

25 September 2020

Department of Environment, Forestry and Fisheries
Environment House
473 Steve Biko Road
Arcadia, Pretoria

Attention: Ms Thabile Sangweni

**Proposed 100MW Upilanga PV1 Solar Energy Facility and its associated infrastructure near Upington
within the Dawid Kruiper Local Municipality in the Northern Cape Province**

DEA REF.: 14/12/16/3/3/1/2218

Notification of extension of the 2014 EIA Regulations prescribed timeframes

Dear Ms Sangweni,

The Basic Assessment (BA) process currently being undertaken by Savannah Environmental (Pty) Ltd for the 100MW Upilanga PV1 Solar Energy Facility has reference. The BA is being undertaken in terms of the National Environmental Management Act, NEMA (Act 107 of 1998, as amended) and the 2014 Environmental Impact Assessment Regulations (as amended).

A Basic Assessment Report (BAR) was made available for a 30-day review period from 03 August 2020 to 04 September 2020. All comments received by interested and affected parties (I&APs) during this review period have been recorded and will be included as part of the final Basic Assessment Report.

Following the submission of the BA Report to the DEFF, comments were received from the DEFF and the DENC regarding the requirement for a Biodiversity Offset Plan. In order to address the comments and inputs associated with the inclusion of the offset plan the Basic Assessment report and Environmental Management Programme (EMPr) must be updated to reflect all necessary information and submitted for a further 30 days public participation review period to I&APs and Stakeholders.

Considering the changes to the BA report to address biodiversity offset plan requirements, this letter serves to formally notify the Department of Environment, Forestry and Fisheries (DEFF) that the final BA Report be submitted within 140 days of receipt of the application by the competent authority in accordance with Regulation 19(1)(b) for the proposed 100MW Upilanga PV1 Solar Energy Facility. As significant changes have been made and new information has been added to the report, which changes the information or that the 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.

Please acknowledge receipt of the notification and advise should any further clarification be required.

Kind regards,



Arlene Singh
Environmental Consultant
arlene@savannahsa.com

Ronald Baloyi

From: Julliet Mahlangu <JMMahlangu@environment.gov.za>
Sent: Thursday, 01 October 2020 14:27
To: Arlene Singh
Cc: Ephron Maradwa; EIAAdmin; Thabile Sangweni
Subject: 14/12/16/3/3/1/2218

Dear Arlene Singh

14/12/16/3/3/1/2218

ACKNOWLEDGEMENT OF RECEIPT OF THE NOTIFICATION IN TERMS REGULATION 19(1)(B), OF THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 AS AMENDED FOR THE PROPOSED THE UPILANGA PV1, SOLAR PV FACILITY AND ASSOCIATED INFRASTRUCTURE ON A SITE NEAR UPINGTON, IN THE NORTHERN CAPE PROVINCE

The Department confirms having received the notification in terms of Regulation 19(1)(b) of the Environmental Impact Assessment Regulations, 2014 as amended for the abovementioned project on 15 September 2020.

Please take note of Regulation 19 (1)(b) of the EIA Regulations, 2014, as amended, which states that “and that the revised reports or EMPr or, where applicable, a closure plan will be subjected to another public participation process of at least 30 days.”

This Department will await for the amended Basic Environment Assessment Report for review and comment, which needs to clearly highlight the amendments and/or changes to the report.

Further note that in terms of Regulation 45 of the EIA Regulations, 2014, as amended, this application will lapse if the applicant fails to meet any of the time-frames prescribed in terms of these Regulations, unless an extension has been granted in terms of Regulation 3(7) of these Regulations.

You are hereby reminded of Section 24F of the National Environmental Management Act 1998 (Act No. 107 of 1998), as amended, that no activity may commence prior to an Environmental Authorisation being granted by the Department.

Kindly quote the abovementioned reference number in any future correspondence in respect of the application.

