

Private Bag X 447· PRETORIA · 0001· Environment House · 473 Steve Biko Road, Arcadia · PRETORIA, 0083

DEA Reference: 14/12/16/3/3/2/1011 Enquiries: Ms Constance Musemburi

Telephone: 012-399-9416 E-mail: cmusemburi@environment.gov.za

Mr Itumeleng Moeng
Eskom Holdings SOC Limited
Eskom Megawatt Park;
P. O. Box 1091
JOHANNESBURG
2000

Tel: (011) 800 4114

E-mail: Moengl@eskom.co.za

PER EMAIL / MAIL

Dear Mr Moeng

ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998: GN R. 982/983/984/985: PROPOSED DEVELOPMENT OF THE MAKALU B (IGESI) SUBSTATION AND ASSOCIATED TRANSMISSION LOOP-IN LINES, SASOLBURG, FREE STATE 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 (the Regulations) as amended, you are instructed to notify all registered interested and affected parties, in writing and within 14 (fourteen) days of the date of the EA, of the Department's decision in respect of your application. As well as the fact that an appeal may be lodged against the decision in terms of the National Appeals Regulations, and the provisions regarding the submission of appeals as contained in the Regulations.

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 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:

Mr Z Hassam, Director: Appeals and Legal Review of this Department at the below mentioned addresses.

By email: appealsdirectorate@environment.gov.za;

By hand:

Environment House

473 Steve Biko Road,

Arcadia, Pretoria, or

By post:

Private Bag X447,

Pretoria, 0001

Please note that in terms of Section 43(7) of the National Environmental Management Act, 1998, 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 appealsdirectorate@environment.gov.za.

Yours faithfully

Mr Sabelo Malaza

Chief Director Integrated Environmental Authorisations

Department of Environmental Affairs

Date: 16/04/2018

CC:	Donavan Henning	Nemai Consulting	Tel: 011 781 1730	Email: donavanh@nemai.co.za
	M. Sello	DESTEA	Tel: 051 400 4817	Email: sellom@detea.fs.gov.za



Environmental Authorisation

in terms of Regulation 25 of the Environmental Impact Assessment Regulations, 2014

PROPOSED DEVELOPMENT OF THE MAKALU B (IGESI) SUBSTATION AND ASSOCIATED TRANSMISSION LOOP-IN LINES, SASOLBURG, FREE STATE PROVINCE.

Fezile Dabi District Municipality

Authorisation register number:	14/12/16/3/3/2/1011		
Last amended:	First issue		
Holder of authorisation:	Eskom Holdings SOC Limited		
Location of activity:	FREE STATE PROVINCE: Within		
	Ward 7, 18 and 19 of the Metsimaholo		
	Local Municipality.		

This environmental 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.

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, 1998 and the EIA Regulations,

2014 as amendment.

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, 1998 (Act No.107

of 1998) and the Environmental Impact Assessment Regulations, 2014 as amended the Department

hereby authorises -

ESKOM HOLDINGS SOC LIMITED

(hereafter referred to as the holder of the authorisation)

with the following contact details –

Mr Itumeleng Moeng

Eskom Holdings SOC Limited

Eskom Megawatt Park;

P. O. Box 1091

JOHANNESBURG

2000

Tel:

(011) 800 4114

E-mail: Moengl@eskom.co.za

to undertake the following activities (hereafter referred to as "the activity") indicated in Listing Notice 2 and 3 (GN R. 983, 984 and 985), as amended:

Listed activities	Activity/Project description	
GN R. 983 Item 19	The access road to Site 1 which follows	
The infilling or depositing of any material of more than 5 cubic	an existing dirt road will have to be	
metres into, or the dredging, excavation, removal or moving of	widened, traverses a wetland (HGM2).	
soil, sand, shells, shell grit, pebbles or rock of more than 5	More than 10 cubic meters of material	
cubic metres from-	will be removed from the wetland	
(i) a watercourse;	during the upgrading of the existing dirt	
	road.	
GN R. 983 Item 24	The access road to Site 1, which falls	
The development of-	within an existing dirt road outside an	
(ii) a road with a reserve wider than 13,5 meters, or where no	urban area with no reserve for a section	
reserve exists where the road is wider than 8 metres;	of the route (1km) and requires the	
	construction of a new section (1km) of	
	road is approximately 9 meters wide.	
GN R. 983 Item 27	The Substation Site 1 (500m x 500m)	
The clearance of an area of 1 hectares or more, but less than	will require clearance of more than 1	
20 hectares of indigenous vegetation, except where such	hectare of indigenous vegetation, but	
clearance of indigenous vegetation is required for-	not more than 20ha as the majority of	
(i) the undertaking of a linear activity; or	the site is located on agricultural land.	
(ii) maintenance purposes undertaken in accordance with a		
maintenance management plan.		
GN R. 983 Item 28	More than 1 hectare of the Substation	
Residential, mixed, retail, commercial, industrial or	Site 1 (500m x 500m) is located on land	
institutional developments where such land was used for	used for agriculture. The entire site falls	
agriculture, game farming, equestrian purposes or	outside of the urban area.	
afforestation on or after 01 April 1998 and where such	Transmission lines to Site 1 traverse	
development:	land used for agricultural purpose.	
(ii) will occur outside an urban area, where the total land to be	Approximately 1km of the access road	
developed is bigger than 1 hectare;	to Site 1 falls on an existing dirt road,	
	however the rest of the road (1km)	

Listed activities	Activity/Project description
	section will traverse land used for
j.	agriculture.
GN R. 983 Item 12	Substation Site (Ss) 1, Transmission
The development of -	(Tx) power lines and access road will
(ii) infrastructure or structures with a physical footprint of 100	fall within 32m of a watercourse.
square metres or more; where such development occurs—	
(a) within a watercourse;	
(c) if no development setback exists, within 32 metres of a	
watercourse, measured from the edge of a watercourse; —	
GN R. 983 Item 56	The access road to Site 1 follows an
The widening of a road by more than 6 metres, or the	existing road for 1km outside an urban
lengthening of a road by more than 1 kilometre-	area, and this road will need to be
(ii) where no reserve exists, where the existing road is wider	widened and upgraded to 9m.
than 8 metres;	
excluding where widening or lengthening occur inside urban	
areas.	
GN R. 983 Item 30	All project components fall within ESA
Any process or activity identified in terms of section 53(1) of	1 and 2. In addition, multiple plant
the National Environmental Management: Biodiversity Act,	species of conservation of importance
2004 (Act No. 10 of 2004).	were identified on site by the Ecological
	Specialist.
GN R. 984 Item 9	The proposed development of (two) 2
The development of facilities or infrastructure for the	X 1km 275kV loop-in lines to the
transmission and distribution of electricity with a capacity of	proposed Substation Site 1. These
275 kilovolts or more, outside an urban area or industrial	lines are located outside the urban
complex.	edge.
<u>GN R. 984 Item 15</u>	The Substation Site 1 (500m x 500m)
The clearance of an area of 20 hectares or more of indigenous	will require clearance of more than 1
vegetation, excluding where such clearance of indigenous	hectare of indigenous vegetation,
vegetation is required for-	however the majority of the site is
(i) the undertaking of a linear activity; or	located on agricultural land.

