



## forestry, fisheries & the environment

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

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

**DFFE Reference:** 14/12/16/3/3/1/2447

**Enquiries:** Makhosi Yeni

**Telephone:** (012) 399 9400 **E-mail:** MYeni@environment.gov.za

Tinashe Maramba  
Humba Environmental Consultancy  
43 Montrose Street, Birchwood Court Vorna Valley

**MIDRAND**  
1685

**Telephone Number:** 011 655 7301

**Email Address:** [tinashe@humba.org](mailto:tinashe@humba.org)

### **PER MAIL / E-MAIL**

Dear Mr Marambe

### **COMMENTS ON THE DRAFT BASIC ASSESSMENT REPORT FOR THE PROPOSED CONSTRUCTION OF THE BAFOKENG-ARARAT 88KV POWERLINE WITHIN DOORNSPRUIT 106 JQ AND KOOKFONTEIN 265 JQ IN THE RUSTENBURG LOCAL MUNICIPALITY OF THE NORTHWEST PROVINCE**

The draft Basic Assessment Report (BAR) dated October 2021 and received by this Department on 27 October 2021, refers.

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

#### **Listed Activities**

- Ensure that all relevant listed activities are applied for, are specific and can be linked to the development activity or infrastructure as described in the project description. Only activities applicable to the development must be applied for and assessed. In addition, the onus is on the applicant and the environmental assessment practitioner (EAP) to ensure that all the applicable listed activities are included in the application. Failure to do so may result in unnecessary delays in the processing of the application.
- It has been noted that only Listed Activity 11 has been applied for, however clearance of vegetation has been mentioned in the specialist studies. You are requested to give details of size of the area that will be occupied by a transformer in order to clarify that Activity 27 is triggered or not?
- In addition, you are requested to provide the length and route description of 2 x Sycamore 88kV lines that are entering the Bafokeng 7 88/33kV substation and the 2 x Sycamore 88kV lines that are also leaving the Eskom Ararat Main Transmission Substation (MTS) applied for.
- Section 5 page 7 of 28 of the application form refers to the capacity of the new transformer as 40 MVA 88/33kV transformer. Please provide the exact capacity of the new transformer.
- If the activities applied for in the application form differ from those mentioned in the final BAR, an amended application form must be submitted. Please note that the Department's application form template has been amended and can be downloaded from the following link <https://www.environment.gov.za/documents/forms>.

### **Project description**

It is noted that the project has been described under section 1.1, introduction, however, you are requested to provide detailed information of the following in the final basic assessment report:

- What is existing and proposed;
- How the proposed lines will be linked to the old lines and the substations;
- Components that form part of the proposed development;
- The length and capacity of all the structures to be part of the proposed development.
- Other infrastructure that may be required to enable the proposed development such as roads

### **Alternatives**

It is noted that there are two Ararat route alternatives, Ararat Route Option A is approximately 244.32 metres long whereas Ararat Route Option B is approximately 550 metres long. However, section 6.1.3 on page 14 of the draft BAR indicated that *“The 394.76m Bafokeng route chosen by ESKOM’s survey and engineering team was the only feasible option based on the configuration of the site as per the existing lines running into and out of the Bafokeng 7 substation”*. Please clarify the difference between Ararat Route Option A, B and the 394.76m Bafokeng route?

In terms of Appendix 1 (3) (1) (h) (i) (iv) (v) (vi) (vii) (viii) and (x) of the NEMA EIA Regulations, 2014, as amended, you are required to provide details of all the alternatives considered and if no alternatives, including alternative locations for the activity were investigated, the motivation for not considering such as well as concluding statement indicating the preferred alternatives, including preferred location of the activity.

### **Location of activities**

In terms of Appendix 1 (3) (1) (c) (i) and (ii) of the NEMA EIA Regulations, 2014, as amended, you are required to provide coordinates of the power line corridor from start, midpoint and endpoint, on-site substation, temporary construction camp, and access road.

