



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

Private Bag X 447· PRETORIA · 0001· Environment House · 473 Steve Biko Road, Arcadia,· PRETORIA
Tel (+ 27 12) 399 9372

DEA Reference: 14/12/16/3/3/2/994

Enquiries: Ms Portia Makitla

Telephone: (012) 399 9411 E-mail: pmakitla@environment.gov.za

Ms Marinda le Roux
Envirolution Consulting (Pty) Ltd
PO Box 1898
SUNNINGHILL
2157

Telephone Number: (086) 144 4499
Email Address: gesan@envirolution.co.za

PER E-MAIL / MAIL

Dear Ms le Roux

COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT ASSESSMENT REPORT FOR THE PROPOSED GOURIKWA TO BLANCO 400kV TRANSMISSION LINE AND SUBSTATION UPGRADE IN THE WESTERN CAPE PROVINCE

The draft Environmental Impact Assessment Report (EIR) dated May 2017 and received by this Department on 15 May 2017 refers.

This letter serves to inform you that the following information must be included in the final EIAR:

a) Specialist studies

- Please conduct an Avifauna Impact Assessment and the EIR must clearly highlight the impacts of the proposed development and the proposed mitigation measures on avifauna.

b) Specialist Declaration of Interest

- Signed specialist declaration of interest forms, for the specialist studies conducted as part of the proposed development, must be submitted together with the final EIAR. Should in-house specialists be used for any specialist study, the specialist study must be peer reviewed by external specialists.

c) Environmental Management Programme (EMPr)

- The final EMPr, which will be included in the final EIAR, must have a cover page and a date (month and year), for ease of reference.
- The EMPr must not contain any ambiguity. Where applicable, statements containing the word "should" are to be amended to "must".

d) Public Participation Process (PPP)

The following information must be submitted with the final EIAR:

- Proof of submission of draft EIAR to all organs of state which have jurisdiction in respect of the proposed activity (including this Department's Biodiversity Section);
- Copies of comments received from I&APs and organs of state which have jurisdiction in respect of the proposed activity (including this Department's Biodiversity Section); and,
- All comments received from I&APs and organs of state, including comments from this Department, must be incorporated into the comments and response report.

Please ensure that all comments and issues raised are **adequately addressed** and proof that all relevant stakeholders or organ of state were conducted during PPP as per Regulation 39, 40, 41, 42, 43 & 44 of 2014 EIA Regulation is provided in the final EIAR because your application will be in a risk of being refused.

General

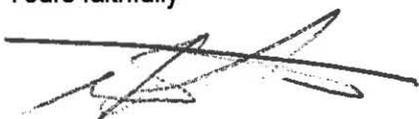
You are further reminded that the final Environmental Impact Assessment Report to be submitted to this Department must comply with all the requirements in terms of the content of EIAR in accordance with Appendix 3 (3) and Regulation 23 (1) of the Environmental Impact Assessment Regulations (2014).

Further note that in terms of Regulation 45 of the EIA Regulations 2014, this application will lapse if the applicant fails to meet any of the timeframes prescribed in terms of these Regulations, unless an extension has been granted in terms of Regulation 3 (7).

You are requested to submit one (1) hard copy of the final EIAR to the Department and at least three (3) unprotected electronic copies (CD/DVD) of the complete final report.

You are hereby reminded of Section 24F of the National Environmental Management Act, Act No 107 of 1998, as amended, that no activity may commence prior to an environmental authorisation being granted by the Department.

Yours faithfully



Mr Sabelo Malaza

Chief Director: Integrated Environmental Authorisations

Department of Environmental Affairs

Signed by: Mr. Wayne Hector

Designation: Deputy Director: Strategic Infrastructure Development

Date: 02/06/17

cc:	Ms Martina Phiri	Eskom	Email: martina.phiri@eskom.co.za
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2157

Telephone Number: (086) 144 4499
Email Address: gesan@enviroolution.co.za

PER E-MAIL / MAIL

Dear Sir/Madam

ACCEPTANCE OF FINAL SCOPING REPORT FOR THE PROPOSED GOURIKWA 400kV TO BLANCO TRANSMISSION LINE AND SUBSTATION UPGRADE IN THE WERSTERN CAPE PROVINCE

The Scoping Report (SR) and Plan of Study for Environmental Impact Assessment (PoSEIA) dated February 2017 and received by this Department on 23 February 2017 refers

This Department has evaluated the submitted SR and the PoSEIA dated February 2017 and is satisfied that the documents comply with the minimum requirements of the Environmental Impact Assessment (EIA) Regulations, 2014. The SR is hereby accepted by the Department in terms of Regulation 22 (a) of the EIA Regulations, 2014.

