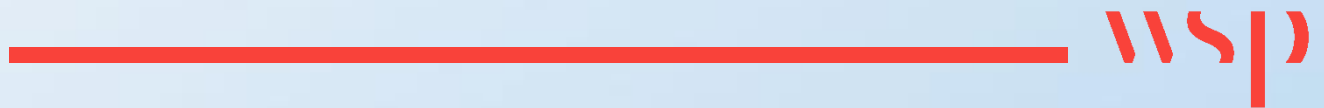


Appendix G

DFFE ACCEPTANCE OF FINAL 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: 14/12/16/3/3/2/2340

Enquiries: Ms Olivia Letlalo

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BRYANSTON
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PER MAIL / E-MAIL

Dear Ashlea Strong

ACCEPTANCE OF THE FINAL SCOPING REPORT FOR THE PROPOSED TOURNÉE 2 SOLAR PV FACILITY AND ASSOCIATED INFRASTRUCTURE, NEAR STANDERTON, IN THE LEKWA LOCAL MUNICIPALITY, MPUMALANGA PROVINCE.

The final Scoping Report (FSR) and the Plan of Study for Environmental Impact Assessment (PoSEIA) dated May 2023 and received by the Competent Authority (CA) on 05 May 2023, refer.

The CA has evaluated the submitted FSR and the PoSEIA dated May 2023 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 CA 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):

a) Project Description

- Page 1 (project title) of the application form indicated that the project is located near Standerton whereas page 6 of 33 of the application form mentioned that the proposed project will be located near Thutukani. Please clarify?

b) Application Form

- It has been noted that the project description from the application form differ with that in the final SR. When submitting the final EIAR, please ensure that the project description and title from the amended application form are the same.
- It has been noted that the proposed development footprint (buildable area) is approximately 297 hectares (ha) (subject to finalisation based on technical and environmental requirements), and the extent of the project area is approximately 505.15 ha. Therefore, you are advised to provide a development footprint for the proposed

Tournée 2 Solar PV Facility with the associated infrastructure, identifying all the development area buffer zone considered as a no-go area in the final EIAR.

c) Listed Activities

- It is noted that words such as “**likely, up to and either**” and abbreviation such as “**etc**”, have been used in the description of the triggered listed activities. Therefore, you are requested to refrain from using such word and abbreviation, since it creates uncertainty regarding the applicability of listed activities.
- It has been noted that activity 12 of Listing Notice (LN) 1 have been applied for, however, the portion of the proposed project to which the applicable listed activity relates to, indicates that the physical footprint of internal access roads and electrical cabling required to connect the various components of the facility *will either* traverse the delineated watercourses on site. It must be noted that for activity 12 of LN 1 to be triggered, an infrastructure or structures with a physical footprint of 100 square metres or more must be developed. Please note that the use of the word *either* create uncertainty on whether this activity is triggered or not. Therefore, you are requested to indicate a specific infrastructure/structure to be developed with a physical footprint of 100 square metres or more to ensure this activity is listed in the amended application form and final EIAR.
- For activity 24 of LN 1, you are requested to provide the length of the road in the description of the project.
- It has been noted that activity 27 of LN 1 has been applied for, however, the type of vegetation to be cleared has not been indicated in the project description. As such, you are requested to mention the type of vegetation to be cleared.
- For activity 56 of LN 1, it has been mentioned that “*the access road will need to be widened by between 6m and 8m*”. Please be advised that for this activity to be triggered, the road must be widened by more than 6 metres, or the lengthening of a road by more than 1 kilometre. Therefore, you are advised to provide relevant information that indicate that this activity is triggered by the proposed development.
- The EIAR must provide an assessment of the impacts and mitigation measures for each of each listed activity applied for.
- Please ensure that all relevant listed activities are applied for, are specific and can be linked to the development activity or infrastructure as described in the project description. In addition, the onus is thus on the applicant and the environmental assessment practitioner (EAP) to ensure that all the applicable listed activities are included in the application. Failure to do so may result in unnecessary delays in the processing of the application.
- If the activities applied for in the application form differ from those mentioned in the final EIAR, an amended application form must be submitted. Please note that the Department’s application form template has been amended and can be downloaded from the following link <https://www.environment.gov.za/documents/forms>.

d) Alternatives

- The CA acknowledged that on page 42 of the final SR, it has been indicated that Lithium-ion batteries is considered the preferred technology. Therefore, you are required to provide a risk assessment for the preferred BESS technology alternative with a detailed identified impacts and mitigation methods and this information must be included in the final EIAR and the EMPr.
- It has been noted that “*the Tournée 2 Solar PV Facility will utilise solar PV technology to generate power, therefore, no other technology alternatives are being considered for this project*”. You are advised to provide details of the alternatives considered for this development and indicate the preferred alternatives as per Appendix 2 (2) (1) (g) (i) (v) (vi) of the NEMA EIA Regulations, 2014, as amended in the final report.
- Alternatively, you should submit written proof of an investigation and motivation if no reasonable or feasible alternatives exist in terms of Appendix 2.

e) Layout & Sensitivity Maps

- According to the maps attached as Appendix E dated 06 and 14 March 2023, there is an area depicted as non-developable (visual) and no-go zone, however, it has been noted that the development footprint overlaps into the aforesaid area. Therefore, you are requested to revise the development layout plan and ensure no infrastructure in the abovementioned area.
- In addition, please note that comments dated 19 April 2023 are still valid and must be included in the final EIAR.

