



## environment, forestry & fisheries

Department:  
Environment, Forestry and Fisheries  
REPUBLIC OF SOUTH AFRICA

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

DEFF Reference: 14/12/16/3/3/2/1025

Enquiries: Ms Thulisile Nyalunga

Telephone: 012-399-9405 E-mail: [tnyalunga@environment.gov.za](mailto:tnyalunga@environment.gov.za)

Mr David Tunnicliff  
Eskom Holdings SOC Limited  
P. O. Box 1091  
**JOHANNESBURG**  
2000

Tel: (011) 800 5145  
Cell: 083 633 1547  
E-mail: [tunnidA@eskom.co.za](mailto:tunnidA@eskom.co.za)

### PER E-MAIL / MAIL

Dear Mr Tunnicliff

**APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT NO. 107 OF 1998, AS AMENDED: FOR THE CONSTRUCTION OF A 210KM BOTSWANA-SOUTH AFRICA (BOSA) TRANSMISSION INTERCONNECTION 400KV POWERLINE WHICH STRETCHES BETWEEN THE MAHIKENG AND RAMOTSHERE MOILOA LOCAL MUNICIPALITIES IN SOUTH AFRICA AND THE AREA IMMEDIATELY NORTH OF GABORONE IN BOTSWANA**

With reference to the above application and the Minister's Appeal Decision dated 17 October 2018, 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 stipulates 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 abuses or compromises 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 prescribe 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.

MS

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

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

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

By email: [appeals@environment.gov.za](mailto:appeals@environment.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](https://www.environment.gov.za/documents/forms#legal_authorisations) or request a copy of the documents at [appeals@environment.gov.za](mailto:appeals@environment.gov.za).

Yours faithfully



**Mr Sabelo Malaza**  
**Chief Director: Integrated Environmental Authorisations**  
**Department of Environment, Forestry and Fisheries**

Date: 04/11/2020

cc:	Mr Charles Norman	Aurecon South Africa (Pty) Ltd	Email: : <a href="mailto:Charles.norman@aurecongroup.com">Charles.norman@aurecongroup.com</a>
-----	-------------------	--------------------------------	---



## environment, forestry & fisheries

Department:  
Environment, Forestry and Fisheries  
REPUBLIC OF SOUTH AFRICA

# Environmental Authorisation

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

Construction of the Botswana-South Africa (BOSA) Transmission Interconnection 400kV powerline which will be routed through the Mahikeng and Ramotshere Moiloa Local Municipalities in South Africa and the area immediately north of Gaborone in Botswana

Ngaka Modiri Molema District Municipality

<b>Authorisation register number:</b>	<i>14/12/16/3/3/2/1025</i>
<b>Last amended:</b>	<i>Second issue</i>
<b>Holder of authorisation:</b>	<i>Eskom Holdings SOC Ltd</i>
<b>Location of activity:</b>	<i>Ramotshere Moiloa and Mahikeng Local Municipalities</i>

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 –

### **ESKOM HOLDINGS SOC LIMITED**

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

with the following contact details –

Eskom Holdings SOC Limited

Mr David Tunnicliff

P. O. Box 1091

**JOHANNESBURG**

2000

Tel: (011) 800 5145

Cell: 083 633 1547

E-mail: [tunnidA@eskom.co.za](mailto:tunnidA@eskom.co.za)

