



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: 14/12/16/3/3/1/2471

Enquiries: Ms Juliet Mahlangu

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Mr Matteo Brambilla
Red Rocket South Africa (Pty) Ltd
Postnet Suite 150
Private Bag X3
Roggebaai
CAPE TOWN
8012

Telephone Number: 021 418 3940
Email Address: m.logan@redrocket.energy

PER EMAIL / MAIL

Dear Mr Brambilla

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT NO. 107 OF 1998, AS AMENDED: FOR THE CONSTRUCTION OF BON ESPIRANGE TO KOMSBERG 132KV POWERLINE NEAR MATJIESFONTEIN, WESTERN CAPE AND NORTHERN CAPE PROVINCES

With reference to the above application, please be advised that the Department has decided to grant authorisation. The Environmental Authorisation (EA) and reasons for the decision are attached herewith.

In terms of Regulation 4(2) of the Environmental Impact Assessment Regulations, 2014, as amended (the EIA Regulations), you are instructed to notify all registered interested and affected parties, in writing and within 14 (fourteen) days of the date of the decision as well as the provisions regarding the submission of appeals that are contained in the Regulations.

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

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

MJ

Should any person wish to lodge an appeal against this decision, he/she must submit the appeal to the appeal administrator, and a copy of the appeal to the applicant, any registered interested and affected party, and any organ of state with interest in the matter within 20 days from the date that the notification of the decision was sent to the registered interested and affected parties by the applicant; or the date that the notification of the decision was sent to the applicant by the Department, whichever is applicable.

Appeals must be submitted in writing in the prescribed form to:

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

By email: appeals@dfre.gov.za

By hand: Environment House
473 Steve Biko
Arcadia
Pretoria
0083

or

By post: Private Bag X447
Pretoria
0001

Please note that in terms of Section 43(7) of the National Environmental Management Act, Act No. 107 of 1998, as amended, the lodging of an appeal will suspend the environmental authorisation or any provision or condition attached thereto. In the instance where an appeal is lodged, you may not commence with the activity until such time that the appeal is finalised.

To obtain the prescribed appeal form and for guidance on the submission of appeals, please visit the Department's website at https://www.environment.gov.za/documents/forms#legal_authorisations or request a copy of the documents at appeals@dfre.gov.za.

Yours faithfully


Mr Sabelo Malaza
Chief Director: Integrated Environmental Authorisations
Department of Forestry, Fisheries and the Environment
Date: 19/07/2022

cc:	Ms Ashlea Strong	WSP Group Africa (Pty) Ltd	Email: Ashlea.strong@wsp.com
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forestry, fisheries & the environment

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

Environmental Authorisation

In terms of Regulation 25 of the Environmental Impact Assessment Regulations, 2014, as amended

Construction of Bon Espirange to Komsberg 132kV powerline near Matjiesfontein within jurisdiction of Laingsburg Local Municipality and Karoo Hoogland Local Municipality in the Western Cape and Northern Cape Provinces

Central Karoo District Municipality and Namakwa District Municipality

Authorisation register number:	14/12/16/3/3/1/2471
Last amended:	First issue
Holder of authorisation:	Red Rocket South Africa (Pty) Ltd
Location of activity:	Bon Espirange 73/1 (Swartland), Bon Espirange 73/RE (Bona Esperance) Aprils Kraal 105, Standvastigheid 210/RE (Saaiplaas)

This authorisation does not negate the holder of the authorisation's responsibility to comply with any other statutory requirements that may be applicable to the undertaking of the activity.

Decision

The Department is satisfied, on the basis of information available to it and subject to compliance with the conditions of this Environmental Authorisation, that the applicant should be authorised to undertake the activities specified below.

Non-compliance with a condition of this Environmental Authorisation may result in criminal prosecution or other actions provided for in the National Environmental Management Act, Act No. 107 of 1998, as amended and the EIA Regulations, 2014, as amended.

Details regarding the basis on which the Department reached this decision are set out in Annexure 1.