f) **Specialist assessments**

- The specialist assessments in the EIA must identify and assess impacts and provide mitigation measures and recommendations specific for the proposed development.
- The following Specialist Assessments will form part of the EIA:
 - Terrestrial Biodiversity Impact Assessment.
 - Avifauna Impact Assessment.
 - Freshwater Impact Assessment.
 - Heritage Impact Assessment.
 - Geotechnical Impact Assessment.
 - Visual Impact Assessment.
 - Soil, Land Use and Land Capability Impact Assessment.
 - Air Quality Compliance Statement.
 - Bats Impact Assessment.
 - Transport Impact Assessment.
 - Noise Compliance Statement; and
 - Social Impact Assessment.
- The EAP must ensure that the terms of reference for all the identified specialist studies 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 authorisation.
 - 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 Department's 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 alternatives 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.
 - 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.
 - Please include a table in the final EIA summarising the specialist studies required by the Screening Tool, a column indicating whether these studies will be conducted or not, and a column with motivation for any studies that will not be undertaken. Please note that if any of the specialists' studies and requirements recommended in the Department's Screening Tool are not commissioned, motivation for such must be provided in the report, per the requirements of the Protocols.
 - Should it be determined that there is a need for additional specialist studies to be undertaken based on the outcome of public participation, these must be commissioned and be included in the draft EIA reports for public comment.
 - It is further brought to your attention that Procedures for the Assessment and Minimum Criteria for Reporting on identified Environmental Themes (as per the Screening Report), which were promulgated in Government Notice No. 320 of 20 March 2020 and in Government Notice No. 1150 of 30 October 2020 (i.e., "the Protocols"), have come into effect. Please note that specialist assessments must be conducted in accordance with the requirements of these protocols.
 - Please note further that the protocols require certain specialists' to be registered with SACNASP. Refer to the relevant protocols in this regard.

g) **Public Participation**

- Please ensure that comments from all relevant stakeholders are submitted to the Department with the EIA. This includes but is not limited to the Department of Forestry, Fisheries, and the Environment (DFFE): Protected Areas Planning and Management Effectiveness Directorate, **Biodiversity Planning and Conservation**

(BCAdmin@environment.gov.za); Mpumalanga Province Department of Agriculture, Rural Development, Land and Environmental Affairs, Telkom, South African Heritage Resources Agency (SAHRA), South African Civil Aviation Authority (SACAA), Endangered Wildlife Trust, Birdlife South Africa, Department of Human Settlement, Water and Sanitation, South African National Defence Force, Local interest groups, for example: Councillors and Rate Payers associations; Surrounding landowners, Farmer Organisations, Environmental Groups and NGOs; and Grassroots communities and structures as well as the affected district and local municipalities.

- Please ensure that all issues raised, and comments received during the circulation of the draft SR and final SR 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 (CRR) must be submitted with the final EIAr. The CRR must incorporate all comments for this development. The CRR must be a separate document from the main report and the format must be in the table format as indicated in Annexure 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.
- The Public Participation Process must be conducted in terms of Regulations 39, 40, 41, 42, 43 & 44 of the EIA Regulations, 2014, as amended.

h) Cumulative Impact Assessment

- The CA acknowledge the response from appendix D and the cumulative impacts discussion on Section 95 of the final SR. When submitting the final EIAr, the cumulative impacts of the proposed development must be undertaken as per the requirements of the EIA Regulations.
- Based on the above, the cumulative impact assessment for all identified and assessed impacts must be refined to indicate the following:
 - The authorised but not yet commenced, authorised and constructed, proposed and not yet authorised similar development.
 - 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.

i) Environmental Management Programme (EMPr)

- On page 37 of Appendix D, it has been indicated that “a Site Specific EMPr and relevant Generic EMPr will be compiled in the EIA Phase and included in the Draft and Final EIA Reports”. Ensure that Part B: Section 2 of the Generic EMPr’s are completed and the copy of original signed Generic EMPr submitted with the draft EIAr. Please note that Point 7.1.1 in Part B: Section 2 needs to match the details of the applicant as contained in the application form.
- If any specific environmental sensitivities/attributes are present on the site which require more specific impact management outcomes and impact management actions, not included in the pre-approved generic EMPr template, to manage impacts, those impact management outcomes and actions must be included in section C of the generic EMPr.
- Please ensure that the EMPr of the facility comply with the requirements of Appendix 4 of the EIA Regulations, 2014 as amended.

h) General

The EIAr must provide the technical details for the proposed facility in a table format as well as their description and/or dimensions. A sample for the minimum information required is listed under Annexure 2 below.

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



Mr Sabelo Malaza

Chief Director: Integrated Environmental Authorisations

Department of Forestry, Fisheries and the Environment

Signed by: Ms Olivia Letlalo

Designation: Deputy Director: Priority Infrastructure Projects

Date: 19/06/2023

cc	MGLM Brambilla	Tournée 2 Solar (Pty) Ltd	Tel:(0)21 418 3940	Email: m.logan@redrocket.energy
	Sindisiwe Mbuyane	Mpumalanga (DARDLEA)	Tel: 017 811 3951	Email: mbuyanesb@mpg.gov.za
	Tebogo Mogakabe	Gert Sibande District Municipality	Tel: 017 801 7140	Email: tebogom@gsibande.gov.za

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	
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	