



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

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

DEA Reference: 14/12/16/3/3/1/795/AM3

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Ms Mahlatse Moeng
Eskom Holdings SOC Ltd (Distribution Division Free State Operating Unit)
P.O Box 356
BLOEMFONTEIN
9300

Tel : 051 404 2287
Email : moengmk@eskom.co.za

PER EMAIL / MAIL

Dear Ms Moeng

AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 29 NOVEMBER 2013 FOR THE CONSTRUCTION OF THE 132KV POWERLINE FROM THE EXISTING SORATA SWITCHING STATION, NEAR DIYATALAWA TO THE EXISTING WITSIESHOEK SUBSTATION NEAR BLUEGUM BOSCH, WITHIN THE MALUTI-A-PHOFUNG LOCAL MUNICIPALITY, FREE STATE PROVINCE

The Environmental Authorisation (EA) issued for the above application by this Department on 29 November 2013 and your application for amendment to the EA received by the Department on 12 August 2019 and the final amendment report received by the Department on 17 January 2020, refer.

Based on a review of the reason for requesting an amendment to the above EA, this Department, in terms of Chapter 5 of the Environmental Impact Assessment (EIA) Regulations, 2014, as amended, has decided to amend the second EA dated, 29 November 2013 as follows:

Amendment 1: Technical details of the proposed facility:

- a) The line items in the table of coordinates for the authorised route alternative of the proposed 132kV powerline on Page 3 of the EA:

| Alternative S1 (Route Corridor Option 2) | Latitude | Longitude |
|--|------------|------------|
| Starting point of activity | 28°18.059" | 28°54.658" |
| Middle point of activity | 28°22.223" | 28°52.067" |
| End point of activity | 28°28.648" | 28°49.941" |

Is hereby amended to:

| Alternative S1 (Route Corridor Option 2) | Latitude | Longitude |
|--|------------------------------|-------------------------------|
| Start | 28°18'3.54"S (28°18.059") | 28°54'39.48"E (28°54.658") |

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|-----------------|------|-------------------------------|-------------------------------|
| Deviation Route | SW54 | 28°22'29.44"S | 28°48'44.09"E |
| | SW55 | 28°22'31.30"S | 28°48'53.19"E |
| | SW56 | 28°22'33.03"S | 28°49'1.78"E |
| | SW57 | 28°22'34.61"S | 28°49'9.66"E |
| | SW58 | 28°22'36.26"S | 28°49'17.90"E |
| | SW59 | 28°22'38.28"S | 28°49'27.93"E |
| | SW60 | 28°22'39.98"S | 28°49'36.23"E |
| | SW61 | 28°22'48.94"S | 28°49'34.69"E |
| | SW62 | 28°22'54.57"S | 28°49'33.65"E |
| | SW63 | 28°23'0.77"S | 28°49'27.46"E |
| | SW64 | 28°23'6.71"S | 28°49'21.47"E |
| | SW65 | 28°23'16.41"S | 28°49'11.69"E |
| | SW66 | 28°23'23.08"S | 28°49'5.02"E |
| End | | 28°28'38.88"S (28°28.648") | 28°49'56.46"E (28°49.941") |

Reasons for the amendment

Eskom experienced challenges during landowner negotiations for the servitude and has decided to deviate the powerline route to accommodate landowner's needs. The deviation extends outside the approved corridor which triggers the need for an amendment application of the existing authorisation, since the deviation extends outside of the approved corridor.

Based on the amendments above, the following condition is included in the EA:

- 1. A Heritage Management Plan (HMP) inclusive of a Chance Finds Procedure must be developed to manage and protect the heritage resources within the powerline deviation corridor. This HMP must be submitted to the South African Heritage Resources Agency (SAHRA) for comments prior to the construction phase.***
- 2. A 30 metre buffer zone must be maintained around the identified graveyard.***
- 3. Endangered species must be relocated at least 100m from the cleared area, to a similar micro habitat.***

This letter must be read in conjunction with the EA dated 29 November 2013.

In terms of the Promotion of Administrative Justice Act, 2000 (Act No 3 of 2000), you are entitled to the right to fair, lawful and reasonable administrative action; and to written reasons for administrative action that affects you negatively. Further your attention is drawn to the provisions of the Protection of Personal Information Act, 2013 (Act no. 4 of 2013) which stipulate that the Department should conduct itself in a responsible manner when collecting, processing, storing and sharing an individual or another entity's personal information by holding the Department accountable should the Department abuse or compromise your personal information in any way.

In terms of Regulation 4(2) of the Environmental Impact Assessment Regulations, 2014, as amended (the EIA Regulations), 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 as well as the provisions regarding the submission of appeals that are contained in the Regulations.

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Amendment of the Environmental Authorisation issued on 29 November 2013 for the construction of the 132kV powerline from the existing Sorata switching station, near Diyatalawa to the existing Witsieshoek substation near Bluegum Bosch, within the Maluti-A-Phofung Local Municipality, Free State Province.

Your attention is drawn to Chapter 2 of National Environmental Management Act, 1998 (Act No. 107 of 1998) National Appeal Regulations published under Government Notice R993 in Government Gazette No. 38303 dated 08 December 2014 (National Appeal Regulations, 2014), which prescribes the appeal procedure to be followed. Kindly include a copy of this document (National Appeal Regulations, 2014) with the letter of notification to interested and affected parties in this matter.

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:

The Director: Appeals and Legal Review of this Department at the below mentioned addresses.

By email: appeals@environment.gov.za;

By hand: Environment House
473 Steve Biko Road,
ARCADIA,
Pretoria,
0083; or

By post: Private Bag X447,
Pretoria,
0001;

Please note that in terms of Section 43(7) of the National Environmental Management Act, Act No. 107 of 1998, as amended, the lodging of an appeal will suspend the decision 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 appeals@environment.gov.za.

Yours faithfully,


Mr Sabelo Malaza
Chief Director: Integrated Environmental Authorisations
Department of Environmental Affairs
Date: 25/06/2020

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| cc: Mr Tsepo Lepono | Ecosolve Consulting | Email: tsepo@ecosolve.co.za |
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