



forestry, fisheries & the environment

Department:
Forestry, Fisheries and the Environment
REPUBLIC OF SOUTH AFRICA

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DFFE Reference: 14/12/16/3/3/2/2334

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PER MAIL / E-MAIL

Dear Ms Mey

ACCEPTANCE OF THE SCOPING REPORT FOR THE PROPOSED DEVELOPMENT OF SOYUZ 2 SOLAR PV PARK AND ASSOCIATED INFRASTRUCTURE, LOCATED NEAR BRITSTOWN, WITHIN THE EMTHANJENI LOCAL MUNICIPALITY, NORTHERN CAPE PROVINCE

The final Scoping Report (SR) and the Plan of Study for Environmental Impact Assessment (PoSEIA) dated April 2023 and received by the Department on 28 April 2023, refers.

The Department has evaluated the submitted final SR and the Plan of Study for Environmental Impact Assessment dated April 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 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. The Environmental Impact Assessment Report (EIAR) must comply with the requirements of Appendix 3 of the EIA Regulations, 2014, as amended.

In addition, the following amendments and additional information are required for the EIAR:

Application form

1. Please ensure that all relevant listed activities are applied for, are specific and that it can be linked to the development activity or infrastructure as described in the project description.
2. Activity 27 of Listing Notice 1 and Activity 15 of Listing Notice 2 (as amended): Please ensure that the EIAR contains only the relevant activity between the two, which is most applicable to the proposed development.
3. If the EIAR contains listed activities and/or other information that differs from the application form, the application form must be amended accordingly and submitted to the Department with the EIAR.

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Alternatives

4. The Alternative section of the EIAR must include a "Technology Alternatives" section, to discuss Battery Energy Storage System (BESS) and PV Modules Mounting alternatives.
5. BESS technologies must be included in the Technology Alternatives section of the EIAR, motivating for the preferred battery type/technology alternative.
6. It is noted that the Design/Layout alternatives and the No-Go alternative will be assessed and discussed in detail in the EIAR.
7. Where applicable, each specialist study must indicate a preferred laydown/ substation/ powerline alternative, if there is more than one alternative for each.
8. Please note that Appendix 3(3)(1)(h)(ix) of the Environmental Impact Assessment (EIA) Regulations, 2014, as amended, requires that "*if no alternative development footprints for the activity were investigated, the motivation for not considering such*" must be included in the EIAR. You are therefore required to provide a motivation should other alternative sites, routes, layouts, and technologies not be considered.

Technical details of the proposed facility and design alternative

9. The EIAR must provide the technical details for the proposed facility in a table format as well as their description and/or dimensions. Table 4 on page 35 of the SR is noted. Please refer to the sample for the minimum information required in Annexure 1 of this letter and add any description that is not already included in Table 4.

Public Participation

10. Comments on the draft EIAR must be obtained from this Department's Biodiversity Conservation Directorate at BCAdmin@dffe.gov.za. Further to that, these comments must be addressed and incorporated in the final EIAR.
11. Please ensure that comments from all relevant stakeholders are submitted to the Department with the EIAR.
12. Copies of original comments received from I&APs and organs of state, which have jurisdiction in respect of the proposed activity are submitted to the Department with the EIAR.
13. All issues raised and comments received must be incorporated into the Comments and Response Report.
14. Proof of correspondence with the various stakeholders must be included in the EIAR. This must indicate that this draft EIAR has been subjected to 30 days public participation process, stating the start and end date of the PPP.
15. Should you be unable to obtain comments, proof should be submitted to the Department of the attempts that were made to obtain comments. Please provide proof of written notice for the availability of the draft EIAR for comment.
16. All issues raised and comments received must be incorporated into Appendix C8: Comments and Response Report.
17. Comments from I&APs must not be split and arranged into categories. Comments from each submission must be responded to individually.
18. 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 an I&AP's comments.
19. If applicable, the attendance registers and minutes of any meetings held by the Environmental Assessment Practitioner (EAP) with Interested and Affected Parties (I&APs) and other role players must be included in the EIAR.

Layout & Sensitivity Maps

20. Please provide a Layout Map which indicates the following:
 - a. Solar panel positions and its associated infrastructure;
 - b. Permanent laydown area footprint;
 - c. 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);
 - d. The location of any 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;
 - e. Substation(s) and/or transformer(s) sites, including their entire footprint;
 - f. Battery Energy Storage System;
 - g. Connection routes (including pylon positions) to the distribution/transmission network;
 - h. All existing infrastructure on the site, especially railway lines and roads; and
 - i. Location of access and service roads;
 - j. Buffer areas;
 - k. Buildings, including accommodation if any; and
 - l. All "no-go" areas.
21. An environmental sensitivity map indicating environmental sensitive areas and features identified during the assessment process must be submitted in the EIAr.
22. A map combining the layout map superimposed (overlain) on the environmental sensitivity map must be submitted in the EIAr.
23. These maps must only include infrastructure that is included as part of this proposed development.

