

Green Cape Presentation

23 July 2014

Justine Wyngaardt

Land Development
Environmental Management

Eskom Distribution



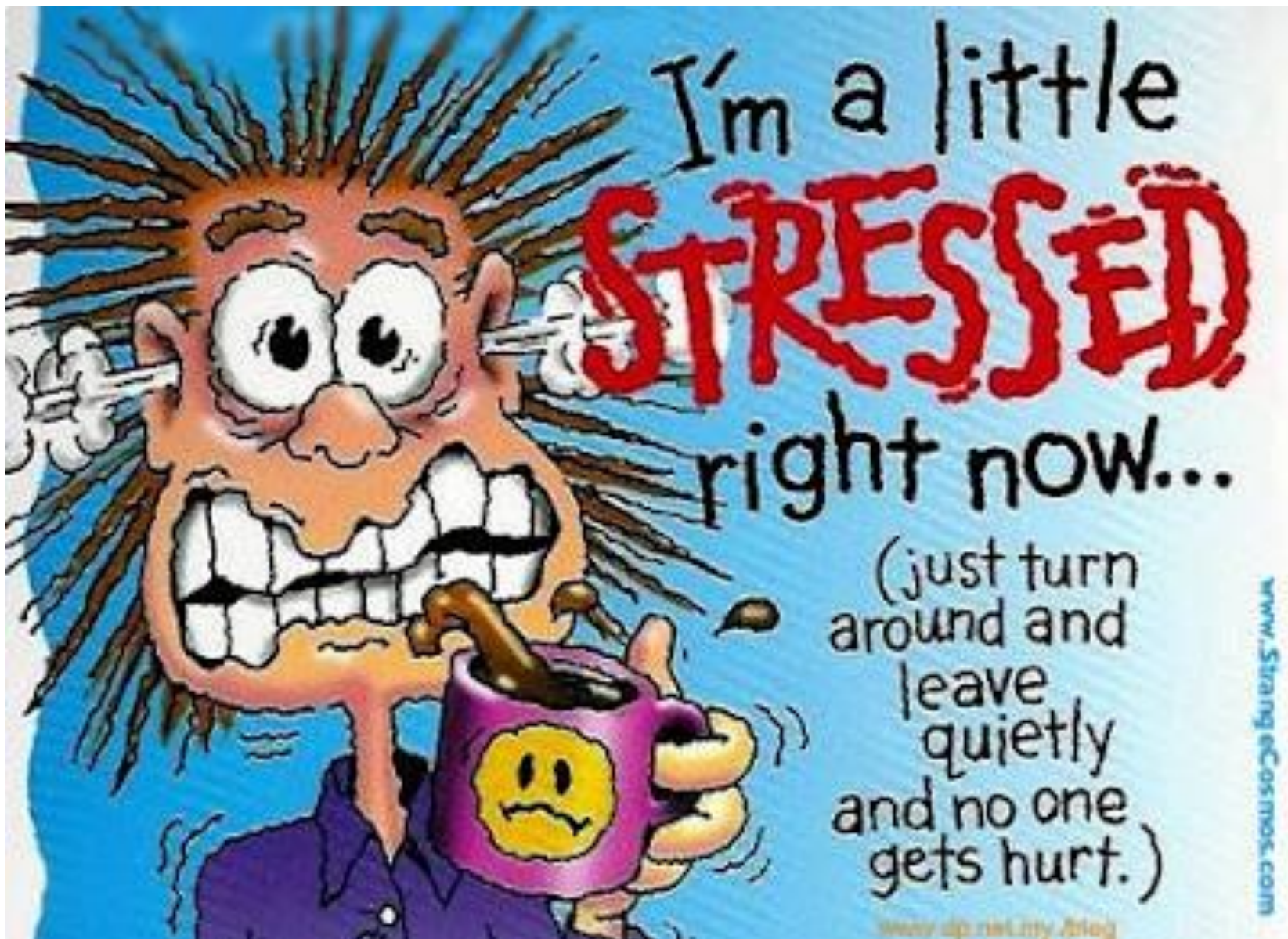
- **Engagement with Eskom**
- **EIA Requirements**
- **Other Permit requirements**
- **EMPr for Operation & Maintenance and Specialist Recommendations**
- **Handover Requirements**

62 IPP EIA's for Northern and Western Cape Provinces reviewed over 3 year period to date (only by WCOU office):

- Wind Applications – 37 EIAs
- Solar Applications – 21 EIAs
- Hydro/ Hybrid – 2 EIA's
- Biomass (Waste to Energy) Applications – 2 EIAs

.....Combined with 174 other major projects

AT BIDDING TIME.....SITUATION IN MY OFFICE....



Pre-application Engagement with Eskom

We want to assist IPP to enable project to go through smoothly and avoid delays!

