

Wynand Loftus

From: Shalot Sekonko <sekonkoshalot@gmail.com>
Sent: Thursday, September 23, 2021 08:15
To: Wynand Loftus
Cc: PMakitla@environment.gov.za; Aulicia Maifo
Subject: Availability of 2nd Draft Basic Assessment Report: Upgrade of Gordonia-Avondale 132kV Transmission Line, Upington, NC

Dear Sir/Madam

DFFE Directorate: Biodiversity Conservation hereby acknowledge receipt of the invitation to review and comment on the Notification of availability of the 2nd Draft Basic Assessment Report, Northern Cape Province. Kindly note that the project has been allocated to Ms Makitla and Ms Maifo (both copied on this email).

Please note: All Public Participation Process documents related to Biodiversity EIA review and any other Biodiversity EIA queries will be submitted to the Directorate: Biodiversity Conservation at Email: BCAdmin@environment.gov.za for the attention of Mr Seoka Lekota.

Regards
Ms Sekonko

Reference: 14/12/16/3/3/1/2416

Enquiries: Ms. Aulicia Maifo / Mrs. Portia Makitla

Telephone: 012 399 9411/9627 **E-mail:** pmakitla@environment.gov.za

Wynand Loftus
Zutari (Pty) Ltd
P.O Box 509
GEORGE
6530

Telephone Number: (+27) 44 874 2165
Email Address: Wynand.Loftus@zutari.com

PER E-MAIL

Dear Sir/Madam

COMMENTS ON THE 2ND DRAFT BASIC ASSESSMENT REPORT FOR THE PROPOSED UPGRADE OF THE GORDONIA-AVONDALE 132KV TRANSMISSION LINE, UPINGTON, NORTHERN CAPE PROVINCE.

The Directorate: Biodiversity Conservation has reviewed and evaluated the aforementioned report.

According to the information provided in the 2nd draft basic assessment report, the proposed upgrade of the Gordonia-Avondale transmission line lies on two vegetation types namely the Gordonia Duneveld and Kalahari Karroid Shrubland which are consequently considered to be **Least Threatened**. The eastern part of the power line route traverses an area classified and mapped as Critical Biodiversity Area 2 (CBA2) and a smaller section crosses an Ecological Support Area (ESA).

Notwithstanding the above; the following recommendations must be taken into consideration in the final report:

- Vegetation clearing must be limited to the approved footprint of the proposed development;
- High sensitive areas in close proximity to the development footprint must be demarcated as no-go area i.e. Critical Biodiversity Area (CBA), Ecological Support Area (ESA);
- Search and rescue plan for the identified Species of Conservation Concern (SCC) must be developed and submitted for approval;
- Suitable bird repelling structures and bird diverters must be considered to avoid collision of birds with the power lines; and
- Rehabilitation plan must include the ongoing monitoring and maintenance of the surrounding natural vegetation.

COMMENTS ON THE 2ND DRAFT BASIC ASSESSMENT REPORT FOR THE PROPOSED UPGRADE OF THE GORDONIA-AVONDALE 132KV TRANSMISSION LINE, UPINGTON, NORTHERN CAPE PROVINCE.

In conclusion, please note that all Public Participation Process documents related to Biodiversity EIA for review and queries should be submitted to the Directorate: Biodiversity Conservation at Email; BCAdmin@environment.gov.za for attention of Mr. Seoka Lekota.

Yours faithfully



Mr Seoka Lekota

Control Biodiversity Officer Grade B: Biodiversity Conservation

Department of Forestry, Fisheries & the Environment

Date: 23/10/2021



Batho pele - putting people first

Wynand Loftus

From: Wynand Loftus
Sent: Tuesday, October 26, 2021 21:47
To: Portia Makitla
Cc: Aulicia Maifo; louis.dewavrin; Warren Randall
Subject: RE: 2ND DBAR Avondale-Gordonia 132kv Transmission Line Submission and Comments

Dear Portia

Thank you for the comment submitted on the 2nd Draft BAR for the abovementioned project. Please find herewith our response.

Kind regards,

DFFE Biodiversity Comment	Zutari Response
According to the information provided in the 2 nd draft basic assessment report, the proposed upgrade of the Gordonia-Avondale transmission line lies on two vegetation types namely the Gordonia Duneveld and Kalahari Karroid Shrubland which are consequently considered to be Least Threatened. The eastern part of the power line route traverse an area classified and mapped as Critical Biodiversity Areas 2 (CBA2) and a smaller section crosses and Ecological Support Area (ESA). Notwithstanding the above; the following recommendations must be taken into consideration in the final report:	
Vegetation clearing must be limited to the approved footprint of the proposed development;	Vegetation clearing activities will be limited to the footprint of the proposed development and will be managed and monitored as per the recommendations provided by the botanical specialist and included in the EMPr. Note that vegetation clearance will be limited to the pylon footprints as described in the Draft BAR.
High sensitive areas in close proximity to the development footprint must be demarcated as no-go area i.e. Critical Biodiversity Area (CBA), Ecological Support Area (ESA);	Sensitive areas as identified by the specialist and where these areas are in close proximity to the development footprint will be appropriately demarcated as per the recommendations included in the EMPr. It will not possible to demarcate entire CBA or ESA area, rather the fine scale assessment of the site by the various specialist and the detailed specific sensitivity mapping of the site will be used for the demarcation of sensitive areas during construction. Disturbance associated with the proposed development will be limited to the pylon footprints and result in minimal negative impacts on the environment as illustrated by the various specialist assessments.
Search and rescue plan for the identified Species of Conservation Concern (SCC) must be developed and submitted for approval;	Only one Red List species (i.e. species of conservation concern or SCC) was encountered on the power line route, namely <i>Hoodia officinalis subsp. officinalis</i> and the status is Near Threatened. The coordinates of the plant were recorded. Should there be the need to disturb this plant, it should be removed and transplanted in similar habitat nearby that would not be affected by the power line project. One plant of <i>Euphorbia braunsii</i> was found (it is Least Threatened) and this plant should also be