Specialist assessments

24. A Risk Assessment study is not required for the Battery Energy Storage System (BESS), however, impacts associated with the risks must be identified, considered, and assessed as part of the EIAr.
25. Any amendments to the Heritage Impact Assessment must be submitted to the South African Heritage Resources Agency (SAHRA) for comments, via the South African Heritage Resources Information System (SAHRIS). These comments must be addressed and incorporated in the EIAr.
26. Specialist assessments must be conducted in accordance with the Government Notice No. 320 of 20 March 2020 (i.e. "the Protocols"), and Government Notice No. 1150 of 30 October 2020 (i.e. protocols for terrestrial plant and animal species).
27. It is noted that the traffic impacts will be assessed further in the EIAr. The Traffic Impact Assessment must include:
 - a. A traffic management plan for the site access roads to ensure that no hazards would result from the increased truck traffic and that traffic flow would not be adversely impacted. This plan must include measures to minimize impacts on local commuters e.g. limiting construction vehicles travelling on public roadways during the morning and late afternoon commute time and avoid using roads through densely populated built-up areas so as not to disturb existing retail and commercial operations.
 - b. A transportation plan for the transport of components, main assembly cranes and other large pieces of equipment.
28. You are requested to submit copies of signed Specialist Declaration of Interest forms (administered/ witnessed and signed by a commissioner of oaths) for each specialist study conducted.
29. 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.
30. 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.

31. Should the specialist studies provide more detail regarding any of the project activity thresholds, please ensure that the project activity descriptions are amended accordingly in the application form and EIAr.
32. Should a specialist recommend specific mitigation measures, these must be clearly indicated.
33. Should the appointed specialists specify contradicting recommendations, the EAP must clearly indicate the most reasonable recommendation and substantiate this with defensible reasons; and were necessary, include further expertise advice.

Cumulative Assessments

34. Regarding the identified similar projects within a 30km radius of the proposed development site, the cumulative impact assessment for all identified and assessed impacts must indicate the following:
 - a. 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.
 - b. Identified cumulative impacts associated with the proposed development must be rated with the significance rating methodology used in the process.
 - c. 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.
 - d. The cumulative impacts significance rating must also inform the need and desirability of the proposed development.
 - e. A cumulative impact environmental statement on whether the proposed development must proceed.

PV Facility Environmental Management Programme (EMPr)

35. A construction and operational phase EMPr for the PV facility, which includes mitigation and monitoring measures must be submitted with the EIAr.
36. The EMPr must be developed in terms of Appendix 4 of the EIA Regulations, 2014 as amended and must include (but not limited to) the following plans and measures:
 - a. Re-vegetation and habitat rehabilitation plan;
 - b. Weed and invader plant management plan;
 - c. Traffic management plan;
 - d. Emergency Response plan;
 - e. Fire management plan;
 - f. Stormwater management;
 - g. Noise management;
 - h. Erosion management;
 - i. Waste management;
 - j. Dust management; and,
 - k. All recommendations and mitigation measures recorded in the EIAr and the specialist studies conducted.
 - l. An effective monitoring system to detect any leakage or spillage of all hazardous substances during their transportation, handling, use and storage. This must include precautionary measures to limit the possibility of oil and other toxic liquids from entering the soil or storm water systems.
37. The decommissioning chapter of the EMPr for the facility must contain information relating to the handling, repurposing or disposal of dysfunctional, severely damaged batteries, module and containers.
38. The EMPr must distinguish between impact management actions and impact management outcomes.
39. The EMPr must include all recommendations and mitigation measures recorded in the EIAr and specialist studies conducted.

40. The EMPr must not contain any ambiguity. Where applicable, statements containing the word “should” or “may” are to be amended to “must”.

Generic Environmental Management Programme (EMPr)

41. The proposed development triggers Activity 11 of Listing Notice 1 (as amended). The relevant generic EMPr(s) must be included in the EIAr, over and above the EMPr for the PV facility.
42. Part B: Section 2 of the generic EMPr(s) must be completed, and a copy of the signed EMPr(s) must be submitted with the 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. The generic EMPr(s) must be signed by the applicant and submitted with the EIAr. An unsigned Generic EMPr is regarded as incomplete.
43. 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 Part C of the generic EMPr.

General

44. Kindly take note that any development within highly sensitive areas, which will result in significant negative impacts prior to mitigation measures, is prohibited.
45. If the site and/or linear activities have numerous bend points, coordinates must be provided at each bend point in degrees, minutes and seconds.
46. Please provide corner coordinates for the substation and BESS.
47. Information on services required on the site, e.g. sewage, refuse removal, water and electricity; agreements with suppliers and confirmation of capacity been obtained must be provided.
48. **The EAP must provide detailed motivation if any of the above requirements is not required by the proposed development and will not be included in the EMPr.**

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 Vusi Skosana
Director: National Integrated Authorisation
Department of Forestry, Fisheries and the Environment

Date: *12 June 2023*

cc:	Matteo Brambilla	Soyuz 2 Solar PV Park (Pty) Ltd	Email: m.logan@redrocket.energy
	Bryan Fisher	Northern Cape DAEARD&LR	Email: bfisher@ncpp.gov.za
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Annexure 1**Sample of technical details for the proposed facility**

Component	Description / dimensions
Contracted capacity of the facility	MW
PV panels	Height
Number of inverters required	
Total Extent of the Affected Property, also referred to as the study area	
Total Development Area (i.e. total area to be occupied by Lichtenburg PV Facility)	
Extent of the development Footprint (i.e. total area occupied by infrastructure within the development area boundary)	
Area occupied by inverter / transformer stations / substations	
On-site substation	Capacity (MW); footprint (ha)
BESS	Capacity (MWh); technology alternative, footprint
Area occupied by both permanent and construction laydown areas	
Area occupied by buildings	
Powerline	Export capacity, proximity to grid connection, pylon height, servitude
Internal access roads	Width (during construction and operation)
Fencing	Type and height