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>GN R. 983 Item 11:</u>  <i>"The development of facilities or infrastructure for the transmission and distribution of electricity –</i>                      (ii) <i>Inside urban areas or industrial complexes with a capacity of more 275 kV or more"</i></p>	<p>The proposed transmission line is a 400 kilovolts line and it may traverse urban areas or industrial complexes between Mafikeng (RSA) and Isang (Botswana).</p>
<p><u>GN R. 983 Item 12:</u>  <i>"The development of –</i>                      (xii) <i>Infrastructures or structures with a physical footprint of 100 square metres or more; Where such development occurs –</i>                      (a) <i>Within a watercourse"</i></p>	<p>The transmission line will traverse numerous water resources, including but not limited to the following:</p> <ul style="list-style-type: none"> <li>• Ngotwane,</li> <li>• Sandloot, ad</li> <li>• Brakfonteinspruit.</li> </ul>
<p><u>GN R. 983 Item 14:</u>  <i>"The development of facilities or infrastructure for the storage, or for the storage and handling, of a dangerous good, where such storage occurs in containers with a combined capacity of 80 cubic metres but not exceeding 500 cubic Metres".</i></p>	<p>The construction phase may include the storage of hydrocarbons in the lay down areas for construction machinery and/or vehicles.</p>
<p><u>GN R. 983 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, shell grit, pebbles or rock of more than 10 cubic metres from a watercourse".</i></p>	<p>Due to the length of the proposed transmission line, it will be necessary to cross various watercourses. The need to impact on a watercourse by removing soil, sand, pebbles or rock in order to erect towers may arise.</p>
<p><u>GN R. 984 Item 9:</u>  <i>"The development of facilities or infrastructure for the transmission and distribution of electricity with a capacity of 275 kilovolts or more, outside an urban area or industrial complex.</i></p>	<p>The project entails the development of a 400 kV Transmission line from the Watershed B area close to Mafikeng to the Isang substation in</p>

	<p>Botswana. The majority of the corridor will be outside urban areas or industrial complexes.</p>
<p><u>GN R. 985 Item 4:</u>  <i>"The development and related operation of facilities or infrastructure for the storage, or storage and handling of a dangerous good, where such storage occurs in containers with a combined capacity of 30 but not exceeding 80 cubic metres.</i></p> <p><b>(h) North West</b>  <i>(vi) Areas within a watercourse or wetland, or within 100 metres from the edge of a watercourse or wetland"</i></p>	<p>The construction phase may include the storage of hydrocarbons in the laydown areas for construction machinery and / or vehicles.</p>
<p><u>GN R. 985 Item 12:</u>  <i>"The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan.</i></p> <p><b>(h) North West</b>  <i>(vi) Areas within a watercourse or wetland, or within 100 metres from the edge of a watercourse or wetland.</i></p>	<p>Clearance of vegetation within watercourse or 100m from the edge of a watercourse might be required.</p>
<p><u>GN R. 985 Item 14:</u>  <i>"The development of —</i>  <i>(ii) infrastructure or structures with a physical footprint of 10 square metres or more; where such development occurs—</i>  <i>(a) within a watercourse;</i>  <b>(h) North West</b>  <i>(iv) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority;</i></p>	<p>The proposed transmission line will have a footprint of 210 000m (L) X 55m (W). The line will traverse numerous water courses. According to the North West Biodiversity Conservation Assessment Report it all falls within two Critical Biodiversity Areas (CBA), namely CBA T1 and T2. The proposed corridor is also within 5km of the Madikwe Nature Reserve along the South Africa to Botswana border.</p>

(vi) Areas within 5 kilometres from protected areas identified in terms of NEMPAA or from the core areas of a Biosphere reserve.

as described in the final amended Environmental Impact Assessment Report (EIAR) dated July 2020 at:

21 SG Code and Farm Portions

TAG VALUE	21 SG Code	PARCEL NO	PORTION	Farm Name and Number
RE/1/35	T0JP0000000003500001	35	1	ZANDFONTEIN 35 JP
RE/105	T0KP00000000010500000	105	0	VLEIFONTEIN 105 KP
RE/100	T0KP00000000010000000	100	0	SLAAGTE 100 KP
4/126	T0KP00000000012600004	126	4	WELGEVONDEN 126 KP
12/126	T0KP00000000012600012	126	12	WELGEVONDEN 126 KP
1/132	T0KP00000000013200001	132	1	BRAKFONTTEIN 132 KP
RE/132	T0KP00000000013200000	132	0	BRAKFONTTEIN 132 KP
21	T0JO0000000002100000	21	0	21
RE/1/22	T0JO00000000022000001	22	1	22
4/22	T0JO00000000022000004	22	4	22
RE/319	T0JO00000000031900000	319	0	RE/319
RE/413	T0JO00000000041300000	413	0	MOILOS 413 JO
11/377	T0JO00000000037700011	377	11	RAMATLABAMA 377 JO
RE/40	T0JO00000000040000000	40	0	MATJESVALLEI 40 JO
2/41	T0JO00000000041000002	41	2	WILLOWPARK 41 JO
1/41	T0JO00000000041000001	41	1	WILLOWPARK 41 JO
RE/56	T0JO00000000056000000	56	0	DE PUTTEN 56 JO
RE/3/56	T0JO00000000056000003	56	3	DE PUTTEN 56 JO
9/56	T0JO00000000056000009	56	9	DE PUTTEN 56 JO
22/58	T0JO00000000058000022	58	22	TWEEFONTTEIN 58 JO
1/55	T0JO00000000055000001	55	1	JAGERSFONTTEIN 55 JO
5/55	T0JO00000000055000005	55	5	JAGERSFONTTEIN 55 JO
RE/377	T0JO00000000037700000	377	0	RAMATLABAMA 377 JO
1/61	T0JO00000000061000001	61	1	OLYVENBULT 61 JO
12/55	T0JO00000000055000012	55	12	JAGERSFONTTEIN 55 JO
4/55	T0JO00000000055000004	55	4	JAGERSFONTTEIN 55 JO
6/55	T0JO00000000055000006	55	6	JAGERSFONTTEIN 55 JO
RE/2/55	T0JO00000000055000002	55	2	JAGERSFONTTEIN 55 JO
22/55	T0JO00000000055000022	55	22	JAGERSFONTTEIN 55 JO
4/310	T0JO00000000031000004	310	4	SEKAI 310 JO
5/310	T0JO00000000031000005	310	5	SEKAI 310 JO
7/310	T0JO00000000031000007	310	7	SEKAI 310 JO
8/310	T0JO00000000031000008	310	8	SEKAI 310 JO
9/310	T0JO00000000031000009	310	9	SEKAI 310 JO
10/310	T0JO00000000031000010	310	10	SEKAI 310 JO
11/310	T0JO00000000031000011	310	11	SEKAI 310 JO

Department of Environment, Forestry and Fisheries  
Environmental Authorisation Reg. No. 14/12/16/3/3/2/1025

