



## 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: 14/12/16/3/3/1/2363

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Mr Jadon Schmidt  
Red Cap Impofu (Pty) Ltd  
Unit B2 Mainstream Centre  
**HOUT BAY**  
7806

Telephone Number: (021) 790 1392  
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### PER EMAIL

Dear Mr Schmidt

**APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT NO. 107 OF 1998, AS AMENDED: FOR THE PROPOSED 24KM 132kV EXTENSION OF THE ELECTRICAL GRID CORRIDOR FOR THE IMPOFU WIND FARMS (EAST, WEST AND NORTH) BETWEEN THE CHATTY AND DEDISA SUBSTATIONS, QGEBERHA (PORT ELIZABETH), EASTERN CAPE PROVINCE**

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 fourteen (14) days of the date of the decision, of the Department's 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 the 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.

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 Forestry, Fisheries and the Environment**  
Date: 18/11/2021

cc:	Ms B Clark	CEN Integrated Environmental Management Unit	Email: <a href="mailto:bclark@telkomsa.net">bclark@telkomsa.net</a>
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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

The construction of the 24km 132kV extension of the electrical grid corridor for the Impofu Wind Farms  
(East, West and North) between the Chatty and Dedisa Substations, Qqeberha (Port Elizabeth),  
Eastern Cape Province

Sarah Baartman District Municipality

<b>Authorisation register number:</b>	14/12/16/3/3/1/2363
<b>Holder of authorisation:</b>	Red Cap Impofu (Pty) Ltd
<b>Location of activity:</b>	RE590; Erf 318; RE313; RE4/300; 22/300; 23/300; 21/300; 5/300; 4/316; 7/300; RE2/300; RE3/316; 434; 1/318; Erf 154 (Redhouse); Erf RE 34391; Erf 34765; Erf 34393; RE2/316; RE Erf 2351 Motherwell; RE565; RE33; Erf 329; Erf 249 Coega; Erf 248; Erf 246; Erf 225; Erf 612; Erf 23616; Erf 23614; Erf 40974; Erf 34391; Erf 34597; Erf 34765; Erf 40590; Erf 34765; Erf 40403; Farm 586; Farm 566; Farm 569; and 1/561.  Nelson Mandela Bay Municipality; Sarah Baartman District Municipality; Eastern Cape Province

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 CAP IMPOFU (PTY) LTD**

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

with the following contact details –

Mr Jadon Schmidt  
Red Cap Impofu (Pty) Ltd  
Unit B2 Mainstream Centre  
**HOUT BAY**  
7806

Telephone Number: (021) 790 1392  
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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:</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 kV."</i></p>	<p>The planned power line has a capacity of greater than 33 but less than 275kV and part of it transverses non-urban areas.</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;</i>  <i>(c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse."</i></p>	<p>There are numerous watercourses and wetlands associated with the Swartkops and Coega catchments in the power line corridor. In the assessment phase, aquatic environments have been demarcated and buffer areas recommended. These are identified as 'high sensitivity areas' in the environmental sensitivity map, for avoidance in placing structures and infrastructure. During micro-siting (post-decision making stage), the aquatic specialist will do another walk-through of the area and inspect the designated footprints. Attempts will be made as far as possible to place pylons outside aquatic areas and their buffers, and to use existing disturbed areas and roads/tracks; however it is likely that some infrastructure will be within these areas (e.g. at the Swartkops Estuary Crossing)</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</i>  <i>(i) a watercourse."</i></p>	<p>There are numerous watercourses and wetlands associated with the Swartkops and Coega catchments in the power line corridor. In the assessment phase, aquatic environments have been demarcated and buffer areas recommended. These are identified as 'high sensitivity areas' in the</p>