### **Cumulative Assessment**

The cumulative impact assessment for all identified alternatives must be undertaken as per the requirements of the EIA Regulations, taking into consideration the impacts of the existing site, proposed development and the level of acceptable change.

### **Layout and sensitivity map**

- Please ensure that the layout plan indicates the following (but not limited to):
  - All on-site infrastructure (existing and proposed);
  - The location of sensitive environmental features on site, e.g. wetlands, drainage lines (if any) etc. that will be affected;
  - One plan that shows the Bafokeng and Ararat substations as well as the lines, with clear legend;
  - The above plan must show only the lines to be split and join the proposed lines;
  - The assessed corridors with the proposed lines (with the preferred and alternatives);
  - Buffer areas and all “no-go” areas; and
  - The above map must be overlain with a sensitivity map.

### **Specialist studies**

- Please ensure that completed official declaration of interest forms for all the specialists are provided as required in terms of Regulation 13(1) (a) of NEMA EIA regulations of 2014, as amended.
- The attached screening report for environmental authorisation generated on 25 October 2021 identified a number of specialist assessments to be included in the report. However, the draft BAR submitted to the Department included only Archaeological, Hydrology and Ecological assessment reports. It is unclear as to why other assessments were not included in the draft BAR. Therefore, you are requested to provide motivation and the reason for not including any of the identified specialist studies.

- In addition, 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, have come into effect. Please note that specialist assessments must be conducted in accordance with these protocols unless proof is provided to demonstrate that the specialist assessments were commissioned prior to 50 days after the promulgation of GN 320 and after promulgation of GN1150 (30 October 2020).

### **Environmental Management Programme (EMPr)**

The Department has noted that the draft EMPr has been compiled in terms of Appendix 4 of NEMA EIA Regulations of 2014, as amended. Therefore, you are advised to submit the final aforesaid EMPr in terms of Appendix 4 of NEMA EIA Regulations of 2014 for the facility, and two generic EMPr for the substation (if applicable) and power line.

### **Public Participation Process (PPP)**

- Please ensure that comments from all relevant stakeholders are submitted to the Department with the final BAR. This includes but not limited to the Department of Forestry, Fisheries and the Environment (DFFE): Biodiversity Planning and Conservation; Department of Human Settlement; Water and Sanitation; Department of Agriculture, Land Reform & Rural Development; North West Department of Economic Development, Environment, Conservation and Tourism; South African Heritage Resources Agency (SAHRA); SANRAL Holdings SOC Ltd; Department of Minerals and Energy; Department of Roads and Public Works; Transnet Holdings SOC; Birdlife Africa; and Rustenburg Local Municipality.
- Furthermore, 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 in respect of the proposed activity are adequately addressed in the final BAR.
- Proof of correspondence with the various stakeholders must be included in the final BAR. This must indicate that this draft BAR has been subjected to 30 days’ public participation process, stating the start and end date of the PPP. Should you be unable to obtain comments, proof must be submitted to the Department of the attempts that were made to obtain comments.

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 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.”*

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(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 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 19(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”.*

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



**Mr Sabelo Malaza**  
**Chief Director: Integrated Environmental Authorisations**  
**Department of Forestry, Fisheries and the Environment**  
**Signed by: Ms Olivia Letlalo**  
**Designation: Deputy Director: Priority Infrastructure Projects**  
**Date: 18/11/2021**

cc:	Granny Mokaleng	Eskom Holdings SOC Limited	Tel: 012 725 2142 Cell: 079 962 4334	E-mail: <a href="mailto:MokaleMG@eskom.co.za">MokaleMG@eskom.co.za</a>
	Ms Lebohang Diale	North West Department of Economic Development, Environment, Conservation and Tourism	Tel: 018 388 5870	E-mail: <a href="mailto:Acharles@nwpg.gov.za">Acharles@nwpg.gov.za</a>
	Lilian Sesike	Rustenburg Local Municipality	Tel: 014 590 3111	E-mail: <a href="mailto:lsesike@rustenburg.gov.za">lsesike@rustenburg.gov.za</a>