	<p>moved and transplanted to a suitable site. The coordinates of the plants are included in the EMPr and it will be the responsibility of the ECO to ensure that the necessary transplantation take place the plants be in danger of disturbance and therefore necessary to transplant.</p> <p>Included in the EMPr is a table with coordinates of plants that need to be protected during construction, the botanist provided specific measures to be taken to protect each of the identified plants. There are no <i>Boscia albitrunca</i> (shepherd's tree) located inside the proposed working area however a number of <i>Vachellia erioloba</i> (camel thorn) are located along the servitude and the botanist have provided coordinates for each plant as well as protection measures. Should one of these specimens have to be damaged or destroyed as a result of construction activities then a permit in terms of the National Forest Act (Act No. 84 of 1998) will be applied for.</p> <p>Considering the plants identified and recommendations provided by the botanist which have been taken into the EMPr we do not believe the approval or submission of a separate search and rescue plan would be required as it is sufficiently covered in the EMPr (botanist undertook the search and the ECO can undertake rescue and/or transplant and/or permit applications). Constant monitoring of the site by the ECO will also ensure that any undetected species are found and appropriately transplanted.</p>
Suitable bird repelling structures and bird diverters must be considered to avoid collision of birds with the power lines; and	<p>Please note the following recommendations from the avifaunal specialist regarding bird diverters and which are included in the EMPr:</p> <ul style="list-style-type: none"> • Flappers and bird flight diverters (BFDs) are to be attached to the new OHPL in the areas identified as high or very high SEI (5.2 km each side of the Verreaux's Eagle nest and 5 km each side of the Martial Eagle nest) to reduce the risk of collision particularly for sub-adult and recently fledged birds; • The most appropriate and up-to-date marking devices (such as flappers and BFDs) must be selected in consultation with the Endangered Wildlife Trust (EWT); • Attach appropriate marking devices along the new OHPL in accordance with installation guidelines to increase visibility; • Flappers and BFDs must be maintained and replaced where necessary, for the life span of the project.
Rehabilitation plan must include the ongoing monitoring and maintenance of the surrounding natural vegetation.	Monitoring of rehabilitation plan in the EMPr includes the monitoring of the existing servitude and not just the footprint of the pylon foundations.

From: Portia Makitla <PMakitla@environment.gov.za>
Sent: Tuesday, October 26, 2021 13:02
To: Wynand Loftus <Wynand.Loftus@zutari.com>
Cc: Aulicia Maifo <amaifo@environment.gov.za>
Subject: 2ND DBAR Avondale-Gordonia 132kv Transmission Line Submission and Comments



Dear Wynand.

I hope you are well.

Please find the attached comments consideration.



Portia Makitla
Biodiversity & Conservation
Department of Forestry, Fisheries & the Environment
Environment House · 473 Steve Biko Road· PRETORIA
Tel: 0123999411
Email: pmakitla@environment.gov.za



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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: 14/12/16/3/3/1/2416

Enquiries: Ms Thabile Sangweni

Telephone: 012 399 9409 **E-mail:** TSangweni@environment.gov.za

Mr Wynand Loftus
Zutari (Pty) Ltd
PO Box 509
GEORGE
6530

Telephone Number (044) 805-5458
Email Address Wynand.Loftus@zutari.com

PER E-MAIL

Dear Mr Loftus

COMMENTS ON THE AMENDED DRAFT BASIC ASSESSMENT REPORT FOR THE UPGRADE OF THE GORDONIA-AVONDALE 132KV TRANSMISSION LINE, UPINGTON, NORTHERN CAPE

The amended draft Basic Assessment Report (BAR) dated September 2021 and received by this Department on 21 September 2021, refer.

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

(a) Listed Activities

- (i) Please 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.
- (ii) Ensure that all relevant listed activities and sub-activities are correctly numbered as per the relevant listing notices.
- (iii) If the activities applied for in the application form differ from those mentioned in the final BAR, an amended application form must be submitted.
- (iv) 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>.
- (v) The final BAR must provide an assessment of the impacts and mitigation measures for each of the listed activities applied for.
- (vi) It is imperative that the relevant authorities are continuously involved throughout the basic assessment process as the development property possibly falls within geographically designated areas in terms of numerous GN R. 985 Activities. Written comments must be obtained from the relevant authorities and submitted to this Department. In addition, a graphical representation of the proposed development within the respective geographical areas must be provided.

(b) Layout & Sensitivity Maps

- (i) The final BAR must provide the coordinate points for the start, middle and end point of all linear activities (note that if the site has numerous bend points, at each bend point coordinates must be provided).
- (ii) Please provide a layout map which indicates the following:
 - a) The proposed infrastructure which includes all supporting onsite infrastructure e.g. existing roads, new roads (if applicable), access points, route corridor, route alternatives etc.;
 - b) Substation(s) and/or transformer(s) sites including their entire footprint;
 - c) Connection routes to the distribution/transmission network; and
 - d) All existing infrastructure on the site.
- (iii) Please provide an environmental sensitivity map which indicates the following:
 - a) The location of sensitive environmental features on site e.g. CBAs, heritage sites, wetlands, drainage lines etc. that will be affected;
 - b) Buffer areas; and,
 - c) All “no-go” areas.
- (iv) The above layout map must be overlain with the sensitivity map and a cumulative map which shows existing grid infrastructure.
- (v) Google maps will not be accepted.

(c) Alternatives

- (i) Please note that you are required to provide a full description of the process followed to reach the proposed amended preferred alternative within the site, in terms of Appendix 1(3)(1)(h) of the EIA Regulations 2014, as amended, including the following content:
 - a) details of all the alternatives considered;
 - b) details of the public participation process undertaken in terms of regulation 41 of the Regulations, including copies of the supporting documents and inputs;
 - c) a summary of the issues raised by interested and affected parties, and an indication of the manner in which the issues were incorporated, or the reasons for not including them;
 - d) the environmental attributes associated with the alternatives focusing on the geographical, physical, biological, social, economic, heritage and cultural aspects;
 - e) the impacts and risks identified for each alternative, including the nature, significance, consequence, extent, duration and probability of the impacts, including the degree to which these impacts -
 - (aa) can be reversed;
 - (bb) may cause irreplaceable loss of resources; and
 - (cc) can be avoided, managed or mitigated;
 - f) the methodology used in determining and ranking the nature, significance, consequences, extent, duration and probability of potential environmental impacts and risks associated with the alternatives;
 - g) positive and negative impacts that the proposed activity and alternatives will have on the environment and on the community that may be affected focusing on the geographical, physical, biological, social, economic, heritage and cultural aspects;
 - h) the possible mitigation measures that could be applied and level of residual risk;
 - i) the outcome of the site selection matrix;
 - j) if no alternatives, including alternative locations for the activity were investigated, the motivation for not considering such; and
 - k) a concluding statement indicating the preferred alternatives, including preferred location of the activity.
- (ii) Written proof of an investigation and motivation if no reasonable or feasible alternatives exist in terms of Appendix 1.

(d) Specialist Declaration of Interest

- (i) Specialist Declaration of Interest forms must be attached to the final BAR. You are therefore requested to submit original signed Specialist Declaration of Interest forms for each specialist study conducted. The forms are available on Department's website (please use the Department's template).

