

APPENDIX B

DFFE ACCEPTANCE OF SCOPING REPORT



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: 14/12/16/3/3/2/2201

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PER E-MAIL / MAIL

Dear Mr Henning

ACCEPTANCE OF THE SCOPING REPORT FOR THE PROPOSED PARYS UP TO 200MW SOLAR PHOTOVOLTAIC (PV) & UP TO 45MW BATTERY ENERGY STORAGE SYSTEMS (BESS) HYBRID PROJECT NEAR THE TOWN OF PARYS WITHIN THE FREE STATE PROVINCE

The final Scoping Report (FSR) and the Plan of Study for Environmental Impact Assessment (PoSEIA) dated October 2022 and received by the Department on 20 October 2022, refer.

The Department has evaluated the submitted FSR and the PoSEIA dated October 2022 and is satisfied that the documents comply with the minimum requirements of the Environmental Impact Assessment (EIA) Regulations, 2014, as amended. The FSR and the PoSEIA 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 PoSEIA 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):

i. Listed Activities

- a) It is noted that certain activities may no longer be relevant or necessary after the outcome of specialist studies. Please ensure that only listed activities that are triggered by this development are applied for in the EIAR for the proposed project.
- b) the EIAR must provide an assessment of the impacts and mitigation measures for each of the listed activities applied for.
- c) The listed activities represented in the EIAR and the application form must be the same and correct.

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- d) The EIAR must assess the correct sub-listed activity for each listed activity applied for. The onus is on the EAP and applicant to ensure that no other activities are triggered, and the correct activities are applied for.

ii. Public Participation

- a) Please ensure that comments from all relevant stakeholders are submitted to the Department with the EIAR. This includes but is not limited to the provincial Department of Agriculture, the local and district Municipality, the Department of Water and Sanitation (DWS), the South African Heritage Resources Agency (SAHRA), BirdLife SA, the Department of Mineral Resources and Energy, the Department of Rural Development and Land Reform, and the Department of Environment, Forestry and Fisheries: Directorate Biodiversity and Conservation and World Heritage Sites.
- b) Please ensure that all issues raised and comments received during the circulation of the FSR 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.
- c) 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 in chronological order. 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.
- d) Comments from I&APs must not be split and arranged into categories. Comments from each submission must be responded to individually.
- e) The Public Participation Process must be conducted in terms of Regulation 39, 40, 41, 42, 43 & 44 of the EIA Regulations, 2014, as amended.

iii. Layout & Sensitivity Maps

- a) The EIAR must provide the following:
- Clear indication of the envisioned area for the solar PV facility, i.e., location of solar PV, Battery Energy Storage System (BESS); powerlines, supporting Infrastructure: main sub-station, operation and maintenance office, weather station, internal roads, parking, offices, staff ablutions and all associated infrastructure should be mapped at an appropriate scale.
 - Clear description of all associated infrastructure. This description must include, but is not limited to the following:
 - Powerlines;
 - Internal roads infrastructure; and;
 - All supporting onsite infrastructure such as laydown area, guard house and control room etc.
- b) A copy of the final preferred route 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:
- Permanent laydown area footprint;
 - Internal roads indicating width (construction period width and operation period width) and with numbered sections between the other site elements which they serve (to make commenting on sections possible);

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- 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;
 - Substation(s) and/or transformer(s) sites including their entire footprint;
 - Location of access and service roads;
 - All existing infrastructure on the site, especially railway lines and roads;
 - Buffer areas;
 - Buildings, including accommodation; and
 - All “no-go” areas.
- c) An environmental sensitivity map indicating environmental sensitive areas and features identified during the assessment process.
- d) A map combining the final layout map superimposed (overlain) on the environmental sensitivity map.

iv. Specialist assessments

- a) 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 expertise advice.

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- b) The following Specialist Assessments will form part of the EIAR:
- Terrestrial Ecological Impact Assessment;
 - Aquatic Impact Assessment & Delineation
 - Avifaunal Impact Assessment;
 - Heritage Impact Assessment;
 - Agricultural Impact Assessment;
 - Social Impact Assessment;
 - Visual Impact Assessment; and
 - Desktop Palaeontological Impact Assessment
- c) It is further brought to your attention that Procedures for the Assessment and Minimum Criteria for Reporting on 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.
- d) The screening tool output:
- The screening tool and the gazetted protocols (GN R320 of 20 March 2020 and GN R 1150 of 30 October 2020) require a site sensitivity verification to be completed to either confirm or dispute the findings and sensitivity ratings of the screening tool.
 - It is the responsibility of the EAP to confirm the list of specialist assessments and to motivate in the assessment report, the reason for not including any of the identified specialist studies including the provision of photographic evidence of the site situation. The site sensitivity verification for each of the recommended studies, as per the protocols, must be compiled and attached.
- e) *'An applicant intending to undertake an activity identified in the scope of this protocol, on a site identified on the screening tool as being of "very high sensitivity" for terrestrial biodiversity, must submit a Terrestrial Biodiversity Specialist Assessment.'* If the findings of the site verification differed from the screening tool and was found to be of a different sensitivity level, then a compliance statement would be accepted.
- f) Site sensitivity verifications for all the identified specialist studies (according to the screening tool) must be provided.
- g) Additionally, the protocols specify that an assessment must be prepared by a specialist who is an expert in the field and is SACNASP registered for e.g. an aquatic assessment must be prepared by a specialist registered with SACNASP, with expertise in the field of aquatic sciences.
- h) 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 expertise advice.
- i) 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.

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General

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

Acting Chief Director: Integrated Environmental Authorisations

Department of Forestry, Fisheries and the Environment

Signed by: Mr Wayne Hector

Designation: Deputy Director: Priority Infrastructure Projects

Date: 22/11/22

cc:	Davin Chown	Genesis Eco-Energy Developments (Pty) Ltd	Email: davin@genesis-eco.com
	Grace Mkhosana	Free State: DESTEA	Email: mkhosana@destea.gov.za
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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 Environment, Forestry and Fisheries: 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 minimum technical details for the proposed facility

Component	Description / dimensions
Area occupied by inverter / transformer stations / substations	
Capacity of on-site substation	
PV array	
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	