

APPENDIX C3 - ORGANS OF STATE CORRESPONDENCE

**DFFE ADDITIONAL INFORMATION REQUEST &
ACKNOWLEDGEMENT**



Arlene Singh <arlene@veersgroup.com>

RE: 12/12/20/2321/2/2/AM1

Jay-Jay Mpelane <JMPELANE@dffe.gov.za>

Wed, Nov 9, 2022 at 11:01 AM

To: Arlene Singh <arlene@veersgroup.com>

Cc: Lerato Mokoena <LMOKOENA@dffe.gov.za>, Wayne Hector <WHECTOR@dffe.gov.za>, Ephron Maradwa <EMaradwa@dffe.gov.za>

Dear Arlene Singh.

ACKNOWLEDGEMENT OF RECEIPT OF APPLICATION FOR AMENDMENT OF ENVIRONMENTAL AUTHORISATION ISSUED ON 21 MAY 2021 FOR THE 132KV GRID ALIGNMENT AND 132KV ESKOM PORTION OF THE SHARED ON-SITE SUBSTATION FOR THE 100MW LOERIESFONTEIN 3 PHOTOVOLTAIC (PV) SOLAR ENERGY FACILITY (SEF) NEAR LOERIESFONTEIN, NORTHERN CAPE PROVINCE.

The Department confirms having received the applications for amendment of the Environmental Authorisation for the abovementioned project on 26 October 2022.

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 1 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.

The applicant applied for an extension of the commencement period of the Environmental Authorisation issued on 21 May 2021.

Please note that you are requested to submit the following additional information in terms of Regulation 30(1)(a) of the EIA Regulations, 2014 as amended for the Department to be able to process your application for amendment:

- A detailed motivation as to why the Department should extend the commencement period of the authorised development, including the advantages and disadvantages associated with the approval or refusal to the request for extension;
- The status (baseline) of the environment (social and biophysical) that was assessed during the initial assessment (by the relative specialist, if applicable);
- The current status of the assessed environment (social and biophysical) (by the relative specialist, if applicable);
- A review of all specialist studies undertaken, and a detailed assessment, including a site verification report providing an indication of the status of the receiving environment (by the relative specialist, if applicable);
- The terms of reference for the specialist reports and declaration of interest of each specialist must be provided;
- The report mentioned above, must indicate if the impact rating as provided in the initial assessment remains valid; if the mitigation measures provided in the initial assessment are still applicable; or if there are any new mitigation measures which need to be included into the EA, should the request to extend the commencement period be granted by the Department;
- An indication if there are any new assessments/guidelines which are now relevant to the authorised development which were not undertaken as part of the initial assessment, must be taken into consideration and addressed in the report;
- A description and an assessment of any changes to the environment (social and biophysical) that has occurred since the initial EA was issued;
- A description and an assessment of the surrounding environment, in relation to new developments or changes in land use which might impact on the authorised project, the assessment must consider the following:
 - similar developments within a 30km radius;
 - 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.

- 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.
- The cumulative impacts significance rating must also inform the need and desirability of the proposed development.
- A cumulative impact environmental statement on whether the proposed development must proceed.
- Consent from all affected landowners (where applicable);
- The Public Participation Process must be conducted in terms of Chapter 6 of the EIA Regulations, 2014 as amended.
- A comments and response report.

The outstanding information must be submitted within **90 days from the date of this letter**. The requested information must be sent via email to eiaapplications@environment.gov.za.

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.

Yours sincerely,

Jay.

012 399 9404.

From: EIA Applications <EIAApplications@dffe.gov.za>
Sent: 27 October 2022 10:51 AM
To: Jay-Jay Mpelane <JMPELANE@dffe.gov.za>
Cc: Lerato Mokoena <LMOKOENA@dffe.gov.za>; Wayne Hector <WHECTOR@dffe.gov.za>
Subject: 12/12/20/2321/2/2/AM1

Dear Jay-Jay.

Please note that you have been allocated an application:

Type of Application: Amendment to an EA which is a part 1 according to the EAP;

Reference Number: 12/12/20/2321/2/2/AM1

Date Received: 26/10/2022;

Action Required: 1) Acknowledge receipt of application form, and the ASD needs to sign off, upload acknowledgment letter on EDMS.

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

[16 NEMA Online EIA Applications 01 April 2022 - 31 March 2023](#)

EIA Applications

Integrated Environmental Authorisations

Department of Forestry, Fisheries and the Environment

Please note that this email is for the receipt and processing of online applications only, and is not monitored for responses. All queries must be directed to EIAAdmin@dffe.gov.za.

