

29 July 2022

Department of Forestry, Fisheries and the Environment  
Private Bag X 447  
PRETORIA  
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Attention: Thembisile Hlatshwayo

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**SAN SOLAR PV FACILITY AND ASSOCIATED INFRASTRUCTURE  
NORTHERN CAPE PROVINCE  
(DFFE Ref: 14/12/16/3/3/2/2144)**

**Motivation for Exclusion of Aquatic Biodiversity Assessment**

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The comments on the Draft EIA Report have reference. It is acknowledged that the DFFE screening report indicates the aquatic biodiversity theme sensitivity as being very high. In terms of the provisions of the Specialist Protocols (GNR 320 of March 2020), it is possible for the EAP or specialist to dispute the sensitivity rating from the DFFE screening tool or the requirement for a detailed assessment. Please refer to the references/extracts below which provide motivation as to why no aquatic biodiversity assessment was deemed necessary for this project.

**1. Motivation included in the Scoping Report**

An Ecological scoping study was undertaken for the PV facility and is included as Appendix D of the Scoping Report. There is no natural permanent water or artificial earth dams within the project site. The ephemeral pans were identified, and through the initial sensitivity mapping, the development area/footprint was planned to completely avoid the ephemeral pans. The Scoping report stated that, as such, no further assessment of impacts to the freshwater ecology was recommended or considered necessary.

Motivation and/or a statement regarding the development area/footprint being able to completely avoid the ephemeral pans, and as such no further assessment of impacts to the freshwater ecology is recommended or considered necessary is included in the FSR in the following sections:

- » Section 5.2.2
- » Table 5.4, section 5.6
- » Section 9.4

It was noted in Section 5.6 that the aquatic biodiversity impact assessment theme is very high and motivation for not undertaking the proposed study was provided and submitted as part of the draft and final scoping, which was then approved by the competent authority.

## 2. Acceptance of the FSR and the Plan of study for EIA

The Acceptance of the FSR and the Plan of study for EIA from DFFE, dated 05 May 2022 states:

*The final Scoping Report (SR) and the Plan of Study for Environmental Impact Assessment dated March 2022 and received by the Department on 14 April 2022, refer.*

*The Department has evaluated the submitted final SR and the Plan of Study for Environmental Impact Assessment dated March 2022 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 Plan of Study for Environmental Impact Assessment as required in terms of the EIA Regulations, 2014, as amended.*

The applicant proceeded in accordance with the tasks contemplated in the Plan of Study as it was approved and deemed sufficient. No aquatic biodiversity assessment was included in the Plan of Study for EIA, as the motivation why the study was not required had been included in sections 5.2.2, 5.4 and 9.4 of the Final Scoping report.

## 3. Motivation included in the EIA Report

**Chapter 5, Table 5.5** of the EIA Report (extracted below for ease of reference) details the summary of the specialist assessments identified in terms of the screening tool and responses to each assessment from the EAP and specialist consultants considering the project site under consideration. With regards to the freshwater study, it was noted that the aquatic biodiversity impact assessment theme is very high and motivation for not undertaking the proposed study had been provided and submitted as part of the Final Scoping Report (which was approved).

Extract from Page 79

**Table 5.5:** Sensitivity ratings from the DFFE web-based online Screening Tool associated with the development of the San Solar PV facility

<b>Aquatic Biodiversity Impact Assessment</b>	<b>Very high</b>	An Ecological study which considered freshwater features and aquatic biodiversity was undertaken in the Scoping Phase for the project. The findings indicated that there are no natural permanent water or artificial earth dams within the project site. There are ephemeral pans in the north of the project site. However, as these were identified at Scoping, the development area/footprint was able to completely avoid the ephemeral pans to avoid any impact on these features, <b>and as such no further assessment of impacts to the freshwater ecology was recommended or considered necessary.</b>
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**Chapter 7 of the EIA** includes a section which specifies the studies undertaken (and as identified at Scoping), as well as studies/aspects that do not require any further assessment as follows:

#### **Freshwater/wetland assessment**

An Ecological scoping study which considered freshwater features and aquatic biodiversity was undertaken in the Scoping Phase for the project. The findings indicated that there are no natural permanent water or artificial earth dams within the project site. There are scattered ephemeral pans on the project site. However, as these were identified at Scoping, the development area/footprint was able to completely avoid the ephemeral pans to avoid any impact on these features, and as such **no further assessment of impacts to the freshwater ecology was recommended by the Plan of Study or considered necessary**. This was accepted through the acceptance of the Final Scoping.

**Section 9.3 of the EIA Report** details the environmental sensitivities identified and the implementation of the mitigation hierarchy, specifically avoidance, in the development of the facility layout for the San Solar PV Facility. All the water features in the area (i.e. pans) have been avoided. This is supported by the following extracts from the Ecologist Specialist report (refer to Appendix D).

- » The ecologist ensured that all pan features were marked for field inspection (using satellite imagery of the site), and were verified and assessed during the site visit (refer page 15, Ecology Report).
- » Page 25 of Ecology Report (own emphasis added):  
*Apart from the Kathu Bushveld which characterises the site, the only other habitat present are occasional pans scattered across the site. One of the larger pans is pictured below in Figure 1 and is dominated by species such as Cynodon dactylon, Eragrostis echinochloidea, Enneapogon cenchroides, Alternanthera pungens, as well as several alien species including Tagetes minuta, Verbesina encelioides, Datura stramonium, Argemone ochroleuca and Prosopis glandulosa. Given the ecological role that pans play in the landscape, these are considered sensitive features that are not suitable for development. **There are no pans within the final development footprint.***



Figure 1. View over one of the larger pans at the site. These areas have been mapped as sensitive features of the site and have been excluded from the development footprint.

» Page 26 of Ecology Report:

*"the PV facility is restricted to the low sensitivity parts of the site. The grid connection runs through areas that are also classified as low sensitivity. Although there are some small pans along the power line corridor, these have been avoided under the current layout and can also be avoided should there be any changes to the exact routing of the power line."*

» Page 39 of Ecology Report: Conclusion

*The majority of the San Solar site consists of shrubland on shallow soils with a relatively low abundance of plant species of concern. There are however some pans within the site as well as an area of deeper sands in the south-east of the site which are considered higher sensitivity than the rest of the site but which have been avoided by the development footprint.*

**Figure 9.1 of the EIA Report** provides the layout and sensitivity map of the development footprint and grid connection corridor for the San Solar PV Facility, as was assessed as part of the EIA process. This clearly shows that all identified pans have been avoided in the planning of the placement of the 400ha Development Areas, as well as the facility layout/infrastructure. Where pans fall within the 500m corridor for the grid line, these can also be readily avoided through appropriate placement of the power line.

Furthermore, the application form that was submitted with the Draft EIA Report did not include any wetland resource-related listed activities. This is due to the fact that the facility layout will not have any infrastructure within or in close proximity to the freshwater/pan features.

On the basis of the above inputs from the ecologist specialist, and the implementation of the first level of the mitigation hierarchy by the Applicant (i.e. avoidance), no aquatic biodiversity assessment was deemed necessary for this project owing to the facility not impacting the features on the site.

Kind regards

Rendani Rasivhetshela  
EAP