Date: 25-01-2013
Your Ref: To be provided

Our Ref: SO474

Attention: Milicent Solomons



Johannesburg: Tel: +27(0)11 326 4158, Fax: +27(0)11 326 4118

PO Box 68821, Bryanston, 2021

Suite 5 & 6, Block B, Hurlingham Office Park 59 Woodlands Avenue, Hurlingham Manor

KwaZulu Natal: Tel/Fax: +27(0)33 343 5826

2 Wattle Grove, Hilton, 3201

Namibia: Tel: +264 (0)64 406 587 Fax: +264 (0)88 647 501

PO Box 4821, Swakopmund, Namibia

Dear Ms. Solomons

OF THE 275 KV ESKOM POWER LINE AT THE SISHEN IRON ORE MINE

Motivation for downscaling from a Scoping and Environmental Impact Assessment process to a Basic Assessment process

The Sishen Iron Ore Company (SIOC) is in the process of relocating linear infrastructure, which currently runs through the Sishen Iron Ore Mine property, through a project known as the Sishen Western Expansion Project (SWEP). The SIOC maintains that the relocation is necessary due to the continued progression of the opencast mine pit in a westerly and south-westerly direction. The infrastructure earmarked for relocation are not all mining-related and are owned and operated by a variety of stakeholders including Eskom, Transnet Limited, Sedibeng Water Board, SIOC and the Northern Cape Department of Roads and Public Works. SIOC has the necessary environmental approvals in place and construction of the new infrastructure is underway.

An Environmental Impact Assessment (EIA) process for the Relocation of the Rail and Associated Infrastructure was undertaken by Synergistics Environmental Services (Pty) Ltd during the course of 2008 and 2009 in order to authorise the relocation of the above mentioned linear infrastructure at Sishen Mine. The final EIA was submitted to the National Department of Environmental Affairs (DEA) at the end of 2009 and the Environmental Authorisation (DEA Reference: 12/12/20/1436) was granted in March 2010.

During this EIA process a ±1km wide corridor to which all the linear infrastructure will be relocated was assessed in detail in order to determine the potential impacts of the relocation process – see Figure 1. Specialist studies were conducted on the infrastructure corridor and an Environmental Management Programme (EMPr) and mitigation measures were accordingly set in place. The EMPr was finalized to include the conditions as set out by the DEA in the Environmental Authorisation granted to SIOC. Construction of relocated infrastructure is currently underway with these mitigation measures being implemented. All construction activities are also audited quarterly based on the conditions set out in the final EMPr. No major environmental incidents have been identified and compliance with the EMPr remains high.

A ±12km section of the 275 kV Eskom power line running north – south through SIOC's property (see Figure 1) has to be relocated as part of the larger relocation process. The relocation of this section of the power line was not authorised in the Environmental Authorisation issued by the DEA in 2010 due to various matters. Due to timing constraints, SIOC has now taken on the responsibility to relocate the required section of power line on Eskom's behalf and requires Environmental Authorisation.

Even though the relocation of the section of the ±12km section of the 275 kV power line was not authorised *per se*, details regarding this activity were provided and all the potential impacts that might result from this activity were assessed in the initial EIA as the construction of the relocated power line will take place within the authorised corridor. No additional impacts, other than those described in the EIA, are foreseen. In the EIA process the public was made aware of the details of this activity. The public was also informed that the relocation of this section of the 275 kV power line would take place as a future development.

The relocation of the section of the 275 kV power line triggers, among others, Activity 8 of Listing Notice 2 of the Environmental Impact Assessment Regulations, 2010 (Government Notice Regulation (GNR) 545). This activity description reads as follows: "The construction of facilities or infrastructure for the transmission and distribution of electricity with a capacity of 275 kilovolts or more, outside an urban area or industrial complex". In terms of the EIA Regulations (2010), a Scoping and EIA process is required in order to obtain Environmental Authorisation for such an activity.

A meeting was held on 6 December 2012 at the office of the National Department of Environmental Affairs in Pretoria. Parties present included the SIOC project manager (Conrad Bezuidenhout), Synergistics (Clifford Hallatt), Eskom (John Geeringh) and two DEA representatives (Fatima Rawjee, Acting Director: Environmental Impact Assessment and Wayne Hector, Assistant Director: Environmental Impact Assessment). The purpose of the meeting was to discuss the possibility of downscaling the application from a Scoping and EIA process to a Basic Assessment process. The main motivation was based on the fact that the impacts that may result from this activity have been assessed in the EIA as the construction of the relocation of the power line will take place solely within the approved corridor which is already disturbed through the relocation of the approved linear infrastructure. A verbal confirmation of the possibility of applying basic assessment instead of Scoping and EIA was provided by the DEA representatives present.

