and approved 300m corridor.

Conditions of this Environmental Authorisation

Scope of authorisation

1. The preferred approximately 2.7km long Alternative 1 (including the 300m corridor) for the development of the 132kV Chikadee powerline from the existing Hendrina Optimum 2 132kV overhead powerline to the Boschmanskop Substation to the Boschmanskop Substation, within the Steve Tshwete Local Municipality, Mpumalanga Province is approved as per the geographic coordinates cited in the table above.
2. Authorisation of the activity is subject to the conditions contained in this Environmental Authorisation, which form part of the Environmental Authorisation and are binding on the holder of the authorisation.
3. The holder of the authorisation is responsible for ensuring compliance with the conditions contained in this Environmental Authorisation. This includes any person acting on the holder's behalf, including but not limited to, an agent, servant, contractor, sub-contractor, employee, consultant or person rendering a service to the holder of the authorisation.
4. The activities authorised may only be carried out at the property as described above.
5. Any changes to, or deviations from, the project description set out in this Environmental Authorisation must be approved, in writing, by the Department before such changes or deviations may be effected. In assessing whether to grant such approval or not, the Department may request such information as it deems necessary to evaluate the significance and impacts of such changes or deviations and it may be necessary for the holder of the authorisation to apply for further Environmental Authorisation in terms of the regulations.
6. The holder of an Environmental Authorisation must apply for an amendment of the Environmental Authorisation with the Competent Authority for any alienation, transfer or change of ownership rights in the property on which the activity is to take place.
7. This activity must commence within a period of ten (10) years from the date of issue of this Environmental Authorisation. If commencement of the activity does not occur within that period, the authorisation lapses and a new application for Environmental Authorisation must be made in order for the activity to be undertaken.
8. Construction must be completed within five (05) years of the commencement of the activity on site.

Notification of authorisation and right to appeal

9. The holder of the authorisation must notify every registered interested and affected party, in writing and within 14 (fourteen) calendar days of the date of this Environmental Authorisation, of the decision to authorise the activity.
10. The notification referred to must –
 - 10.1. specify the date on which the authorisation was issued;
 - 10.2. inform the interested and affected party of the appeal procedure provided for in the National Appeal Regulations, 2014;
 - 10.3. advise the interested and affected party that a copy of the authorisation will be furnished on request; and
 - 10.4. give the reasons of the Competent Authority for the decision.

Commencement of the activity

11. The authorised activity shall not commence until the period for the submission of appeals has lapsed as per the National Appeal Regulations, 2014, and no appeal has been lodged against the decision. In terms of Section 43(7), an appeal under Section 43 of the National Environmental Management Act, Act No. 107 of 1998, as amended will suspend the Environmental Authorisation or any provision or condition attached thereto. In the instance where an appeal is lodged you may not commence with the activity until such time that the appeal has been finalised.

Management of the activity

12. A final site layout plan for the power line (with micro-siting of the powerline route and pylon structures within the 300m corridor) and all mitigation measures as dictated by the final site layout plan, must be submitted to the Department for approval prior to construction. Once approved, the final site layout plan must be appended to Part C of the generic EMPr for the overhead power line. The final site layout plan must be made available for comments to registered Interested and Affected Parties, and the holder of this environmental authorisation must consider such comments prior to submission of the final site layout plan to the Department for written approval. The final site layout plan for the power line must indicate the following.
 - 12.1. The final delineation of the centreline of the power line within the approved 300m corridor;
 - 12.2. The specific position of the pylon structures and foundation footprints;

- 12.3. The location of the construction site camp(s);
- 12.4. All existing infrastructure on the site, including roads;
- 12.5. Any sensitive environmental features that will be affected by the power line; and
- 12.6. All “no-go” and buffer areas.
13. The generic Environmental Management Programme (EMPr) submitted as part of the BAR dated February 2021 is approved and must be implemented and adhered to.
14. The EMPr must be implemented and strictly enforced. It shall be seen as a dynamic document and shall be included in all contract documentation for the development.
15. Changes to the approved EMPr must be submitted in accordance to the EIA Regulations applicable at the time.
16. The Department reserves the right to amend the approved EMPr should any impacts that were not anticipated or covered in the BAR be discovered.

