

Dale Holder

From: Muhammad Essop <MEssop@environment.gov.za>
Sent: 04 August 2020 10:38 AM
To: Dale Holder; Mmamohale Kabasa
Subject: RE: Submission of PP Plans for RE Capital 3c and DKSEF1
Attachments: Public Participation Plan DK SEF 1.pdf; Public Participation Plan RE Capital 3C.pdf

Dear Dale.

The PP plans for:

DEFF Reference (RE Capital 3C): 14/12/16/3/3/2/538/2

DEFF Reference (Dyasonsklip Solar Energy Facility 1): 14/12/16/3/3/2/705

and attached is hereby approved.

Muhammad Essop

Assistant Director – Priority Infrastructure Projects

Integrated Environmental Authorisations

Department of Environment, Forestry and Fisheries

Private Bag X447

Pretoria

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(012) 399 9406

MEssop@environment.gov.za

From: Dale Holder <dale@cape-eaprac.co.za>
Sent: Monday, August 3, 2020 09:49
To: Mmamohale Kabasa <MKabasa@environment.gov.za>
Cc: Muhammad Essop <MEssop@environment.gov.za>
Subject: Submission of PP Plans for RE Capital 3c and DKSEF1

Good Morning Mmamohale.

SUBMISSION OF PUBLIC PARTICIPATION PLANS FOR RE CAPITAL 3C SOLAR DEVELOPMENT AND DYASONSKLIP SOLAR ENERGY 1

DEFF Reference (RE Capital 3C): 14/12/16/3/3/2/538/2

DEFF Reference (Dyasonsklip Solar Energy Facility 1): 14/12/16/3/3/2/705

In follow up to our pre-application meeting on 09 July 2020, kindly find the attached public participation plans for the RE Capital 3C and Dyasonsklip Solar Energy Facility 1 for your consideration.

Kind Regards,

Dale Holder | 082 448 9225
SENIOR CONSULTANT | ECO | GIS
Ndip Nat. Con. (Pretoria Tech)

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P O Box 2070, George 6530



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environment, forestry
& fisheries

Department:
Environment, Forestry and Fisheries
REPUBLIC OF SOUTH AFRICA

Private Bag X 447· PRETORIA · 0001· Environment House ·473 Steve Biko Road, Arcadia, PRETORIA

DEA Reference: 14/12/16/3/3/2/538/2/AM4

Enquiries: Mmamohale Kabasa

Telephone: (012) 399 9420 E-mail: MKabasa@environment.gov.za

Mr Dale Holder
Cape EAPrac
PO Box 2070
GEORGE
6530

Telephone Number: (044) 874 0365
Email Address: dale@cape-eaprac.co.za

PER MAIL / EMAIL

Dear Mr Holder

COMMENTS ON THE DRAFT AMENDMENT REPORT FOR THE APPLICATION FOR AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 08 AUGUST 2014 (AS AMENDED) FOR THE RE CAPITAL 3C SOLAR DEVELOPMENT WITH A GENERATING CAPACITY OF 100MW AS WELL AS ITS ASSOCIATED INFRASTRUCTURE ON REMAINDER OF THE FARM 454 DYASONSKLIP, NEAR UPINGTON AND KEIMOES, WITHIN THE KAI IGARIB LOCAL MUNICIPALITY IN THE NORTHERN CAPE PROVINCE

The Environmental Authorisation (EA) for the above-mentioned project dated 08 August 2014, the application for amendment of the EA and the draft motivation report received by the Department on 08 September 2020, and the acknowledgement letter dated 21 September 2020, refer.