You are advised that this mailbox has a 48 hour response time.

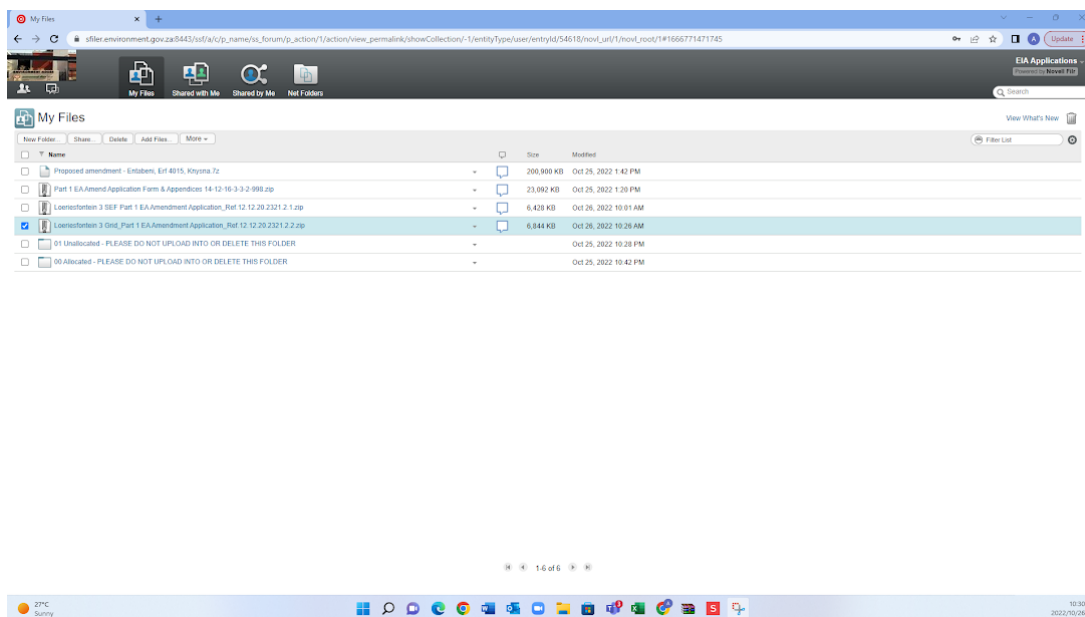
Please note that this mailbox has a 5mb mail limit. No zip files are to be attached in any email.

From: Arlene Singh <arlene@veersgroup.com>
Sent: Wednesday, 26 October 2022 10:33
To: EIA Applications <EIAApplications@dffe.gov.za>
Cc: Rebecca Thomas <Rebecca.Thomas@mainstreamrp.com>; Stephan Jacobs <Stephan.Jacobs@mainstreamrp.com>; Shannon Bolton <Shannon.Bolton@mainstreamrp.com>; Norman Chetsanga <norman@veersgroup.com>; Justin Jacobs <justin@veersgroup.com>
Subject: Proof of Upload- Loeriesfontein 3 Grid Part 1 EA Amendment (REF: 12/12/20/2321/2/2)

Good morning,

I trust that this email finds you well.

Kindly see below proof of upload for the abovementioned Part 1 EA Amendment Application:



Please do not hesitate to contact me should you require any further information. Kindly confirm receipt of the Application. Thank you.

Kind regards,

[Redacted signature area]



Arlene Singh <arlene@veersgroup.com>

RE: 12/12/20/2321/2/2/AM1

Lerato Mokoena <LMOKOENA@dffe.gov.za>

Mon, Nov 14, 2022 at 1:28 PM

To: Arlene Singh <arlene@veersgroup.com>, Jay-Jay Mpelane <JMPELANE@dffe.gov.za>

Cc: Wayne Hector <WHECTOR@dffe.gov.za>, Norman Chetsanga <norman@veersgroup.com>, Justin Jacobs <justin@veersgroup.com>

Dear Arlene

Please note that the period has been excluded you must submit the required on or before the 01 March 2023, failure to do so will result in the application lapsing.