(e) Specialist Assessments

- (i) The EAP must ensure that the terms of reference for all the identified specialist studies must include the following:
 - a) A detailed description of the study's methodology; indication of the locations and descriptions of the development footprint, and all other associated infrastructures that they have assessed and are recommending for authorisations.
 - b) Provide a detailed description of all limitations to the studies. All specialist studies must be conducted in the right season and providing that as a limitation will not be allowed.
 - c) Please note that the Department considers a 'no-go' area, as an area where no development of any infrastructure is allowed; therefore, no development of associated infrastructure including access roads is allowed in the 'no-go' areas.
 - d) Should the specialist definition of 'no-go' area differ from the Departments definition; this must be clearly indicated. The specialist must also indicate the 'no-go' area's buffer if applicable.
 - e) **All specialist studies must be final, and provide detailed/practical mitigation measures for the preferred alternative and recommendations, and must not recommend further studies to be completed post EA.**
 - f) Should a specialist recommend specific mitigation measures, these must be clearly indicated.
- (ii) Should the appointed specialists specify contradicting recommendations, the EAP must clearly indicate the most reasonable recommendation and substantiate this with defensible reasons; and where necessary, include further expertise advice.
- (iii) It is further brought to your attention that Procedures for the Assessment and Minimum Criteria for Reporting in 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 (i.e. protocols for terrestrial plant and animal species), have come into effect. **Please note that specialist assessments must be conducted in accordance with these protocols.**
- (iv) As such, the Specialist Declaration of Interest forms must also indicate the scientific organisation registration/member number and status of registration/membership for each specialist.

(f) Undertaking of an Oath

- (i) Please ensure that the final BAR includes an undertaking under oath or affirmation by the EAP.
- (ii) Based on the above, you are therefore required to include an undertaking under oath or affirmation by the EAP (administered by a Commissioner of Oaths) as per Appendix 1(3)(r) of the NEMA EIA Regulations, 2014, as amended, which states that the BAR must include:
"an undertaking under oath or affirmation by the EAP in relation to:
 - a) the correctness of the information provided in the reports;*
 - b) the inclusion of comments and inputs from stakeholders and I&APs;*
 - c) the inclusion of inputs and recommendations from the specialist reports where relevant; and*
 - d) any information provided by the EAP to interested and affected parties and any responses by the EAP to comments or inputs made by interested and affected parties".*

(g) Details and Expertise of the EAP

- (i) You are required to include the details and expertise of the EAP in the BAR, including a curriculum vitae, in order to comply with the requirements of Appendix 1(3)(1)(a) of the NEMA EIA Regulations, 2014, as amended.

(h) Public Participation Process

- (i) Comments must be obtained from this Department's Biodiversity Conservation Directorate at BCAdmin@environment.gov.za.
- (ii) The Public Participation Process must be conducted in terms of Regulation 39, 40 41, 42, 43 and 44 of the EIA Regulations 2014, as amended.
- (iii) Please ensure that all issues raised and comments received during the circulation of the draft BAR from registered Interested and Affected Parties (I&APs) and organs of state, as listed in your I&APs Database, and others that have jurisdiction in respect of the proposed activity are adequately addressed and included in the final BAR.
- (iv) Copies of original comments received from I&APs and organs of state, which have jurisdiction in respect of the proposed activity are submitted to the Department with the final BAR.
- (v) Proof of correspondence with the various stakeholders must be included in the final BAR. Should you be unable to obtain comments, proof should be submitted to the Department of the attempts that were made to obtain comments. In terms of Regulation 41(2)(b) of the EIA Regulations, 2014, as amended, please provide proof of written notice for the availability of the BAR for comment.
- (vi) All issues raised and comments received during the circulation of the draft BAR from I&APs and organs of state which have jurisdiction in respect of the proposed activity are adequately addressed in the final BAR, including comments from this Department, and must be incorporated into a Comments and Response Report (CRR).
- (vii) The CRR report must be a separate document from the main report and the format must be in the table format as indicated in Annexure 1 of this comments letter.
- (viii) Please refrain from summarising comments made by I&APs. All comments from I&APs must be copied verbatim and responded to clearly. Please note that a response such as "noted" is not regarded as an adequate response to an I&AP's comments.
- (ix) Minutes and attendance registers (where applicable) of any physical/virtual meetings held by the Environmental Assessment Practitioner (EAP) with Interested and Affected Parties (I&APs) and other role players must be included in the final BAR.

(i) Environmental Management Programme

- (i) It is drawn to your attention that for substation and overhead electricity transmission and distribution infrastructure, when such facilities trigger activity 11 or 47 of the Environmental Impact Assessment Regulations Listing Notice 1 of 2014, as amended, and any other listed and specified activities necessary for the realisation of such facilities, the generic Environmental Management Programme, contemplated in Regulations 19(4) must be used and submitted with the final report over and above the EMPr for the facility.
- (ii) There needs to be an EMPr for the facility, the onsite substation as well as the overhead line.
- (iii) Further to the above, you are required to comply with the content of the EMPr in terms of Appendix 4 of the Environmental Impact Assessment Regulations, 2014, as amended.
- (iv) Please be informed that the following content must be incorporated within the EMPrs as indicated in Appendix 4 of the EIA Regulations 2014, as amended:
 - a) Details of the EAP who prepared the EMPr; and the expertise of that EAP to prepare an EMPr, including a curriculum vitae.

- b) A map at an appropriate scale which superimposes the proposed activity, its associated structures, and infrastructure on the environmental sensitivities of the preferred site, indicating any areas that should be avoided, including buffers.
- c) A description of the impact management outcomes, including management statements, identifying the impacts and risks that need to be avoided, managed and mitigated as identified through the environmental impact assessment process for all phases of the development including —
 - i. Planning and design;
 - ii. Pre-construction activities;
 - iii. Construction activities;
 - iv. Rehabilitation of the environment after construction and where applicable post closure; and
 - v. Where relevant, operation activities.
- d) A description of proposed impact management actions, identifying the manner in which the impact management outcomes contemplated in paragraph (d) of Appendix 4 of the EIA Regulations 2014, as amended, will be achieved, and must, where applicable, include actions to —
- e) Avoid, modify, remedy, control or stop any action, activity or process which causes pollution or environmental degradation;
- f) Comply with any prescribed environmental management standards or practices;
- g) Comply with any applicable provisions of the Act regarding closure, where applicable; and
- h) Comply with any provisions of the Act regarding financial provision for rehabilitation, where applicable.
- i) The method of monitoring the implementation of the impact management actions contemplated in paragraph (f) of Appendix 4 of the EIA Regulations 2014, as amended.
- j) The frequency of monitoring the implementation of the impact management actions contemplated in paragraph (f) of Appendix 4 of the EIA Regulations 2014, as amended.
- k) An indication of the persons who will be responsible for the implementation of the impact management actions.
- l) The time periods within which the impact management actions contemplated in paragraph (f) of Appendix 4 of the EIA Regulations 2014, as amended, must be implemented.
- m) The mechanism for monitoring compliance with the impact management actions contemplated in paragraph (f) of Appendix 4 of the EIA Regulations 2014, as amended.
- n) A program for reporting on compliance, taking into account the requirements as prescribed by the Regulations.