Activities authorised

By virtue of the powers conferred on it by the National Environmental Management Act, Act No. 107 of 1998, as amended and the Environmental Impact Assessment Regulations, 2014, as amended, the Department hereby authorises –

RED ROCKET SOUTH AFRICA (PTY) LTD

(hereafter referred to as the **holder of the authorisation**)

with the following contact details –

Matteo Brambilla
Red Rocket South Africa (Pty) Ltd
Postnet Suite 150
Private Bag X3
Roggebaai
CAPE TOWN
8012

Telephone Number: 021 418 3940

Email Address: m.logan@redrocket.energy

to undertake the following activities (hereafter referred to as “the activity”) indicated in Listing Notice 1, Listing Notice 2 and Listing Notice 3 of the EIA Regulations, 2014 as amended:

Activity number	Activity description
<p><u>Listing Notice 1, Item 11 (i):</u> <i>“The development of facilities or infrastructure for the transmission and distribution of electricity—</i> <i>(i) outside urban areas or industrial complexes with a capacity of more than 33 but less than 275 kilovolts.</i></p>	<p>The 132 kV transmission line will connect the Bon Espirange substation to the Komsberg substation. The transmission line is outside of the urban edge. Additionally, an area will be cleared for the construction of the expansion of the Bon Espirange substation. This activity is therefore triggered by the proposed construction of the transmission infrastructure.</p>
<p><u>Listing Notice 1, Item 12 :</u> <i>“The development of—</i> <i>(ii) infrastructure or structures with a physical footprint of 100 square metres or more;</i> <i>where such development occurs—</i> <i>(a) within a watercourse; or</i> <i>(c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse.”</i></p>	<p>The powerline will require the erection of tower structures, which will require a construction area of approximately 100m². The powerline will traverse watercourses (or drainage lines) and therefore tower structures maybe constructed within 32 m of these watercourses. This activity is therefore triggered by the proposed construction of the transmission infrastructure.</p>
<p><u>Listing Notice 1, Item 19:</u> <i>“The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10 cubic metres from a watercourse.”</i></p>	<p>The powerline traverses several watercourses (drainage lines). The OHPL will require the erection of tower structures, which will require excavation of removal of soil or sand from watercourses of more than 10 cubic metres. This activity is therefore triggered by the proposed construction of the transmission infrastructure.</p>

<p><u>Listing Notice 1, Item 27:</u></p> <p><i>“The clearance of an area of 1 hectare or more, but less than 20 hectares of indigenous vegetation,</i></p>	<p>The powerline is considered a linear activity and therefore this activity is not triggered by the proposed construction of the transmission lines. However, the expansion of the Bon Espirange substation will require the clearance of indigenous vegetation of more than 1ha but less than 20 ha. This activity is therefore triggered.</p>
<p><u>Listing Notice 3, Item 4</u></p> <p><i>“The development of a road wider than 4 metres with a reserve less than 13,5 metres.</i></p> <p><u>(g) Northern Cape-</u></p> <p><i>(ii) Outside urban areas</i></p> <p><i>(bb) National Protected Area Expansion Strategy Focus areas</i></p> <p><i>(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</i></p> <p><u>(i) Western Cape-</u></p> <p><i>(ii) Areas outside urban areas</i></p> <p><i>(aa) containing indigenous vegetation.”</i></p>	<p>The transmission line route traverses a CBA. The transmission line will require an access road (of approximately 4 m in width) although it will likely be a two-track road. This activity is triggered by the proposed construction of the transmission infrastructure.</p>
<p><u>Listing Notice 3, Item 12</u></p> <p><i>“The clearance of an area of 300 square metres or more of indigenous vegetation.</i></p> <p><u>(g) Northern Cape</u></p> <p><i>i. Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004; ii.</i></p>	<p>The transmission line route traverses a CBA. The powerline will require the erection of tower structures, which will require a construction area of approximately 100m². The expansion of the Bon Espirange substation will require the clearance of more than 300 m² of indigenous vegetation. This activity is therefore triggered by the proposed construction of the transmission infrastructure</p>