	<p>environmental sensitivity map, for avoidance in placing structures and infrastructure. During micro-siting (post-decision making stage), the aquatic specialist will do another walk-through of the area and inspect the designated footprints. Attempts will be made as far as possible to place pylons outside aquatic areas and their buffers, and to use existing disturbed areas and roads/tracks; however it is likely that some infrastructure will be within these areas (e.g. at the Swartkops Estuary crossing).</p>
<p><u>Listing Notice 1 Item 27:</u>  <i>"The clearance of an area of 1 hectares or more, but less than 20 hectares of indigenous vegetation, except where such clearance of indigenous vegetation is required for-</i>  <i>(i) the undertaking of a linear activity."</i></p>	<p>While vegetation clearing will be avoided as far as possible and trimming used instead; it is assumed that more than 1ha of vegetation will be cleared over the length of the corridor area to accommodate pylons, access areas, site camps and laydown areas etc.</p>
<p><u>Listing Notice 1 Item 28:</u>  <i>"Residential, mixed, retail, commercial, industrial or institutional developments where such land was used for agriculture, game farming, equestrian purposes or afforestation on or after 01 April 1998 and where such development:</i>  <i>(ii) will occur outside an urban area, where the total land to be developed is bigger than 1 hectare."</i></p>	<p>Electrical infrastructure and associated structures and roads will take place on agricultural land (in part), outside urban areas and will exceed 1ha in extent. The development category is broadly defined as industrial.</p>
<p><u>Listing Notice 3 Item 4:</u>  <i>"The development of a road wider than 4 metres with a reserve less than 13,5 metres</i>  <i>a. in the Eastern Cape:</i>  <i>i. outside urban areas:</i>  <i>(aa) A protected area identified in terms of NEMPAA, excluding disturbed areas;</i></p>	<p>While effort will be made to use existing tracks; 4m wide roads may need to be created as part of the project. Parts of the power line corridor traverses a protected area (i.e. the Swartkops Nature Reserve, but within an existing Eskom registered servitude), aquatic CBAs in the ECBCP and CBAs in the</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><i>(gg) Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core areas of a biosphere reserve, excluding disturbed areas;</i></p> <p><i>ii. Inside urban areas:</i></p> <p><i>Areas designated for conservation use in Spatial Development</i></p> <p><i>(bb) Frameworks adopted by the competent authority or zoned for a conservation purpose"</i></p>	<p>NMBM Bioregional Plan (part of which occurs in urban areas).</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><i>a. in the Eastern Cape:</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;</i></p> <p><i>ii. Within critical biodiversity areas identified in bioregional plans"</i></p>	<p>Vegetation exceeding 300m<sup>2</sup> in extent will need to be cleared to establish pylons, access tracks, switching station etc. Sections of the corridor cross an endangered ecosystem under the Biodiversity Act List of Threatened Ecosystems, and parts are within CBAs in the NMBM Bioregional Plan.</p>
<p><u>Listing Notice 3 Item 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;</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>There are numerous watercourses and wetlands associated with the Swartkops and Coega catchments in the power line corridor. In the assessment phase, aquatic environments have been demarcated and buffer areas recommended. These are identified as 'high sensitivity areas' in the environmental sensitivity map, for avoidance in placing structures and infrastructure. During micro-</p>

<p><i>a. in the Eastern Cape</i></p> <p><i>i. outside urban areas in:</i></p> <p><i>(aa) A protected area identified in terms of NEMPAA, excluding conservancies</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>siting (post-decision making stage), the aquatic specialist will do another walk-through of the area and inspect the designated footprints. Attempts will be made as far as possible to place pylons outside aquatic areas and their buffers, and to use existing disturbed areas and roads/tracks; however it is likely that some infrastructure will be within these areas (e.g. at the Swartkops Estuary crossing). A portion of the corridor traverses a Protected Area (i.e. the Swartkops Nature Reserve, but within an existing registered Eskom servitude), and sections are within CBAs in the NMBM Bioregional Plan and aquatic CBAs in the ECBCP.</p>
<p><u>Listing Notice 3 Item 15:</u></p> <p><i>"The transformation of land bigger than 1000 square metres in size, to residential, retail, commercial, industrial or institutional use, where, such land was zoned open space, conservation or had an equivalent zoning, on or after 02 August 2010</i></p> <p><i>a. in the Eastern Cape:</i></p> <p><i>i. Outside urban areas, or</i></p> <p><i>ii. Inside urban areas:</i></p> <p><i>(aa) Areas zoned for conservation use or equivalent zoning, on or after 02 August 2010;</i></p> <p><i>(bb) A protected area identified in terms of NEMPAA, excluding conservancies"</i></p>	<p>Greater than 1000m<sup>2</sup> of land that is designated for open space and/or conservation use (e.g. CBAs in the NMBM Bioregional Plan) and a portion of protected areas, will be transformed to industrial use as part of the development.</p>

as described in the Basic Assessment Report (BAR) dated September 2021 at:

