
APPENDIX B

DFFE ACCEPTANCE OF SCOPING REPORT AND PLAN OF STUDY FOR EIA



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: 14/12/16/3/3/2/2386

Enquiries: Muhammad Essop

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Mr Donovan Henning
Nemai Green (Pty) Ltd
PO Box 1673
SUNNINGHILL
2157

Telephone Number: 011 781 1730
Email Address: donavanh@nemai.co.za

PER E-MAIL

Dear Mr Henning

ACCEPTANCE OF THE SCOPING REPORT FOR THE PROPOSED 600MW GROOTVLEI PHOTOVOLTAIC SOLAR ENERGY FACILITY AND THE ASSOCIATED INFRASTRUCTURE NORTHWEST OF THE TOWN OF VENTERSDORP WITHIN THE JB MARKS LOCAL MUNICIPALITY IN THE NORTH WEST PROVINCE

The final Scoping Report (SR) and the Plan of Study for Environmental Impact Assessment dated July 2023 and received by the Department on 26 June 2023, refer.

The Department has evaluated the submitted final SR and the Plan of Study for Environmental Impact Assessment dated July 2023 and is satisfied that the documents comply with the minimum requirements of the Environmental Impact Assessment (EIA) Regulations, 2014, as amended. The final SR 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 for the Environmental Impact Assessment Report (EIAR):

(a) Specific Comments

- (i) The co-ordinates in the EIAR must be specific to each activity and infrastructure that is proposed on the site. The co-ordinates for each corner of the solar fields, the substation, and all associated infrastructure must be included in the EIAR, i.e., we require that you provide us with the specific development footprints for each development parameter, and not an area outlining the entire site.
- (ii) Please provide a concise, but complete, summary and bullet list of the project description and associated infrastructure (or project scope) to be included in the decision (or as it should appear in the decision), should a positive Environmental Authorisation be granted. This must include a list of all development components and associated infrastructure.

- (iii) Kindly ensure the development footprints (hectares/square metres) and specifications of all proposed infrastructure and associated infrastructure during all phases are included in the EIAr.

(b) Listed Activities

- (i) The EIAr must provide an assessment of the impacts and mitigation measures for each of the listed activities applied for.
- (ii) The listed activities represented in the EIAr and the application form must be the same and correct.
- (iii) The EIAr must include and assess the correct sub listed activity for each listed and specified activity applied for.

(c) Public Participation

- (i) Please ensure the language used to inform potential I&APs in the newspaper advertisement is not only communicated in the language English but should also utilise other dominant languages spoken in the study area. The EAP must ensure that the newspaper medium adequately caters for all potential I&APs in the study area. This should also apply to any site notification boards as well.
- (ii) Please ensure that comments from all relevant stakeholders are submitted to the Department with the EIAr. This includes but is not limited to the NW DEDEC&T, the JB Marks Local Municipality, the Department of Water and Sanitation (DWS), the provincial Department of Agriculture, the South African Heritage Resources Agency (SAHRA), the Endangered Wildlife Trust (EWT), BirdLife SA, the Department of Mineral Resources, the Department of Rural Development and Land Reform, the Department of Forestry, Fisheries and the Environment: Directorate Biodiversity and Conservation, and the Directorate Protected Areas.
- (iii) Please 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.
- (iv) 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.
- (v) 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 and the format must be in the table format as indicated in Appendix 1 of this comments letter. 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.
- (vi) Comments from I&APs must not be split and arranged into categories. Comments from each submission must be responded to individually.
- (vii) The Public Participation Process must be conducted in terms of Regulation 39, 40, 41, 42, 43 and 44 of the EIA Regulations, 2014, as amended.

(d) Layout & Sensitivity Maps

- (i) The EIAr must provide coordinate points for the proposed development site and all proposed infrastructure (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.
- (ii) The EIAr must provide 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:
 - a) A clear indication of the envisioned area for the proposed solar energy facility;
 - b) Position of the solar panels;



- c) Powerlines;
 - d) Internal roads;
 - e) All supporting onsite infrastructure such as laydown area, guard house and control room etc.;
 - f) Substations, transformers, switching stations and inverters;
 - g) Battery Energy Storage System;
 - h) Connection routes (including pylon positions) to the distribution/transmission network;
 - i) All existing infrastructure on the site, especially railway lines and roads; and
 - j) Buildings, including accommodation.
- (iii) Please provide an environmental sensitivity map which indicates the following:
- a) The location of sensitive environmental features identified on site, e.g. CBAs, protected areas, heritage sites, wetlands, drainage lines etc. that will be affected by the facility and its associated infrastructure;
 - b) Buffer areas; and
 - c) All "no-go" areas.
- (iv) The above layout map must be superimposed (overlain) with the sensitivity map and a cumulative map which shows neighbouring and existing infrastructure.
- (v) Google maps will not be accepted.