Yours in admin
EIA Applications
Integrated Environmental Authorisations
Department of Environment, Forestry and Fisheries

Julliet Mahlangu
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environmental affairs

Department:
Environmental Affairs
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**3 X 350MW AND 2 X 100MW PV FACILITIES WITHIN THE KAROSHOEK SOLAR VALLEY
DEVELOPMENT NEAR UPINGTON, NORTHERN CAPE PROVINCE**

PRE-APPLICATION MEETING WITH DEA: NOTES FOR THE RECORD

Meeting Date: 04 June 2019

Time: 10:30

Venue: Department of Environmental Affairs, Pretoria

Attendees (DEA attendance register attached):

NAME	ORGANISATION
Coenrad Agenbach	Department of Environmental Affairs
Muhammad Essop	Department of Environmental Affairs
Thabile Sangweni	Department of Environmental Affairs
Jo-Anne Thomas	Savannah Environmental
Thalita Koster	Savannah Environmental
Pancho Ndebele	Emvelo

The following items as listed in the agenda were discussed:

1. Introduction to the applicant, the project development team and the appointed EAP
2. Overview of previous EA received for the CSP facilities
3. Overview of proposed PV projects
4. Discussion regarding the proposed approach to the environmental applications:
 - 4.1. EA Amendment process and associated timeline
 - 4.2. BA process and associated timeline
5. DEA comments regarding approach
6. Way forward

These are attached to the Notes for completeness.

Notes:

The purpose of the meeting was to present the applicant with the opportunity to provide background to the amendments proposed to the existing authorisations within the Karoshoek Solar Valley Developments, and to the new applications proposed within the Karoshoek Solar Valley. The intention of the meeting was also to enable all parties to fully understand the amendments and the projects proposed and agree on the way forward. The following was proposed:

- » Application for an Amendment to the Environmental Authorisation (EA) for the development of CSP projects within the Karoshoek Solar Valley development (EIA Ref Nos: 14/12/16/3/3/2/297, 14/12/16/3/3/2/298, 14/12/16/3/3/2/296 and 14/12/16/3/3/2/295). The Developer is proposing to amend the authorised turbine capacity from 100MW to 350MW. While the turbine in the power block will change, the actual footprint of the facility will remain the same as what was authorised.
- » Application for an amendment of the EA for the development of Concentrated Photovoltaic (CPV) projects within the Karoshoek Solar Valley development (EIA Ref Nos.: 14/12/16/3/3/2/292, 14/12/16/3/3/2/291, 14/12/16/3/3/2/290 and 14/12/16/3/3/2/289). The Developer is proposing to amend the technology from CPV to PV.
- » Application for EA for the development of 3 x 350MW and 2 x 75 MW solar PV facilities located within REDZ, near Upington, within the Northern Cape Province.

The DEA was requested to provide input on the process and raise any specific requirements and expectations regarding the application.

The following was discussed and noted for the record:

- » The Developer explained that the increase in the turbine capacity for the CSP projects to 350MW will be a result of using a larger turbine to be housed within the power block and that there will be no change to the footprints authorised for the projects. Savannah Environmental indicated that one of the three CSP tower projects comprise two EAs for two 50MW towers. The intention is to develop these as a single project, i.e. one tower project which will then have a capacity of 350MW. The DEA stated that according to the EIA Regulations of 2014 (as amended), an amendment process can only be undertaken if the amendment on its own does not constitute a listed or specified activity. Therefore, an EIA process will have to be undertaken for the increase in turbine capacity.
- » In terms of the existing authorisations, the applicant can apply to have the validity period for the existing authorisations reduced towards the end of the new EIA process, or the EAP can recommend that a condition be included in the new EA to state that the new EA supersedes the existing EA. The best approach can be agreed with the DEA during the process.
- » The Developer explained that for the authorised CPV projects (4 x 25MW) located within the Karoshoek Solar Valley, he is proposing to change the PV technology from CPV to PV while the capacity of the projects and the development footprints will remain the same as that authorised.