<p><i>Within critical biodiversity areas identified in bioregional plans;</i></p> <p><i><u>i. Western Cape</u></i></p> <p><i>i. Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004; ii. Within critical biodiversity areas identified in bioregional plans;”</i></p>	
<p><u>Listing Notice 3. Item Activity 14</u></p> <p><i>“The development of—</i></p> <p><i>(ii) infrastructure or structures with a physical footprint of 10 square metres or more; where such development occurs—</i></p> <p><i>(a) within a watercourse; or</i></p> <p><i>(c) if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse.</i></p> <p><i><u>(g) Northern Cape</u></i></p> <p><i>i. Outside urban areas:</i></p> <p><i>(bb) National Protected Area Expansion Strategy Focus areas;</i></p> <p><i>(ff) Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.</i></p> <p><i><u>(i) Western Cape</u></i></p> <p><i>i. Outside urban areas:</i></p> <p><i>(bb) National Protected Area Expansion Strategy Focus areas;</i></p>	<p>The transmission line route traverses a CBA. The powerline will require the erection of tower structures, which will require a construction area of approximately 100m². Tower structures will traverse watercourses. This activity is therefore triggered by the proposed construction of the transmission infrastructure.</p>

<i>(ff) Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans"</i>	
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as described in the Basic Assessment Report (BAR) dated February 2022 at:

SG 21 Code

C	0	4	3	0	0	0	0	0	0	0	0	0	0	7	3	0	0	0	0	1
C	0	4	3	0	0	0	0	0	0	0	0	0	0	7	3	0	0	0	0	0
C	0	4	3	0	0	0	0	0	0	0	0	0	1	0	5	0	0	0	0	0
C	0	7	2	0	0	0	0	0	0	0	0	0	2	1	0	0	0	0	0	0

	Latitude	Longitude
Bon Espirange substation	32°55'11.28"S	20°32'3.64"E
R354 road crossing	32°55'28.54"S	20°33'22.07"E
Centre point	32°55'35.62"S	20°33'59.25"E
Road crossing	32°55'48.47"S	20°35'19.04"E
Komsberg Substation	32°56'0.70"S	20°35'45.97"E

- for the proposed Bon Espirange to Komsberg 132kV Powerline near Matjiesfontein, Western Cape and Northern Cape Provinces, hereafter referred to as "the property".

The proposed project entails the following:

- The OHPL will be a 132kV steel single or double structure with kingbird conductor.
- Towers will be located approximately 200m to 250m apart.
- The length of the OHPL is approximately 6 km, which will result in a servitude area of approximately 19.2 ha.
- Busbar and platform will be constructed adjacent to the existing Bon Espirange substation to allow for the connection of the Rietkloof and Brandvalley 132kV powerlines.
- Access and internal roads: access roads will be approximately 10m in width and will be mostly a two-track gravel road under the OHPL in order to access pylons for construction and maintenance purposes.

Conditions of this Environmental Authorisation

Scope of authorisation

1. The Bon Espirange to Komsberg 132kV Powerline near Matjiesfontein, Western Cape and Northern Cape Provinces, is approved as per the geographic coordinates cited in the table above.
2. Authorisation of the activity is subject to the conditions contained in this Environmental Authorisation, which form part of the Environmental Authorisation and are binding on the holder of the authorisation.
3. The holder of the authorisation is responsible for ensuring compliance with the conditions contained in this Environmental Authorisation. This includes any person acting on the holder's behalf, including but not limited to, an agent, servant, contractor, sub-contractor, employee, consultant or person rendering a service to the holder of the authorisation.
4. The activities authorised may only be carried out at the property as described above.
5. Any changes to, or deviations from, the project description set out in this Environmental Authorisation must be approved, in writing, by the Department before such changes or deviations may be effected. In assessing whether to grant such approval or not, the Department may request such information as it deems necessary to evaluate the significance and impacts of such changes or deviations and it may be necessary for the holder of the authorisation to apply for further Environmental Authorisation in terms of the regulations.
6. The holder of an Environmental Authorisation must apply for an amendment of the Environmental Authorisation with the Competent Authority for any alienation, transfer or change of ownership rights in the property on which the activity is to take place.
7. This activity must commence within a period of Ten (10) years from the date of issue of this Environmental Authorisation. If commencement of the activity does not occur within that period, the authorisation lapses and a new application for Environmental Authorisation must be made in order for the activity to be undertaken.
8. Construction must be completed within five (05) years of the commencement of the activity on site.
9. Commencement with one activity listed in terms of this Environmental Authorisation constitutes commencement of all authorised activities.

