



environment, forestry & fisheries

Department:
Environment, Forestry and Fisheries
REPUBLIC OF SOUTH AFRICA

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DEFF Reference: 12/12/20/2126/AM6

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PER MAIL / EMAIL

Dear Mr Bowers

COMMENTS ON THE DRAFT AMENDMENT REPORT FOR THE APPLICATION FOR AMENDMENT OF ENVIRONMENTAL AUTHORISATION ISSUED ON 25 JANUARY 2013 (AS AMENDED) FOR THE DEVELOPMENT OF A 100MW COMMERCIAL SOLAR PHOTO-VOLTAIC (PV) ELECTRICITY GENERATION FACILITY AND ITS INFRASTRUCTURE ON THE FARM WASCHKLIP 183 (SOVENTIX SA SALDANHA 1) NEAR LANGEBAAN, WITHIN SALDANHA BAY DISTRICT MUNICIPALITY IN THE WESTERN CAPE PROVINCE

The Environmental Authorisation (EA) for the above-mentioned project dated 25 January 2013, the application for amendment of the EA and the draft amendment report received by the Department on 12 January 2021 and 10 March 2021 respectively and the acknowledgement letter dated 19 January 2021, refer.

The Department has the following comments on the abovementioned amendment application:

(a) Specific Comments:

- (i) Clarity is required as to the number of generators or GenSets to be installed for the proposed development. Page 41 of the report states that:
'A total of nine (9) generator sets will be installed, each with a rated power output of 1 000 kW.'

while both the application form (section 6) and the report on page iv; 53 and 79 state:

'Additionally, five (5) gas turbine units will be required to generate <10MW of backup electricity.'

- (ii) The application form must be updated to include and describe the detailed amendments that are being applied for. When doing so, please quote the page number of the EA, the condition/section affected, the existing information (if necessary) and what is the required amendment/inclusion.

For e.g.

Page 3 of the EA, point 6 of the Specific Conditions stated as:

6. The 100m buffer from the road shall be maintained.

Is requested to be amended to:

6. *The 150m buffer from the road and nearby dam shall be maintained.*

Note, that if detailed amendments are not requested clearly in the application form, they will not appear in the decision for e.g. amendments to the EMP or layout map.

- (iii) The EAP is to ensure that all the amendments applied for do not trigger any new listed or specified activity as outlined in Regulation 31 of the EIA Regulations, 2014 as amended. Ensure that there is clear motivation to the proposed amendments occurring within the approved footprint of the existing authorisation (can be supported with a layout map).
- (iv) Please provide more information on the battery energy storage system (BESS) i.e. footprint, types of batteries, method of filling/refilling.

(b) Public participation

- (i) Please ensure that comments from all relevant stakeholders are submitted to the Department with the final report.
- (ii) A Comments and Response trail report (C&R) must be submitted with the final report. The C&R report must incorporate all comments for this application in chronological order. 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. All comments submitted must be attached to the report. Please note that a response such as "noted" is not regarded as an adequate response to I&AP's comments.
- (iii) Please ensure that all issues raised, and comments received during the circulation of the draft report from registered I&APs and organs of state which have jurisdiction in respect of the proposed activity are adequately addressed in the final report. Proof of correspondence with the various stakeholders must be included in the final report. Should you be unable to obtain comments, proof should be submitted to the Department of the attempts that were made to obtain comments. The Public Participation Process must be conducted in terms of Regulation 39, 40, 41, 42, 43 & 44 of the EIA Regulations 2014 as amended.
- (iv) The final report must also indicate that this draft report has been subjected to a public participation process.

(c) Layout & Sensitivity Maps

- (i) A copy of the layout map must be submitted with the final report. 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 of the proposed amendment must indicate the following:
 - (a) The location of the BESS and gensets and approved infrastructure;
 - (b) All supporting onsite infrastructure e.g. roads (existing and proposed);
 - (c) The location of sensitive environmental features on site e.g. CBAs, heritage sites, wetlands, drainage lines etc. that will be affected;
 - (d) Buffer areas; and
 - (e) All "no-go" areas.
 - (f) The above map must be overlain with a sensitivity map and a cumulative map which shows neighbouring renewable energy developments and existing grid infrastructure.
- (ii) Google maps will not be accepted.

