

# Comment and Response Report

## Avondale-Gordonia 132kV Transmission Line Upgrade Project

**Umoyilanga (Pty) Ltd**

Reference: 1001408  
Revision: 1

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# Document control record

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| Author signature |  | Approver signature |  |
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| Title            | Environmental Consultant  | Title              | Senior Environmental Practitioner   |

## Comments received during the 1st draft BAR review period

| ISSUES AND COMMENTS RAISED (verbatim)   | COMMENTATOR/S  | SOURCE   | DATE                  | RESPONSE   |
|---|--|--|-----------------------|--|
| <p>Good day Wynand, please find the SACAA procedure and processes for this Authority Granting Authorisation to the proposed line.</p> <p><a href="http://www.caa.co.za/Pages/Default.aspx">http://www.caa.co.za/Pages/Default.aspx</a></p> <p><a href="http://www.caa.co.za/Pages/Obstacles/Urgent-notice.aspx">http://www.caa.co.za/Pages/Obstacles/Urgent-notice.aspx</a></p> <p><a href="http://www.caa.co.za/Obstacles%20Forms/CA139-27.pdf">http://www.caa.co.za/Obstacles%20Forms/CA139-27.pdf</a></p> <p>Kindly provide a .kml (Google Earth) file reflecting the footprint of the proposed overhead electric power line.</p> <p>Also indicate the highest structure of the project &amp; the Overhead electric power transmission line.</p> | <p>Lizell Stroh</p> <p><i>Obstacle Inspector</i></p> <p>CAA</p>        | <p>Email (in response to dBAR notification letter)</p> | <p>20 August 2021</p> | <p>Dear Lizell</p> <p>Thank you for your email regarding the SACAA procedure and processes for this Authority Granting Authorisation to the proposed line, the information has been forwarded to EDF Renewables who is the applicant for the environmental process.</p> <p>We are currently busy with the Basic Assessment Environmental Process and will be conducting a second round of public comment on the project starting next week. Changes had to be made to the project proposal, particularly regarding new pylon locations. The engineering team is currently busy with the preliminary design with final design only following much later. As such the pylon locations are not fixed at this stage and will be finalised during final design. We have therefore forwarded the CAA's comment to the developer and engineering team and highlighted to them that the procedures referred to in your email must be followed once the pylon positions are fixed.</p> <p>I trust the above response is in order and please do not hesitate to contact me should you have any further comment, questions or wish to discuss anything.</p> <p>Kind regards,</p> <p>Wynand Loftus</p> |
| <p>Please send me a KMZ file of the affected line route where the upgrade will be done.</p>   | <p>John Geeringh</p> <p>Senior Consultant Environmental Management</p> | <p>Email (in response to dBAR notification letter)</p> | <p>25 August 2021</p> | <p>Hi John</p> <p>Please find attached KMZs which includes the following:</p> <p>Alternative 1:</p> <ol style="list-style-type: none"> <li>1. Section of existing line to be upgraded along the same alignment</li> <li>2. Existing locations of pylons to be upgraded</li> </ol> <p>Alternative 2:</p>  |

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|   | Eskom  |   |                   | <p>1. Proposed alignment</p> <p>2. Proposed pylon locations</p> <p>Please can you confirm whether the information is sufficient to satisfy your needs and let me know if I need to provide additional info?</p> <p>Kind regards,</p> <p>Wynand Loftus</p>  |
| <p><b>(a) Listed activities</b></p> <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. 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>iii. 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>Thabile S angweni</p> <p>Department of Forestry, Fisheries and the Environment (DFFE)</p> | Email (in response to dBAR notification letter) | 10 September 2021 | <p>i. The Listed Activities applicable to the project are included Section 2.2, Table 2-2 of the 1<sup>st</sup> 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. Should there be any change to the Listed Activities, an updated Application form will be submitted together with the Final BAR to be submitted for decision-making post PPP.</p> <p>iii. 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&amp;APs for the project are included in the I&amp;AP register.</p> |
| <p><b>(b) Layout &amp; Sensitivity Maps</b></p> <p>i. Please provide a layout map which indicates the following:</p> <ul style="list-style-type: none"> <li>- The proposed infrastructure which includes all supporting onsite infrastructure existing roads, new roads (if applicable), access points, route corridor, route alternatives etc.</li> <li>- The proposed grid infrastructure overlain by the sensitivity map.</li> <li>- The location of sensitive environmental features on site e.g. CBAs, heritage sites, wetlands, drainage lines, surface water, nesting areas, heritage sites etc. that will be affected;</li> </ul>   |  |   |                   | <p>i. Maps have been provided in various applicable sections of the Draft BAR. 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.</p> <p>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>      |