Frequency and process of updating the EMPr

17. The EMPr must be updated where the findings of the environmental audit reports, contemplated in Condition 24 below, indicate insufficient mitigation of environmental impacts associated with the undertaking of the activity, or insufficient levels of compliance with the environmental authorisation or EMPr.
18. The updated EMPr must contain recommendations to rectify the shortcomings identified in the environmental audit report.
19. The updated EMPr must be submitted to the Department for approval together with the environmental audit report, as per Regulation 34 of the EIA Regulations, 2014 as amended. The updated EMPr must have been subjected to a public participation process, which process has been agreed to by the Department, prior to submission of the updated EMPr to the Department for approval.
20. In assessing whether to grant approval of an EMPr which has been updated as a result of an audit, the Department will consider the processes prescribed in Regulation 35 of the EIA Regulations, 2014 as amended. Prior to approving an amended EMPr, the Department may request such amendments to the EMPr as it deems appropriate to ensure that the EMPr sufficiently provides for avoidance, management and mitigation of environmental impacts associated with the undertaking of the activity.
21. The holder of the authorisation must apply for an amendment of an EMPr, if such amendment is required before an audit is required. The amendment process is prescribed in Regulation 37 of the EIA Regulations, 2014, as amended. The holder of the authorisation must request comments on the proposed amendments to the impact management outcomes of the EMPr or amendments to the closure objectives of the closure

plan from potentially interested and affected parties, including the competent authority, by using any of the methods provided for in the Act for a period of at least 30 days.

Monitoring

22. The holder of the authorisation must appoint an experienced Environmental Control Officer (ECO) for the construction phase of the development that will have the responsibility to ensure that the mitigation/rehabilitation measures and recommendations referred to in this environmental authorisation are implemented and to ensure compliance with the provisions of the approved EMPr.
 - 22.1. The ECO must be appointed before commencement of any authorised activities.
 - 22.2. Once appointed, the name and contact details of the ECO must be submitted to the *Director: Compliance Monitoring* of the Department.
 - 22.3. The ECO must keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.
 - 22.4. The ECO must remain employed until all rehabilitation measures, as required for implementation due to construction damage, are completed and the site is ready for operation.

Recording and reporting to the Department

23. All documentation e.g. audit/monitoring/compliance reports and notifications, required to be submitted to the Department in terms of this environmental authorisation, must be submitted to the *Director: Compliance Monitoring* of the Department.
24. The holder of the environmental authorisation must, for the period during which the environmental authorisation and EMPr remain valid, ensure that project compliance with the conditions of the environmental authorisation and the EMPr are audited, and that the audit reports are submitted to the *Director: Compliance Monitoring* of the Department.
25. The frequency of auditing and of submission of the environmental audit reports must be as per the frequency indicated in the EMPr (i.e. monthly), taking into account the processes for such auditing as prescribed in Regulation 34 of the EIA Regulations, 2014 as amended.
26. The holder of the authorisation must, in addition, submit an environmental audit report to the Department within 30 days of completion of the construction phase (i.e. within 30 days of site handover) and a final environmental audit report within 30 days of completion of rehabilitation activities.
27. The environmental audit reports must be compiled in accordance with Appendix 7 of the EIA Regulations, 2014 as amended and must indicate the date of the audit, the name of the auditor and the outcome of the

audit in terms of compliance with the environmental authorisation conditions as well as the requirements of the approved EMPr.

28. Records relating to monitoring and auditing must be kept on site and made available for inspection to any relevant and competent authority in respect of this development.

Notification to authorities

29. A written notification of commencement must be given to the Department no later than fourteen (14) days prior to the commencement of the activity. Commencement for the purposes of this condition includes site preparation. The notice must include a date on which it is anticipated that the activity will commence, as well as a reference number.

Operation of the activity

30. A written notification of operation must be given to the Department no later than fourteen (14) days prior to the commencement of the activity operational phase.

Site closure and decommissioning

31. Should the activity ever cease or become redundant, the holder of the authorisation must undertake the required actions as prescribed by legislation at the time and comply with all relevant legal requirements administered by any relevant and Competent Authority at that time.

Specific conditions

32. No activities, which require a water use authorisation, must be allowed to encroach into a water resource without a water use authorisation being in place from the Department of Human Settlements, Water and Sanitation.
33. Vegetation clearing must be limited to the required footprint for actual construction works.
34. A permit must be obtained from the relevant Department for the removal or destruction of indigenous, protected or endangered plant or animal species (if required) and a copy of such permit/s must be submitted to the Department for record keeping.
35. No exotic plants may be used for rehabilitation purposes. Only indigenous plants of the area may be utilised.
36. If any evidence of archaeological sites or remains (e.g., remnants of stone-made structures, indigenous ceramics, bones, stone artefacts, ostrich eggshell fragments, marine shell and charcoal/ash concentrations)

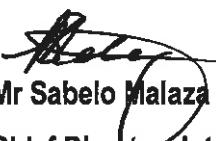
or unmarked human burials be uncovered during construction, work in the immediate area must be halted, the South African Heritage Resources Agency (SAHRA) must be alerted immediately, and a professional archaeologist must be contacted as soon as possible to inspect the findings.