(j) Environmental Impact Statement

- (i) You are reminded that an environmental impact statement must be included in the final BAR, therefore you are kindly requested to include an environmental impact statement which contains —
 - a) a summary of the key findings of the environmental impact assessment;
 - b) a map at an appropriate scale which superimposes the proposed activity and its associated structures and infrastructure on the environmental sensitivities of the preferred site indicating any areas that should be avoided, including buffers; and
 - c) a summary of the positive and negative impacts and risks of the proposed activity and identified alternatives.

Please also ensure that the final BAR includes the period for which the Environmental Authorisation is required and the date on which the activity will be concluded as per Appendix 1(3)(1)(q) of the NEMA EIA Regulations, 2014, as amended.

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 any specialist reports, an EMPr, a closure plan in the case of a closure activity and where the application is a mining application, the plans, report and calculations contemplated in the Financial Provisioning Regulations, 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(1)(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 documents contemplated in subregulation 1(a) 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 documents which changes or information was not contained in the original documents consulted on during the initial public participation process contemplated in subregulation (1)(a) and that the revised documents 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: Mr Coenrad Agenbach
Designation: Deputy Director: Priority Infrastructure Projects
Date: 20 October 2021

cc:	Mr Louis Dewavrin	Umoyilanga (Pty) Ltd	Email: Louis Dewavrin@edf-re.co.za
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Annexure 1

Format for Comments and Response Report:

Date of comment, format of comment name of organisation/I&AP,	Comment	Response from EAP/Applicant/Specialist
27/03/2021 Email Department of Forestry, Fisheries and the Environment: National Infrastructure Projects (Joe Soap)	Please record C&R trail report in this format Please update the contact details of the provincial environmental authority	EAP: (Noted) The C&R trail report has been updated into the desired format, see Appendix K EAP: Details of provincial authority have been updated, see page 16 of the Application form

Wynand Loftus

From: Wynand Loftus
Sent: Tuesday, October 26, 2021 12:16
To: Thabile Sangweni
Cc: louis.dewavrin; Warren Randall
Subject: RE: 14/12/16/3/3/1/2416
Attachments: Response to DFFE Comment on 2nd dBAR_211026.pdf

Dear Thabile

RE: PROPOSED UPGRADE OF THE GORDONIA-AVONDALE 132KV TRANSMISSION LINE, UPINGTON, NORTHERN CAPE (DFFE Ref.: 14/12/16/3/3/1/2416)

Please find attached herewith Zutari's response to the Departments comment on the 2nd Draft BAR regarding the abovementioned project.

Please do not hesitate to contact us should anything be unclear you wish to discuss.

Kind regards,

Wynand Loftus *Pr.Sci.Nat., MTech Nat. Cons.*

SENIOR CONSULTANT, ENVIRONMENT AND PLANNING | ZUTARI

M +27 72 3542607 E Wynand.Loftus@zutari.com W zutari.com

From: Lydia Kutu <LKutu@environment.gov.za>
Sent: Friday, October 22, 2021 11:25
To: Wynand Loftus <Wynand.Loftus@zutari.com>; louis.dewavrin <louis.dewavrin@edf-re.co.za>
Cc: Thabile Sangweni <TSangweni@environment.gov.za>; EIAAdmin <EIAAdmin@environment.gov.za>; Salome Mambane <SMambane@environment.gov.za>
Subject: 14/12/16/3/3/1/2416

Good day.

Please find herein the attached letters for the above mentioned.

I hope you find all in order.

Thank you.

Kind Regards,
Lydia Kutu
Integrated Environmental Authorisations:
Priority Infrastructure Developments
Tel: (012) 399 9370
Email: LKutu@environment.gov.za

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Environment

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26 October 2021

Directorate: Integrated Environmental Authorisations
Department of Forestry, Fisheries and the Environment (DFFE)
Private Bag X 447
Pretoria
0001

Attention: MsThabile Sangweni (TSangweni@environment.gov.za)

Dear Ms Sangweni

RE: PROPOSED UPGRADE OF THE GORDONIA-AVONDALE 132KV TRANSMISSION LINE, UPINGTON, NORTHERN CAPE (DFFE Ref.: 14/12/16/3/3/1/2416)

The DFFE's comment with respect to the above-mentioned project's 2nd Draft Basic Assessment Report (BAR), dated 20 October 2021 refer.

1. Draft BAR submitted to DFFE

The 1st Draft BAR was submitted to the Department of Forestry, Fisheries and the Environment (DFFE) and the public for comment a 30-day review and comment period on 20 August 2021, the comment period ending on 20 September 2021. During the PPP period, the Applicant obtained technical feedback from Eskom which resulted in an unavoidable change in the current feasible alternatives. The draft BAR was therefore updated. This 2nd Draft BAR was made available for a 30-day commenting period and the DFFE was informed of its availability. Subsequently, the DFFE provided Zutari with comments on the 2nd draft BAR.

2. DFFE comment on the Ddraft BAR

Zutari's response to the DFFE's comments on the 2nd Draft BAR received 20 October 2021, are included below.