RE/5/58	T0JO0000000005800005	58	5	TWEEFONTEIN 58 JO
23/310	T0JO00000000031000023	310	23	SEKAI 310 JO
RE/47	T0JO00000000004700000	47	0	WELBEDACHT 47 JO
RE/412	T0JO00000000041200000	412	0	MOILOS 412 JO
RE/43	T0JO00000000004300000	43	0	STINKHOUTBOOM 43 JO
2/377	T0JO00000000037700002	377	2	RAMATLABAMA 377 JO
3/377	T0JO00000000037700003	377	3	RAMATLABAMA 377 JO
12/377	T0JO00000000037700012	377	12	RAMATLABAMA 377 JO
RE/310	T0JO00000000031000000	310	0	SEKAI 310 JO
3/400	T0JO00000000040000003	400	3	WESTWOOD PARK 400 JO
RE/401	T0JO00000000040100000	401	0	HEATHFIELD 401 JO
4/401	T0JO00000000040100004	401	4	HEATHFIELD 401 JO
36	T0JO00000000003600000	36	0	MOILOS SUID 36 JO
23/55	T0JO00000000005500023	55	23	JAGERSFONTEIN 55 JO
RE/2/56	T0JO00000000005600002	56	2	DE PUTTEN 56 JO
10/56	T0JO00000000005600010	56	10	DE PUTTEN 56 JO
RE/1/10	T0JO00000000010000001	10	1	WITFONTEIN 10 JO
4/10	T0JO00000000010000004	10	4	WITFONTEIN 10 JO
RE/22	T0JO00000000022000000	22	0	22
2/22	T0JO00000000022000002	22	2	22
3/22	T0JO00000000022000003	22	3	22
38	T0JO00000000003800000	38	0	38
42	T0JO00000000004200000	42	0	BRIAR 42 JO
14/377	T0JO00000000037700014	377	14	RAMATLABAMA 377 JO
RE/400	T0JO00000000040000000	400	0	WESTWOOD PARK 400 JO
3/401	T0JO00000000040100003	401	3	HEATHFIELD 401 JO
3/10	T0JO00000000010000003	10	3	WITFONTEIN 10 JO
6/35	T0JP00000000003500006	35	6	ZANDFONTEIN 35 JP
7/34	T0JP00000000003400007	34	7	ZWARTFONTEIN 34 JP
3/33	T0JP00000000003300003	33	3	OLIFANTSFONTEIN 33 JP
27	T0JP00000000002700000	27	0	27
3/3	T0JP00000000003000003	3	3	DRAAILAAGTE 3 JP
RE/3	T0JP00000000003000000	3	0	DRAAILAAGTE 3 JP
7/2	T0JP00000000002000007	2	7	PUTFONTEIN 2 JP
RE/2/2	T0JP00000000002000002	2	2	PUTFONTEIN 2 JP
6/34	T0JP00000000003400006	34	6	ZWARTFONTEIN 34 JP
RE/4/34	T0JP00000000003400004	34	4	ZWARTFONTEIN 34 JP
RE/33	T0JP00000000003300000	33	0	OLIFANTSFONTEIN 33 JP
14/34	T0JP00000000003400014	34	14	ZWARTFONTEIN 34 JP
RE/1/2	T0JP00000000002000001	2	1	PUTFONTEIN 2 JP
8	T0JP00000000008000000	8	0	HUYERSLAAGTE 8 JP
1/3	T0JP00000000003000001	3	1	DRAAILAAGTE 3 JP
4/2	T0JP00000000002000004	2	4	PUTFONTEIN 2 JP
6/78	T0KP00000000007800006	78	6	KOPFONTEIN 78 KP
7/78	T0KP00000000007800007	78	7	KOPFONTEIN 78 KP
8/78	T0KP00000000007800008	78	8	KOPFONTEIN 78 KP
20/120	T0KP00000000012000020	120	20	DROOGEDAL 120 KP

*MS*



Department of Environment, Forestry and Fisheries  
Environmental Authorisation Reg. No. 14/12/16/3/3/2/1025

21/120	T0KP0000000012000021	120	21	DROOGEDAL 120 KP
14/126	T0KP0000000012600014	126	14	WELGEVONDEN 126 KP
RE/13/126	T0KP0000000012600013	126	13	WELGEVONDEN 126 KP
RE/8/126	T0KP0000000012600008	126	8	WELGEVONDEN 126 KP
RE/1/131	T0KP0000000013100001	131	1	BRAKFORTEIN 131 KP
RE/3/120	T0KP0000000012000003	120	3	DROOGEDAL 120 KP
RE/15/120	T0KP0000000012000015	120	15	DROOGEDAL 120 KP
RE/14/120	T0KP0000000012000014	120	14	DROOGEDAL 120 KP
RE/940	T0KP0000000094000000	940	0	ABJATERSKOP 940 KP
RE/1/100	T0KP0000000010000001	100	1	SLALAAGTE 100 KP
RE/5/78	T0KP0000000078000005	78	5	KOPFORTEIN 78 KP
RE/4/78	T0KP0000000078000004	78	4	KOPFORTEIN 78 KP
RE/3/78	T0KP0000000078000003	78	3	KOPFORTEIN 78 KP
31/377	T0JO0000000037700031	377	31	RAMATLABAMA 377 JO
32/377	T0JO0000000037700032	377	32	RAMATLABAMA 377 JO
33/377	T0JO0000000037700033	377	33	RAMATLABAMA 377 JO
4/402	T0JO0000000040200004	402	4	NEW PARK 402 JO
RE/13/377	T0JO0000000037700013	377	13	RAMATLABAMA 377 JO
RE/1/377	T0JO0000000037700001	377	1	RAMATLABAMA 377 JO
RE/15/377	T0JO0000000037700015	377	15	RAMATLABAMA 377 JO
5/402	T0JO0000000040200005	402	5	NEW PARK 402 JO
RE/128	T0KP0000000012800000	128	0	SANDBULT 128 KP
RE/37	T0JO0000000003700000	37	0	MOILOS LOCATION 37 JO
13/412	T0JO0000000041200013	412	13	MOILOS 412 JO