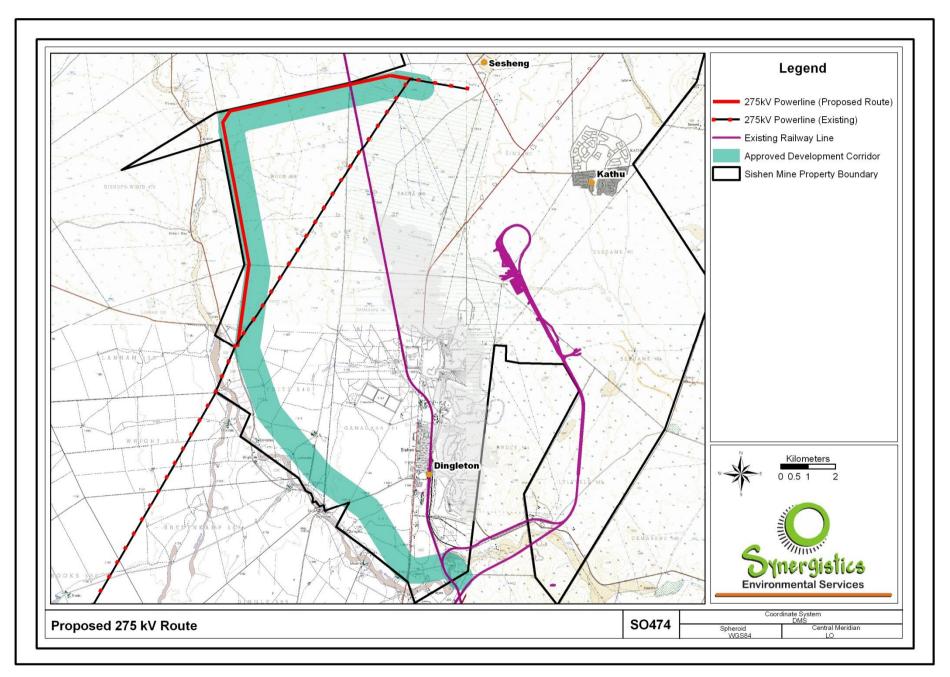


Figure 1: Location of the existing and proposed route for the 275 kV power line

Synergistics, as the Environmental Assessment Practitioners (EAP) hereby formally applies to the DEA, as the competent authority, for permission to downscale from a Scoping and EIA to a Basic Assessment process in terms of the EIA Regulations as permitted by Section 20 (4): "If an applicant intends undertaking an activity to which S&EIR must be applied in terms of sub-regulation (2) and the applicant, on the advice of the EAP managing the application, is for any reason of the view that it is likely that the competent authority will be able to reach a decision on the basis of information provided in a basic assessment report, the applicant may apply, in writing, to the competent authority for permission to apply basic assessment instead of S&EIR to the application".

In summary, the motivation for permission to downscale from a Scoping and EIA process to a Basic Assessment process is as follows:

- The impacts of the relocation of a section of the 275 kV power line were assesses as part of the Relocation of the Rail and Associated Infrastructure EIA process;
- Construction of the new section will take place within an approved development corridor which is already disturbed through the relocation of the approved linear infrastructure.
- The detail of the relocation of a section of the 275 kV power line was provided to the public as part of the Relocation of the Rail and Associated Infrastructure EIA process; and
- The land where the 275 kV power line will be relocated to is owned by SIOC and will therefore not impact on any surrounding landowners.

Please do not hesitate to contact me regarding any uncertainties.

Yours sincerely

Clifford Hallatt BSc. Hons Geography Environmental Scientist



APPLICATION FORM FOR ENVIRONMENTAL AUTHORISATION

	(For official use only)
File Reference Number:	
NEAS Reference Number:	
Date Received:	

Application for authorisation in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998), as amended and the Environmental Impact Assessment Regulations, 2010

PROJECT TITLE

Relocation o	f a ±12km section o	f the 275 kV Eskom p	power line at Sishen Ir	on Ore Mine

Kindly note that:

- 1. This application form is current as of 2 August 2010. It is the responsibility of the applicant to ascertain whether subsequent versions of the form have been published or produced by the competent authority.
- 2. The application must be typed within the spaces provided in the form. The sizes of the spaces provided are not necessarily indicative of the amount of information to be provided. Spaces are provided in tabular format and will extend automatically when each space is filled with typing.
- 3. Where applicable **black out** the boxes that are not applicable in the form.
- 4. Incomplete applications may be returned to the applicant for revision.
- 5. The use of the phrase "not applicable" in the form must be done with circumspection. Should it be done in respect of material information required by the competent authority for assessing the application, it may result in the rejection of the application as provided for in the Regulations.
- 6. This application must be handed in at the offices of the relevant competent authority as determined by the Act and regulations.
- 7. No faxed or e-mailed applications will be accepted.
- 8. Unless protected by law, all information filled in on this application will become public information on receipt by the competent authority. Any interested and affected party should be provided with the information contained in this application on request, during any stage of the application process.
- 9. Should a specialist report or report on a specialised process be submitted at any stage for any part of this application, the terms of reference for such report must also be submitted.

Queries must be addressed to the contact hereunder:

Departmental Details

Postal address:

Department of Environmental Affairs

Attention: Director: Environmental Impact Evaluation

Private Bag X447

Pretoria 0001

Physical address:

Department of Environmental Affairs
Fedsure Forum Building (corner of Pretorius and Van der Walt Streets)
2nd Floor North Tower
315 Pretorius Street
Pretoria

Pretoria 0002

Queries should be directed to the Directorate: Environmental Impact Evaluation at:

Tel: 012-310-3268 Fax: 012-320-7539

Please note that this form <u>must</u> be copied to the relevant provincial environmental department/s.

View the Department's website at http://www.deat.gov.za/ for the latest version of the documents.

SITE IDENTIFICATION AND LINKAGE

Please indicate all the Surveyor-general 21 digit site (erf/farm/portion) reference numbers for all sites (including portions of sites) that are part of the application.

С	0	4	1	0	0	0	0	0	0	0	0	0	5	4	0	0	0	0	0	1
F	R	-	Т	Z		5	4	0												
С	0	4	1	0	0	0	0	0	0	0	0	0	4	6	9	0	0	0	0	0
N	0	0	ı	Т	G	Е	D	Α	С	Н	Т		4	6	9					
С	0	4	1	0	0	0	0	0	0	0	0	0	4	6	8	0	0	0	0	1
S	Α	С	Н	S		4	6	8												

(if there are more that 6, please attach a list with the rest of the numbers)

(These numbers will be used to link various different applications, authorisations, permits etc. that may be connected to a specific site)

PROJECT TITLE

Relocation of a ±12km section of the 275 kV Eskom power line at Sishen Iron Ore Mine

1. BACKGROUND INFORMATION

Eskom Holdings SOC Limited Project applicant: Trading name (if any): **Eskom** Contact person: John Geeringh Physical address: 1 Maxwell Drive, Sunninghill P O Box 1091, Johannesburg, Postal address: Postal code: 2000 083 632 7663 Cell: 011 516 7233 086 661 4064 Fax: Telephone: john.geeringh@eskom.co.za E-mail:

Northern Cape Department of Environment and Nature Conservation **Provincial Authority:** Sibonelo Mbanjwa Contact person: Postal address: Private Bag X6010, Kimberley Postal code: 8301 n/a Cell: 053 807 7430 053 831 3530 Telephone: Fax: E-mail: smbanjwa@ncpg.gov.za Landowner: Sishen Iron Ore Company Contact person: Werner Voigt Postal address: Private Bag X506, Kathu Postal code: 8446 083 259 4687 Cell: Telephone: 053 739 2821 053 739 2179 Fax: E-mail: werner.voigt@angloamerican.com

In instances where there is more than one landowner, please attach a list of landowners with their contact details to this application.

Local authority in whose jurisdiction the proposed activity will

fall:

Nearest town or districts:

Contact person:
Postal address:
Postal code:
Telephone:

E-mail:

Gamagara Local Municipality

Kathu, Northern Cape

Cornelius Joachim P O Box 1001, Kathu

8446 053 723 2261

joachimc@gamagara.co.za

In instances where there is more than one local authority involved, please attach a list of local authorities with their contact details to this application.

n/a

053 723 2021

Cell:

Fax:

2. ACTIVITIES APPLIED FOR TO BE AUTHORISED

2.1 For an application for authorisation that involves more than one listed or specified activity that, together, make up one development proposal, all the listed activities pertaining to this application must be indicated.

