

Lehlogonolo Mashego

From: Mahlatse Shubane <MSHUBANE@dffe.gov.za>
Sent: Friday, 04 March 2022 08:31
To: Rendani Rasivhetshele
Cc: Lehlogonolo Mashego; Nondumiso Bulunga; Olivia Letlalo; Thando Booii; Makhosi Yeni; Thembisile Hlatshwayo
Subject: PP plan approval for 2022-03-0001
Attachments: SE3203 - San Solar PP Plan Updated 03032022 Final.pdf; SE3203 - San Solar PP Plan Updated 03032022 with amendment ref.pdf

Dear Rendani,

The amended Public Participation (PP) Plan received by this Department on 03 March 2022, refers.

Based on the information provided this Department decided to approve the PP Plan for the proposed project. You may proceed with the PP process in accordance with tasks contemplated in the PP plan. Should you wish to deviate from the submitted PP Plan, the amended PP Plan must be submitted to the Department for approval prior commencement.

A copy of the PP Plan and this approval must be submitted as part of the application form when the application is lodged.

Also note that submission of a PP Plan and approval thereof do not negate your responsibility to comply with the requirements for public participation in terms of Regulations 39, 40, 41, 42, 43 & 44 of the EIA Regulations 2014, as amended.

Best regards,



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: 14/12/16/3/3/2/2144

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Ms Rendani Rasivhetshela
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PER E-MAIL / MAIL

Dear Ms Rendani Rasivhetshela

ACCEPTANCE OF THE SCOPING REPORT FOR THE PROPOSED SAN SOLAR PV FACILITY AND ASSOCIATED INFRASTRUCTURE, NEAR KATHU, NORTHERN CAPE PROVINCE

The final Scoping Report (SR) and the Plan of Study for Environmental Impact Assessment dated March 2022 and received by the Department on 14 April 2022, refer.

The Department has evaluated the submitted final SR and the Plan of Study for Environmental Impact Assessment dated March 2022 and is satisfied that the documents comply with the minimum requirements of the Environmental Impact Assessment (EIA) Regulations, 2014, as amended. The FSR is hereby accepted by the Department in terms of Regulation 22(1) (a) of the EIA Regulations, 2014, as amended.

You may proceed with the environmental impact assessment process in accordance with the tasks contemplated in the Plan of Study for Environmental Impact Assessment as required in terms of the EIA Regulations, 2014, as amended.

In addition, the following amendments and additional information are required to be considered in the Environmental Impact Assessment Report (EIAR):

Listed Activities

- The Department has noted on page 68 of the draft scoping report that, in the description of the portion of the project that relates to activity 18 of Listing Notice 3 you have used the word “**may**” even though you were requested to refrain from using such a word as reflected in the Departmental comments dated 25 March 2022. Please refrain from using words such as “**may**” in relation to the applicable listed activities.
- Additionally, on the Departmental comments dated 25 March 2022, you were requested to confirm the applicability of activity 10, 14 and 18 of Listing Notice 3 to this development as the sub activity cited in these activities refer to a Critical Biodiversity Area while the description of the portion of the project that relates to the sub activity refers to an Ecological Support Area. You are requested confirm in the EIAR whether the development area is within a Critical Biodiversity Area or Ecological Support Area or both and confirm the

applicability of the above-mentioned activities as the sub activity cited in the application form and scoping report refers to Critical Biodiversity Areas not Ecological Support Areas.

- It has been noted that the activity numbers and sub-activities in column 2 in the scoping report are not the same with what is in the description of the activities. Therefore, you are advised to ensure applicable listed activities and sub-activities are correctly included in the amended application form and EIAr.
- Ensure that only listed activities that are triggered by this development are applied for in the EIAr.
- The EIAr must provide an assessment of the impacts and mitigation measures for each of the listed activities applied for.

Alternatives

- Please provide a description of each of the alternatives and provide detailed motivation for the preferred alternative.
- Ensure that you provide details of the BESS alternatives considered and indicate the preferred alternative if any. If no alternatives have been investigated, provide a motivation for not investigating other alternatives in the EIAr.

Specialist Studies

- In terms of GNR 320, you are required to submit a Civil Aviation Compliance Statement for this application as the development area is rated medium sensitivity for the civil aviation theme.
- A desktop Palaeontological Impact Assessment must be undertaken as requested by SAHRA.

Other information

Ensure that the confirmation of the availability of water for this development from the Gamagara Local Municipality is appended to the final EIAr.

Environmental Management Programme

- Ensure that the generic EMPs are used for the management of impacts of the substation and power line that will be constructed for this development.
- The EMP for the facility must comply with the requirements of Appendix 4 in the EIA Regulation, as amended.