**Co-ordinates of the boundary of the property at 500m intervals**

Impofu WEFs Gridline Extension Corridor Centre Coordinates	Latitude	Longitude
Switching Station Position	33° 50' 02.30" S	25° 31' 23.39" E



Department of Forestry, Fisheries and the Environment  
 Application Register Number: 14/12/16/3/3/1/2363

0m (R75)	33° 50' 10.52" S	25° 31' 11.08" E
500m	33° 49' 48.15" S	25° 31' 39.81" E
1500m (Near the R367)	33° 49' 35.44" S	25° 31' 52.08" E
2000m	33° 49' 22.71"S	25° 32' 4.18"E
2500m	33° 49' 09.67"S	25° 32' 16.20"E
3000m	33° 48' 56.37"S	25° 32' 28.56"E
3500m	33° 48' 43.48"S	25° 32' 40.58"E
4000m	33° 48' 30.56"S	25° 32' 04.72"E
5000m	33° 48' 17.54"S	25° 32' 04.18"E
5500m	33° 48' 04.55"S	25° 33' 16.82"E
6000m	33° 47' 51.14"S	25°33' 28.07"E
6500m	33°47' 37.83"S	25°33' 39.25"E
7000m (Mokaba Street, southern edge of Motherwell settlement)	33°47' 24.72"S	25°33' 50.66"E
7500m	33°47' 11.29"S	25°34' 01.78"E
8000m	33°46' 58.14"S	25°34' 12.99"E
8500m	33°46' 44.77"S	25°34' 24.17"E
9000m	33°46' 31.47"S	25°34' 35.54"E
9500m (just SW of Daniel Pienaar Road, on northern edge of Motherwell settlement)	33°46' 18.19"S	25°34' 46.88"E
10 000m	33°46' 05.49"S	25°34' 59.13"E
10 500m	33°45' 52.69"S	25°35' 11.22"E
11 000m	33°45' 39.85"S	25°35' 23.07"E
11 500m (near the R335 crossing)	33°45' 27.12"S	25°35' 35.31"E
12 000m	33°45' 16.91"S	25°35' 49.55"E
12 500m	33°45' 04.11"S	25°36' 01.60"E
13 000m (Coega River)	33°44' 51.13"S	25°36' 13.47"E
13 500m	33°44' 38.11"S	25°36' 25.19"E
14 000m	33°44' 25.17"S	25°36' 37.37"E
14 500m	33°44' 12.17"S	25°36' 49.23"E
15 140m (becomes broader Corridor area)	33°43' 55.72"S	25°37' 04.44"E
15 640m	33°43' 45.74"S	25°37' 20.56"E

16 140m	33°43' 36.80"S	25°37' 35.85"E
16 640m	33°43' 28.01"S	25°37' 52.23"E
17 140m (at Grassridge Substation)	33°43' 17.73"S	25°38' 07.23"E
17 640m	33°43' 09.70"S	25°38' 22.23"E
18 140m	33°43' 11.12"S	25°38' 41.70"E
18 640m	33°43' 12.50"S	25°39' 01.41"E
19 140m	33°43' 13.97"S	25°39' 20.89"E
19 640m	33°43' 15.63"S	25°39' 40.42"E
20 140m	33°43' 20.06"S	25°39' 59.04"E
20 640m	33°43' 29.01"S	25°40' 13.58"E
21 140m	33°43' 43.31"S	25°40' 22.86"E
21 640m	33°43' 57.94"S	25°40' 30.84"E
22 140m	33°44' 13.88"S	25°40' 26.17"E
22 640m	33°44' 28.76"S	25°40' 19.34"E
23 140m	33°44' 40.23"S	25°40' 10.94"E
23 940m (at Dedisa Substation southern entrance)	33°43' 29.01"S	25°40' 13.58"E

- for the construction of the 24km 132kV extension of the electrical grid corridor for the Impofu Wind Farms (East, West and North) between the Chatty and Dedisa Substations, Qceberha (Port Elizabeth), Eastern Cape Province, hereafter referred to as "the property".

