



**LANDSCAPE
DYNAMICS**

ENVIRONMENTAL CONSULTANTS

CK 97/08197/23 VAT Nr 4900171176

13 October 2017

DEA Ref Nr: 14/12/16/3/3/1/1813

TO WHOM IT MAY CONCERN

Dear Sir / Madam

ESKOM DAGBREEK BYPASS PROJECT, NORTHERN CAPE PROVINCE: NOTIFICATION OF ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS 2014, AS AMENDED

The Department of Environmental Affairs (DEA) approved the construction of the proposed Eskom Dagbreek Bypass Project and an Environmental Authorisation (EA) was issued on 9 October 2017. A copy of the EA is attached for your perusal.

The DEA authorised Eskom Holdings SOC Limited to undertake the following activities:
GN R983, Item 11 (Listing Notice 1)

Authorisation was granted, with certain conditions, for the execution of the following development:

- A 140m wide route corridor (70m on both sides of the proposed bypass power line);
- A pylon structure;
- A temporary access road of approximately 300m under the line; and
- An approximately 380m 66kV bypass power line.

The reasons for the decision were:

“1. Information considered in making the decision

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

- a) The listed activity as applied for in the application form received on 31 July 2017.
- b) The information contained in the BAR dated September 2017;
- c) The comments received from the Directorate Biodiversity Conservation (Department of Environmental Affairs), The Department of Environmental Affairs & Development Planning, CapeNature, Heritage Western Cape and Interested and Affected parties included in the BAR dated September 2017;
- d) Mitigation measures as proposed in the BAR dated September 2017 and the EMPr;
- e) The input contained in the specialist Fauna and Flora study contained within the appendix of the final BAR dated September 2017.

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 input of the Fauna and Flora specialist study included in the final report dated September 2017;
- b) The need for the proposed project aims to contribute to the provision of a long term solution to reliable electrical supply network;
- c) The benefits of the project to the area as presented in the final BAR which includes the reliable electrical supply network.
- d) The final BAR dated September 2017 identified all legislation and guidelines that have been considered in the preparation of the final BAR dated September 2017.
- e) The methodology used in assessing the potential impacts identified in the final BAR dated September 2017 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 September 2017 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 September 107 is 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 final 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 proposed activity can be mitigated to acceptable levels. The environmental authorisation is accordingly granted."

Validity period of the EA

The activity must commence within a period of five (05) years from the date of issue of this authorisation and shall lapse if the activity does not commence within this period. Construction must be completed within 05 years of the commencement of the activity on site.

Right to appeal against the DEA's decision

Should any person, or an interested and affected party, decide to appeal, they must do so in terms of Chapter 2 of Government Notice No. R993, *The National Appeals Regulations* which prescribes the appeal procedure to be followed.

An appellant must submit an appeal to the appeal administrator, and a copy of the appeal to the applicant, any registered interested and affected party and any organ of state with interest in the matter within 20 days from the date that the notification of the decision for an application for an environmental authorisation was sent to the registered interest and affected parties by the applicant.

If the applicant wishes to lodge an appeal, it must also serve a copy of the notice of attention to appeal on all registered, interested and affected parties, as well as a notice indicating where, and for what period, the appeal submission will be available for inspection, should you intend to submit an appeal.

Notes

An appeal must be submitted in writing:

By post: The Department of Environmental Affairs
Private Bag X447, Pretoria, 0001

By hand: Environment House
473 Steve Biko Street
Arcadia
Pretoria
0083

By email: AppealsDirectorate@environment.gov.za

For Attention: Mr Z Hassam
Director: Appeals and Legal Review

Mr Hassam can also be contacted at:
Tel: 012 399 9356
Email: AppealsDirectorate@environment.gov.za

For guidance on appeals submitted to the Minister in terms of NEMA and the SEMAs, a copy of the guideline on the administration of appeals can be found on the Department's website:

https://www.environment.gov.za/documents/forms#legal_authorisations

A copy of this Environmental Authorisation is included with this letter of notification to interested and affected parties.

We trust you find this in order, but please contact us should more information be required.

Kind regards



Susanna Nel

Cape Town Office

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