You may proceed with the Environmental Impact Assessment process in accordance with the tasks contemplated in the PoSEIA and the requirements in Appendix 3 of the EIA Regulations, 2014.

Notwithstanding the above, the following additional information is required for the EIR:

- i. Please include the Start, Middle and End point coordinates for the proposed power line and also the substation co-ordinates in the EIR;
- ii. Please ensure that all issues raised and comments received during the circulation of the SR from registered I&APs and organs of state which have jurisdiction (**including this Department's Biodiversity Section**) in respect of the proposed activity are adequately addressed in the EIR. Proof of correspondence with the various stakeholders must be included in the EIR. Should you be unable to obtain comments, proof should be submitted to the Department of the attempts that were made to obtain comments. The Public Participation Process must be conducted in terms of Regulation 39, 40 41, 42, 43 & 44 of the EIA Regulations 2014.
- iii. In terms of Appendix 3 of the EIA Regulations, 2014, the report must include an undertaking under oath or affirmation by the EAP in relation to:
 - the correctness of the information provided in the reports;
 - the inclusion of comments and inputs from stakeholders and I&APs;
 - the inclusion of inputs and recommendations from the specialist reports where relevant;

- any information provided by the EAP to interested and affected parties and
 - responses by the EAP to comments or inputs made by interested or affected parties.
- iv. In accordance with Appendix 3 of the EIA Regulations 2014, the details of—
- (i) the EAP who prepared the report; and
 - (ii) the expertise of the EAP to carry out Scoping and Environmental Impact Assessment procedures; must be submitted.
- v. You are further reminded that the EIR to be submitted to this Department must comply with all the requirements in terms of the scope of assessment and content of scoping reports in accordance with Appendix 3 and Regulation 23(1) of the EIA Regulations, 2014.

Please ensure that the Final EIR includes at least one A3 regional map of the area and the locality maps included in the final EIR illustrate the different proposed alignments and their start, middle and end points coordinates. The maps must be of acceptable quality and as a minimum (Google maps will not be accepted for decision-making purposes), have the following attributes:

- Maps are relatable to one another;
- Cardinal points;
- Co-ordinates;
- Legible legends;
- Indicate ALL alternatives;
- Latest land cover;
- Vegetation types of the study area; and
- A3 size locality map.

Further note that in terms of Regulation 45 of the EIA Regulations 2014, this application will lapse if the applicant fails to meet any of the timeframes prescribed in terms of the these Regulations, unless an extension has been granted in terms of Regulation 3(7).

You are hereby reminded of Section 24F of the National Environmental Management Act, Act No 107 of 1998, as amended, that no activity may commence prior to an environmental authorisation being granted by the Department.

Yours faithfully



Mr Sabelo Malaza
Chief Director: Integrated Environmental Authorisations
Department of Environmental Affairs
Signed by: Mr Wayne Hector
Designation: Deputy Director: Strategic Infrastructure Developments
Date: 04/05/17

cc:	Ms Martina Phiri	Eskom	Email: martina.phiri@eskom.co.za
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PER E-MAIL / MAIL

Dear Ms Govender

COMMENTS ON THE DRAFT SCOPING REPORT FOR THE PROPOSED GOURIKWA TO BLANCO 400kV TRANSMISSION LINE AND SUBSTATION UPGRADE IN THE WESTERN CAPE PROVINCE

The draft Scoping Report (SR) dated January 2017 and received by this Department on 11 January 2017 refers.