Notification of authorisation and right to appeal

10. The holder of the authorisation must notify every registered interested and affected party, in writing and within 14 (fourteen) calendar days of the date of this Environmental Authorisation, of the decision to authorise the activity.
11. The notification referred to must –
 - 11.1. specify the date on which the authorisation was issued;
 - 11.2. inform the interested and affected party of the appeal procedure provided for in the National Appeal Regulations, 2014;
 - 11.3. advise the interested and affected party that a copy of the authorisation will be furnished on request; and
 - 11.4. give the reasons of the Competent Authority for the decision.

Commencement of the activity

12. The authorised activity shall not commence until the period for the submission of appeals has lapsed as per the National Appeal Regulations, 2014, and no appeal has been lodged against the decision. In terms of Section 43(7), an appeal under Section 43 of the National Environmental Management Act, Act No. 107 of 1998, as amended will suspend the Environmental Authorisation or any provision or condition attached thereto. In the instance where an appeal is lodged you may not commence with the activity until such time that the appeal has been finalised.

Management of the activity

13. The site layout plans as attached as Appendix G of the BAR dated February 2022 is approved.
14. The Generic Environmental Management Programmes (EMPrs) submitted as part of the BAR dated February 2022 is approved and must be implemented and adhered to.
15. The Generic EMPrs must be implemented and strictly enforced during all phases of the project. It shall be seen as a dynamic document and shall be included in all contract documentation for all phases of the development when approved.
16. Changes to the approved EMPr must be submitted in accordance to the EIA Regulations applicable at the time.
17. The Department reserves the right to amend the approved EMPr should any impacts that were not anticipated or covered in the BAR be discovered.

Frequency and process of updating the EMPr

18. The EMPr must be updated where the findings of the environmental audit reports, contemplated in Condition 25 below, indicate insufficient mitigation of environmental impacts associated with the undertaking of the activity, or insufficient levels of compliance with the environmental authorisation or EMPr.
19. The updated EMPr must contain recommendations to rectify the shortcomings identified in the environmental audit report.
20. The updated EMPr must be submitted to the Department for approval together with the environmental audit report, as per Regulation 34 of the EIA Regulations, 2014 as amended. The updated EMPr must have been subjected to a public participation process, which process has been agreed to by the Department, prior to submission of the updated EMPr to the Department for approval.
21. In assessing whether to grant approval of an EMPr which has been updated as a result of an audit, the Department will consider the processes prescribed in Regulation 35 of the EIA Regulations, 2014 as amended. Prior to approving an amended EMPr, the Department may request such amendments to the EMPr as it deems appropriate to ensure that the EMPr sufficiently provides for avoidance, management and mitigation of environmental impacts associated with the undertaking of the activity.
22. The holder of the authorisation must apply for an amendment of an EMPr, if such amendment is required before an audit is required. The amendment process is prescribed in Regulation 37 of the EIA Regulations, 2014, as amended. The holder of the authorisation must request comments on the proposed amendments to the impact management outcomes of the EMPr or amendments to the closure objectives of the closure plan from potentially interested and affected parties, including the competent authority, by using any of the methods provided for in the Act for a period of at least 30 days.

Monitoring

23. The holder of the authorisation must appoint an experienced Environmental Control Officer (ECO) for the construction phase of the development that will have the responsibility to ensure that the mitigation/rehabilitation measures and recommendations referred to in this environmental authorisation are implemented and to ensure compliance with the provisions of the approved EMPr.
 - 23.1. The ECO must be appointed before commencement of any authorised activities.
 - 23.2. Once appointed, the name and contact details of the ECO must be submitted to the *Director: Compliance Monitoring* of the Department.