Indicate the number and date of the relevant notice:	Activity No (s) (in terms of the relevant notice) :	Describe each listed activity as per project description ¹ :
e.g. 544, 18 June 2010	1(a)	Construction of a 600 mW generator
GNR 545, 18 June 2012	8	The construction of facilities or infrastructure for the transmission and distribution of electricity with a capacity of 275 kilovolts or more, outside an urban area or industrial complex. A ±12km section of a 275 kV Eskom power line running north – south through the Sishen Iron Ore Company's property has to be relocated as part of the larger Sishen Western Expansion Project relocation process. SIOC has taken on the responsibility to relocate the section of power line on Eskom's behalf and requires Environmental Authorisation. Please refer to the cover letter accompanying this application for further project details.
GN R. 544, 18 June 2012	11	The construction of: (xi) infrastructure or structures covering 50 square metres or more where such construction occurs within a watercourse or within 32 metres of a watercourse, measured from the edge of a watercourse, excluding where such construction will occur behind the development setback line. Construction may take place within 32m of a watercourse.
GN R. 544, 18 June 2012	18	The infilling or depositing of any material of more than 5 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock or more than 5 cubic metres from: (i) a watercourse; Construction activities may take place near a watercourse
GN R. 544, 18 June 2012	27	The decommissioning of existing facilities or infrastructure, for - (i) (ii) electricity transmission and distribution with a threshold of more than 132kV; Once the relocation is completed, the existing 275kV power line needs to be decommissioned and demolished.

GNR 546, 18 June 2012	14	The clearance of an area of <u>5 hectares</u> or more of vegetation where 75% or more of the vegetative cover constitutes <u>indigenous vegetation</u> , <u>except</u> where such removal of vegetation is required for: (a) In Eastern Cape, Free State, KwaZulu-Natal, Gauteng, Limpopo, Mpumalanga, <u>Northern Cape</u> , Northwest and Western Cape: i. <u>All areas outside urban areas</u> . The new servitude for the relocated ±12km section of power line will have an average servitude width of 47m
	v outborisetion that n	and cover an area of approximately 56.4ha. Vegetation in this servitude is required to be cleared for compliance with the OHS Act. Permits will be required to remove protected species. Not all vegetation will be cleared indiscriminately, however the tower sites will be denuded during the construction period. Please refer to the project description provided above as well as the cover letter accompanying this application for further project details.

Please note that any authorisation that may result from this application will only cover activities specifically applied for.

2.2 A project schedule, indicating the different phases and timelines of the project, must be attached to this application form.

THE PROJECT SCHEDULE IS ATTACHED AS APPENDIX A

¹ Please note that this description should not be a verbatim repetition of the listed activity as contained in the relevant Government Notice, but should be a brief description of activities to be undertaken as per the project description

3. OTHER AUTHORISATIONS REQUIRED

3.1 DO YOU NEED ANY AUTHORISATIONS IN TERMS OF ANY OF THE FOLLOWING LAWS?

3.1.1 National Environmental Management: Waste Act	Yes /No
3.1.2 National Environmental Management: Air Quality Act	Yes /No
3.1.3 National Environmental Management: Protected Areas Act	Yes /No
3.1.4 National Environmental Management: Biodiversity Act	Yes /No
3.1.5 National Environmental Management:	
Integrated Coastal Management Act ²	Yes /No
3.1.6 National Water Act	Yes/ No
Possible requirement for a Water Use License	
3.1.7 National Heritage Resources Act	Yes/ No
Heritage Authority will be contacted as part of EIA process	
3.1.8 Mineral Petroleum Development Resources Act	Yes /No
3.1.9 Other (please specify)	Yes/No
National Forest Act – removal of protected trees.	
3.2 Have such applications been lodged already?	Yes /No

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² Where an environmental authorization in terms of chapter 5 of the National Environmental Management Act is required for coastal activities, the competent authority must take into account all the relevant factors including those listed in section 63(1) of the National Environmental Management: Integrated Coastal Management Act.