37. If any palaeontological material is exposed during clearing, digging, excavating, drilling or blasting SAHRA must be notified. All construction activities must be stopped, a 30m no-go barrier constructed and a palaeontologist must be called in to determine appropriate mitigation measures.
38. Construction must include 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.
39. An integrated waste management approach must be implemented that is based on waste minimisation and must incorporate reduction, recycling, re-use and disposal where appropriate. Any solid waste must be disposed of at a landfill licensed in terms of Section 20 (b) of the National Environment Management Waste Act, 2008 (Act No.59 of 2008).

General

40. A copy of this Environmental Authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying-
 - 40.1. at the site of the authorised activity;
 - 40.2. to anyone on request; and
 - 40.3. where the holder of the Environmental Authorisation has a website, on such publicly accessible website.
41. National government, provincial government, local authorities or committees appointed in terms of the conditions of this authorisation or any other public authority shall not be held responsible for any damages or losses suffered by the holder of the authorisation or his/her successor in title in any instance where construction or operation subsequent to construction be temporarily or permanently stopped for reasons of non-compliance by the holder of the authorisation with the conditions of authorisation as set out in this document or any other subsequent document emanating from these conditions of authorisation.

Date of Environmental Authorisation: 17/06/2021


Mr Sabelo Malaza

Chief Director: Integrated Environmental Authorisations
Department of Forestry, Fisheries and the Environment

Annexure 1: Reasons for Decision

1. Information considered in making the decision

In reaching its decision, the Department took, *inter alia*, the following into consideration -

- a) The listed activities as applied for in the application form received on 03 December 2020.
- b) The information contained in the BAR dated February 2021.
- c) The comments received from Department of Water and Sanitation, Eskom, Rand Water, Mpumalanga Tourism & Parks Agency and interested and affected parties (I&APs) as included in the BAR dated February 2021.
- d) Mitigation measures as proposed in the BAR and the EMPr.
- e) The information contained in the specialist studies contained within the appendices of the BAR dated February 2021 and as appears below:

Name of Specialist	Title of specialist report/s as attached in Appendix G	Date issued
Limosella Consulting	Wetland Delineation and Functional Assessment Report	November 2020
Dimela Eco Consulting	Vegetation Assessment – Addendum to existing Vegetation Opinion drafted In December 2017	October 2020
Barbara Kasl	Terrestrial Fauna Impact Assessment Amendment	October 2020
JA van Schalkwyk	Phase 1 Cultural Heritage Impact Assessment	November 2020
Dr Heidi Fourie	Palaeontological Impact Assessment: Phase 1 Field study	October 2020

2. Key factors considered in making the decision

All information presented to the Department was taken into account in the Department's consideration of the application. A summary of the issues which, in the Department's view, were of the most significance is set out below.

- a) The findings of all the specialist studies conducted and their recommended mitigation measures.
- b) The need and desirability for this specific development is to assist Transnet in increasing its export coal capacity to 81MTPA and to upgrade the Direct Current (DC) sections on the Transnet traction site as well as on the corresponding Eskom sides. Local benefits of the development include benefits to the local

economy through possible job creation and local supplier procurement during the construction phase as well as during the operational phase of the development.

- c) The BAR dated February 2021 identified all legislation and guidelines that have been considered in the preparation of the BAR.
- d) The location of the project.
- e) The methodology used in assessing the potential impacts identified in the BAR dated February 2021 and the specialist studies have been adequately indicated.
- f) A sufficient public participation process was undertaken and the applicant has satisfied the minimum requirements as prescribed in the EIA Regulations, 2014 as amended for public involvement.