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| <ul style="list-style-type: none"> <li>- Buffer areas; and</li> <li>- All “no-go” areas.</li> </ul> <p>ii. The layout map must be overlain by a sensitivity map and a cumulative map which shows neighboring renewable energy developments and existing grid infrastructure.</p> <p>iii. Google maps will not be accepted.</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>ii.. A map indicating the sensitivities of the site as informed by the specialist, the existing Eskom infrastructure and neighbouring renewable energy developments is included in the 2<sup>nd</sup> Draft BAR to be made available for comment.</p>   |
| <p><b>(c) Alternatives</b></p> <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"> <li>- details of all the alternatives considered;</li> <li>- details of the public participation process undertaken in terms of regulation 41 of the Regulations, including copies of the supporting documents and inputs;</li> <li>- 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;</li> <li>- the environmental attributes associated with the alternatives focusing on the geographical, physical, biological, social, economic, heritage and cultural aspects;</li> <li>- 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—</li> <li>- (aa) can be reversed;</li> <li>- (bb) may cause irreplaceable loss of resources; and</li> <li>- (cc) can be avoided, managed or mitigated;</li> <li>- 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;</li> <li>- 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;</li> <li>- the possible mitigation measures that could be applied and level of residual risk;</li> <li>- the outcome of the site selection matrix;</li> </ul> |               |        |      | <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 1<sup>st</sup> 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 2<sup>nd</sup> 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> |

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| <p>- if no alternatives, including alternative locations for the activity were investigated, the motivation for not considering such; and</p> <p>- a concluding statement indicating the preferred alternatives, including preferred location of the activity.</p> <p>ii. Written proof of an investigation and motivation if no reasonable or feasible alternatives exist in terms of Appendix 1.</p>  |               |        |      |  |
| <p><b>(d) Specialist Declaration of Interest</b></p> <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 1<sup>st</sup> Draft BAR and will also be included in the 2<sup>nd</sup> Draft BAR. Note the BAR is submitted electronically and therefore original signed copies will not be submitted.</p>  |
| <p><b>(e) Specialist Assessments</b></p> <p>i. 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>ii. Specialist studies to be conducted must provide a detailed description of their methodology, as well as all other associated infrastructures that they have assessed and are recommending for the authorisation.</p> <p>iii. The specialist studies must also 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>iv. 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>v. 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>i. All required specialist reports and compliance statements have been appended to the 1<sup>st</sup> Draft BAR and 2<sup>nd</sup> Draft BAR in Annexure D and include mitigation measures and recommendations. No further studies are required post EA.</p> <p>ii. Please refer to the relative specialist reports in Annexure D and summarised in Section 6 of the Draft BAR.</p> <p>iii. Please refer to the relative specialist reports in Annexure D and summarised in Section 6 of the Draft BAR.</p> <p>iv. Please refer to the relative specialist reports in Annexure D. The specialist recommendations and mitigation measures are also described in Section 6 of the draft BAR.</p> <p>v. These procedures and protocols have been considered and complied with. Please refer to the relative specialist reports in Annexure D and summarised in Section 6 of the Draft BAR.</p> |
| <p><b>(f) Undertaking of an Oath</b></p> <p>i. Please ensure that the final BAR includes an undertaking under oath or affirmation by the EAP.</p>   |               |        |      | <p>i. Please refer to Annexure J of the Draft BAR, also to be included in the Final BAR.</p>   |

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| <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:</p> <p>“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&amp;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>ii. Please refer to Annexure J of the Draft BAR, also to be included in the Final BAR.</p>   |
| <p><b>(g) Details and Expertise of the EAP</b></p> <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 Draft BAR for the EAPs CV.</p>   |
| <p><b>(h) Public Participation</b></p> <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 &amp; 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&amp;APs) and organs of state, as listed in your I&amp;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&amp;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>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&amp;APs and organs of state which have jurisdiction in respect of the proposed activity are adequately addressed in the</p> |               |        |      | <p>i. The DFFE’s Biodiversity conservation directorate will be notified of the availability of the 2<sup>nd</sup> Draft BAR for comment and have been added to the register of I&amp;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 Draft BAR for all documents and communications related to the PPP undertaken for the project.</p> |

