



## **environmental affairs**

Department:  
Environmental Affairs  
**REPUBLIC OF SOUTH AFRICA**

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**DEA Reference:** 14/12/16/3/3/2/1037

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Ms Terry Calmeyer  
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### **PER MAIL / E-MAIL**

Dear Ms Calmeyer

### **ACCEPTANCE OF THE SCOPING REPORT FOR THE PROPOSED ESKOM NORTHERN KWAZULU-NATAL STRENGTHENING PROJECT (IPHIVA-DUMA 400KV SUBSTATION), KWAZULU-NATAL PROVINCE**

The Scoping Report (SR) and Plan of Study for Environmental Impact Assessment (PoSEIA) dated October 2017 and received by this Department on 23 October 2017 refers.

This Department has evaluated the submitted SR and the PoSEIA dated October 2017 and is satisfied that the documents comply with the minimum requirements of the Environmental Impact Assessment (EIA) Regulations, 2014. The SR is hereby accepted by the Department in terms of Regulation 22 (a) of the EIA Regulations, 2014.

You may proceed with the Environmental Impact Assessment process in accordance with the tasks contemplated in the PoSEIA and the requirements of the EIA Regulations, 2014.

All comments and recommendations made by all stakeholders and Interested and Affected Parties (I&APs) in the draft SR and submitted as part of the final SR must be taken into consideration when preparing an Environmental Impact Assessment report (EIAR) in respect of the proposed development.

Please ensure that all relevant stakeholders are provided with an opportunity to comment on the EIAR. This includes but is not limited to the KwaZulu-Natal Department of Economic Development, Tourism and Environmental Affairs; KwaZulu-Natal Department of Agricultural and Rural Development; the Department of Water and Sanitation; the Department of Agriculture, Forestry and Fisheries; the Department of Co-operative Governance and Traditional Affairs; Ezemvelo KZN Wildlife; Amafa aKwaZulu Natali; the National Department of Environmental Affairs: Branch: Biodiversity and Conservation; the affected local and district municipalities; the relevant affected nature reserves and protected areas; and Traditional Councils and Community Trusts. Proof of correspondence with the various stakeholders must be included in the Final EIR. Should you be unable to obtain comments, proof should be submitted to the Department of the attempts that were made to obtain comments.

In addition, the following additional information is required for the EIAr:

- i. The total footprint of the proposed development must be indicated and mapped at an appropriate scale.
- ii. A clear description of all associated infrastructure must be provided. This description must include, but not limited to the following:
  - Access road infrastructure (existing and new); and
  - All supporting onsite infrastructure.
- iii. The EIAr must provide an assessment of the impacts and mitigation measures for each of the listed activities applied for. The FSR indicates that a watercourse crossing may need to be upgraded. Please provide confirmation in the EIAr that this will not trigger any of the watercourse related listed activities. Further, please provide confirmation as to the applicability of Activity 27 of GN R. 983, as far as the clearance of indigenous vegetation for the substation is concerned.
- iv. The listed activities represented in the EIAr and the application form must be the same and correct.
- v. The EAP must engage the relevant provincial authority with regards to development in geographic areas triggering GN R. 985: Activities 3, 4 and 12. Please ensure that only the relevant sensitive geographic areas are applied for under these listed activities.
- vi. The EIAr must provide the coordinates of the proposed substation as well as the start, middle and end point of the substation access road proposed for construction.
- vii. Please ensure that the EIAr correctly indicates only the affected provinces, district and local municipalities for this specific application, as far as the location of the activity is concerned.
- viii. The EIAr must include the detail inclusive of the PPP in accordance with Regulation 41 of the EIA Regulations.
- ix. The EIAr must include all items as specified in Appendix 3 of GN R 982; including:
  - the 21 digit Surveyor General code of each cadastral land parcel; and
  - where available, the physical address and farm name or the coordinates of the boundary of the property or properties;
- x. Information on services required on the site, e.g. sewage, refuse removal and water. Who will supply these services and has an agreement and confirmation of capacity been obtained?
- xi. Please provide in the EIR an indication of the time period that will be required to complete construction of the applied for substation and associated infrastructure (i.e. number of years or months to required complete the development, once construction commences).
- xii. A construction and operational phase EMPr to include mitigation and monitoring measures. The Environmental Management Programme (EMPr) to be submitted as part of the EIAr must include the recommendations and mitigation measures recorded in the EIAr and the specialist studies conducted.
- xiii. The terms of reference (ToR) for the following specialist studies are accepted to be assessed in the assessment phase:
  - Fauna and flora impact assessment;
  - Avifauna impact assessment;
  - Wetlands impact assessment;
  - Soil and land capacity impact assessment;
  - Geotechnical study;
  - Visual impact assessment;
  - Heritage impact assessment;
  - Social impact assessment, and
  - Economic impact assessment.
- xiv. Please ensure that the Final EIAr includes at least one A3 regional map of the area and that the locality maps included in the Final EIR illustrates the different alternative sites. The maps must be of acceptable quality and as a minimum, have the following attributes:
  - Maps are relatable to one another;
  - Cardinal points;

- Co-ordinates;
- Legible legends;
- Indicate alternatives;
- Latest land cover;
- Vegetation types of the study area; and
- A3 size locality map.

Further, it must be reiterated that, should an application for Environmental Authorisation be subject to the provisions of Chapter II, Section 38 of the National Heritage Resources Act, Act 25 of 1999, then this Department will not be able to make nor issue a decision in terms of your application for Environmental Authorisation pending a letter from the pertinent heritage authority categorically stating that the application fulfils the requirements of the relevant heritage resources authority as described in Chapter II, Section 38(8) of the National Heritage Resources Act, Act 25 of 1999.

The applicant is hereby reminded to comply with the requirements of Regulation 45 with regard to the time period allowed for complying with the requirements of the Regulations, and Regulations 43 and 44 with regard to the allowance of a comment period for interested and affected parties on all reports submitted to the competent authority for decision-making. The reports referred to are listed in Regulation 43(1).

You are requested to submit two (2) electronic copies (CD/DVD) and one (1) hard copy of the EIAR to the Department as per Regulation 23(1) of the EIA Regulations, 2014.

You are hereby reminded of Section 24F of the National Environmental Management Act, Act No 107 of 1998, as amended, which stipulates that no activity may commence prior to an Environmental Authorisation being granted by the Department.

Yours faithfully



**Mr Sabelo Malaza**

**Chief Director: Integrated Environmental Authorisations  
Department of Environmental Affairs**

**Letter signed by: Sindiswa Dlomo**

**Designation: Deputy Director: Integrated Environmental Authorisations: Public Sector**

**Date: 05/12/2017**

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