The DEA indicated that a Part 2 Amendment process can be undertaken. Should the dimensions of the infrastructure change, the impacts associated with the change should be addressed in the Motivation Report. As Avifauna was only considered as part of the Ecology Impact Assessment, a stand-alone Avifauna Impact Assessment will be required and should adhere to the Best Practice Guidelines for Solar Energy. As the projects are located within a low sensitivity area based on the REDZ avifauna information, an Avifauna specialist should confirm whether an Avifauna Impact Assessment will be required. It was indicated that as the projects are located within the Upington Renewable Energy Development Zone (i.e. Zone 7), the decision timeframe will be 57 days. It was further indicated by the DEA that the public participation process can be combined for the four amendment applications (i.e. combined site notices, advertisements and notification letters).

- » Savannah Environmental explained that the Developer is also proposing five new applications for solar PV developments. Three of these projects (3 x 350MW) will be associated with the authorised CSP towers which will act as battery storage for the solar PV facilities and will therefore be part of a hybrid power plant. The two remaining projects comprise 2 x 100MW solar PV facilities.
- » The Developer indicated that he requires the option to build the solar PV facilities as stand-alone projects, inclusive of battery storage. The DEA recommended that instead of applying for an amendment to increase the turbine capacity of the CSP facilities and for three new solar PV facilities, the Developer can apply for three new applications which will include a solar PV facility of 350MW and a CSP tower of 350MW per application. It is then the Developer's decision to build only the solar PV facility should he wish to do so. It should be noted that should the Developer wish to apply for battery storage separately, a full Scoping and EIA will be required, and the competent authority might be the Northern Cape Department of Environment and Nature Conservation (DENC).
- » The DEA indicated that the specialist studies compiled for the authorised CSP tower projects can be reused to an extent, but that the impact assessment will have to be verified and redone by the specialists. Cumulative impacts must be considered and assessed.
- » Savannah Environmental enquired whether the applicant will be able to construct the projects under separate Special Purpose Vehicles (SPVs). The DEA advised that Regulation 11 of the EIA Regulations of 2014 (as amended) can be applied. Alternatively, a Part 2 Amendment process can be undertaken should the EA be required to be split at a later stage. The Developer will also have the option to undertake one process for the 3 x 350MW PV and 3 x 350MW CSP but will then have to request that three separate EAs be issued (30-day process). Should the Developer choose this option, a motivation as to why one process will be undertaken will be required by the DEA.
- » The DEA enquired whether the grid connection infrastructure and other shared infrastructure (i.e. pipelines, access roads) will form part of the applications for the PV and CSP facilities or if separate processes will be undertaken. The Developer indicated that each project will have a 132kV power line which will connect to an authorised collector substation located within the

Karoshhoek Solar Valley Development. It was recommended by the DEA that the 132kV power lines form part of the applications for the PV and CSP facilities.

- » The Developer stated that water infrastructure has already been constructed for the Ilanga 1 facility and will be required to be expanded for the newly proposed applications. The DEA indicated that the non-binding confirmation of water use will have to be updated to include the newly proposed facilities. The DEA advised that should the Developer choose to undertake a separate process for the water infrastructure, the competent authority will be the Northern Cape DENC. The DEA will then issue a decision on the CSP and PV Facilities only when the EA is received for the water infrastructure, as the CSP facilities will not be able to operate without the necessary water infrastructure. It was agreed that the pipeline routes will have to be included in the new applications.
- » The DEA stated that landowner consent will be required for the new and amendment applications.
- » It was agreed that the notes from the meeting would be available to all parties. As a way forward, it was agreed that the Developer will apply for:
 - Three new applications which will comprise 1 x 350MW PV including battery storage and 1 x 350MW CSP tower per application. The grid connection infrastructure and shared infrastructure will form part of the applications.
 - Two new applications for two x 100MW solar PV facilities including battery storage, grid connection infrastructure and other shared infrastructure.
 - Four amendment applications to change the technology from CPV to PV.

It was furthermore agreed that the DEA will confirm whether the shortened decision timeframe of 57 days applicable for developments in the REDZ areas will apply to applications which include CSP technology with PV technology. Muhammad Essop committed to providing feedback in this regard.

Prepared by:

Thalita Koster

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