- 23.3. The ECO must keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.
- 23.4. The ECO must remain employed until all rehabilitation measures, as required for implementation due to construction damage, are completed and the site is ready for operation.

Recording and reporting to the Department

24. All documentation e.g. audit/monitoring/compliance reports and notifications, required to be submitted to the Department in terms of this environmental authorisation, must be submitted to the *Director: Compliance Monitoring* of the Department.
25. The holder of the environmental authorisation must, for the period during which the environmental authorisation and EMPr remain valid, ensure that project compliance with the conditions of the environmental authorisation and the EMPr are audited, and that the audit reports are submitted to the *Director: Compliance Monitoring* of the Department.
26. The frequency of auditing and of submission of the environmental audit reports must be as per the frequency indicated in the EMPr, taking into account the processes for such auditing as prescribed in Regulation 34 of the EIA Regulations, 2014 as amended.
27. The holder of the authorisation must, in addition, submit environmental audit reports to the Department within 30 days of completion of the construction phase (i.e. within 30 days of site handover) and a final environmental audit report within 30 days of completion of rehabilitation activities.
28. The environmental audit reports must be compiled in accordance with Appendix 7 of the EIA Regulations, 2014 as amended and must indicate the date of the audit, the name of the auditor and the outcome of the audit in terms of compliance with the environmental authorisation conditions as well as the requirements of the approved EMPr.
29. Records relating to monitoring and auditing must be kept on site and made available for inspection to any relevant and competent authority in respect of this development.

Notification to authorities

30. A written notification of commencement must be given to the Department no later than fourteen (14) days prior to the commencement of the activity. Commencement for the purposes of this condition includes site preparation. The notice must include a date on which it is anticipated that the activity will commence, as well as a reference number.

Operation of the activity

31. A written notification of operation must be given to the Department no later than fourteen (14) days prior to the commencement of the activity operational phase.

Site closure and decommissioning

32. Should the activity ever cease or become redundant, the holder of the authorisation must undertake the required actions as prescribed by legislation at the time and comply with all relevant legal requirements administered by any relevant and Competent Authority at that time.

Specific conditions

33. No activities will be allowed to encroach into a water resource without a water use authorisation being in place from the Department of Water and Sanitation.
34. Should any buried archaeological resources or burials be uncovered during the course of development activities, work must cease in the vicinity of these finds. The relevant heritage authority (the South African Heritage Resources Agency (SAHRA) in the Northern Cape and Heritage Western Cape (HWC) in the Western Cape) must be contacted immediately in order to determine an appropriate way forward.
35. Anti-collision devices such as bird flappers must be installed where powerlines cross avifaunal corridors, as recommended by the Ecological specialist. The input of an avifaunal specialist must be obtained for the fitting of the anti-collision devices onto specific sections of the line once the exact positions of the towers have been surveyed and pegged.
36. The authorised alignment must be inspected by an avifaunal specialist by means of a "walk-through" inspection to identify risky areas where sections of the line should be marked with Bird Flight Diverters, once the pole positions have been finalised
37. A botanist must be appointed to perform a final walkthrough of the alignment to identify sensitive plant species and assist in identifying the areas that require protection.
38. A permit must be obtained from the relevant nature conservation agency for the removal or destruction of indigenous, protected or endangered plant or animal species and a copy of such permit/s must be submitted to the Department for record keeping.
39. No exotic plants may be used for rehabilitation purposes. Only indigenous plants of the area may be utilised.
40. Vegetation clearing must be kept to an absolute minimum. Mitigation measures as specified in the BAR dated February 2021 must be implemented to reduce the risk of erosion and the invasion of alien species.

41. Construction must include design measures that allow surface and subsurface movement of water along drainage lines so as not to impede natural surface and subsurface flows. Drainage measures must promote the dissipation of storm water run-off.
42. An integrated waste management approach must be implemented that is based on waste minimisation and must incorporate reduction, recycling, re-use and disposal where appropriate. Any solid waste must be disposed of at a landfill licensed in terms of Section 20 (b) of the National Environment Management Waste Act, 2008 (Act No.59 of 2008).