**Coordinates**

Powerline corridor	Latitude	Longitude
Starting point of activity	24° 41' 59.264" S	26° 7' 27.062" E
Middle point of activity	25° 18' 0.074" S	25° 56' 40.946" E
End point of activity	26° 7' 27.062" E	25° 33' 46.132" E

- for the construction of the Botswana-South Africa (BOSA) Transmission Interconnection 400kV powerline which will be routed through the Mahikeng and Ramotshere Moiloa Local Municipalities in South Africa and the area immediately north of Gaborone in Botswana, hereafter referred to as "the property".

The construction activities will include the following:

- Establishment of campsites for the Contractor's workforce;
- Construction of access roads and storm water infrastructure where required;
- Pegging out of tower locations;
- Removal and stockpiling of topsoil;

- Transportation and storage of construction equipment on site;
- Installation of foundation for the towers;
- Assembly and erection of towers;
- Cable stringing and installation of earth conductors; and
- Handling and disposal of construction waste.

## Conditions of this Environmental Authorisation

### Scope of authorisation

1. The construction of the preferred Route C, with a 4.2 km deviation on Putfontein 2 Portion 4, of the South African section of the 210km 400kV transmission interconnection powerline from Botswana to South Africa (BOSA) which traverses the Mahikeng and Ramotshere Moiloa Local Municipality, the preferred alignment which will follow the alignment of the approved Pluto corridor for the last approximately 15 km and connect to the authorised Mahikeng substation is hereby approved as per the geographic coordinates cited in the table above.
2. Please be advised that this authorisation is only for the South African section of the proposed 400kV transmission interconnection powerline.
3. 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.
4. 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.
5. The activities authorised may only be carried out at the property as described above.
6. 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.
7. 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.
8. 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.
9. Construction must be completed within five (05) years of the commencement of the activity on site.

10. Commencement with one activity listed in terms of this Environmental Authorisation constitutes commencement of all authorised activities.

#### **Notification of authorisation and right to appeal**

11. 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.
12. The notification referred to must –
- 12.1. specify the date on which the authorisation was issued;
  - 12.2. inform the interested and affected party of the appeal procedure provided for in the National Appeal Regulations, 2014;
  - 12.3. advise the interested and affected party that a copy of the authorisation will be furnished on request; and
  - 12.4. give the reasons of the Competent Authority for the decision.

#### **Commencement of the activity**

13. 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**

14. The Environmental Management Programme (EMPr) submitted as part of the Application for EA must be amended and submitted to the Department for written approval prior to commencement of the activity. The recommendations and mitigation measures recorded in the final amended EIAr dated July 2020 must be incorporated as part of the EMPr. Once approved, the EMPr must be implemented and adhered to.
15. The approved EMPr must be included in all contract documentation for all phases of the development. The EMPr must be amended to include:
- 15.1. The requirements and conditions of this environmental authorisation;

- 15.1.1. Findings of the final alignment walk-through to be conducted by the Avifaunal, Aquatic and Terrestrial Biodiversity, Heritage and paleontological specialists.
- 15.1.2. The findings and or outcome of the abovementioned walk-through must be incorporated into the final amended EMPr to be submitted to this department for review and approval.
- 15.2. All recommendations and mitigation measures recorded in the final amended EIAr and the specialist reports as included in the final amended EIAr dated July 2020; and
- 15.3. A final development layout plan (with micro-siting of the powerlines' route and pylon structures) and all mitigation measures as dictated by the final development layout plan.
16. The final development layout plan to be included in the EMPr must indicate the following:
  - 16.1. The final delineation of the centreline of the powerlines within the approved corridor;
  - 16.2. The specific position of the pylon structures and foundation footprints;
  - 16.3. All existing infrastructure on the site, especially roads;
  - 16.4. All sensitive features e.g. wetlands, pans, drainage channels, and grave sites that will be affected by the powerlines; and
  - 16.5. All "no-go" and buffer areas.