Kind Regards

Mr. Lerato Mokoena

Environmental Control Officer: Grade A

Priority Infrastructure Projects

 (012) 399 9418/072 759 2181 | lmokoena@dffe.gov.za dffe.gov.za Environment House [473 Steve Biko Road, Arcadia, Pretoria](#)**forestry, fisheries
& the environment**Department:
Forestry, Fisheries and the Environment
REPUBLIC OF SOUTH AFRICA

From: Arlene Singh <arlene@veersgroup.com>**Sent:** Saturday, 12 November 2022 11:43**To:** Jay-Jay Mpelane <JMPELANE@dffe.gov.za>**Cc:** Lerato Mokoena <LMOKOENA@dffe.gov.za>; Wayne Hector <WHECTOR@dffe.gov.za>; Norman Chetsanga <norman@veersgroup.com>; Justin Jacobs <justin@veersgroup.com>**Subject:** Re: 12/12/20/2321/2/2/AM1

Good morning Jay-Jay,

I hope that you are well.

I needed some clarity on the 90 day timeline for submission of the final report as requested. Has the period of 15 December 2022 - 06 January 2023 been included in this 90 day timeline? Kindly advise. Thank you.

Kind regards,

[Redacted content]

[Quoted text hidden]

NOTICE OF AVAILABILITY



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24 January 2023

Dear Stakeholder and / or Interested & Affected Party (I&AP),

PART 1 ENVIRONMENTAL AUTHORISATION (EA) AMENDMENT APPLICATION TO EXTEND VALIDITY PERIOD OF THE EA FOR THE 132KV GRID ALIGNMENT (I.E., OVERHEAD POWER LINE) AND 132KV ESKOM PORTION OF THE SHARED ON-SITE SUBSTATION FOR THE 100 MW LOERIESFONTEIN 3 PV SEF, NEAR LOERIESFONTEIN, HANTAM LOCAL MUNICIPALITY, NORTHERN CAPE PROVINCE – DFFE REFERENCE NUMBER: 12/12/20/2321/2/2

NOTIFICATION OF AVAILABILITY OF DRAFT MOTIVATION REPORT FOR REVIEW AND COMMENT

South Africa Mainstream Renewable Power Loeriesfontein 3 (Pty) Ltd received the original Environmental Authorisation (EA) for the 100MW Loeriesfontein 3 Photovoltaic (PV) Solar Energy Facility (SEF) and Grid Connection infrastructure on 29 October 2012 (DFFE Ref: 12/12/20/2321/2). Further to this, the original EA was amended on 10 July 2014 (DFFE Ref: 12/12/20/2321/2/A1), 27 October 2015 (DFFE Ref: 12/12/20/2321/2/AM2), 04 October 2017 (DFFE Ref: 12/12/20/2321/2/AM3) and 24 September 2019 (DFFE Ref: 12/12/20/2321/2/AM4). In addition, following the 2019 amendment, the EA was subsequently split into two separate EAs (1 for the 100MW PV SEF and 1 for the grid connection infrastructure), both dated 21 May 2021, as follows:

- 1) EA for the 100MW Loeriesfontein 3 PV SEF, 33/132kV Independent Power Producer (IPP) portion of the shared on-site substation (including Transformer) and associated infrastructure (DFFE Ref: 12/12/20/2321/2/1); and
- 2) EA for the 132kV Grid Alignment and 132kV Eskom Portion of the shared on-site substation to service the 100MW Loeriesfontein 3 PV SEF (DFFE Ref: 12/12/20/2321/2/2)- – the subject of this notification letter.**

The validity of the split EA for the 132kV grid alignment and Eskom portion of the shared on-site substation lapsed on 29 October 2022, however, a Part 1 EA Amendment Application to extend the validity period of the EA by 5 years (i.e., EA lapses on 29 October 2027) was submitted to the Department of Forestry, Fisheries and the Environment (DFFE) on 26 October 2022. It is important to note that according to Regulation 28(1B) of the National Environmental Management Act (NEMA) Environmental Impact Assessment (EIA) Regulations of 2014 (as amended), "*an environmental authorisation which is the subject of an amendment application contemplated in this Chapter remains valid pending the finalisation of such amendment application.*" The Part 1 EA Amendment Application was acknowledged by the DFFE on 09 November 2022 and additional information was requested to be submitted to the DFFE for consideration in terms of Regulation 30(1)(a) of the



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Midrand, Johannesburg, 20290



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EIA Regulations, 20014 as amended. Following this, assessments have been undertaken to motivate why the Department should extend the validity period of the EA for the grid alignment for a further 5 years.