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

(a) Specific Comments

- (i) The EAP is required to provide a detailed list of all potential amendments to the EA, which should *inter alia* recommend additional conditions that must be incorporated into the EA, provide amendments to the existing conditions of the EA by way of either removal and/or amendments as informed by the specialist's recommendations.
- (ii) The EAP is required to provide a certified copy of the amendment application dated 20 March 2020. The EAP must ensure that amendments applied for in this amendment application are not a repetition of those issued on the amendment application dated 20 March 2020.
- (iii) The draft EMPr and final facility layout map to be submitted with the final amendment motivation report must be updated to include and incorporate all mitigation measures recommended by the specialists.
- (iv) The applicant is required to comply with Regulation 39 (1) of EIA Regulations 2014, as amended and submit a written consent of the landowners for the amendment application.
- (v) The EAP is to ensure that all the amendments applied for does not trigger any listed or specified activity as outlined in Regulation 31 of the EIA Regulations, 2014 as amended.
- (vi) The final motivation report must include specialist input into a risk assessment for the Battery Energy Storage System, and updates to the EMPr to address these additional risks.

SKA

(b) Public participation

- (i) Please ensure that comments from all relevant stakeholders are submitted to the Department with the final report. This includes but is not limited to the Northern Cape Department of Environment and Nature Conservation, the Department of Agriculture, Land Reform and Rural Development, the South African Civil Aviation Authority (SACAA), the Department of Transport, the !Kheis Local Municipality, the ZF Mgcawu District Municipality, the Department of Water and Sanitation (DWS), the South African National Roads Agency Limited (SANRAL), the South African Heritage Resources Agency (SAHRA), the Department of Mineral Resources, the Department of Rural Development and Land Reform, the Department of Environment, Forestry and Fisheries: Directorate Biodiversity and Conservation, the Department of Environment, Forestry and Fisheries: Forestry Branches.
- (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. 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. 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) The final report must include an environmental sensitivity map indicating environmental sensitive areas, buffer areas and features identified during the assessment process.
- (ii) The final report must provide the technical details of the proposed facility in a table format as well as their description and/or dimensions.
- (iii) A copy of the final 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 must indicate the following:
 - (a) The location of the BESS;
 - (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.
- (iv) Google maps will not be accepted.
- (v) The final Amendment Motivation report must include an environmental sensitivity map indicating environmental sensitive areas and features identified during the assessment process.

(d) Specialist assessments

- (i) The maps used within the specialist studies must comply with comment c(i) of this comments letter.
- (ii) The EAP must provide confirmation that all specialists were provided with the same request of proposed amendments as well as ensure that the terms of reference for all the identified specialist studies include the following:
 - (a) 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.
 - (b) 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.
 - (c) 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.
 - (d) 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.
 - (e) All specialist studies must be final, and provide detailed/practical mitigation measures and recommendations, and must not recommend further studies to be completed post EA.
 - (f) Should specialists recommend specific mitigation measures for identified turbine positions, these must be clearly indicated.
 - (g) 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.
 - (h) 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.
 - (i) Identified cumulative impacts associated with the proposed development must be rated with the significance rating methodology used in the process.
 - (j) The significance rating must also inform the need and desirability of the proposed development.
 - (k) A cumulative impact environmental statement on whether the proposed development must proceed.
- (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) The EMPr must also include the following:

- (i) Please be informed that the following content must be incorporated within the EMPr's as indicated in Appendix 4 of the EIA Regulations 2014, as amended:
 - (a) Details of the EAP who prepared the EMPr; and the expertise of that EAP to prepare an EMPr, including a curriculum vitae.
 - (b) A map at an appropriate scale which superimposes the proposed activity, its associated structures, and infrastructure on the environmental sensitivities of the preferred site, indicating any areas that should be avoided, including buffers.
 - (c) A description of the impact management outcomes, including management statements, identifying the impacts and risks that need to be avoided, managed and mitigated as identified through the environmental impact assessment process for all phases of the development including —
 - Planning and design;
 - Pre-construction activities;

