



**MINISTER
ENVIRONMENT, FORESTRY AND FISHERIES
REPUBLIC OF SOUTH AFRICA**

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Ref: EDMS 189311

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Dear Mr Naidoo

**THE PROPOSED MUSINA-MAKHADO SPECIAL ECONOMIC ZONE INFRASTRUCTURE, LOCATED
WITHIN THE VHEMBE DISTRICT MUNICIPALITY OF THE LIMPOPO PROVINCE**

I refer to your letter of 21 October 2019, with reference CER 57.1, regarding the abovementioned application for environmental authorisation.

It is understood that an application for environmental authorisation in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998), as amended, has been lodged by Mr Ronaldo Retief from Delta Built Environmental Consultants (Pty) Ltd, on behalf of the Limpopo Economic Development Agency (LEDA), with the Limpopo Department of Economic Development, Environment and Tourism (LEDET) for the proposed Musina-Makhado Special Economic Zone infrastructure located within the Vhembe District Municipality of the Limpopo Province.

I would like to respond to the issues raised and the requests in your letter

Competent Authority

Prior to the submission of the application for environmental authorisation, the Department of Environmental Affairs (DEA) confirmed in writing that the LEDET will be the competent authority for this application. As such, the DEA is aware of this application, but due to the LEDET being the competent authority, it cannot get involved or intervene in this application and decision making process.



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Water availability, air pollution and climate change impacts

The DEA met with the LEDET on 01 November 2019 to discuss the status of the EIA process and your concerns. The LEDET stated that they take cognisance of the issues raised in your letter, specifically points 10.1 to 10.3 dealing with water availability, air pollution and climate change impacts. The LEDET indicated that your concerns were included in the Plan of Study for Environmental Impact Assessment that was accepted as part of the scoping report on 31 March 2019, and must be addressed in the environmental impact assessment report. The LEDET confirmed that they will also pay special attention to your concerns in their decision-making process.

Public Participation

Regarding your opinion that the public participation process was woefully inadequate to date, and that the scoping process must begin afresh, with the DEA as the competent-decision making authority, the LEDET indicated that the scoping report met the legal and public participation requirements in terms of the EIA Regulations, 2014, as amended, and was therefore accepted on 31 March 2019. As LEDET is the competent authority, any concerns regarding the process should be brought to their attention.

Strategic Environmental Assessment (SEA)

Regarding your request that a SEA be conducted in order to accurately ascertain the EMSEZ's national impacts, strategic outcomes and benefits (if any), the applicant decided to follow the regulated EIA process to assess the project specific impacts. There is no legal requirement for a SEA to be conducted at this point in time.

I would like to conclude by stating that the DEA is aware of the EIA application and confirms that the LEDET is in fact the competent authority to process the application. The DEA cannot therefore be designated as the competent decision-making authority for any EMSEZ EIA processes or intervene in the existing EIA process. The LEDET confirmed that they will pay special attention to your concerns and issues in their decision-making process.

Yours sincerely



**MS B D CREECY, MP
MINISTER OF ENVIRONMENT, FORESTRY AND FISHERIES**

DATE: 5/12/2019 .