The facility will comprise of the following:

- 24km and up to 32m in height 132kV single monopole/lattice towers and/or multiple monopole power line with up to 2km wide corridor;
- A linear servitude will be required for the overhead power line between the pylons. 31m, 15.5m either side of the centre line of the power line;
- Switching station with a footprint of ~6000m<sup>2</sup> surrounded by fencing of 2.4m in height;
- Access roads or tracks needed for the construction phase and maintenance of the lines in the operational phase with a width of 4m; and
- Temporary site camps and laydown areas required for the construction phase.

Technical details of the Gridline:

Component	Description/ Dimensions
Location of the site	Motherwell Township, Gqeberha, Nelson Mandela Bay Municipality in the Eastern Cape Province.
Site access	Since the grid corridor is planned in proximity to an existing servitude and/or existing power lines for most of the route; there are several existing tracks or roads that can be used. If new access roads are required, they will be less than 4m in width, and will be a two-spoor track.
Proposed technology	24km 132kV high voltage monopole pylon power line and switching station linking the three wind farms to the national grid.
Servitude width for power line	A linear servitude will be required for the overhead power line between the pylons. 31m, 15.5m either side of the centre line of the power line.
Switching station	Footprint: ~6000m <sup>2</sup> . Fence height around switching station of ~2.4m.
Temporary laydown areas/width and length of internal roads	Areas will be required for a site camp and laydown areas in the construction phase. The site camp position will likely shift as construction progresses along the corridor. The position of site camps will be selected in consultation with the Resident Engineer, contractor and Environmental Control Officer during pre-construction planning, and in line with specifications of the Construction Environmental Management Programme (CEMP <sub>r</sub> ).

## Conditions of this Environmental Authorisation

### Scope of authorisation

1. The construction of the 24km 132kV extension of the electrical grid corridor for the Impofu Wind Farms (East, West and North) between the Chatty and Dedisa Substations, Qqeberha (Port Elizabeth), Eastern Cape Province is approved as per the geographic coordinates cited in the table above.

2. Construction of the grid connection may only commence once either one of the Impofu Wind Energy Facilities (East, West and North) has commenced with the construction phase.
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. A final site layout plan for the 24km 132kV Impofu WEFs Gridline, substation and all associated infrastructure, as determined by the detailed engineering phase and micro-siting of the power line route and pylon structures, and all mitigation measures as dictated by the final site layout plan, must be submitted to the Department for approval prior to construction. A copy of the final site layout map must be made available for comments to registered Interested and Affected Parties and the holder of this environmental authorisation must consider such comments. Once amended, the final development layout map must be submitted to the Department for written approval prior to commencement of the activity. All available biodiversity information must be used in the finalisation of the layout map. Existing infrastructure must be used as far as possible e.g., roads. The layout map must indicate the following:
  - 14.1. The position of the substation (indicating the Independent Power Producer's Section and Eskom's section, if applicable);
  - 14.2. The final delineation of the centreline of the power line within the approved corridor;
  - 14.3. The specific position of the pylon structures and foundation footprints;
  - 14.4. All existing infrastructure on the site, especially roads;
  - 14.5. All heritage/palaeontology sites identified as significant;

