



# environmental affairs

Department.  
Environmental Affairs  
REPUBLIC OF SOUTH AFRICA

Private Bag X 447 · PRETORIA · 0001 · Environment House · 473 Steve Biko Road · Arcadia · PRETORIA  
Tel (+ 27 12) 399 9372

DEA Reference: 12/12/20/720/AM3

Enquiries: Ms Zamalanga Langa

Telephone: 012 399 9389 E-mail: [zlanga@environment.gov.za](mailto:zlanga@environment.gov.za)

Mr John Geeringh  
Eskom Holdings SOC Limited  
PO Box 1091  
JOHANNESBURG  
2000

Email: [John.geeringh@eskom.co.za](mailto:John.geeringh@eskom.co.za).

## PER FACSIMILE / MAIL

Dear Mr Geeringh

### ACKNOWLEDGEMENT OF RECEIPT OF APPLICATION FOR AMENDMENT OF ENVIRONMENTAL AUTHORISATION: THE CONSTRUCTION OF THE PROPOSED Eskom 400KV TRANSMISSION LINE, KUDU INTERGRATION PROJECT

The Department confirms having received the application for amendment of environmental authorisation for the abovementioned project on 07 July 2017. You have submitted these documents to comply with the Environmental Impact Assessment Regulations, 2014.

This letter serves as an acknowledgement of receipt of the afore-mentioned document by the Department.

Please note that your application for amendment of environmental authorisation falls within the ambit of amendments to be applied for in terms of Part 2 of Chapter 5 of the Environmental Impact Assessment Regulations (2014), as amended. The reason for the above is:

Regulation 31 (Part 2 Amendments) of the EIA regulations states that "An environmental authorisation may be amended by following the process prescribed in this Part if the amendment will result in a change to the scope of a valid environmental authorisation where such change will result in an increased level or nature of impact where such level or nature of impact was not-

- (a) assessed and included in the initial application for environmental authorisation; or
- (b) taken into consideration in the initial environmental authorisation;"

Based on the information provided in the submitted application for amendment, the proposed application for amendment seeks to amend a condition number 3.2.15 of ROD. This condition on the ROD was that an offset ratio of 1ha: 10-20 ha must be considered because of the uniqueness of the vegetation that will be impacted on the north eastern section (Oranjemund-Gromis). This offset must be linked to the Orange River Mouth Ramsar Site which is in the process of being proclaimed a protected area (the letter from Department of Tourism, Environment and Conservation dated March 2017).

Therefore as part of the amendment requested, you are therefore requesting that these offset as per above be linked to a national protected areas as it was proven impractical to purchase and conserve a suitable section of land to include in the Orange River Mouth Ramsar Site protected area is for the most irreparably damaged beyond conservation of the mining activities, town of Alexander Bay and the airport and other activities around

it. In addition, given this an alternative area has been identified and investigated with SANPARKS and a help from a Specialist on the eastern portion of Vyftienmyl se Berg, East of Port Nolloth to be secured as an Offset area and this area was agreed by all affected parties including provincial Department of Environment.

Having reviewed the submitted documents and taking above-mentioned into consideration, the Department hereby notifies you that the proposed changes are therefore considered a change of scope due to the fact that that a new area for an offset had been identified and the proposed amendment must be subjected to a public participation process in terms of EIA regulations 2014 as amended.

You are therefore requested to submit the following documents within 90 days of the receipt of this application, for you to comply with regulation 32(1) (a):

- a report, reflecting:
  - (i) an assessment of all impacts related to the proposed change;
  - (ii) advantages and disadvantages associated with the proposed change; and
  - (iii) measures to ensure avoidance, management and mitigation of impacts associated with such proposed change; and
  - (iv) any changes to the EMPR.

In addition to above, you are required to inform all potential and registered interested and affected parties, including organs of state, which have jurisdiction in respect of any aspect of the relevant activity, of the required amendments. Interested and Affected Parties and organs of state must be given 30 days to comment on a draft report reflecting the above requirement as stipulated in regulation 32 (1) (a). Comments received during the commenting period must be incorporated into a final report to be submitted to the competent authority for a decision on the amendment application.

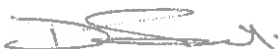
Should there be significant changes after the commenting period, you are therefore required to comply with regulation 32 (1) (b) which states:

*"The Holder must submit to the competent authority a notification in writing that the report 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 report, which changes or information was not contained in the report consulted on during the initial public participation process contemplated in subregulation (1)(a) and that the revised report will be subjected to another public participation process of at least 30 days."*

In the event where subregulation (1)(b) of Regulation 32 applies, the report, which reflects the incorporation of comments received, including any comments of the competent authority, must be submitted to the competent authority within 140 days of receipt of the application by the competent authority.

Should you fail to meet any of the timeframes stipulated in Regulation 32 of Part 2 of Chapter 5 of the Environmental Impact Assessment Regulations (2014), your application will lapse.

Yours sincerely



**Mr Sabelo Malaza**

**Chief Director: Integrated Environmental Authorisations**

**Department of Environmental Affairs**

**Letter signed by: Mr Danie Smit**

**Designation: Deputy Director: Integrated Environmental Authorisations: Protected Areas**

**Date: 17/07/2017.**