4. **DECLARATIONS**

4.1 The Applicant

I, Mmamoloko Jeanette Seabe ,declare that I -

- am, or represent³, the applicant in this application;
- have appointed / will appoint (delete that which is not applicable) an environmental assessment practitioner to act as the independent environmental assessment practitioner for this application / will obtain exemption from the requirement to obtain an environmental assessment practitioner⁴;
- will provide the environmental assessment practitioner and the competent authority with access to all information at my disposal that is relevant to the application;
- will be responsible for the costs incurred in complying with the Environmental Impact Assessment Regulations, 2010, including but not limited to –
 - costs incurred in connection with the appointment of the environmental assessment practitioner or any person contracted by the environmental assessment practitioner;
 - costs incurred in respect of the undertaking of any process required in terms of the Regulations;
 - costs in respect of any fee prescribed by the Minister or MEC in respect of the Regulations;
 - costs in respect of specialist reviews, if the competent authority decides to recover costs; and
 - the provision of security to ensure compliance with conditions attached to an environmental authorisation, should it be required by the competent authority;
- will ensure that the environmental assessment practitioner is competent to comply with the requirements of these Regulations and will take reasonable steps to verify whether the EAP complies with the Regulations;
- will inform all registered interested and affected parties of any suspension of the application as well as
 of any decisions taken by the competent authority in this regard;
- am responsible for complying with the conditions of any environmental authorisation issued by the competent authority;
- hereby indemnify the Government of the Republic, the competent authority and all its officers, agents
 and employees, from any liability arising out of the content of any report, any procedure or any action
 which the applicant or environmental assessment practitioner is responsible for in terms of these
 Regulations;
- will not hold the competent authority responsible for any costs that may be incurred by the applicant in proceeding with an activity prior to obtaining an environmental authorisation or prior to an appeal being decided in terms of these Regulations;
- will perform all other obligations as expected from an applicant in terms of the Regulations;
- all the particulars furnished by me in this form are true and correct; and
- I realise that a false declaration is an offence in terms of regulation 71 and is punishable in terms of section 24F of the Act.

Signature of the applicant ⁵ / Signature on behalf of the applicant:
Eskom Holdings SOC Limited
Name of company (if applicable):
Date:

³ If this is signed on behalf of the applicant, proof of such authority from the applicant must be attached.

⁴ If exemption is obtained from appointing an EAP, the responsibilities of an EAP will automatically apply to the person conducting the environmental impact assessment in terms of the Regulations.

⁵ If the applicant is a juristic person, a signature on behalf of the applicant is required as well as proof of such authority. An EAP may not sign on behalf of an applicant.

4.2 The Environmental Assessment Practitioner

, Mathew HEMMINA, declare that -

General declaration:

- I act as the independent environmental practitioner in this application
- I will perform the work relating to the application in an objective manner, even if this results in views and findings that are not favourable to the applicant
- I declare that there are no circumstances that may compromise my objectivity in performing such work;
- I have expertise in conducting environmental impact assessments, including knowledge of the Act, regulations and any guidelines that have relevance to the proposed activity;
- I will comply with the Act, regulations and all other applicable legislation;
- I will take into account, to the extent possible, the matters listed in regulation 8 of the regulations when preparing the application and any report relating to the application;
- I have no, and will not engage in, conflicting interests in the undertaking of the activity;
- I undertake to disclose to the applicant and the competent authority all material information in my possession
 that reasonably has or may have the potential of influencing any decision to be taken with respect to the
 application by the competent authority; and the objectivity of any report, plan or document to be prepared by
 myself for submission to the competent authority;
- I will ensure that information containing all relevant facts in respect of the application is distributed or made available to interested and affected parties and the public and that participation by interested and affected parties is facilitated in such a manner that all interested and affected parties will be provided with a reasonable opportunity to participate and to provide comments on documents that are produced to support the application;
- I will ensure that the comments of all interested and affected parties are considered and recorded in reports that
 are submitted to the competent authority in respect of the application, provided that comments that are made by
 interested and affected parties in respect of a final report that will be submitted to the competent authority may
 be attached to the report without further amendment to the report;
- I will keep a register of all interested and affected parties that participated in a public participation process; and
- I will provide the competent authority with access to all information at my disposal regarding the application, whether such information is favourable to the applicant or not
- all the particulars furnished by me in this form are true and correct;
- will perform all other obligations as expected from an environmental assessment practitioner in terms of the Regulations; and
- I realise that a false declaration is an offence in terms of regulation 71 and is punishable in terms of section 24F of the Act.