- 14.6. All associated infrastructure within the assessed study area, including the service road, the expanded sections of the existing roads and bridges, O&M buildings, including the dangerous goods facility, and temporary laydown areas. The dimensions of the structures must be indicated;
  - 14.7. All sensitive environmental features that will be affected by the power line;
  - 14.8. All watercourse areas (inclusive of buffers); and
  - 14.9. All "no-go" and buffer areas.
15. Part C (Site Specific Environmental Attributes) of the generic Environmental Management Programmes (EMPRs) for the 15km 132kV Impofu WEFs Gridline, substations and all associated infrastructure, submitted as part of the final BAR dated September 2021, is not approved. Part C must be amended to include measures as dictated by the final site lay-out map and micro-siting, and the provisions of this environmental authorisation. Part C of the generic EMPRs must be made available for comments to registered Interested and Affected Parties and the holder of this environmental authorisation must consider such comments. Once amended, the generic EMPRs must be submitted to the Department for written approval of Part C prior to commencement of the activity. Part C of the generic EMPRs must be amended to include the following:
- 15.1. The requirements and conditions of this environmental authorisation;
  - 15.2. Measures as dictated by the final site lay-out map and micro-siting;
  - 15.3. All recommendations and mitigation measures recorded in the BAR and the specialist reports as included in the final BAR dated September 2021;
  - 15.4. Recommendations of the site survey for *Aneuryphymus mintanus* and butterfly surveys to be conducted mid-November and mid-December to check if the corridor provides habitat for the species.
  - 15.5. All recommendations and mitigation measures to be implemented for the operational phase of the dangerous goods facility;
  - 15.6. An effective monitoring system to detect any leakage or spillage of any hazardous substances during their transportation, handling, use or storage. This must include precautionary measures to limit the possibility of oil and other toxic liquids from entering the soil or storm water systems;
  - 15.7. A fire management plan to be implemented during the construction and operation of the facility;
  - 15.8. A re-vegetation and habitat rehabilitation plan. The plan must provide for restoration to be undertaken as soon as possible after completion of construction activities, to reduce the amount of habitat converted at any one time and to speed up the recovery to natural habitats.
  - 15.9. An aquatic rehabilitation and monitoring plan, particularly for watercourse features that will be infilled and / or excavated;
  - 15.10. A stormwater management plan; and
-

- 15.11. The final site layout map.
16. Once approved the generic EMPs must be implemented and adhered to. They shall be seen as dynamic documents and shall be included in all contract documentation for the development.
  17. Changes to the approved EMPs must be submitted in accordance with the EIA Regulations applicable at the time.
  18. The Department reserves the right to amend the approved EMPs, should any impacts that were not anticipated or covered in the BAR be discovered.

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

19. The EMP must be updated where the findings of the environmental audit reports, contemplated in Condition 26 below, indicate insufficient mitigation of environmental impacts associated with the undertaking of the activity, or insufficient levels of compliance with the environmental authorisation or EMP.
20. The updated EMP must contain recommendations to rectify the shortcomings identified in the environmental audit report.
21. The updated EMP 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 EMP must have been subjected to a public participation process, which process has been agreed to by the Department, prior to submission of the updated EMP to the Department for approval.
22. In assessing whether to grant approval of an EMP 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 EMP, the Department may request such amendments to the EMP as it deems appropriate to ensure that the EMP sufficiently provides for avoidance, management and mitigation of environmental impacts associated with the undertaking of the activity.
23. The holder of the authorisation must apply for an amendment of an EMP, 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 EMP 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

24. 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.
- 24.1. The ECO must be appointed before commencement of any authorised activities.
- 24.2. Once appointed, the name and contact details of the ECO must be submitted to the *Director: Compliance Monitoring* of the Department.
- 24.3. The ECO must keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.
- 24.4. 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

25. 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.
26. 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.
27. 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.
28. 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.
29. 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.



30. 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**

31. 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**

32. 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**

33. 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**

34. An appropriately suitably qualified Terrestrial Ecologist, an Aquatic Ecologist, an Archaeologist, a Palaeontologist and an Avifaunal Specialist must be present for the 'walk-through' of the approved corridor, to identify spans that mitigate the impact of collisions and tower/pylon placements that avoid sensitive vegetation and watercourses.
35. The final route alignment must be submitted to this Department prior to construction commencing.
36. All construction camps, lay down areas, batching plants or areas and any stores must be more than 32m from any demarcated water courses and 50m from a wetland.
37. Anti-collision devices such as bird flappers must be installed where the power line crosses avifaunal corridors. 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.