- Construction activities;
 - Rehabilitation of the environment after construction and where applicable post closure; and
 - Where relevant, operation activities.
- (d) A description of proposed impact management actions, identifying the manner in which the impact management outcomes contemplated in paragraph (d) of Appendix 4 of the EIA Regulations 2014, as amended, will be achieved, and must, where applicable, include actions to —
- (e) Avoid, modify, remedy, control or stop any action, activity or process which causes pollution or environmental degradation;
- (f) Comply with any prescribed environmental management standards or practices;
- (g) Comply with any applicable provisions of the Act regarding closure, where applicable; and
- (h) Comply with any provisions of the Act regarding financial provision for rehabilitation, where applicable.
- (i) The method of monitoring the implementation of the impact management actions contemplated in paragraph (f) of Appendix 4 of the EIA Regulations 2014, as amended.
- (j) The frequency of monitoring the implementation of the impact management actions contemplated in paragraph (f) of Appendix 4 of the EIA Regulations 2014, as amended.
- (k) An indication of the persons who will be responsible for the implementation of the impact management actions.
- (l) The time periods within which the impact management actions contemplated in paragraph (f) of Appendix 4 of the EIA Regulations 2014, as amended, must be implemented.
- (m) The mechanism for monitoring compliance with the impact management actions contemplated in paragraph (f) of Appendix 4 of the EIA Regulations 2014, as amended.
- (n) A program for reporting on compliance, taking into account the requirements as prescribed by the Regulations.

(f) General

- (i) Please ensure that all mitigation recommendations are in line with applicable and most recent guidelines.

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*

SA

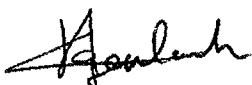
authority, submit to the competent authority – (b) a notification in writing that the report will be submitted within 140 days of receipt of the application by the competent authority, as significant changes have been made or significant new information has been added to the report, which changes or information was not contained in the report consulted on during the initial public participation process contemplated in subregulation (1)(a) and that the revised report will be subjected to another public participation process of at least 30 days”.

In the event where subregulation (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 Environment, Forestry and Fisheries

Signed by: Mr Coenrad Agenbach

Designation: Deputy Director: Priority Infrastructure Projects

Date: 22/09/2020

cc:	Mr. Jan Fourie	Re Capital 3C (Pty) Ltd	Email: jan.fourie@scatecsolar.com
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BA

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

Dale Holder

From: Mmamohale Kabasa <MKabasa@environment.gov.za>
Sent: 18 September 2020 01:37 PM
To: Dale Holder
Cc: Ephron Maradwa
Subject: Acknowledgement 14/12/16/3/3/2/538/2/AM4

Dear Mr Holder

ACKNOWLEDGEMENT OF RECEIPT OF APPLICATION FOR AMENDMENT OF ENVIRONMENTAL AUTHORISATION ISSUED ON 08 AUGUST 2014 (AS AMENDED) FOR THE PROPOSED RE CAPITAL 3C SOLAR DEVELOPMENT WITH A GENERATING CAPACITY OF 100MW AS WELL AS ITS ASSOCIATED INFRASTRUCTURE ON REMAINDER OF THE FARM 454 DYASONSKLIP, NEAR UPINGTON AND KEIMOS, WITHIN THE KAI !GARIB LOCAL MUNICIPALITY IN THE NORTHERN CAPE PROVINCE

The Department confirms having received the application for amendment and motivation report of the Environmental Authorisation for the abovementioned project on 08 September 2020.

Please note that your application for amendment of the environmental authorisation falls within the ambit of amendments to be applied for in terms of Part 2 of Chapter 5 of the Environmental Impact Assessment Regulations, 2014, as amended. You are therefore referred to Regulation 30 of the EIA Regulations, 2014 as amended.

Yours sincerely

Mr Sabelo Malaza
Chief Director: Integrated Environmental Authorisations
Department of Environment, Forestry and Fisheries
Letter signed by: Mr Muhammad Essop
Designation: Assistant Director: Priority Infrastructure Projects
Date:

cc:	Mr. Jan Fourie	Re Capital 3C (Pty) Ltd	Email: jan.fourie@scatecsolar.com
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From: EIA Applications
Sent: 10 September 2020 10:38 AM
To: Mmamohale Kabasa <MKabasa@environment.gov.za>
Cc: Muhammad Essop <MEssop@environment.gov.za>; Coenrad Agenbach <Cagenbach@environment.gov.za>
Subject: 14/12/16/3/3/2/538/2/AM4

Dear Mmamohale.