No.	DFFE Comment	EAP Response
(a) Listed activities	<p>i. Please 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.</p> <p>ii. Ensure that all relevant listed activities and sub-activities are correctly numbered as per the relevant listing notices.</p> <p>iii. If the activities applied for in the application form differ from those mentioned in the final BAR, an amended application form must be submitted.</p> <p>iv. 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.</p> <p>v. The final BAR must provide an assessment of the impacts and mitigation measures for each of the listed activities applied for.</p> <p>vi. It is imperative that the relevant authorities are continuously involved throughout the basic assessment process as the development property possibly falls within geographically designated areas in terms of numerous GN R. 985 Activities. Written comments must be obtained from the relevant authorities and submitted to this Department. In addition, a graphical representation of the proposed development within the respective geographical areas must be provided.</p>	<p>i. The Listed Activities applicable to the project are included Section 2.2, Table 2-2 of the 2nd Draft BAR. A description of why the activity is relevant and how it links to the proposed project is included in the table.</p> <p>ii. All relevant listed activities and sub-activities have been correctly numbered.</p> <p>iii. The original application form included the Listed Activities for the alternatives considered in the 1st Draft BAR and does not correspond with the Listed Activities associated with the alternatives considered in the 2nd Draft BAR. An updated Application Form will therefore be submitted with the submission of the Final BAR.</p> <p>iv: This updated form template (dated April 2021) was used to complete the application for this project.</p> <p>v. The Final BAR assesses, through the various specialists, the impact to the environment as a result of the proposed project as it relates to the Listed Activities as it relates to impacts on watercourse and clearance of vegetation. The impact statement to be included in the Final BAR will be updated to also state this.</p> <p>vi. All relevant authorities and organs of state will continue to be included in the EIA process. Authorities and Organs of State automatically registered as I&APs for the project are included in the I&AP register.</p>

No.	DFFE Comment	EAP Response
(b) Layout & Sensitivity Maps	<p>i. The final BAR must provide the coordinate points for the start, middle and end point of all linear activities (note that if the site has numerous bend points, at each bend point coordinates must be provided).</p> <p>ii. Please provide a layout map which indicates the following:</p> <ul style="list-style-type: none"> - The proposed infrastructure which includes all supporting onsite infrastructure existing roads, new roads (if applicable), access points, route corridor, route alternatives etc. - Substation(s) and/or transformer(s) sites including their entire footprint; - Connection routes to the distribution/transmission network; and - All existing infrastructure on site. <p>iii. Please provide an environmental sensitivity map which indicates the following:</p> <ul style="list-style-type: none"> - the location of sensitive environmental features on site e.g. CBAs, heritage sites, wetlands, drainage lines etc. that will be affected; - Buffer areas; and - All "no-go" areas. <p>iv. The layout map must be overlain by a sensitivity map and a cumulative map which shows existing grid infrastructure.</p> <p>v. Google maps will not be accepted.</p>	<p>i. Annexure F of the dBAR contains the coordinates as requested. These coordinates will also be included in the final BAR.</p> <p>ii. Maps have been provided in various applicable sections of the Draft BAR and in Annexure I. As the preferred alternative simply proposes to upgrade an existing 132 kV transmission line, no new access routes or roads will be required. The existing servitude maintenance road and access routes will be utilised and is the defined site for the project. However, a new combined layout map will be included in the final BAR to indicate these listed requirements.</p> <p>iii. Specific environmental sensitivities as they relate to the various specialist fields are included in the summaries of the specialist assessment, e.g. CBAs, nesting sites, drainage lines etc. The specialist summaries are included in Section 6 – Baseline Environment and Environmental Impact Assessment.</p> <p>Comprehensive sensitivity maps indicating buffer zones and no-go areas of all sections of the transmission centreline have been provided in Section 7 of the Draft BAR. All maps are included in Annexure I.</p> <p>iv. A map indicating the sensitivities of the site as informed by the specialist, the existing Eskom infrastructure was included in the 2nd Draft BAR to be made available for comment. This will also be included in the final BAR.</p> <p>v. Google maps have not been used in the reports.</p>

No.	DFFE Comment	EAP Response
(c) Alternatives	<p>i. Please note that you are required to provide a full description of the process followed to reach the proposed preferred alternative within the site, in terms of Appendix 1(3)(1)(h) of the EIA Regulations 2014, as amended, including the following content:</p> <ul style="list-style-type: none"> - details of all the alternatives considered; - details of the public participation process undertaken in terms of regulation 41 of the Regulations, including copies of the supporting documents and inputs; - a summary of the issues raised by interested and affected parties, and an indication of the manner in which the issues were incorporated, or the reasons for not including them; - the environmental attributes associated with the alternatives focusing on the geographical, physical, biological, social, economic, heritage and cultural aspects; - the impacts and risks identified for each alternative, including the nature, significance, consequence, extent, duration and probability of the impacts, including the degree to which these impacts— - (aa) can be reversed; - (bb) may cause irreplaceable loss of resources; and - (cc) can be avoided, managed or mitigated; - the methodology used in determining and ranking the nature, significance, consequences, extent, duration and probability of potential environmental impacts and risks associated with the alternatives; - positive and negative impacts that the proposed activity and alternatives will have on the environment and on the community that may be affected focusing on the geographical, physical, biological, social, economic, heritage and cultural aspects; - the possible mitigation measures that could be applied and level of residual risk; - the outcome of the site selection matrix; - if no alternatives, including alternative locations for the activity were investigated, the motivation for not considering such; and - a concluding statement indicating the preferred alternatives, including preferred location of the activity. <p>ii. Written proof of an investigation and motivation if no reasonable or feasible alternatives exist in terms of Appendix 1.</p>	<p>i. A full description of alternatives was provided in Section 5 of the initial draft BAR and are further detailed in the project description and Section 5 of the second draft BAR as these have changed after technical feedback from Eskom was received.</p> <p>The public participation process undertaken is detailed in Section 3.3 with all required documents appended in Annexure C of the second draft BAR. It should be noted that interest to register for the project, nor comments were received from the public.</p> <p>The baseline environment and environmental impact assessments are in Section 6 of the second draft BAR as per the EIA methodology as described in Section 3. Mitigation measures for each predicted impact is also contained in Section 6.</p> <p>Section 7 (environmental impact statement) and Section 8 (conclusions and way forward) detail the concluding statements on the preferred alternative.</p> <p>ii. Alternatives were investigated and assessed in the 1st Draft BAR as well as the respective specialist assessments. It was however found that Alternative 2 is unfeasible for the project and is subsequently no longer being considered in the 2nd Draft BAR to be made available to the public for review and comment. A motivation and detailed description of alternatives is included in Section 5 of the Draft BAR.</p>
(d) Specialist Declaration of Interest	<p>i. Specialist Declaration of Interest forms must be attached to the final BAR. You are therefore requested to submit original signed Specialist Declaration of Interest forms for each specialist study conducted.</p>	<p>All specialist declarations have been included in Annexure J of the 1st Draft BAR and will also be included in the 2nd Draft BAR. Note the BAR is submitted electronically and therefore original signed copies will not be submitted.</p>