This Department has the following comments on the abovementioned application:

- i. Please include the Start, Middle and End point coordinates for the power line in the final SR.
- ii. Please ensure that all relevant listed activities are applied for in the application form and reports, are specific and that it can be linked to the development activity or infrastructure as described in the project description. This Department has also noted the frequent use of the word "may" when describing the project activity that triggers the listed activities applied for. The use of the word "may" will result in this Department concluding that the EAP is not confident and/or uncertain as to why the listed activities applied for are being triggered by the proposed activity. You are therefore requested to amend the application form and rephrase all project activity descriptions and also to refrain from the use of the word "may".
- iii. If the activities applied for in the application form differ from those mentioned in the final SR, an amended application form must be submitted. Please note that the Department's application form template has been amended and can be downloaded from the following link <https://www.environment.gov.za/documents/forms>.
- iv. Please ensure that the application form is signed by the applicant and that a signed land owner's notification form is submitted to this Department.
- v. The final SR must investigate and identify all traffic impacts associated with the proposed development.
- vi. Please ensure that all issues raised and comments received during the circulation of the SR from registered I&APs and organs of state which have jurisdiction (**including this Department's Biodiversity Section**) in respect of the proposed activity are adequately addressed in the Final SR. Proof of correspondence with the various stakeholders must be included in the Final SR. Should you be unable to obtain comments, proof should be submitted to the Department of the attempts that were made to obtain

comments. The Public Participation Process must be conducted in terms of Regulation 39, 40 41, 42, 43 & 44 of the EIA Regulations 2014.

- vii. Should in-house specialists be used for any specialist study, the specialist study must be peer reviewed by external specialists.
- viii. In terms of Appendix 2 of the EIA Regulations, 2014, the report must include an undertaking under oath or affirmation by the EAP in relation to:
- the correctness of the information provided in the reports;
 - the inclusion of comments and inputs from stakeholders and I&APs;
 - the inclusion of inputs and recommendations from the specialist reports where relevant;
 - any information provided by the EAP to interested and affected parties and
 - responses by the EAP to comments or inputs made by interested or affected parties.
- ix. In accordance with Appendix 2 of the EIA Regulations 2014, the details of—
- (i) *the EAP who prepared the report; and*
- (ii) *the expertise of the EAP to carry out Scoping and Environmental Impact assessment procedures;*
- must be submitted.
- x. You are further reminded that the final SR to be submitted to this Department must comply with all the requirements in terms of the scope of assessment and content of scoping reports in accordance with Appendix 2 and Regulation 21(1) of the EIA Regulations, 2014.

Further note that in terms of Regulation 45 of the EIA Regulations 2014, this application will lapse if the applicant fails to meet any of the timeframes prescribed in terms of the these Regulations, unless an extension has been granted in terms of Regulation 3(7).

You are hereby reminded of Section 24F of the National Environmental Management Act, Act No 107 of 1998, as amended, that no activity may commence prior to an environmental authorisation being granted by the Department.

Yours faithfully



Mr Sabelo Malaza
Chief Director: Integrated Environmental Authorisations
Department of Environmental Affairs
Signed by: Mr Wayne Hector
Designation: Deputy Director: Strategic Infrastructure Developments
Date: 02/02/17

cc:	Ms Martina Phiri	Eskom	Email: martina.phiri@eskom.co.za
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DEA Reference: 14/12/16/3/3/2/921

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PER E-MAIL / MAIL

Dear Sir/Madam

LAPSING OF APPLICATION: THE PROPOSED GOURIKWA TO BLANCO 400KV TRANSMISSION LINE AND SUBSTATION UPGRADE, WESTERN CAPE PROVINCE

Your application for Environmental Authorisation submitted on 04 April 2016, refers.

In terms of Regulation 45 of GN R982 of 04 December 2014, an application lapses and a Competent Authority will deem the application as having lapsed, if the applicant fails to meet any of the time-frames prescribed in terms of these Regulations, unless an extension has been granted in terms of Regulation 3(7) of GN R982 of 04 December 2014.

Please be informed that you have not submitted the Environmental Impact Assessment Report within the regulated timeframes and have failed to comply with Regulation 23(1) of GN R982 of 04 December 2014, which states that where Environmental Impact Assessment process is applicable, the applicant must within 106 days of acceptance of the Scoping Report by the Competent Authority, submit to the Competent Authority the Environmental Impact Assessment Report. The application has been lapsed and the file is accordingly closed.