(d) Specialist assessments

- (i) It is noted that all specialists involved in the baseline EIA, have signed a declaration indicating whether the scope of the amendments requires additional inputs from their discipline. None of these specialists had recommended further mitigations.
- (ii) All recommendations from the specialists, must be considered.
- (iii) 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.

(e) General

- (i) It is noted that the proposed amendment is required in line with the Renewable Energy Independent Power Producer Programme (REIPPPP) and the risk mitigation IPP procurement programme and Bid Window 5 which has additional requirements in terms of generation assurance that necessitates the inclusion of battery storage and gas turbine generation (and associated fuel storage) to ensure the facility can meet its generation mandate irrespective of prevailing weather conditions.
- (ii) The generators can provide output of <10MW to augment the power supply when PV generation is diminished and battery banks are depleted. The additional infrastructure of the containerised batteries and gas turbines will only occupy a nominal footprint (<700m²) in relation to the full development.
- (iii) An additional specialist study was undertaken on Greenhouse Gas (GHG) emissions to inter alia quantify the CO_{2e} savings the solar PV facility will provide in comparison to Fossil Fuel (FF) generation as well as the additional GHGs that will result from the operation of the Gas Turbines.

You are further reminded to comply with Regulation 32(1)(a) of the NEMA EIA Regulations, 2014, as amended, which states that: *"The applicant must within 90 days of receipt by the competent authority of the application made in terms of regulation 31, submit to the competent authority -*

- (a) *a report, reflecting—*
 - (i) *an assessment of all impacts related to the proposed change;*
 - (ii) *advantages and disadvantages associated with the proposed change; and*
 - (iii) *measures to ensure avoidance, management and mitigation of impacts associated with such proposed change; and*
 - (iv) *any changes to the EMPr;**which report-*
 - (aa) *had been subjected to a public participation process, which had been agreed to by the competent authority, and which was appropriate to bring the proposed change to the attention of potential and registered interested and affected parties, including organs of state, which have jurisdiction in respect of any aspect of the relevant activity, and the competent authority, and*
 - (bb) *reflects the incorporation of comments received, including any comments of the competent authority."*

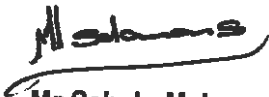
Should there be significant changes or new information that has been added to the motivation report or EMPr which changes or information was not contained in the reports or plans consulted on during the initial public participation process, you are required to comply with Regulation 32(1)(b) of the NEMA EIA Regulations, 2014, as amended, which states: *"the applicant must, within 90 days of receipt of the application by the competent authority, submit to the competent authority – (b) a notification in writing that the report will be submitted within 140 days of receipt of the application by the competent authority, as significant changes have been made or significant new information has been added to the report, which changes or information was not contained in the report consulted on during the initial public participation process contemplated in sub-regulation (1)(a) and that the revised report will be subjected to another public participation process of at least 30 days"*.

In the event where sub-regulation (1)(b) applies, the report, which reflects the incorporation of comments received, including any comments of the competent authority, must be submitted to the competent authority within 140 days of receipt of the application by the competent authority.

Should you fail to meet any of the timeframes stipulated in Regulation 32 of the NEMA EIA Regulations, 2014, as amended, your application will lapse.

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 Environmental Affairs
Signed by: Ms Millicent Solomons
Designation: Director: Priority Infrastructure Projects
Date: 30/03/2021.

cc:	Mr Jean-Paul de Villiers	Soventix South Africa (Pty) Ltd	Email: jp.devilliers@soventix.com
	Mr Zaahir Toefy	DEA:DP	Email: zaahir.toefy@westerncape.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 Environmental Affairs: Strategic Infrastructure Development (John Soap)	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