#### **Frequency and process of updating the EMPr**

17. The EMPr must be updated where the findings of the environmental audit reports, contemplated in Condition 24 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.
18. The updated EMPr must contain recommendations to rectify the shortcomings identified in the environmental audit report.
19. 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.
20. 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.

21. 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**

22. 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.
- 22.1. The ECO must be appointed before commencement of any authorised activities.
- 22.2. Once appointed, the name and contact details of the ECO must be submitted to the *Director: Compliance Monitoring* of the Department.
- 22.3. The ECO must keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.
- 22.4. 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**

23. 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.
24. 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.
25. 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.

26. 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.
27. 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.
28. 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**

29. 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**

30. 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**

31. 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**

##### Conditions for Non-operational aspects

32. Walk-downs of the final route alignment must be conducted by a qualified archaeologist and palaeontologist. The aforementioned walk-down must be conducted prior to commencement with any of the construction activities. The palaeontologist walk-down would be on potentially-fossiliferous Precambrian carbonate

bedrocks, karstified areas, thick calcretes, tufa deposits and ancient, consolidated or semi-consolidated alluvium along major drainage lines.

33. The appointed palaeontologist must apply for a collection permit in terms of section 35 of the National Heritage Resources Act, Act 25 of 1999 (NHRA), prior to the commencement of the walk-down. Only once a collection permit has been issued to the appointed palaeontologist, may the walk-down commence.
34. Walk-down reports must be compiled by above mentioned specialist, and both (archaeology, and palaeontology) must be submitted to South African Heritage Resources Act (SAHRA), for review and comment, prior to the commencement of construction activities. The reports and comments received from SAHRA must be incorporated into the final EMPr to be submitted to this department for review and approval as per condition 14.
35. A 30 m no-go buffer zone must be adhered to around all identified community cemeteries and identified heritage sites.
36. All monitoring reports of the Heritage Management Plan (HMP) must be submitted to SAHRA for record purposes.
37. A cultural heritage training programme must be submitted to SAHRA to ensure compliance with the NHRA and SAHRA policies and guidelines;
38. Should it not be possible to avoid identified heritage sites, permit in terms of section 34 or 35 of the National Heritage Resources Act, Act 25 of 1999 (NHRA) and Chapters II and IV of the NHRA Regulations must be applied for in order for the sites to be mitigated. Section 34 permits must be applied to from the North West Provincial Heritage Resources Authority (NWPHRA).
39. For burial grounds and graves, a consultation process in terms of section 36 of the NHRA and Chapter XI of the NHRA Regulations must be conducted should it not be possible to avoid the graves. Should grave relocation be found feasible as a result of the consultation process, a permit in terms of Section 36 of the NHRA and Chapter IX of the NHRA must be applied for from SAHRA.
40. 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.
41. 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.