No.	DFFE Comment	EAP Response
(e) Specialist Assessments	<p>i. The EAP must ensure that the terms of reference for all the identified specialist studies must include the following:</p> <p>a) a detailed description of the study's methodology, indication of the locations and descriptions of the development footprint, and all other associated infrastructures that they have assessed and are recommending for the authorisation.</p> <p>b) provide a detailed description of all limitations to their studies. All specialist studies must be conducted in the right season and providing that as a limitation, will not be accepted.</p> <p>c) Please note that the Department considers a 'no-go' area as an area where no development of any infrastructure is allowed; therefore no development of associated infrastructure including access roads is allowed in the 'no-go' areas.</p> <p>d) Should the specialist definition of 'no-go' area differ from the Departments definition; this must be clearly indicated. The specialist must also indicate the 'no-go' area's buffer if applicable.</p> <p>e) All specialist studies must be final, and provide detailed/practical mitigation measures for the preferred alternative and recommendations, and must not recommend further studies to be completed post EA.</p> <p>f) Should a specialist recommend specific mitigation measures, these must be clearly indicated.</p> <p>ii. Should the appointed specialists specify contradicting recommendations, the EAP must clearly indicate the most reasonable recommendation and substantiate this with defensible reasons; and where necessary, include further expertise advice.</p> <p>iii. It is further 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 (i.e. protocols for terrestrial plant and animal species), have come into effect. Please note that specialist assessments must be conducted in accordance with these protocols.</p> <p>iv. As such, the specialist declaration of interest forms must also indicate the scientific organization registration/member number and status of registration/membership for each specialist.</p>	<p>(i) a). Please refer to the relative specialist reports in Annexure D and summarised in Section 6 of the draft and final BAR.</p> <p>b) Please refer to the relative specialist reports in Annexure D and summarised in Section 6 of the draft and final BAR.</p> <p>c) This is noted. Please keep in mind that this is the upgrading of an existing transmission line and therefore all access roads and infrastructure already exist within the footprint area. Sensitive areas will be avoided during pylon placement but the transmission line itself will still be strung over such areas.</p> <p>d) No-go areas and their buffers have been included in the specialist assessments and the BAR and accompanying sensitivities maps.</p> <p>e) All required specialist reports and compliance statements have been appended to the 1st Draft BAR and 2nd Draft BAR in Annexure D and include mitigation measures and recommendations. No further studies are required post EA.</p> <p>f) Please refer to the relative specialist reports in Annexure D. The specialist recommendations are also described in Section 6 of the BAR and have been included as specialist mitigation measures in the EMPR.</p> <p>f) Please refer to the relative specialist reports in Annexure D. The specialist mitigation measures are also described in Section 6 of the BAR and have been included as specialist mitigation measures in the EMPR.</p> <p>ii. Please refer to the relative specialist reports in Annexure D and summarised in Section 6 of the BAR.</p> <p>iii. These procedures and protocols have been considered and complied with throughout the BAR process. Please refer to the relative specialist reports in Annexure D and summarised in Section 6 of the BAR.</p> <p>iv. Please refer to Annexure J for the specialist declaration of interest forms which includes the specia.</p>
(f) Undertaking of an Oath	<p>i. Please ensure that the final BAR includes an undertaking under oath or affirmation by the EAP.</p> <p>ii. Based on the above, you are therefore required to include an undertaking under oath or affirmation by the EAP (administered by a Commissioner of Oaths) as per Appendix 1(3)(r) of the NEMA EIA Regulations, 2014, as amended, which states that the BAR must include: "an undertaking under oath or affirmation by the EAP in relation to:</p> <p>a) the correctness of the information provided in the reports;</p> <p>b) the inclusion of comments and inputs from stakeholders and I&APs;</p> <p>c) the inclusion of inputs and recommendations from the specialist reports where relevant; and</p> <p>d) any information provided by the EAP to interested and affected parties and any responses by the EAP to comments or inputs made by interested and affected parties".</p>	<p>i. Please refer to Annexure J of the BAR.</p> <p>ii. Please refer to Annexure J of the BAR.</p>
(g) Details and Expertise of the EAP	<p>i. You are required to include the details and expertise of the EAP in the BAR, including a curriculum vitae, in order to comply with the requirements of Appendix 1(3)(1)(a) of the NEMA EIA Regulations, 2014, as amended.</p>	<p>Please refer to Annexure A of the BAR for the EAPs CV.</p>
(h) Public Participation	<p>i. Comments must be obtained from this Department's Biodiversity Conservation directorate at BCAdmin@environment.gov.za.</p> <p>ii. The Public Participation Process must be conducted in terms of Regulation 39, 40 41, 42, 43 & 44 of the EIA Regulations 2014, as amended.</p> <p>iii. Please ensure that all issues raised and comments received during the circulation of the draft BAR from registered Interested and Affected Parties (I&APs) and organs of state, as listed in your I&APs Database, and others that have jurisdiction in respect of the proposed activity are adequately addressed and included in the final BAR.</p> <p>iv. Copies of original comments received from I&APs and organs of state, which have jurisdiction in respect of the proposed activity are submitted to the Department with the final BAR.</p>	<p>i. The DFFE's Biodiversity conservation directorate was notified of the availability of the 2nd Draft BAR for comment and is included in the register of I&APs.</p> <p>ii. Please refer to Section 3.3 which details the PPP undertaken for the project and Annexure C which includes proof of these activities.</p> <p>iii-ix. Please refer to Annexure C of the BAR for all documents and communications related to the PPP undertaken for the project.</p>

