



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

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PER EMAIL / MAIL

Dear Ms Jodas

COMMENTS ON THE DRAFT BASIC ASSESSMENT REPORT (“DBAR”) FOR THE PROPOSED EXPANSION OF THE KOMSBERG MAIN TRANSMISSION SUBSTATION AND ASSOCIATED INFRASTRUCTURE WITHIN THE KAROO HOOGLAND LOCAL MUNICIPALITY IN THE NORTHERN CAPE PROVINCE.

The Draft Basic Assessment Report (DBAR) dated October 2015, received by the Department on 16 October 2015 and the acknowledgement letter of the application form and the DBAR issued by the Department on 26 October 2015, refer.

The Department has the following comments:

Public Participation Process

Please note that you are reminded to comply with the requirements of the public participation process in terms of the EIA Regulations 2014. In this regard, among other things, comments from this Department's Biodiversity Section, other relevant organs of state and all the I&APs must be submitted in the final BAR.

Specialist Reports

The independence of Mr Gerhardus Botha of Savannah Environmental (Pty) Ltd. who compiled the Ecological Specialist Report dated October 2015 may be questioned as he is working for the same company (Savannah Environmental (Pty) Ltd.) who is commissioned as the environmental consultancy to conduct the basic assessment for the above mentioned application. An external review of this specialist report in this regard is strongly recommended by this Department. Please note that the external review must be brought to the attention of all the registered Interested and Affected Parties for their comments. This must be done prior to the submission of the FBAR to this Department.

General

You are required to comply with Regulation 19 (1) (a) of the Environmental Impact Assessment Regulations (2014), which state that:

*"Where basic assessment must be applied to an application, the applicant must, within 90 days of receipt of the application by the competent authority, submit to the competent authority -
(a) a basic assessment report, inclusive of specialist reports, an EMPr, and where applicable a closure plan, which have been subjected to a public participation process of at least 30 days and which reflects the incorporation of comments received, including any comments of the competent authority"*

Seeing that there are significant changes or new information that must be added to the DBAR (w.r.t. Ecological Specialist Report) or EMPr or information which was not contained in the reports consulted on during the initial public participation process, you are therefore required to comply with Regulation 19 (b) which state:

"notification in writing that the basic assessment report, inclusive of specialist reports an EMPr, and where applicable, a closure plan, will be submitted within 140 days of receipt of the application by the competent authority, as significant changes have been made or significant new information has been added to the basic assessment report or EMPr or, where applicable, a closure plan, which changes or information was not contained in the reports or plans consulted on during the initial public participation process contemplated in sub-regulation (1)(a) and that the revised reports or, EMPr or, where applicable, a closure plan will be subjected to another public participation process of at least 30 days".

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 sincerely



Mr Sabelo Malaza
Chief Director: Integrated Environmental Authorisations
Department of Environmental Affairs
Letter signed by: Mr Wayne Hector
Designation: Deputy Director: Strategic Infrastructure Developments
Date: 20/11/15

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