General

43. A copy of this Environmental Authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying-
 - 43.1. at the site of the authorised activity;
 - 43.2. to anyone on request; and
 - 43.3. where the holder of the Environmental Authorisation has a website, on such publicly accessible website.
44. National government, provincial government, local authorities or committees appointed in terms of the conditions of this authorisation or any other public authority shall not be held responsible for any damages or losses suffered by the holder of the authorisation or his/her successor in title in any instance where construction or operation subsequent to construction be temporarily or permanently stopped for reasons of non-compliance by the holder of the authorisation with the conditions of authorisation as set out in this document or any other subsequent document emanating from these conditions of authorisation.

Date of Environmental Authorisation: 19/04/2022



Mr Sabelo Malaza

Chief Director: Integrated Environmental Authorisations
Department of Forestry, Fisheries and the Environment

Annexure 1: Reasons for Decision

1. Information considered in making the decision

In reaching its decision, the Department took, *inter alia*, the following into consideration -

- a) The listed activities as applied for in the amended application form received on 18 February 2022.
- b) The information contained in the BAR dated February 2022.
- c) The comments received from Department of Water and Sanitation (DWS), South African Bat Assessment Association, Western Cape Department of Environment and Development Planning (DEA&DP and interested and affected parties as included in the BAR dated February 2022.
- d) Mitigation measures as proposed in the BAR and the EMPr.
- e) The information contained in the specialist studies contained within the appendices of the BAR dated February 2022 and as appears below:
- f)

Title	Prepared by	Date
Agricultural Potential and Soils	Johann Lanz	14 November 2021
Avifauna	Chris van Rooyen Consulting	October 2021
Bats Impact Assessment	Animalia Consultants	13 November 2021
Biodiversity	Trusted Partners	15 November 2021
Freshwater	FEN Consulting (Pty) Ltd	10 November 2021
Geotechnical	JG Afrika (Pty) Ltd	November 2021
Heritage, Archaeology and Palaeontology	CTS Heritage	November 2021
Socio-economic	Tony Barbour	November 2021
Traffic Impact Assessment	JG Afrika (Pty) Ltd	November 2021
Visual	SIVEST SA (Pty) Ltd	15 November 2021
EMPr	WSP Group Africa (Pty) Ltd	February 2022

2. Key factors considered in making the decision

All information presented to the Department was taken into account in the Department's consideration of the application. A summary of the issues which, in the Department's view, were of the most significance is set out below.

- a) The findings of all the specialist studies conducted and their recommended mitigation measures.
- b) The need for the proposed project stems from the provision of electricity to the national grid.
- c) The BAR dated February 2022 identified all legislation and guidelines that have been considered in the preparation of the BAR.
- d) The methodology used in assessing the potential impacts identified in the BAR dated February 2022 and the specialist studies have been adequately indicated.
- e) A sufficient public participation process was undertaken and the applicant has satisfied the minimum requirements as prescribed in the BAR Regulations, 2014 as amended for public involvement.

3. Findings

After consideration of the information and factors listed above, the Department made the following findings -

- a) The identification and assessment of impacts are detailed in the BAR dated February 2022 and sufficient assessment of the key identified issues and impacts have been completed.
- b) The procedure followed for impact assessment is adequate for the decision-making process.
- c) The information contained in the BAR dated February 2022 is deemed to be accurate and credible.
- d) The proposed mitigation of impacts identified and assessed adequately curtails the identified impacts.
- e) EMPr measures for the pre-construction, construction and rehabilitation phases of the development were proposed and included in the BAR and will be implemented to manage the identified environmental impacts during the construction phase.

In view of the above, the Department is satisfied that, subject to compliance with the conditions contained in the environmental authorisation, the authorised activities will not conflict with the general objectives of integrated environmental management laid down in Chapter 5 of the National Environmental Management Act, 1998 and that any potentially detrimental environmental impacts resulting from the authorised activities can be mitigated to acceptable levels. The environmental authorisation is accordingly granted.