Should you decide to further pursue the application, a new application for Environmental Authorisation in terms of the EIA Regulations, 2014, must be submitted to this Department before such activity/(ies) may commence.

Yours faithfully

Mr Sabelo Malaza

Chief Director: Integrated Environmental Authorisations

Department of Environmental Affairs

Letter signed by: Ms Pumeza Skepe-Mngcita

Designation: Director (Acting) : Coordination, Strategic Planning & Support

Date: 02/12/2016

CC	Martina Phiri	Eskom Holdings SOC Limited	Email: PhiriM@eskom.co.za
	Marek Kedzieja	Department of Environmental Affairs and Development Planning	Email: mkedzil@westerncape.gov.za
	Corlize Nester	George Local Municipality	Email: corlize@george.org.za



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Enquiries: Mr Ishaam Abader Telephone: 012 399 9330 E-mail: iabader@environment.gov.za

Ms Pumeza Skepe-Mngcita
Deputy Director: IPS and S24G

Dear Ms Skepe-Mngcita

Appointment as Acting Director: Coordination, Strategic Planning and Support for the period 23-25 November 2016 while Ms. K Masinga will be on special Leave, and again from 27 November until 02 December 2016, while Ms. K Masinga will be on official business abroad.

I hereby inform you that I have decided to appoint you as the Acting Director: Coordination, Strategic Planning and Support for the period 23 November 2016 until 2 December 2016 while Ms. Khashiwe Masinga is on special leave from 23-25 November 2016 and on official business abroad from 27 November to 2 December 2016.

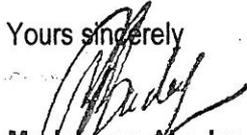
All the correspondence and other documents that are usually signed by the Director: Coordination, Strategic Planning and Support must be signed under Acting Director: Coordination, Strategic Planning and Support during the above-mentioned period.

Your appointment in the above acting position remains subject to the provisions of the Public Service Act, 1994 (Proclamation No. 103 of 1994), as amended, the Government Employees Pension Fund Act, 1996 (Proclamation No. 21 of 1996), the regulations promulgated under these Acts and relevant circulars.

In the execution of your duties and the exercising of the powers delegated to you, you will furthermore be subjected to the provisions of the Public Finance Management Act, compliance with the Promotion of Access to Information Act, Promotion of Administrative Justice Act, the Minimum Information Security Standard, Departmental Policies and other applicable legislations with the Republic of South Africa. You are therefore advised to make yourself familiar with the provisions of this legislations and policies and the amendments thereof. (Copies of Departmental policies can be obtained from the Human Resource Office).

Please accept my heartfelt gratitude for all your assistance on behalf of the department.

Yours sincerely


Mr. Ishaam Abader

DOB: LACE

Date: 23/11/2016

ACKNOWLEDGEMENT

I ACCEPT / DO NOT ACCEPT appointment
as Acting Director: Coordination, Strategic
Planning and Support

Signed: 

Date: 23/11/2016

Sheila Muniongo

From: Gesan Govender <gesan@envirolution.co.za>
Sent: Thursday, December 01, 2016 3:44 PM
To: 'Sheila Muniongo'
Subject: FW: Clarification re Regulation 21
Attachments: RE: Reference Numbers: Gourikwa - Blanco - Droerivier (24.7 KB); RE: Reference Numbers: Gourikwa - Blanco - Droerivier (24.6 KB)

From: Milicent Solomons [<mailto:MSolomons@environment.gov.za>]
Sent: 01 December 2016 02:30 PM
To: Gesan Govender (gesan@envirolution.co.za) <gesan@envirolution.co.za>
Cc: EIAAdmin <EIAAdmin@environment.gov.za>; Senisha Soobramany <SSoobramany@environment.gov.za>; Franz Scheepers <FScheepers@environment.gov.za>; Amanda Britz <Abritz@environment.gov.za>; Wayne Hector <WHector@environment.gov.za>; Olivia Letlalo <OLetlalo@environment.gov.za>
Subject: Clarification re Regulation 21

Dear Gesan

I confirmed my interpretation of the said regulation with our IQ Desk and unfortunately Regulation 21 does not apply as we did not refuse your application. The application lapsed.

Hence you have to start afresh and submit a new application form.

Regards

Milicent

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