- Ideal to have engagement session between IPP appointed EIA Consultant and relevant Eskom stakeholders (within Land Development) prior to the EA Application.
- Scope Clarification upfront - wrt infrastructure that will be transferred to Eskom
- Establish permit/ license requirements (HWC/ SAHRA, WULA, Cape Nature, DAFF, etc.)
- Environmental Management to be consulted regarding route and substation sites, comment on BAR/EIA and EMP – recommended that this is done prior to documents going out into public domain

- For HV Self-build option, **IPP must be the Applicant for construction phase.** EA can be transferred to Eskom if it takes over the asset for **Operation and Maintenance phase.**
- Eskom will not be responsible for any Legal Contravention/ Risk during construction under HV self-build and vice versa for IPP
- Separate EA Applications for one development can be done as per EIA Regs
- Consultation with DEA is essential!! From experience - they do not apply same approach to all.

- If HV Self-build by IPP but only infrastructure (powerline and s/s) handed over to Eskom on commissioning, then EA must be transferred into Eskom's name.
 - It is recommended that **two separate EA applications are done**, (i) IPP Applicant for development and (ii) IPP Applicant for construction phase of powerline and/or substation, which will be transferred to Eskom upon commissioning.
 - If one EA Application resulting in one EA, then DEA will request an amendment to split the EA provided that all relevant activities have been applied for.

- EIA Consultants must automatically Eskom as key a commenting authority (addressed to specific departments within Eskom)
- Applications do end up in **BLACK HOLES** if not addressed to specific persons – leads to commenting outside of EIA public participation timeframes.
- Received many EA Notifications, but was never consulted before or during EIA – **leading to amendment applications**

- Proposed new powerline route and/or substation site
- Feeding into an existing powerline or substation with no additional infrastructure - **only if capacity of s/s is increased**
- Expansion of footprint of substations
- Minor deviations or tie-in within the existing servitude – **only if other triggers**
- Re-build in vacant servitude (**depends on whether servitude has EA or not**)
- New powerline to be built next to an existing powerline
- Deviation to existing powerline or Tee-off from existing powerline
- MV lines that have to be relocated or even HV lines – again an EIA issue?
 - **Separate Eskom application for missed activities**

- If any water use activities National Water Act, Section 21(c) and (i) (river crossings, within 500meters of a wetland, within 100meters of a riverbed) – **WULA also listed activity**
- Removal of natural vegetation (often omitted)
- Extension to or creation of new access roads to substation / lines – **include in EIA**
- **An existing servitude does not imply an existing EA Power lines and substations older than 2006 (prior to EIA Regulations) will in all likelihood not have an EA in place, therefore any deviation/ refurbishment may be listed.**
- Land Use and Zoning considerations into EIA Regulation listings – need municipal confirmation
- Any infrastructure in nature reserves, protected areas, conservancies, etc.

- IPP must apply for all relevant permits and comply with all relevant environmental legislation (HRA, NWA, DAFF, Cape Nature, SanParks etc.)
- Eskom shall not take over the asset if all legal authorisations are not in place. The IPP must provide evidence of all authorisations and permits with EA.
- Review by Eskom of the approval / permit conditions prior/during construction phase – checking all legal requirements to commence construction have been adhered to, which may include all or some of the following but are not limited to:
 - Environmental Authorisations – DEA, Local and Provincial Authorities, SAHRA, HWC, DWA
 - Other approvals / permits as may be required by legislation such as water use licences, tree-cutting permits, borrow pits, etc.

- A separate EMP is required for Eskom infrastructure for operation, maintenance and decommissioning.
- Eskom has to comment on conditions set within the EIA/BAR and EMP,
 - the conditions will be imposed upon Eskom if it takes ownership of the asset for maintenance or operational phase.
- Eskom need to review the EMP as well as specialist recommendations— conditions are binding on Eskom
- **Eskom needs to ensure taking over a compliant project!!**

- Specialists recommendations focus only on IPP side of project and not specifically for Eskom infrastructure
- Acceptance by Eskom of the mitigation measures – that is feasible.
- Recommendations are not practical and hence Eskom cannot meet the requirements.

- EA Transferred into Eskom's name
- Separate EMP for Eskom infrastructure for operation, maintenance and decommissioning Phase
- All other environmental permits
- CD with all EIA documentation and 2 Hardcopies
- Final Close-out audit Report from ECO
- Proof that all I&APs were notified of the EA
- Due Diligence Audit (only if requested)

- Dr Barbara van Geems
 - Land Development Manager - 021 980 3242
 - vgeemsb@eskom.co.za
- Justine Wyngaardt
 - Environmental Advisor – 021 980 3112
 - WyngaaJO@eskom.co.za
- Sibulele Mdingi
 - Environmental Practitioner – 021 980 3186
 - MdingiS@eskom.co.za