No.	DFFE Comment	EAP Response
	<p>v. Proof of correspondence with the various stakeholders must be included in the final BAR. Should you be unable to obtain comments, proof should be submitted to the Department of the attempts that were made to obtain comments. In terms of Regulation 41(2)(b) of the EIA Regulations, 2014, as amended, please provide proof of written notice for the availability of the BAR for comment.</p> <p>vi. All issues raised and comments received during the circulation of the draft BAR from I&APs and organs of state which have jurisdiction in respect of the proposed activity are adequately addressed in the final BAR, including comments from this Department, and must be incorporated into a Comments and Response Report (CRR).</p> <p>vii. The CRR report must be a separate document from the main report and the format must be in the table format as indicated in Annexure 1 of this comments letter.</p> <p>viii. Please refrain from summarising comments made by I&APs. All comments from I&APs must be copied verbatim and responded to clearly. Please note that a response such as “noted” is not regarded as an adequate response to an I&AP’s comments.</p> <p>ix. Minutes and attendance registers (where applicable) of any physical/virtual meetings held by the Environmental Assessment Practitioner (EAP) with Interested and Affected Parties (I&APs) and other role players must be included in the final BAR.</p>	
(i) Environmental Management Programme	<p>i. It is drawn to your attention that for substation and overhead electricity transmission and distribution infrastructure, when such facilities trigger activity 11 or 47 of the Environmental Impact Assessment Regulations Listing Notice 1 of 2014, as amended, and any other listed and specified activities necessary for the realisation of such facilities, the generic Environmental Management Programme, contemplated in Regulations 19(4) must be used and submitted with the final report over and above the EMPr for the facility.</p> <p>ii. There needs to be an EMPr for the facility, the onsite substation as well as the overhead line.</p> <p>iii. Further to the above, you are required to comply with the content of the EMPr in terms of Appendix 4 of the Environmental Impact Assessment Regulations, 2014, as amended.</p> <p>iv. Please be informed that the following content must be incorporated within the EMPr’s as indicated in Appendix 4 of the EIA Regulations 2014, as amended:</p> <p>(a) Details of the EAP who prepared the EMPr; and the expertise of that EAP to prepare an EMPr, including a curriculum vitae.</p> <p>(b) A map at an appropriate scale which superimposes the proposed activity, its associated structures, and infrastructure on the environmental sensitivities of the preferred site, indicating any areas that should be avoided, including buffers.</p> <p>(c) A description of the impact management outcomes, including management statements, identifying the impacts and risks that need to be avoided, managed and mitigated as identified through the environmental impact assessment process for all phases of the development including —</p> <p>(i) Planning and design;</p> <p>(ii) Pre-construction activities;</p> <p>(iii) Construction activities;</p> <p>iv) Rehabilitation of the environment after construction and where applicable post closure; and</p> <p>(v) Where relevant, operation activities.</p> <p>(d) A description of proposed impact management actions, identifying the manner in which the impact management outcomes contemplated in paragraph (d) of Appendix 4 of the EIA Regulations 2014, as amended, will be achieved, and must, where applicable, include actions to —</p> <p>(e) Avoid, modify, remedy, control or stop any action, activity or process which causes pollution or environmental degradation;</p> <p>(f) Comply with any prescribed environmental management standards or practices;</p> <p>(g) Comply with any applicable provisions of the Act regarding closure, where applicable; and</p> <p>(h) Comply with any provisions of the Act regarding financial provision for rehabilitation, where applicable.</p>	<p>i-m. The gazetted generic EMPr for overhead electricity transmission and distribution infrastructure was used for this project as the project relates to an existing overhead line. The facility is therefore the section of transmission line associated with this project does not include in its scope any substations or other facilities associated with it. Please refer to Annexure G for the generic EMPr.</p> <p>The EMPr included in Annexure G of the BAR complies with the content requirements for an EMPr as included in Appendix 4 of the 2014 EIA Regulations (as amended).</p>

No.	DFFE Comment	EAP Response
	<p>(i) The method of monitoring the implementation of the impact management actions contemplated in paragraph (f) of Appendix 4 of the EIA Regulations 2014, as amended.</p> <p>(j) The frequency of monitoring the implementation of the impact management actions contemplated in paragraph (f) of Appendix 4 of the EIA Regulations 2014, as amended.</p> <p>(k) An indication of the persons who will be responsible for the implementation of the impact management actions.</p> <p>(l) The time periods within which the impact management actions contemplated in paragraph (f) of Appendix 4 of the EIA Regulations 2014, as amended, must be implemented.</p> <p>(m) The mechanism for monitoring compliance with the impact management actions contemplated in paragraph (f) of Appendix 4 of the EIA Regulations 2014, as amended.</p> <p>(n) A program for reporting on compliance, taking into account the requirements as prescribed by the Regulations.</p>	
(j) Environmental Impact Statement	<p>(i) You are reminded that an environmental impact statement must be included in the Final BAR, therefore you are kindly requested to include an environmental impact statement which contains –</p> <p>(a) a summary of the key findings of the environmental impact assessment;</p> <p>(b) a map at an appropriate scale which superimposes the proposed activity and its associated structures and infrastructure on the environmental sensitivities of the preferred site indicating any areas that should be avoided, including buffers; and</p> <p>(c) a summary of the positive and negative impacts and risks of the proposed activity and identified alternatives.</p>	Please refer to Section 7 of the BAR for the Environmental Impact Statement which contains the relevant information as detailed in the comment.
	Please also ensure that the final BAR includes the period for which the Environmental Authorisation is required and the date on which the activity will be concluded as per Appendix 1(3)(1)(q) of the NEMA EIA Regulations, 2014, as amended.	The period for which authorisation will be required is included in Section 7.1 of the BAR which details the recommended Conditions of Authorisation for the project.
	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 any specialist reports, an EMP, a closure plan in the case of a closure activity and where the application is a mining application, the plans, report and calculations contemplated in the Financial Provisioning Regulations, 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".	<p>A notification for extension of timeframe in terms of Regulations 19(1)(b) was submitted to the department on 17 September 2021.</p> <p>The 2nd Draft BAR was made available to the public for a 30-day review and comment period. The Final BAR, inclusive of specialist reports and the EMP will therefore be submitted to the Department for decision-making within 140-days from the date of receipt of the Application form by the Department.</p>
	Should there be significant changes or new information that has been added to the BAR or EMP 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(1)(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 documents contemplated in subregulation 1(a) 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 documents which changes or information was not contained in the original documents consulted on during the initial public participation process contemplated in subregulation (1)(a) and that the revised documents will be subjected to another public participation process of at least 30 days."	<p>A Draft BAR was compiled and made available for public review. This review period included more detailed consultation with Eskom regarding the feasibility of the alternatives as presented in the Draft BAR. In lieu of these consultations, it was determined that Eskom finds the initial alternatives to be unfeasible and therefore, an updated 2nd Draft BAR has been compiled based on the new proposed alternatives.</p> <p>A notification for extension of timeframe in terms of Regulations 19(1)(b) was submitted to the department on 17 September 2021.</p> <p>The 2nd Draft BAR was made available to the public for a 30-day review and comment period. The Final BAR, inclusive of specialist reports and the EMP will therefore be submitted to the Department for decision-making within 140-days from the date of receipt of the Application form by the Department.</p>

3. Closure

We trust you will find the above responses to your comments on the 2nd Draft BAR to your satisfaction and welcome the opportunity to answer any further questions you may have in this regard.