(e) Specialist assessments

- (i) The EAP must ensure that the terms of reference for all the identified specialist studies must include the following:
- a) 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 authorisation.
 - b) 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.
 - c) 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.
 - d) Should the specialist definition of 'no-go' area differ from the Department's definition; this must be clearly indicated. The specialist must also indicate the 'no-go' area's buffer if applicable.
 - e) **Bird specialist studies must have support from Birdlife South Africa.**
 - f) **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.**
 - g) Should a specialist recommend specific mitigation measures, these must be clearly indicated.
- (ii) 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.
- (iii) It is further brought to your attention that Procedures for the Assessment and Minimum Criteria for Reporting in Identified Environmental Themes in terms of Sections 24(5)(a) and (h) and 44 of the National Environmental Management Act, 1998, when applying for Environmental Authorisation, which were promulgated in Government Notice No. 320 of 20 March 2020 (i.e. "the Protocols") and in Government Notice No. 1150 of 30 October 2020 (i.e. protocols for terrestrial plant and animal species), have come into effect. **Please note that specialist assessments must be conducted in accordance with these protocols.**
- (iv) Please also ensure that the EIAR includes the Site Verification Report and Compliance Statements (where applicable) as required by the relevant themes.
- (v) Please note further that the protocols, if applicable, require certain specialists' to be SACNASP registered. Please ensure that the relevant specialist certificates are attached to the relevant reports.



- (vi) As such, the Specialist Declaration of Interest forms must also indicate the scientific organisation registration/member number and status of registration/membership for each specialist.
- (vii) The following Specialist Assessments will form part of the EIAr:

Specialist Study	Company
Aquatic Impact Assessment and Delineation	Nitai Consulting
Terrestrial Ecological Impact Assessment	Nitai Consulting
Avifaunal Impact Assessment	The Biodiversity Company
Heritage Impact Assessment	Nitai Consulting
Desktop Palaeontological Impact Assessment	Banzai Environmental (Pty) Ltd
Agricultural Impact Assessment	Dr A. Gouws
Visual Impact Assessment	Eco Elemental
Social Impact Assessment	Nemai Green

- (viii) Please ensure that each specialist study has the correct and same project description and layout to assess.
- (ix) Please include a table that shows the proposed studies and the relevant specialists carrying out the study. In addition, a summary should be included of the specialist's recommendations in terms of the alternatives that are preferred based on the findings of their study.

(f) Cumulative Assessment

- (i) If there other similar facilities proposed within a 30km radius of the proposed development site, a cumulative impact assessment must be conducted for all identified and assessed impacts which must be refined to indicate the following:
- Identified cumulative impacts must be clearly defined, and where possible the size of the identified impact must be quantified and indicated, i.e. hectares of cumulatively transformed land.
 - Detailed process flow and proof must be provided, 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.
 - The cumulative impacts 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.

(g) General

- The EIAr must provide the technical details for the proposed facility in a table format as well as their description and/or dimensions (Annexure 2).
- The EAP must provide landowner consent for all non-linear infrastructure proposed on the farm portions affected by the proposed project.
- A construction and operational phase EMPr that includes mitigation and monitoring measures must be submitted with the final EIAr.
- The final EIAr must include a list providing a clear description of the infrastructure associated with the development.
- The EAP must provide an outline of where in the final EIAr each of this Department's comments are addressed. This must be a separate document and must submitted as an appendix to the EIAr.

The applicant is hereby reminded to comply with the requirements of Regulation 45 of GN R982 of 04 December 2014, as amendment, 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



Mr Sabelo Malaza
Chief Director: Integrated Environmental Authorisations
Department of Forestry, Fisheries and the Environment
Signed by: Mr Muhammad Essop
Designation: Acting Director – IEA Strategic Support, Coordination and Reporting
Date: 04/09/2023

cc:	Mr Lesego Masilo	LTM Green Energies (Pty) Ltd.	E-mail: lmasilo@icloud.com
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Annexure 1:

Format for Comments and Response Trail Report:

Date of comment, format of comment, name of organisation/I&AP	Comment	Response from EAP/Applicant/Specialist
27/01/2016 Email Department of Forestry, Fisheries and the Environment: Priority Infrastructure Projects (John Doe)	Please record C&R trail report in this format Please update the contact details of the provincial environmental authority	EAP: (Noted) The C&R trail report has been updated into the desired format, see Appendix K EAP: Details of provincial authority have been updated, see page 16 of the Application form

Annexure 2: Sample of technical details for the proposed facility

Component	Description / dimensions
Height of PV panels	
Area of PV Array	
Number of inverters required	
Area occupied by inverter / transformer stations / substations	
Capacity of on-site substation	
Area occupied by both permanent and construction laydown areas	
Area occupied by buildings	
Length of internal roads	
Width of internal roads	
Proximity to grid connection	
Height of fencing	
Type of fencing	