As part of the Part I EA Amendment Application and the additional information requested by the DFFE, separate specialist comparative assessments and motivation reports are required for:

- 100 MW Loeriesfontein 3 PV Solar Energy Facility SEF, 33/132kV IPP Portion of the Shared On-site Substation (including the Transformer) and associated infrastructure, near Loeriesfontein, Hantam Local Municipality, Northern Cape Province – DFFE Reference Number: 12/12/20/2321/2/1.
- **132kV Grid Alignment (i.e., Overhead Power Line) and 132kV Eskom Portion of the Shared On-site Substation for the 100 MW Loeriesfontein 3 PV SEF near Loeriesfontein, Hantam Local Municipality, Northern Cape Province – DFFE Reference Number: 12/12/20/2321/2/2.**

The proposed grid alignment is located on the farm Aan De Karree Doorn Pan No. 213 (Portion 1 and Portion 2), and the farm Sous (Remainder, Portion 1 and 3) approximately 60km north of the town of Loeriesfontein within the Hantam Local Municipality in the Northern Cape Province.

In terms of Condition 5 of the grid alignment EA dated 21 May 2012 (DFFE Ref.: 12/12/20/2321/2/2) and Chapter 5 of the EIA Regulations of December 2014 (as amended on 07 April 2017 and 13 July 2018), it is possible for the holder of an EA to apply for an amendment of the EA with the Competent Authority for a change or deviation from the project description to be approved.

Following receipt of the original EA which was issued on 29 October 2012 (DFFE Ref: 12/12/20/2321/2), and the subsequent split EAs issued on 21 May 2021, both above-mentioned split EAs (i.e. 100MW SEF , including IPP portion of shared on-site substation (DFFE Ref: 12/12/20/2321/2/1) & EA 132kV Grid alignment and Eskom portion of on-site shared substation (DFFE Ref: 12/12/20/2321/2/2) lapsed on 29 October 2022 and thus need to be extended for a period of five (5) years (i.e., EA lapses on 29 October 2027). No other amendments are being applied for and the layout of the authorised infrastructure remains unchanged.

In order to verify the potential for a change in the impacts on biodiversity, heritage, palaeontology, the aquatic environment, soil & agricultural potential, avifauna and bats, the required specialist input into the amendment motivation report have been included.

Nala Environmental was appointed as the independent environmental consultant to undertake the amendment application and to identify and assess all potential environmental impacts as well as to compile the Motivation report and undertake



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the required public participation process in terms of Chapter 6 of the EIA Regulations, 2014 (as amended) for the amendment application as per the additional information request from the DFFE.

Public Participation

As a registered Interested and Affected Party (I&AP) / stakeholder , you are hereby notified that the Motivation Report for the 132kV grid alignment (i.e., overhead power line) and 132kV Eskom portion of the shared on-site substation for the 100 MW Loeriesfontein 3 PV SEF, near Loeriesfontein, Hantam Local Municipality, Northern Cape Province – DFFE reference number: 12/12/20/2321/2/2 is available for your review and comment for a period of 30 days from **Tuesday, 24 January 2023 until Thursday, 23 February 2023**. The reports are available for download from our website <https://nalaenvironmental.co.za/projects/part-1-amendment-application-for-the-extension-of-the-validity-period-of-the-ea-for-the-132kv-grid-alignment-132kv-eskom-portion-of-the-shared-on-site-substation-for-the-100mw-loeriesfontein-3-s/>

A digital copy of the Motivation report and associated appendices will also be made available in electronic tablet format for the full duration of the review and comment period at the Loeriesfontein Public Library (3 Hoofstraat, Loeriesfontein, 8185) for review and comment.

Please kindly submit your written comments on the Motivation report to us by latest **Thursday, 23 February 2023 (by close of business day)** via the following methods:

- Telephone: 084 2777 074
- Fax: 086 471 4190
- Post: Private Bag X26, Suite 548, Sunninghill, 2157
- E-mail: publicparticipation@nalaenvironmental.co.za

All comments received during the 30-day review and comment period will be recorded and included in the Final Motivation Report for submission to the DFFE in line with Regulation 44 of the EIA Regulations, 2014, as amended (GN R326).

Please do not hesitate to contact us should you require additional information and/or clarification regarding the project. Our team welcomes your participation and look forward to your involvement throughout this process.



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A handwritten signature in black ink, appearing to read 'Arlene Singh', is positioned above the typed name.

Kind regards,

Arlene Singh
Environmental Consultant
E-mail: publicparticipation@nalaenvironmental.co.za