Kind regards,



Wynand Loftus
Senior Environmental Consultant



Enquiries: Natasha Higgitt
Tel: 021 462 4502
Email: nhiggitt@sahra.org.za
CaseID: 17006

Date: Thursday October 21, 2021
Page No: 1

Final Comment

In terms of Section 38(4), 38(8) of the National Heritage Resources Act (Act 25 of 1999)

Attention: Umoyilanga (Pty) Ltd

Eskom requires that Umoyilanga (Pty) Ltd, a preferred bidder selected as part of the DMRE Risk Mitigation Independent Power Producer Procurement Programme (RMIPPPP), upgrade a portion of the existing 132 kV Gordonia-Garona transmission line as part of the works required for connecting the new Avondale Hybrid Solar project to the grid. This draft Basic Assessment Report (BAR) pertains to the application for environmental authorisation to upgrade this portion of the 132 kV Gordonia-Garona transmission line. This portion of the transmission line is therefore referred to as the 132 kV Gordonia-Avondale transmission line as the line stretches from Gordonia to the new Avondale Hybrid Solar project

Zutari (Pty) Ltd has been appointed by Umoyilanga (Pty) Ltd to conduct an Environmental Authorisation (EA) Application for the proposed upgrade of the Gordonia-Avondale 132KV transmission line, Upington, Northern Cape Province.

A draft Basic Assessment Report (DBAR) has been submitted in terms of the National Environmental Management Act, 1998 (NEMA) and the 2017 NEMA Environmental Impact Assessment (EIA) Regulations. The proposed development will include the replacement of existing pylons with monopole structures with a smaller footprint, temporary laydown and site camps.

In a Final Comment on the 20/09/2021 (<https://sahris.sahra.org.za/node/582612>), SAHRA noted no objections to the proposed development and provided conditions for the development. Since the issuing of the Final Comment, the initially proposed development alternatives were found to be unfeasible and were discarded. New alternatives for the project include the upgrade of the transmission line by constructing new monopole structures along the existing centreline (existing lattice structures to be removed). The location of the proposed line has not changed.

As the previously assessed development footprint is still to be used, and only the method of construction has changed, the heritage assessments were not updated.

Final Comment



Enquiries: Natasha Higgitt
Tel: 021 462 4502
Email: nhiggitt@sahra.org.za
CaseID: 17006

Date: Thursday October 21, 2021
Page No: 2

The following comments are made as a requirement in terms of section 3(4) of the NEMA Regulations and section 38(8) of the NHRA in the format provided in section 38(4) of the NHRA and must be included in the Final BAR and EMP:

- 38(4)a – The SAHRA Archaeology, Palaeontology and Meteorites (APM) Unit has no objections to the proposed development;
- 38(4)b – The recommendations of the specialists are supported and must be adhered to. No further additional specific conditions are provided for the development;
- 38(4)c(i) – If any evidence of archaeological sites or remains (e.g. remnants of stone-made structures, indigenous ceramics, bones, stone artefacts, ostrich eggshell fragments, charcoal and ash concentrations), fossils or other categories of heritage resources are found during the proposed development, SAHRA APM Unit (Natasha Higgitt/Phillip Hine 021 462 5402) must be alerted as per section 35(3) of the NHRA. Non-compliance with section of the NHRA is an offense in terms of section 51(1)e of the NHRA and item 5 of the Schedule;
- 38(4)c(ii) – If unmarked human burials are uncovered, the SAHRA Burial Grounds and Graves (BGG) Unit (Thingahangwi Tshivhase/Mimi Seetelo 012 320 8490), must be alerted immediately as per section 36(6) of the NHRA. Non-compliance with section of the NHRA is an offense in terms of section 51(1)e of the NHRA and item 5 of the Schedule;
- 38(4)d – See section 51 of the NHRA for offences;
- 38(4)e – The following conditions apply with regards to the appointment of specialists:
 - With reference to the mitigation work noted above, a qualified archaeologist must be appointed to undertake the work in terms of the permit applied for as noted above;
 - If heritage resources are uncovered during the course of the development, a professional archaeologist or palaeontologist, depending on the nature of the finds, must be contracted as soon as possible to inspect the heritage resource. If the newly discovered heritage resources prove to be of archaeological or palaeontological significance, a Phase 2 rescue operation may be required subject to permits issued by SAHRA;
- The Final BAR and EMP must be submitted to SAHRA for record purposes;
- The decision regarding the EA Application must be communicated to SAHRA and uploaded to the SAHRIS Case application.

Should you have any further queries, please contact the designated official using the case number quoted above in the case header.

Yours faithfully

**Proposed upgrade of the Gordonia-Avondale 132KV transmission line,
Upington, Northern Cape**

Our Ref:



an agency of the
Department of Arts and Culture

T: +27 21 462 4502 | F: +27 21 462 4509 | E: info@sahra.org.za
South African Heritage Resources Agency | 111 Harrington Street | Cape Town
P.O. Box 4637 | Cape Town | 8001
www.sahra.org.za

Enquiries: Natasha Higgitt
Tel: 021 462 4502
Email: nhiggitt@sahra.org.za
CaseID: 17006

Date: Thursday October 21, 2021
Page No: 3

Natasha Higgitt
Heritage Officer
South African Heritage Resources Agency

Phillip Hine
Manager: Archaeology, Palaeontology and Meteorites Unit
South African Heritage Resources Agency

ADMIN:

Direct URL to case: <https://sahris.sahra.org.za/node/580752>

Terms & Conditions:

1. This approval does not exonerate the applicant from obtaining local authority approval or any other necessary approval for proposed work.
2. If any heritage resources, including graves or human remains, are encountered they must be reported to SAHRA immediately.
3. SAHRA reserves the right to request additional information as required.

Wynand Loftus

From: Wynand Loftus
Sent: Tuesday, October 26, 2021 12:54
To: nhiggitt@sahra.org.za
Subject: Proposed upgrade of the Gordonia-Avondale 132KV transmission line
Attachments: SAHRA Comment_2nd DBAR.pdf; SAHRA Comment_1st DBAR.pdf

Dear Natasha

RE: RESPONSE TO SAHRA COMMENT - PROPOSED UPGRADE OF THE GORDONIA-AVONDALE 132KV TRANSMISSION LINE

The comments received from SAHRA regarding the abovementioned project refers. SAHRA submitted comment on both the 1st and 2nd Draft BARs associated with the project, the first dated 20 September 2021 and the second 21 October 2021 with case number 17006 (comments attached herewith for ease of reference).

We herewith confirm receipt of both comments submitted by SAHRA and that the SAHRA Archaeology, Palaeontology and Meteorites (APM) Unit has no objection to the proposed development. We furthermore confirm that the comments will be included in the Final BAR and EMPr. The Draft EMPr included a chance find protocol which will be updated to include the comments.

We thank SAHRA for submitting comment on this project and will inform you once the Final BAR is submitted and once a decision is issued.

Kind regards,

Wynand Loftus *Pr.Sci.Nat., MTech Nat. Cons.*

SENIOR CONSULTANT, ENVIRONMENT AND PLANNING | ZUTARI

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ZUTARI IMPACT. ENGINEERED.

Zutari is a proud B-BBEE Level 1 contributor in South Africa.