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| <p>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&amp;APs. All comments from I&amp;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&amp;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&amp;APs) and other role players must be included in the final BAR.</p>  |               |        |      |  |
| <p><b>(i) Environmental Management Programme</b></p> <p>i. The EMPr must also include the following:</p> <ul style="list-style-type: none"> <li>- 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.</li> <li>- There needs to be an EMPr for the facility, the onsite substation as well as the overhead line.</li> <li>- 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.</li> <li>- 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:</li> </ul> <p>(i) Details of the EAP who prepared the EMPr; and the expertise of that EAP to prepare an EMPr, including a curriculum vitae.</p> <p>(ii) 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>(iii) 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>(a) Planning and design;</p> |               |        |      | <p>i. 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 Draft BAR complies with the content requirements for an EMPr as included in Appendix 4 of the 2014 EIA Regulations (as amended).</p> |

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| <p>(b) Pre-construction activities;</p> <p>(c) Construction activities;</p> <p>(d) Rehabilitation of the environment after construction and where applicable post closure; and</p> <p>(e) Where relevant, operation activities.</p> <p>(iv) 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>(v) Avoid, modify, remedy, control or stop any action, activity or process which causes pollution or environmental degradation;</p> <p>(vi) Comply with any prescribed environmental management standards or practices;</p> <p>(vii) Comply with any applicable provisions of the Act regarding closure, where applicable; and</p> <p>(viii) Comply with any provisions of the Act regarding financial provision for rehabilitation, where applicable.</p> <p>(ix) 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>(x) 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>(xi) An indication of the persons who will be responsible for the implementation of the impact management actions.</p> <p>(xii) 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>(xiii) 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>(xiv) A program for reporting on compliance, taking into account the requirements as prescribed by the Regulations.</p> |               |        |      |  |
| <p><b>(j) Environmental Impact Statement</b></p> <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</p>  |               |        |      | <p>Please refer to Section 7 of the Draft BAR for the Environmental Impact Statement which contains the relevant information as detailed in the comment.</p> |

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| environmental sensitivities of the preferred site indicating any areas that should be avoided, including buffers; and<br>(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.   |               |        |      | The period for which authorisation will be required is included in Section 7.1 of the Draft 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 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".   |               |        |      | A notification for extension of timeframe in terms of Regulations 19(1)(b) was submitted to the department on 17 September 2021.<br><br>The 2 <sup>nd</sup> Draft BAR will be made available to the public for a 30-day review and comment period. The Final BAR, inclusive of specialist reports and the EMPr 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.   |
| 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." |               |        |      | 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 <u>2<sup>nd</sup> Draft BAR</u> has been compiled based on the new proposed alternatives.<br><br>A notification for extension of timeframe in terms of Regulations 19(1)(b) was submitted to the department on 17 September 2021.<br><br>The 2 <sup>nd</sup> Draft BAR will be made available to the public for a 30-day review and comment period. The Final BAR, inclusive of specialist reports and the EMPr 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. |

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| <p>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 EMPR:</p> <ul style="list-style-type: none"> <li>38(4)a – The SAHRA Archaeology, Palaeontology and Meteorites (APM) Unit has no objections to the proposed development;</li> <li>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;</li> <li>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;</li> <li>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;</li> <li>38(4)d – See section 51 of the NHRA for offences;</li> <li>38(4)e – The following conditions apply with regards to the appointment of specialists:</li> <li>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;</li> <li>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;</li> </ul> | <p>Natasha Higgitt</p> <p>South African Heritage Resources Agency (SAHRA)</p> | <p>Comment on SAHRIS – in response to 1<sup>st</sup> Draft BAR</p> <p>Case ID 17006</p> | <p>20 September 2021</p> | <p>SAHRA submitted comment on the 2<sup>nd</sup> Draft BAR as well and a response to both comments were submitted following receipt of the second comment. Please see response further down in this table.</p> |

