



forestry, fisheries & the environment

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

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DFFE Reference: 14/12/16/3/3/1/2557

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PER MAIL / E-MAIL

Dear Mr Pretorius

COMMENTS ON THE DRAFT BASIC ASSESSMENT REPORT FOR THE PROPOSED DEVELOPMENT OF THE CASTLE TO HYDRA TRANSMISSION LINE NEAR DE AAR, IN THE NORTHERN CAPE PROVINCE

The application form and Draft Basic Assessment Report (BAR) dated 01 June 2022, received by this Department on 01 June 2022 and acknowledged on the 02 June 2022, refer.

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

(a) Public Participation Process

- (i) The following information must be submitted with the final BAR:
 - a) A list of registered interested and affected parties as per Regulation 42 of the NEMA EIA Regulations, 2014, as amended;
 - b) Copies of all comments received during the **DRAFT BAR** comment period; and
 - c) A comment and response report which contains all comments received and responses provided to all comments and issues raised during the public participation process for the **DRAFT BAR**. Please note that comments received from this Department must also form part of the comment and response report.
- (ii) Please ensure that all issues raised and comments received during the circulation of the DRAFT BAR 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 BAR.
- (iii) Proof of correspondence with the various stakeholders must be included in the final BAR. 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, as amended.

(b) Validity period and auditing frequency

- (i) Please ensure that the final BAR includes the period for which the Environmental Authorisation (EA) is required, the date on which the activity will be concluded and the post construction monitoring requirements finalised, as per Appendix 1(3)(1)(q) of the NEMA EIA Regulations, 2014, as amended.

(c) Specialist Assessments

- (i) Please ensure that specialist studies conducted provide a detailed description of their methodology, as well as all other associated infrastructures that they have assessed and are recommending for the authorisation.
- (ii) The specialist studies must also provide a detailed description of all limitations to their studies.
- (iii) If the specialists specify contradicting recommendations, the EAP must clearly indicate the most reasonable recommendation and substantiate this with defensible reasons; and where necessary, include further expertise advice.
- (iv) Please ensure that Specialist Declaration of Interest forms for all specialist conducted as well as for the Specialist statements obtained is attached to the final BAR.
- (v) It is brought to your attention that Procedures for the Assessment and Minimum Criteria for Reporting on identified Environmental Themes in terms of Sections 24(5)(a) and (h) and 44 of the National Environmental Management Act, 1998, when applying for Environmental Authorisation, which were promulgated in Government Notice No. 320 of 20 March 2020 (i.e. "the Protocols"), and in Government Notice No. 1150 of 30 October 2020 (i.e. protocols for terrestrial plant and animal species), have come into effect. **Please ensure that the specialist assessments conducted comply with these protocols.**

General

You are further reminded to comply with Regulation 19(1)(a) of the NEMA EIA Regulations, 2014, as amended, which states 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 any specialist reports, an EMPr, a closure plan in the case of a closure activity and where the application is a mining application, the plans, report and calculations contemplated in the Financial Provisioning Regulations, 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"*.

Should there be significant changes or new information that has been added to the BAR or EMPr which changes or information was not contained in the reports or plans consulted on during the initial public participation process, you are required to comply with Regulation 19(1)(b) of the NEMA EIA Regulations, 2014, as amended, which states: *"the applicant must, within 90 days of receipt of the application by the competent authority, submit to the competent authority – (b) a notification in writing that the documents contemplated in subregulation 1(a) 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 documents which changes or information was not contained in the original documents consulted on during the initial public participation process contemplated in subregulation (1)(a) and that the revised documents will be subjected to another public participation process of at least 30 days."*

Should you fail to meet any of the timeframes stipulated in Regulation 19 of the NEMA EIA Regulations, 2014, as amended, your application will lapse.

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



Ms Milicent Solomons
Acting Chief Director: Integrated Environmental Authorisations
Department of Forestry, Fisheries and the Environment
Signed by: Dr Danie Smit
Designation: Deputy Director: National Infrastructure Projects
Date: 30/06/2022

cc:	Debbie Harding	Eskom Holdings SOC Limited	E-mail: debbie.harding@eskom.co.za
	Mr Brian Fisher	Northern Cape: Department of Agriculture, Environmental Affairs, Rural Development and Land Reform	Email: bfisher@ncpg.gov.za
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Annexure 1: Sample of technical details for the proposed facility

Component	Description / dimensions
Height of PV panels	
Area of PV Array	
Number of inverters required	
Area occupied by inverter / transformer stations / substations	
Capacity of on-site substation	
Area occupied by both permanent and construction laydown areas	
Area occupied by buildings	
Length of internal roads	
Width of internal roads	
Proximity to grid connection	
Height of fencing	
Type of fencing	