38. Liaison with land owners/farm managers must be done prior to construction in order to provide sufficient time for them to plan agricultural activities.
39. A permit must be obtained from the relevant nature conservation agency for the removal or destruction of any indigenous protected and endangered plant and animal species if required.
40. Ablution facilities must be placed outside of the 1:100 year floodline of a watercourse.
41. No exotic plants may be used for rehabilitation purposes. Only indigenous plants occurring within a ten (10) kilometre radius of the development site must be utilised.
42. Vegetation clearing must be kept to an absolute minimum. Mitigation measures must be implemented to reduce the risk of erosion and the invasion of alien species.
43. 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.
44. 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.
45. Any solid waste, which will not be recycled, 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). No waste material may be left on site after construction.
46. If any evidence of archaeological sites or remains (e.g., remnants of stone-made structures, indigenous ceramics, bones, stone artefacts, ostrich eggshell fragments, marine shell and charcoal/ash concentrations), unmarked human burials, fossils or other categories of heritage resources are found during construction, the South African Heritage Resources Agency (SAHRA) must be alerted immediately, and a professional archaeologist or palaeontologist, must be contacted to inspect the findings.
47. The recommendations of the EAP in the BAR dated September 2021 and the specialist studies attached must be adhered to. In the event of any conflicting mitigation measures and conditions of the Environmental Authorisation, the specific condition of this Environmental Authorisation will take preference.

### **General**

48. A copy of this Environmental Authorisation, the audit and compliance monitoring reports, and the approved EMP, must be made available for inspection and copying-
  - 48.1. at the site of the authorised activity;
  - 48.2. to anyone on request; and

- 48.3. where the holder of the Environmental Authorisation has a website, on such publicly accessible website.
49. 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: 18/11/2021



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 application form received on 02 July 2021.
- b) The information contained in the BAR dated September 2021.
- c) The comments received from the Eastern Cape Department of Economic Development, Environmental Affairs and Tourism, Eskom: Transmission Division, DFFE's Directorates: Forestry, Biodiversity and Conservation, the Zwartkops Conservancy, the Coega Development Corporation, the Department of Water and Sanitation, the NMBM Land Invasion and Social Development Education and Administration (Human Settlements Division), the South African Civil Aviation Authority, and interested and affected parties as included in the BAR dated September 2021.
- 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 September 2021 and as appears below:

Title	Prepared by	Date
The terrestrial biodiversity and plant species assessments	Dr Brian Colloty and Clayton Weatherall Thomas	June 2021
Terrestrial Faunal Species Assessment	Dr Marietjie Landman EnviroSci	June 2021
Avifaunal Impact Assessment	Jon Smallie of Wildskies Ecological Services	June 2021
Butterfly Sensitivity Study Impofu Grid Extension Project Coega, Eastern Cape Province	Dr David Alan Edge of Dave Edge & Associates	June 2021
Aquatic Study: Aquatic Assessment Report: Impofu Grid Connection Extension Eastern Cape Province	EnviroSci (Pty) Ltd Dr Brian Colloty	June 2021
Archaeological Assessment for the proposed extension of the electrical grid corridor for the	Dr. Peter Nilssen	June 2021

Impofu Wind Farms (East, West and North), between the Chatty and Dedisa Substations, Gqeberha (Port Elizabeth), Eastern Cape		
Palaeontological Heritage Assessment: Combined desktop & field-based study for the extension of the electrical grid corridor for the authorised Impofu Wind Farms (East, West And North) between the Chatty and Dedisa Substations, Gqeberha (Port Elizabeth), Nelson Mandela Bay Municipality, Eastern Cape Dated	Dr. E Almond of Natura Viva Cc	June 2021
Site Sensitivity Verification And Agricultural Compliance Statement For The Proposed Extension Of The Electrical Grid Corridor For The Impofu Wind Farms (East, West And North) Between The Chatty And Dedisa Substations Gqeberha (Port Elizabeth), Eastern Cape	Johann Lanz	June 2021
Socio-economic Impact Assessment: Proposed extension of the electrical grid corridor for the Impofu Wind Farms between the Chatty and Dedisa Substations	Marchelle Terblanche of INDEX Social Services	June 2021

## 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 evacuation of electricity from the Impofu Wind Farms to the national grid.
- c) The BAR dated September 2021 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 September 2021 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 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 BAR dated September 2021 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 September 2021 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.