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| <ul style="list-style-type: none"> <li>The Final BAR and EMPr must be submitted to SAHRA for record purposes;</li> <li>The decision regarding the EA Application must be communicated to SAHRA and uploaded to the SAHRIS Case application</li> </ul>   |  |   |                 |   |
| <p><b>(a) Listed Activities</b></p> <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: <a href="https://www.environment.gov.za/documents/forms">https://www.environment.gov.za/documents/forms</a>.</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><b>(b) Layout and Sensitivity Maps</b></p> <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"> <li>The proposed infrastructure which includes all supporting onsite infrastructure existing roads, new roads (if applicable), access points, route corridor, route alternatives etc.</li> <li>Substation(s) and/or transformer(s) sites including their entire footprint;</li> <li>Connection routes to the distribution/transmission network; and</li> <li>All existing infrastructure on site.</li> </ul> <p>iii. Please provide an environmental sensitivity map which indicates the following:</p> | Thabile Sangweni<br><br>Department of Forestry, Fisheries and the Environment (DFFE) | Email (in response to 2 <sup>nd</sup> dBAR notification letter) | 20 October 2021 | <p>i. The Listed Activities applicable to the project are included Section 2.2, Table 2-2 of the 2<sup>nd</sup> 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 1<sup>st</sup> Draft BAR and does not correspond with the Listed Activities associated with the alternatives considered in the 2<sup>nd</sup> 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 well as watercourses and clearance of vegetation, as a result of the proposed project as it relates to the Listed Activities.</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&amp;APs for the project are included in the I&amp;AP register.</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> |

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| <ul style="list-style-type: none"> <li>- the location of sensitive environmental features on site e.g. CBAs, heritage sites, wetlands, drainage lines etc. that will be affected;</li> <li>- Buffer areas; and</li> <li>- All “no-go” areas.</li> </ul> <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>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 2<sup>nd</sup> 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>  |
| <p><b>(c) Alternatives</b></p> <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"> <li>- details of all the alternatives considered;</li> <li>- details of the public participation process undertaken in terms of regulation 41 of the Regulations, including copies of the supporting documents and inputs;</li> <li>- 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;</li> <li>- the environmental attributes associated with the alternatives focusing on the geographical, physical, biological, social, economic, heritage and cultural aspects;</li> <li>- 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—</li> <li>- (aa) can be reversed;</li> <li>- (bb) may cause irreplaceable loss of resources; and</li> <li>- (cc) can be avoided, managed or mitigated;</li> <li>- 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;</li> <li>- 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;</li> <li>- the possible mitigation measures that could be applied and level of residual risk;</li> <li>- the outcome of the site selection matrix;</li> <li>- if no alternatives, including alternative locations for the activity were investigated, the motivation for not considering such; and</li> </ul> |               |        |      | <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 1<sup>st</sup> 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 2<sup>nd</sup> 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> |

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| <p>- a concluding statement indicating the preferred alternatives, including preferred location of the activity.</p> <p>ii. Written proof of an investigation and motivation if no reasonable or feasible alternatives exist in terms of Appendix 1.</p>  |               |        |      |   |
| <p><b>(d) Specialist Declaration of Interest</b></p> <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 1<sup>st</sup> Draft BAR and will also be included in the 2<sup>nd</sup> Draft BAR. Note the BAR is submitted electronically and therefore original signed copies will not be submitted.</p>   |
| <p><b>(e) Specialist Assessments</b></p> <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 Department's 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 expert 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</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) Specialists have defined sensitivity categories in their respective reports and indicated mitigation measures as they relate to their any no-go or sensitive areas. 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 1<sup>st</sup> Draft BAR and 2<sup>nd</sup> 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 specialist affiliations/registrations.</p> |

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| <p>terrestrial plant and animal species), have come into effect. <b>Please note that specialist assessments must be conducted in accordance with these protocols.</b></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><b>(f) Undertaking of an Oath</b></p> <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:</p> <p>"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&amp;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>  |
| <p><b>(g) Details and Expertise of the EAP</b></p> <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>   |
| <p><b>(h) Public Participation</b></p> <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 &amp; 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&amp;APs) and organs of state, as listed in your I&amp;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&amp;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>v. Proof of correspondence with the various stakeholders must be included in the final BAR. Should you be unable to obtain comments,</p> |               |        |      | <p>i. The DFFE's Biodiversity conservation directorate was notified of the availability of the 2<sup>nd</sup> Draft BAR for comment and is included in the register of I&amp;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> |

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| <p>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&amp;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&amp;APs. All comments from I&amp;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&amp;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&amp;APs) and other role players must be included in the final BAR.</p>   |               |        |      |   |
| <p><b>(i) Environmental Management Programme</b></p> <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>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 <b>does not</b> 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> |