Public Participation

- Please ensure that comments from all relevant stakeholders are submitted to the Department with the EIAr. This includes but not limited to the Department of Forestry, Fisheries and the Environment (DFFE): Biodiversity Planning and Conservation; Department of Water And Sanitation; Department of Mineral Resources & Energy, Northern Cape Department of Agriculture, Environmental Affairs, Rural Development & Land Reform; Ngwao-Boswa Ya Kapa Bokone (NCPHRA); SAHRA; Northern Cape Department of Forestry, Fisheries and the Environment; Air Traffic and Navigation Services (ATNS); SA Civil Aviation Authority (SA CAA); AgriSA; Agri Northern Cape; Eskom Holdings SOC Ltd; John Taolo Gaetsewe District Municipality; Gamagara Local Municipality; Endangered Wildlife Trust; Birdlife South Africa and adjacent landowners.
- Ensure that all issues raised and comments received during the circulation of the draft SR and draft EIAr from registered I&APs and organs of state which have jurisdiction in respect of the proposed activity are adequately addressed in the final EIAr. Proof of correspondence with the various stakeholders must be included in the final EIAr. Should you be unable to obtain comments, proof should be submitted to the Department of the attempts that were made to obtain comments.
- A Comments and Response trail report (C&R) must be submitted with the final EIAr. The C&R report must incorporate all comments for this development. The C&R report must be a separate document from the main report. Please refrain from summarising comments made by I&APs. All comments from I&APs must be copied verbatim and responded to clearly. Please note that a response such as "noted" is not regarded as an adequate response to I&AP's comments.

- The Public Participation Process must be conducted in terms of Regulations 39, 40, 41, 42, 43 & 44 of the EIA Regulations, 2014, as amended.

Layout & Sensitivity Maps

- The EIAR must provide the four corner coordinate points for the proposed development site (note that if the site has numerous bend points, at each bend point coordinates must be provided) as well as the start, middle and end point of all linear activities.
- The EIAR must provide the following:
 - Clear indication of the envisioned area for the proposed solar energy facility i.e. location of solar panels, Battery Energy Storage System (BESS); cabling, site roads, facility substation, switching station, operation and maintenance buildings, grid connection and all associated infrastructure should be mapped at an appropriate scale.
 - Clear description of all infrastructure. This description must include, but is not limited to the following:
 - All infrastructure;
 - All supporting onsite infrastructure.
- A copy of the final preferred layout map. 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:
 - All infrastructure
 - All existing infrastructure on the site;
 - Location of access and internal roads
 - Internal roads indicating width;
 - Wetlands, drainage lines, rivers, stream and water crossing of roads and cables indicating the type of bridging structures that will be used;
 - The location of sensitive environmental features on site e.g. CBAs, heritage sites, wetlands, drainage lines etc. that will be affected by the facility and its associated infrastructure;
 - Buffer areas;
 - Legend that is clear and communicate with the content of the map;
 - All “no-go” areas.
- An environmental sensitivity map indicating environmental sensitive areas and features identified during the assessment process.
- A map combining the final layout map superimposed (overlain) on the environmental sensitivity map.

Specialist assessments

- The EAP must ensure that the terms of reference for all the identified specialist studies must include the following:
 - A detailed description of the study’s methodology; indication of the locations and descriptions of the development footprint, and all other associated infrastructures that they have assessed and are recommending for authorisations.
 - Provide a detailed description of all limitations to the studies. All specialist studies must be conducted in the right season and providing that as a limitation will not be allowed.
 - Please note that the Department considers a ‘no-go’ area, as an area where no development of any infrastructure is allowed; therefore, no development of associated infrastructure including access roads is allowed in the ‘no-go’ areas.
 - Should the specialist definition of ‘no-go’ area differ from the Departments definition; this must be clearly indicated. The specialist must also indicate the ‘no-go’ area’s buffer if applicable.
 - **All specialist studies must be final, and provide detailed/practical mitigation measures for the preferred alternative and recommendations, and must not recommend further studies to be completed post EA.**
 - Should a specialist recommend specific mitigation measures, these must be clearly indicated.
 - Regarding cumulative impacts:

- Clearly defined cumulative impacts and where possible the size of the identified impact must be quantified and indicated, i.e. hectares of cumulatively transformed land.
- A detailed process flow to indicate how the specialist's recommendations, mitigation measures and conclusions from the various similar developments in the area were taken into consideration in the assessment of cumulative impacts and when the conclusion and mitigation measures were drafted for this project.
- Identified cumulative impacts associated with the proposed development must be rated with the significance rating methodology used in the process.
- The significance rating must also inform the need and desirability of the proposed development.
- A cumulative impact environmental statement on whether the proposed development must proceed.
- Should the appointed specialists specify contradicting recommendations, the EAP must clearly indicate the most reasonable recommendation and substantiate this with defensible reasons; and where necessary, include further expert advice.
- Additionally ensure that specialist studies, comply with GN320 and GN1150 notice of 20 March 2020 and 30 October 2020, respectively.

The following Specialist Assessments will form part of the EIA:

Specialist Study	Company
Ecology	Simon Todd (3Foxes Biodiversity Solutions)
Avifauna	Lukas Niemand (Pachnado Consulting)
Soils, Land Use, Land Capability and Agricultural Potential	Marine Pienaar (TerraAfrica)
Visual impact	Lourens du Plessis (LOGIS)
Social	Nondumiso Bulunga (Savannah Environmental) And Tony Barbour
Heritage Impact Assessment	Not specified
A Glint and Glare assessment	Not specified.

General

The applicant is hereby reminded to comply with the requirements of Regulation 45 of GN R982 of 04 December 2014, as amended, with regard to the time period allowed for complying with the requirements of the Regulations.

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 faithfully



Ms Millicent Solomons
Acting Chief Director: Integrated Environmental Authorisations
Department of Forestry, Fisheries and the Environment
Signed by: Ms Olivia Letlalo
Designation: Deputy Director: Priority Infrastructure Projects
Date: 05/05/2022

cc:	Unai Bravo Urtasun	San Solar Energy Facility (Pty) Ltd	Email: : unai.bravo.urtasun@acciona.com
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