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To whom it may concern

Department of Environment, Forestry and Fisheries
473 Steve Biko & Soutpansberg Roads
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AQUATIC BIODIVERSITY STATEMENT – ESKOM DX GAMOHAAN-SEVEN MILES 22KV POWERLINE PROJECT

Introduction

The Biodiversity Company was appointed to undertake a terrestrial and freshwater biodiversity Impact assessment for the proposed Eskom DX Gamohaani-Seven Miles 22kV Powerline Project. The assessment included terrestrial (fauna & flora) and wetland components. The request has now been made for The Biodiversity Company to compile an aquatic biodiversity statement for the project.

The approach was informed by the Environmental Impact Assessment Regulations, 2014 (GNR 326, 7 April 2017) of the National Environmental Management Act, 1998 (Act No. 107 of 1998) (NEMA). The approach has taken cognisance of the recently published Government Notices 320 (20 March 2020) in terms of NEMA, dated 20 March and 30 October 2020: “*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*” (Reporting Criteria).

According to the Screening Tool Report generated (Regulation 16(1)(v) of the Environmental Impact Assessment Regulations 2014, as amended), the following sensitivity classifications were extracted from the National Web-based Environmental Screening Tool:

- Aquatic Biodiversity Theme is Very High, due to:
 - Strategic Water Source Area; and
 - Wetlands (and estuaries).

The project is not located in a SWSA as defined by the most recent (March 2021) dataset. This statement has therefore only considered the relevance to wetlands. The assessment completed for the project did determine that the powerline will traverse a wetland system assigned a high sensitivity.

Legislative Framework

In line with the protocol for the specialist assessment and minimum report content requirements for environmental impacts on terrestrial biodiversity, as per Government Notice 320 published in terms of NEMA, dated 20 March 2020: “*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*” – the following has been assumed:

- An applicant intending to undertake an activity identified in the scope of this protocol on a site identified on the screening tool as being of:
 - “low sensitivity” for aquatic biodiversity, must submit an Aquatic Biodiversity Compliance Statement.

An Aquatic Biodiversity Compliance Statement must contain the information as presented in the table below. The protocols state “*If any part of the proposed development footprint falls within an area of*

“very high” sensitivity, the assessment and reporting requirements prescribed for the “very high” sensitivity apply to the entire footprint, excluding a linear activity for which impacts on aquatic biodiversity are temporary and the land in the opinion of the aquatic biodiversity specialist, based on the mitigation and remedial measures, can be returned to the current state within two years of the completion of the construction phase, in which case a compliance statement applies. In the context of this protocol, development footprint means the area on which the proposed development will take place and includes any area that will be disturbed”. Based on this statement, and the avoidance of direct impacts to the delineated high sensitivity wetland, a compliance statement is deemed adequate.

The table below indicates the relevant sections of the terrestrial and freshwater biodiversity Impact assessment report (August 2022) which satisfy the requirements of a compliance statement.

Table Error! No text of specified style in document. Aquatic Biodiversity Compliance Statement information requirements as per the relevant protocol, including the location of the information within this report

Information to be Included (as per GN 320, 20 March 2020)	Report Section
contact details of the specialist, their SACNASP registration number, their field of expertise and a curriculum vitae	1.3 & 9.1
a signed statement of independence by the specialist	Submitted
a statement on the duration, date and season of the site inspection and the relevance of the season to the outcome of the assessment	5.2
a baseline profile description of biodiversity and ecosystems of the site	5.3
the methodology used to verify the sensitivities of the aquatic biodiversity features on the site including the equipment and modelling used where relevant;	4.4
in the case of a linear activity, confirmation from the aquatic biodiversity specialist that, in their opinion, based on the mitigation and remedial measures proposed, the land can be returned to the current state within two years of completion of the construction phase	Low residual risk
where required, proposed impact management outcomes or any monitoring requirements for inclusion in the EMPr	6.5
a description of the assumptions made as well as any uncertainties or gaps in knowledge or data	4.5
any conditions to which this statement is subjected	7.2

Considering the assessment findings, no fatal flaws are evident for the proposed project. It is the opinion of the specialists that the project may be favourably considered, on condition that all prescribed mitigation measures (Section 6.5) are implemented.

Kind regards,



Andrew Husted

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