Listed activities	Activity/Project description
(ii) maintenance purposes undertaken in accordance with a	
maintenance management plan.	
GN R. 985 Item 12	The Substation Site 1 (500m x 500m)
The clearance of an area of 300 square metres or more of	will require clearance of more than 300
indigenous vegetation except where such clearance of	square meters of indigenous
indigenous vegetation is required for maintenance purposes	vegetation within the wetlands
undertaken in accordance with a maintenance management	traversed. The Tx Loop-in lines to Site
plan.	1 require removal of vegetation for the
(b) in Free State	installation of towers and clearing of
(iv) Areas within a watercourse or wetland; or within 100	servitude. The route is 2.1km in length
metres from the edge of a watercourse or wetland.	and will in total remove more than 300
	square meters of vegetation within
	100m o watercourse(s). The access
	road to Site 1, which crosses a
	delineated wetland, will be upgraded
	and widened to 9m, and thus more than
	300 square meters of indigenous
	vegetation will be cleared within a
	watercourse by the new proposed
	access road to Site 1.
GN R. 985 Item 14	The Transmission Loop-in lines to Site
The development of—	1 require removal of vegetation within
(ii) infrastructure or structures with a physical footprint of 10	ESA 1 and ESA 2 for the installation of
square metres or more; where such development occurs—	towers. The route is 2.1km in length
(a) within a watercourse;	and will traverse wetlands (HGM3 and
(c) if no development setback has been adopted, within	HGM 4) before reaching Site 1. The Tx
32 metres of a watercourse, measured from the edge of a	tower positions will be outside of
watercourse;	watercourses, however will fall within
b) in Free State	32m of the edge of a watercourse. The
(i) Outside urban areas	access road to Site 1 will be upgraded
	and widened. The wetland crossing will

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Listed activities	Activity/Project description
(ff) Critical biodiversity areas or ecosystem service areas as	exceed 10 square meters within ESA 1
identified in systematic biodiversity plans adopted by the	and ESA 2.
competent authority or in bioregional plans;	
<u>GN R. 985 Item 18</u>	The access road to Site 1 follows an
	existing road for 1km, and this road will
The widening of a road by more than 4 metres, or the	need to be widened and upgraded to
lengthening of a road by more than 1 kilometre.	9m. The road will also be lengthened by
(b) in Free State	1km. The access road to Site 1 will be
i. outside urban areas	upgraded and widened. The access
(hh) Areas within a watercourse or wetland; or within 100	road will traverse wetlands outside an
metres from the edge of a watercourse or wetland.	urban area.

as described in the Environmental Impact Assessment Report dated December 2017 at:

Latitude	Longitude
26°48'57.98"S	27°53'43.71"E
26°49'15.73"S	27°53'32.06"E
26°49'06.46"S	27°53'14.54"E
26°48'48.79"S	27°53'26.19"E
	26°48'57.98"\$ 26°49'15.73"\$ 26°49'06.46"\$

SG Codes

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- for the proposed construction of Makalu B Substation and associated infrastructure (transmission Loop-in Lines and access road) within Ward 7, 18 and 19 of the Metsimaholo Local Municipality in the Free State Province, hereafter referred to as "the property".

The proposed development entails the construction of the Makalu B (Igesi) Substation, which is 500 m x 500m and covers a total area of 25 Ha. The proposed Makalu B Substation includes the following:

- 2 x 275 kV feeder bays, 2 x 275 kV spare feeder bays, 2 x 275 kV future feeder bays;
- 275 kV busbar and a 88 kV busbar:
- 2 x 275 kV transformer bays, 2 x 275 kV future transformer bays, 2 x 88 kV transformer bays, 2 x 88 kV future transformer bays and 2 x 315 MVA 275/88 kV Transformers (design space for 2 future 2 x 315 MVA 275/88 kV Transformers);
- 7 x 88 kV feeder bays to shift load off Makalu substation, 2 x 88 kV spare feeder bays, 2 x 88 kV future feeder bays;
- Make provision for Fault limiting reactors on the 88 kV busbar;
- Establish control room and yard with associated equipment;
- Install new terrace, fencing and earthworks for the common yard; and
- Construct an access road.

Conditions of this Environmental Authorisation

Scope of authorisation

- Makalu B Substation Site 1 and associated infrastructure Transmission (Tx) Loop-in Lines and access road to site 1 within Ward 7, 18 and 19 of the Metsimaholo Local Municipality in the Free State Province is approved as per the geographic coordinates cited at the table reflected on page 3 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 must 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 five (5) 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. Commencement with one activity listed in terms of this environmental authorisation constitutes commencement of all authorised activities.

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 must 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, 1998 will suspend the environmental authorisation or any provision or condition attached thereto. In the instance where an appeal is lodged you must not commence with the activity until such time that the appeal has been finalised.