42. If any substantial fossil remains (e.g. stromatolites, vertebrate bones, teeth, horn cores) are found during construction SAHRA must be notified immediately (Contact details: SAHRA, 111 Harrington Street, Cape Town. PO Box 4637, Cape Town 8000, South Africa. Phone: +27 (0)21 462 4502. Fax: +27 (0)21 462 4509. Web: [www.sahra.org.za](http://www.sahra.org.za)). This is so that appropriate mitigation (i.e. recording, sampling or collection) by a palaeontological specialist can be considered and implemented, at the developer's expense.
43. A Water Use Licence must be obtained from the Department of Human Settlement, Water and Sanitation for any activities that are likely to impact on water resources in accordance with the National Water Act (Act No. 36 of 1998).
44. Necessary permits must be obtained from the Department of Forestry and Fisheries for any removal of trees protected under the National Forest Act of 1998.
45. A detailed walk down of the final alignment must be conducted, by the ecological specialist, before commencement of construction activities, the findings of the walk down must inform the micro-siting of the towers to further reduced the significance of the impacts, i.e. avoid any wetlands (including buffers), span watercourses and avoid any protected plant species, including protected trees listed in the specialist report.
46. The findings of the walk down must be used to inform the search and rescue plan and permit requirements, including the Water Use Licenses (mainly for activities within 500m of a wetland).
47. A walk-through must be performed by the avifaunal specialist to record any large raptor nests that could be impacted by the construction of the proposed powerline. Should any nests be recorded, it will require management of the potential impacts on the breeding birds once construction commences, which would necessitate the involvement of the avifaunal specialist.
48. Careful consideration must be given to selecting suitable access routes to minimise the impact of new tracks or roads, as well as clearing of the final servitude. The process must avoid any impacts on the aquatic environment, coupled to the fact that watercourses (including 32m buffer) and wetlands (including 50m buffer) must be avoided where possible.
49. If powerline markings is required, bird flight diverters must be installed on the full span length on each of the conductors according to the Eskom Guidelines. Light and dark colour devices must be alternated so as to provide contrast against both dark and light backgrounds respectively. These devices must be installed as soon as the conductors are strung.
50. The powerline must be inspected once a year for a minimum of two years by the avifaunal specialist to establish if there is any significant collision mortality, which may require the marking of additional sections. Thereafter the frequency of inspections must be informed by the results of the first two years.

**General**

51. A copy of this Environmental Authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying-
- 51.1. at the site of the authorised activity;
  - 51.2. to anyone on request; and
  - 51.3. where the holder of the Environmental Authorisation has a website, on such publicly accessible website.
52. 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: 04/11/2020



**Mr Sabelo Malaza**  
**Chief Director: Integrated Environmental Authorisations**  
**Department of Environment, Forestry and Fisheries**

## **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 03 December 2019.
- b) The EA issued 04 July 2018, the appeal decision dated 17 October 2018 which set aside the EA dated 04 July 2018 and referred the matter back to the CD: IEA for reconsideration, comments from SAHRA dated 14 November 2018 and information contained in the final amended EIAr dated July 2020.
- c) The comments received from Department of Agriculture, Forestry and Fisheries, Department of Water and Sanitation, South African Heritage Resources Agency, Department of Rural Environment, Agriculture and Development.
- d) Mitigation measures as proposed in the final amended EIAr dated July 2020 and the EMPr.
- e) The information contained in the specialist studies contained within the appendices of the final amended EIAr dated July 2020.

### **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 SAPP has since embarked upon various initiatives to alleviate the current electricity supply constraints and contribute towards energy security of supply in the long run. The Botswana-South Africa (BOSA) Transmission Interconnection Project, is one of the identified and planned initiatives to address the power generation and transmission challenges in the region.
- c) The establishment of the BOSA interconnector provides the opportunity for trade in electricity to better balance the supply/demand requirements of the region and thereby stimulate economic activity.
- d) The final amended EIAr dated July 2020 identified all legislation and guidelines that have been considered in the preparation of the final amended EIAr.
- e) The location of the proposed wind energy facility.
- f) The methodology used in assessing the potential impacts identified in the final amended EIAr dated July 2020 and the specialist studies have been adequately indicated.

- g) A sufficient public participation process was undertaken and the applicant has satisfied the minimum requirements as prescribed in the EIA Regulations, 2014 as amended for public involvement.