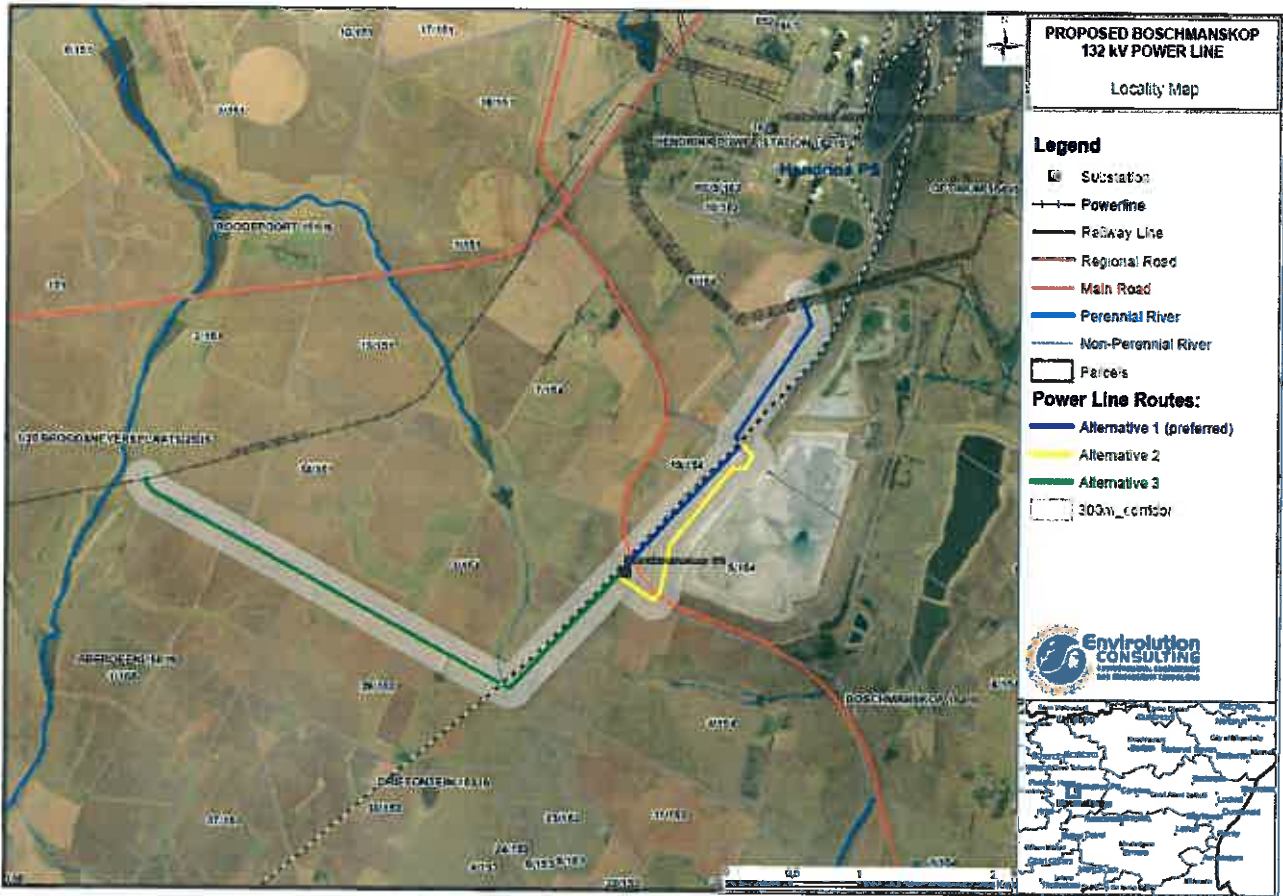
3. Findings

After consideration of the information and factors listed above, the Department made the following findings -

- a) The identification and assessment of impacts are detailed in the BAR dated February 2021 and sufficient assessment of the key identified issues and impacts have been completed.
- b) The procedure followed for impact assessment is adequate for the decision-making process.
- c) The information contained in the BAR dated February 2021 is deemed to be accurate and credible.
- d) The proposed mitigation of impacts identified and assessed adequately curtails the identified impacts.
- e) EMPr measures for the pre-construction, construction and rehabilitation phases of the development were proposed and included in the BAR and will be implemented to manage the identified environmental impacts during the construction phase.

In view of the above, the Department is satisfied that, subject to compliance with the conditions contained in the environmental authorisation, the authorised activities will not conflict with the general objectives of integrated environmental management laid down in Chapter 5 of the National Environmental Management Act, 1998 and that any potentially detrimental environmental impacts resulting from the authorised activities can be mitigated to acceptable levels. The environmental authorisation is accordingly granted.

Annexure 2: Locality Map



Locality map showing the approved 300m corridor for the preferred Alternative 1 132kV power line route (blue route).