



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

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Mr Giles Churchill
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PER MAIL / E-MAIL

Dear Mr Churchill

COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT ASSESSMENT REPORT FOR THE PROPOSED MARINE TELECOMMUNICATIONS SYSTEM (ACE CABLE SYSTEM) TO BE LANDED AT VAN RIEBEEKSTRAND ON THE WEST COAST, WESTERN CAPE PROVINCE

The application form and draft Environmental Impact Assessment Report (EIAR) dated April 2017 and received by the Department on 3 April 2017 refer.

This letter serves to inform you that the following information must be included to the final EIAR:

(a) Public Participation Process

The following information must be submitted with the final EIAR:

- Proof of submission of draft EIAR to Interested and Affected parties (I&APs) and organ of state which have jurisdiction in respect of the proposed activity;
- Copies of comments received during the draft EIAR comment period from I&APs and organ of state which have jurisdiction in respect of the proposed activity; and
- A comment and response report, which must include all comments received and responses provided to all comments received during the public participation process for the draft EIAR, including all official comments received from this Department.

(b) Specialist Declaration of Interest

An original signed specialist declaration of interest form must be submitted for all specialist studies conducted.

(c) EMPr

The Department has noted that the EMPr had been submitted as part of the content of the EIAR under Chapter 10. However the draft EMPr does not comply with Appendix 4 of the EIA Regulation 2014. The submitted EMPr must be amended to include the following:

- Details of the EAP who prepared the report
- The expertise of that EAP to prepare an EMPr, including a curriculum vitae;
- A detailed description of the aspects of the activity that are covered by the EMPr as identified by the project description; and
- An environmental awareness plan describing the manner in which (i) the applicant intends to inform his or her employees of any environmental risk which may result from their work; and (ii) risks must be dealt with in order to avoid pollution or the degradation of the environment.

Further to above, the EMPr, which complies with the requirement of Appendix 4 of the EIA Regulations, 2014, must be submitted as an appendix to the EIAR.

General

Note that, on 7 April 2017, the Minister of Environmental Affairs made amendments to the EIA Regulations, 2014, published under Government Notice ("GN") No. R. 982 of 4 December 2014, in terms of sections 24(5) and 44 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA"). The amendments to EIA Regulations of 2014 and its listing notices came into effect on 7 April 2017. Please be advised that the applicable similarly listed activities in terms of the EIA Regulations, 2014 (as amended) must be included in the Revised EIA Report.

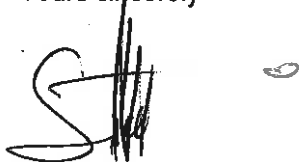
You are further reminded that the final Environmental Impact Assessment Report to be submitted to this Department must comply with all the requirements in terms of the content of EIR in accordance with Appendix 3 (3) and Regulation 23 (1) of the Environmental Impact Assessment Regulations (2014).

Further note that in terms of Regulation 45 of the EIA Regulations 2014, this application will lapse if the applicant fails to meet any of the timeframes prescribed in terms of the these Regulations, unless an extension has been granted in terms of Regulation 3 (7).

You are requested to submit two (2) copies of the final EIAR to the Department and at least two (2) unprotected electronic copies (CD/DVD) of the complete final report with the hard copy documents.

You are hereby reminded of Section 24F of the National Environmental Management Act, Act No 107 of 1998, as amended, that no activity may commence prior to an environmental authorisation being granted by the Department.

Yours sincerely



Mr Sabelo Malaza

Chief Director: Integrated Environmental Authorisations

Department of Environmental Affairs

Letter signed by: Ms Sindiswa Dlomo

Designation: Deputy Director: Integrated Environmental Authorisations

Date: 02/05/2017

CC: Mr W Weber	MTN (Pty) Ltd	Email: willem.weber@mtn.com
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