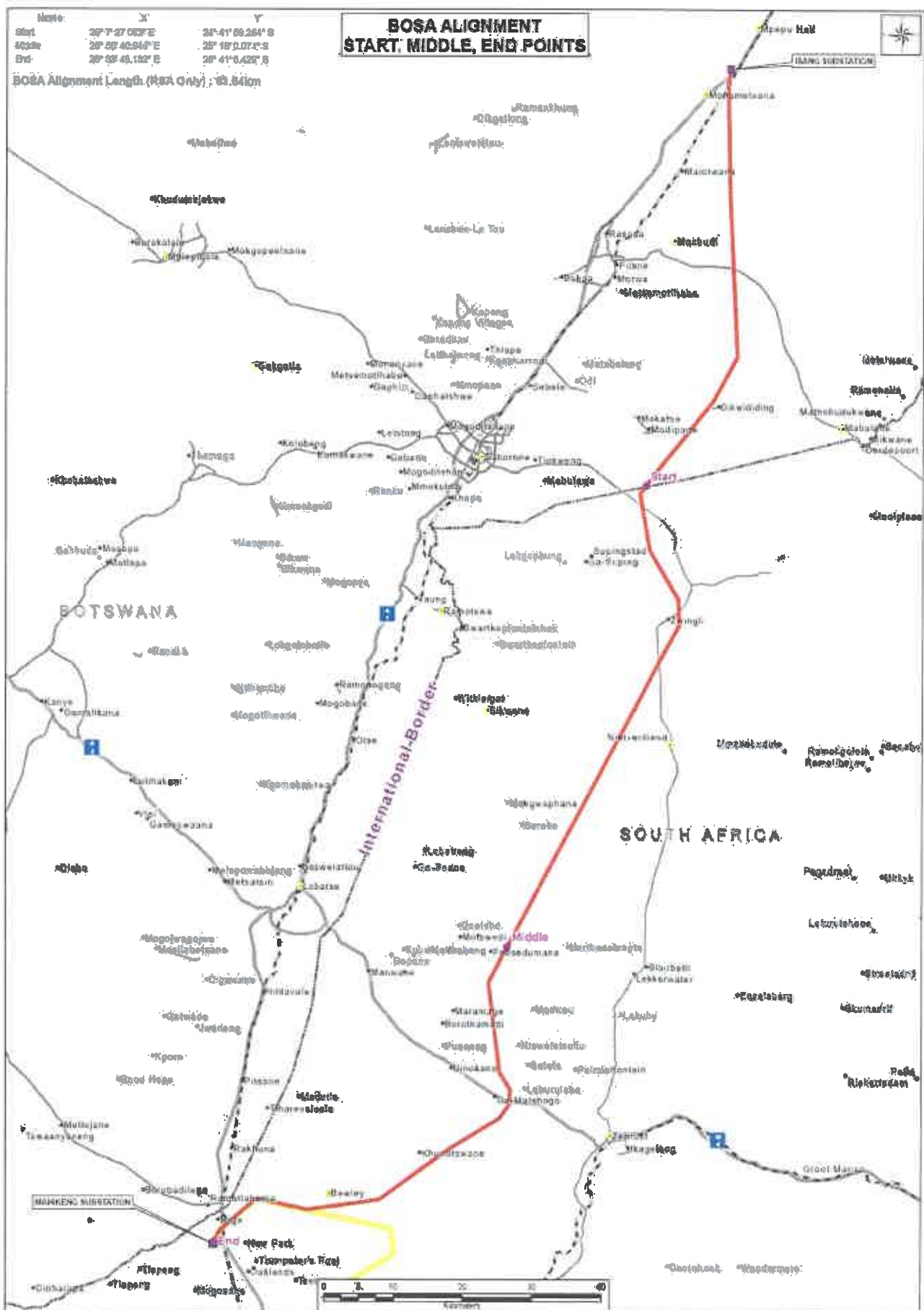
### **3. Findings**

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 final amended EIAr dated July 2020 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 final amended EIAr dated July 2020 is deemed to be accurate and credible.
- d) The findings of the site inspection held on 17 April and 18 July 2019.
- e) The proposed mitigation of impacts identified and assessed adequately curtails the identified impacts.
- f) EMPr measures for the pre-construction, construction and rehabilitation phases of the development were proposed and included in the final amended EIAr 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.

## Annexure 2: Locality Plan



M.S