Disclosure of Vested Interest (delete whichever is not applicable)

I do not have and will not have any vested interest (either business, financial, personal or other) in the proposed activity proceeding other than remuneration for work performed in terms of the Environmental Impact Assessment Regulations, 2010;

Signature of the environmental assessment practice	
Synengistics Environne	ntal Services
Name of company:	
30/01/2013	
Date:	
2013 -01- 3 n	Standard the specific of the s
	Censyll S
	SA DOUGLERIES



Date: 19 September 2013

Our Ref: SO474

NEAS Ref: DEA/EIA/0001735/2013

DEA Ref: 14/12/16/3/3/2/467

Attention: Ms. Milicent Solomons

Department of Environmental Affairs

Fedsure Building 315 Pretorius Street

Pretoria 0001 Johannesburg: Tel: +27(0)11 326 4158, Fax: +27(0)11 326 4118

PO Box 68821, Bryanston, 2021

Suite 5 & 6, Block B, Hurlingham Office Park 59 Woodlands Avenue. Hurlingham Manor

KwaZulu-Natal: Tel/Fax: +27(0)33 343 5826

2 Wattle Grove, Hilton, 3201

Dear Madam

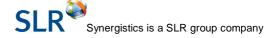
DRAFT ENVIRONMENTAL BASIC ASSESSMENT REPORT AVAILABLE FOR REVIEW Relocation of a section of the 275 kV Eskom power line at Sishen Mine

The Sishen Iron Ore Company (SIOC) is in the process of relocating linear infrastructure, which currently runs through the Sishen Iron Ore Mine (Sishen Mine) property to the perimeter of their property. The relocation is necessary due to the continued progression of the opencast mine pit in a westerly and south-westerly direction. The infrastructure earmarked for relocation is not all mining-related and is owned and operated by a variety of stakeholders including Eskom, Transnet Limited, Sedibeng Water Board, SIOC and the Northern Cape Department of Roads and Public Works. SIOC has all the necessary environmental approvals in place and construction of the new infrastructure is underway, except for the relocation of the 275 kV Eskom power line.

An approximate 12 km section of the 275 kV power line will have to be relocated. The power line currently running north—south through the Sishen Mine property will be relocated within a 1 km wide corridor to which all the above mentioned linear infrastructure will eventually be relocated. Environmental authorisation (DEA Ref: 12/12/20/1436) was granted for the infrastructure corridor through a thorough environmental impact assessment (EIA) process in terms of the National Environmental Management Act (NEMA, No 107 of 1998) and the EIA Regulations (Government Notice Regulation (GNR) 386 and 387, published 21 April 2006) by the National Department of Environmental Affairs (DEA) in March 2010. Even though the relocation of a section of the 275 kV power line was not authorised per se, details regarding this activity were provided throughout the abovementioned EIA process and all potential impacts that might result from this activity were assessed.

Eskom, the applicant, has applied for environmental authorisation from the DEA in terms of the National Environmental Management Act (No 107 of 1998) and the EIA Regulations (2010). The application was accepted by the DEA on 19 February 2013.





Although an EIA is required for relocation of this power line in terms of the NEMA and the EIA Regulations (GNR 543 to 546, published 18 June 2010), a motivation for permission to downscale from a Scoping and EIA to a basic assessment (BA) process as permitted in terms of Section 20 (4) of the EIA Regulations, was approved by the DEA on 19 March 2013.

The proposed project was announced in March 2013 with the distribution of notification letters and a background information document.

The draft BA report has been prepared in terms of the EIA Regulations (2010). In accordance with the EIA Regulations, the draft BA report will be submitted to the DEA. At the same time it will be made available for review by the public, relevant organs of state and other government departments for a period of 40 days.

The public review period will be from **19 September until 31 October 2013**. The reports will be available for review at the following locations:

PRINTED COPIES AT PUBLIC PLACES							
Kathu library							
Gamagara local municipality	Gamagara local municipality						
Sishen Mine, security office at main entrance to the mine							
ELECTRONIC COPIES							
On request via e-mail from Synergistics Environmental	Mrs Lierieka Visagie						
Services	Tel: 011 326 4158, Fax: 011 326 4118,						
	or send e-mail request to						
	lvisagie@slrconsulting.co.za						

You are requested to comment on the draft BAR in any of the following ways:

- Writing a letter, or producing additional written submissions; or
- Sending an e-mail or phoning the public participation office.

Issues and concerns received from stakeholders during the review of the draft BA report will be considered in the final BA report. Thereafter the reports will be updated and resubmitted to the registered interested and affected parties (IAP's) and to the DEA as the final BA report. Further correspondence will provide specific review dates.

You are welcome to contact Synergistics telephonically on 011 326 4158 for any technical and BA related queries.

Your input and feedback is highly valued.

Yours faithfully

Marline Medallie MSc Botany

Senior Environmental Scientist