Please note that you have been allocated an application:

Type of Application: amendment to an EA which is a part 2 according to the EAP and a draft Motivation report;

Reference Number: 14/12/16/3/3/2/538/2/AM4;

Date Received: 08/09/2020;

Action Required:

- 1) Acknowledge receipt of application form and draft Motivation Report, and the ASD needs to sign off, upload acknowledgment letter on EDMS.
- 2) Comments on Draft Report

The file as well as the supporting documentation can be found on the EDMS folder:

14 NEMA Online EIA Applications 01 April 2020 - 31 March 2021

Please copy Ephron in the acknowledgement letter so the database can be updated accordingly.

EIA Applications

Integrated Environmental Authorisations
Department of Environment, Forestry and Fisheries

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From: Dale Holder <dale@cape-eaprac.co.za>

Sent: Tuesday, September 8, 2020 12:44

To: EIA Applications <EIAApplications@environment.gov.za>

Subject: Submission of Application for EA Amendment, Application for EMPr Amendment and Draft Amendment Assessment Report RE Capital 3C

To whom it may concern



DEFF Reference: 14/12/16/3/3/2/538/2



SUBMISSION OF APPLICATION FOR EA AMENDMENT, APPLICATION FOR EMPr AMENDMENT AND DRAFT AMENDMENT ASSESSMENT REPORT RE CAPITAL 3C SOLAR DEVELOPMENT ON REMAINING EXTENT OF FARM DYASON'S KLIP 454.

Kindly find attached screenshot showing the uploading of the following documents for the abovementioned project:


1. Amendment Assessment Report;
2. Application for EA Amendment; and
3. Application for EMPr Amendment.





A completed Document control form is also appended to this email.



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-  Application for Amendment and Draft Amendment Assessment Report RE Capital 3C.zip
-  Application for Part 2 Amendment of EA for Transnet Saldanha Bulk Power Infrastructure.zip
-  EIA Application and Draft Basic Assessment Report for Proposed installation of the Battery Energy

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<https://sfiler.environment.gov.za:8443/ssf/s/readFile/folderEntry/30121/8afbc1c77274394401746c7e16ce3a9d/1599546924848/l...>





Regards,

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 Ndip Nat. Con. (Pretoria Tech)

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Dale Holder

From: Dale Holder
Sent: 08 September 2020 12:44 PM
To: EIA Applications
Subject: Submission of Application for EA Amendment, Application for EMPr Amendment and Draft Amendment Assessment Report RE Capital 3C
Attachments: Document Control Form REC3C Amendment.docx

To whom it may concern

DEFF Reference: 14/12/16/3/3/2/538/2

SUBMISSION OF APPLICATION FOR EA AMENDMENT, APPLICATION FOR EMPr AMENDMENT AND DRAFT AMENDMENT ASSESSMENT REPORT RE CAPITAL 3C SOLAR DEVELOPMENT ON REMAINING EXTENT OF FARM DYASON'S KLIP 454.

Kindly find attached screenshot showing the uploading of the following documents for the abovementioned project:

1. Amendment Assessment Report;
2. Application for EA Amendment; and
3. Application for EMPr Amendment.

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<input checked="" type="checkbox"/>	Application for Amendment and Draft Amendment Assessment Report RE Capital 3C.zip
<input type="checkbox"/>	Application for Amendment and Draft Amendment Assessment Report RE Capital 3C.zip
<input type="checkbox"/>	Application for Part 2 Amendment of EA for Transnet Saldanha Bulk Power Infrastructure.zip
<input type="checkbox"/>	EIA Application and Draft Basic Assessment Report for Proposed installation of the Battery Energy

1-6 of

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Regards,

Dale Holder | 082 448 9225
SENIOR CONSULTANT | ECO | GIS
Ndip Nat. Con. (Pretoria Tech)

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We will advise when physical meetings and office visits can resume.
Our commitment to offering you service excellence remains unchanged.