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| <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> <ul style="list-style-type: none"> <li>(i) Planning and design;</li> <li>(ii) Pre-construction activities;</li> <li>(iii) Construction activities;</li> <li>iv) Rehabilitation of the environment after construction and where applicable post closure; and</li> <li>(v) Where relevant, operation activities.</li> </ul> <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) 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> |               |        |      |          |

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| <p><b>(j) Environmental Impact Statement</b></p> <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>  |               |        |      | <p>Please refer to Section 7 of the BAR for the Environmental Impact Statement which contains the relevant information as detailed in the comment.</p>   |
| <p>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.</p>   |               |        |      | <p>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.</p>  |
| <p>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”.</p>   |               |        |      | <p>A notification for extension of timeframe in terms of Regulations 19(1)(b) was submitted to the department on 17 September 2021. The 2<sup>nd</sup> 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 EMPr 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>  |
| <p>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</p> |               |        |      | <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 <u>2<sup>nd</sup> Draft BAR</u> has been compiled based on the new proposed alternatives. A notification for extension of timeframe in terms of Regulations 19(1)(b) was submitted to the department on 17 September 2021. The 2<sup>nd</sup> 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 EMPr 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> |

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| documents will be subjected to another public participation process of at least 30 days."   |   |   |                        |  |
| <p>In a Final Comment on the 20/09/2021 (<a href="https://sahris.sahra.org.za/node/582612">https://sahris.sahra.org.za/node/582612</a>), 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.</p> <p><b>Final Comment</b></p> <p>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 EMPr:</p> <ul style="list-style-type: none"> <li>38(4)a – The SAHRA Archaeology, Palaeontology and Meteorites (APM) Unit has no objections to the proposed development;</li> <li>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;</li> <li>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;</li> <li>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;</li> <li>38(4)d – See section 51 of the NHRA for offences;</li> </ul> | <p>Natasha Higgitt</p> <p>South African Heritage Resources Agency (SAHRA)</p> | <p>Comment on SAHRIS – in response to 2<sup>nd</sup> Draft BAR</p> <p>Case ID 17006</p> | <p>21 October 2021</p> | <p>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).</p> <p>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.</p> <p>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.</p> |

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| <ul style="list-style-type: none"> <li>38(4)e – The following conditions apply with regards to the appointment of specialists:</li> <li>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;</li> <li>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;</li> <li>The Final BAR and EMPr must be submitted to SAHRA for record purposes;</li> <li>The decision regarding the EA Application must be communicated to SAHRA and uploaded to the SAHRIS Case application.</li> </ul> |   |   |                        |  |
| <p>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 traverse an area classified and mapped as Critical Biodiversity Areas 2 (CBA2) and a smaller section crosses and Ecological Support Area (ESA).<br/>Notwithstanding the above; the following recommendations must be taken into consideration in the final report:</p> <p>Vegetation clearing must be limited to the approved footprint of the proposed development;</p> <p>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);</p>  | <p>Mrs Portia Makitla</p> <p>DFFE – Biodiversity Conservation</p> | <p>Email (in response to 2<sup>nd</sup> dBAR notification letter)</p> | <p>26 October 2021</p> | <p>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.</p> <p>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</p> |

| ISSUES AND COMMENTS RAISED (verbatim)  | COMMENTATOR/S | SOURCE | DATE | RESPONSE  |
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| Search and rescue plan for the identified Species of Conservation Concern (SCC) must be developed and submitted for approval;  |               |        |      | <p>negative impacts on the environment as illustrated by the various specialist assessments.</p> <p>Only one Red List species (i.e. species of conservation concern or SCC) was encountered on the power line route, namely <i>Hoodia officinalis</i> subsp. <i>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 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"> <li>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;</li> <li>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);</li> </ul>   |

| ISSUES AND COMMENTS RAISED (verbatim)  | COMMENTATOR/S | SOURCE | DATE | RESPONSE   |
|--|---------------|--------|------|--|
|  |               |        |      | <ul style="list-style-type: none"> <li>• Attach appropriate marking devices along the new OHPL in accordance with installation guidelines to increase visibility;</li> <li>• Flappers and BFDs must be maintained and replaced where necessary, for the life span of the project.</li> </ul> |
| 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.   |

In diversity there is beauty  
and there is strength.

MAYA ANGELOU

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