Management of the activity

12. The Environmental Management Programme (EMPr) submitted as part of the Application for EA is hereby approved. This EMPr must be implemented and strictly adhered to.

Frequency and process of updating the EMPr

- 13. The EMPr must be updated where the findings of the environmental audit reports, contemplated in Condition 23 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.
- 14. The updated EMPr must contain recommendations to rectify the shortcomings identified in the environmental audit report.
- 15. The updated EMPr must be submitted to the Department for approval together with the environmental audit report, as per Regulation 34 of GN R. 982. 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.
- 16. 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 GN R.982. 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.
- 17. The holder of the authorisation may apply for an amendment of an EMPr, if such amendment is required before an audit is required. The holder must notify the Department of its intention to amend the EMPr at least 60 days prior to submitting such amendments to the EMPr to the Department for approval. In assessing whether to grant such approval or not, the Department will consider the processes and requirements prescribed in Regulation 37 of GN R. 982.



Monitoring

- 18. The holder of the authorisation must appoint an experienced independent 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.
 - 18.1. The ECO must be appointed before commencement of any authorised activities.
 - 18.2. Once appointed, the name and contact details of the ECO must be submitted to the Director: Compliance Monitoring of the Department at Directorcompliance@environment.gov.za.
 - 18.3. The ECO must keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.
 - 18.4. 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

- 19. 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 at Directorcompliance@environment.gov.za.
- 20. 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 at Directorcompliance@environment.gov.za.
- 21. The frequency of auditing and of submission of the environmental audit reports must be as per the frequency indicated in the EMPr, taking into account the processes for such auditing as prescribed in Regulation 34 of GN R. 982.
- 22. The holder of the authorisation must, in addition, submit an environmental audit reports 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.

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- 23. The environmental audit reports must be compiled in accordance with Appendix 7 of the EIA Regulations, 2014 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.
- 24. 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

25. 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

26. 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

27. 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

- 28. A Wetland Specialist and an Agricultural Specialist must be appointed to perform a final walkthrough of the site to identify sensitive area and "no go" areas, and assist in identifying the areas that require protection.
- 29. A permit must be obtained from the relevant nature conservation agency for the removal or destruction of indigenous, protected or endangered plant or animal species and a copy of such permit/s must be submitted to the Department for record keeping.
- 30. No exotic plants must be used for rehabilitation purposes. Only indigenous plants of the area must be utilised.

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- 31. An integrated waste management approach must be implemented that is based on waste minimisation and must incorporate reduction, recycling, re-use and disposal.
- 32. 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

- 33. A copy of this environmental authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying-
 - 33.1. at the site of the authorised activity;
 - 33.2. to anyone on request; and
 - 33.3. where the holder of the environmental authorisation has a website, on such publicly accessible website.
- 34. 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: /F/cy/2013

Mr Sabelo Malaza

Chief Director: Integrated Environmental Authorisations

Department of Environmental Affairs

MS

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 information contained in the EIAR dated December 2017;
- The comments received from interested and affected parties as included in the EIAR dated December 2017;
- c) Mitigation measures as proposed in the EIAR dated December 2017 and the EMPr;
- d) The information contained in the specialist studies contained within Appendix D of the EIAR; and
- e) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the National Environmental Management Act, 1998 (Act No.107 of 1998).

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 that, in the Department's view, were of the most significance are set out below.

- a) The findings of all the specialist studies conducted and their recommended mitigation measures.
- b) The need for the proposed project was well explained and the Department considered the need of the project.
- c) The EIAR dated December 2017 identified all legislation and guidelines that have been considered in the preparation of the EIAR dated December 2017.
- d) The methodology used in assessing the potential impacts identified in the EIAR dated December 2017 and the specialist studies have been adequately indicated.
- e) A sufficient public participation process was undertaken and the applicant has satisfied the minimum requirements as prescribed in the EIA Regulations, 2014 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 EIAR dated December 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 proposed mitigation of impacts identified and assessed adequately curtails the identified impacts.
- d) The information contained in the December 2017 is accurate and credible.
- 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.