

Appendix C6:
Comments Received

Written comments inserted chronologically as
per Comments & Responses Report

Comments received on the Environmental
Impact Assessment Report

Department of Forestry, Fisheries and the
Environment



environment, forestry & fisheries

Department:
Environment, Forestry and Fisheries
REPUBLIC OF SOUTH AFRICA

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

DEFF Reference: 14/12/16/3/3/2/2019

Enquiries: Mr Herman Alberts

Telephone: (012) 399 9371 E-mail: HAiberts@henvironment.gov.za

Ms Karen Jodas
Savannah Environmental (Pty) Ltd
PO Box 148
SUNNINGHILL
2157

Telephone Number: (011) 656 3237
Email Address: karen@savannahsa.com

PER E-MAIL / MAIL

Dear Ms Jodas

COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT ASSESSMENT REPORT FOR THE PROPOSED THERMAL POWER DUAL FUEL FACILITY AND ASSOCIATED INFRASTRUCTURE TO FORM PART OF A HYBRID GENERATION FACILITY TOGETHER WITH THE AUTHORISED HYPERION 1 & 2 SOLAR PV ENERGY FACILITIES NEAR KATHU, NORTHERN CAPE PROVINCE

The draft Environmental Impact Assessment Report (EIAR) dated February 2021 and received by this Department on 12 February 2021, refers.

This Department has the following comments on the abovementioned application:

(a) Specific comments

- (i) The final EIAR must comply with all conditions of the acceptance of the scoping report signed on 06 January 2021 and must address all comments contained in the FSR and this letter.
- (ii) The recommendations provided by the specialist reports must be considered and used to inform the preferred layout.
- (iii) The EAP must provide details of the specific locations in the EIAR, and not provide vague locations of the proposed developments. All associated infrastructure must be clearly indicated in the EIAR and its associated layout plans.
- (iv) The EAP must identify and provide a map which shows this development and its associated infrastructure in relation to the other proposed facilities in the area.
- (v) All specialist studies must be final, and provide detailed/practical mitigation measures for the preferred alternative and recommendations, and must not recommend further studies to be completed post EA.
- (vi) When submitting the EIAR and future documents kindly name each of the documents and attachments according to the information it contains e.g. instead of only naming it Appendix A, it must be Appendix A: Maps, Appendix B: EAP Declaration etc.
- (vii) Please ensure that all mitigation recommendations are in line with applicable and most recent guidelines.
- (viii) The final EIAR must provide the technical details of the proposed facility in a table format as well as their description and/or dimensions.

(b) Listed Activities

- (i) The application form must be amended to include the specific and correct sub listed activity for each listed activity applied for. The amended signed application form must be submitted with the EIAr.
- (ii) The EAP must clearly identify and provide a final list of all applicable listed activities. If any activities are to be removed, motivation for their removal must be included in the EIAr.
- (iii) Please note that the Department's application form template has been amended and can be downloaded from the following link <https://www.environment.gov.za/documents/forms>.
- (iv) The listed activities represented in the EIAr and the application form must be the same and correct.
- (v) The EIAr must provide an assessment of the impacts and mitigation measures for each of the listed activities applied for.

(c) Public Participation

- (i) Please ensure that comments from all relevant stakeholders are submitted to the Department with the final EIAr. This includes but is not limited to the Northern Cape Department of Environmental Affairs and Nature Conservation, the provincial Department of Agriculture, the Provincial Department of Transport, the local and district municipalities, the Department of Human Settlements, Water and Sanitation, the South African Heritage Resources Agency (SAHRA), the Department of Rural Development and Land Reform, and the Department of Environment, Forestry and Fisheries: Directorate Biodiversity.
- (ii) Please ensure that all issues raised and comments received during the circulation of the draft EIAr from registered I&APs and organs of state which have jurisdiction in respect of the proposed activity are adequately addressed in the final EIAr.
- (iii) Proof of correspondence with the various stakeholders must be included in the final EIAr. Should you be unable to obtain comments, proof should be submitted to the Department of the attempts that were made to obtain comments.
- (iv) A Comments and Response trail report (C&R) must be submitted with the final EIAr. The C&R report must incorporate all comments for this development. 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 Annexure 1 of this 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.
- (v) Comments from I&APs must not be split and arranged into categories. Comments from each submission must be responded to individually.
- (vi) The Public Participation Process must be conducted in terms of Regulation 39, 40, 41, 42, 43 & 44 of the EIA Regulations, 2014, as amended.

(d) Layout & Sensitivity Maps

- (i) The EIAr must provide coordinate points for the proposed development site (note that if the site has numerous bend points, at each bend point coordinates must be provided) as well as the start, middle and end point of all linear activities.
- (ii) Please provide a layout map which indicates the following:
 - a) Positions of the power island, steam turbine and generator, fuel storage tanks, water storage reservoir and tanks, water and gas supply pipelines; etc.
 - b) Permanent laydown area footprint;
 - c) All supporting onsite infrastructure e.g. roads (existing and proposed);
 - d) Substation(s) and/or transformer(s) sites including their entire footprint;
 - e) Connection routes (including pylon positions) to the distribution/transmission network; and
 - f) All existing infrastructure on the site.

- (iii) Please provide an environmental sensitivity map which indicates the following:
 - a) The location of sensitive environmental features on site e.g. CBAs, heritage sites, wetlands, drainage lines etc. that will be affected;
 - b) Buffer areas; and,
 - c) All "no-go" areas.
- (iv) The above layout map must be overlain with the sensitivity map and a cumulative map which shows neighbouring energy developments and existing grid infrastructure.

(e) Specialist assessments

- (i) The EAP must ensure that the terms of reference for all the identified specialist studies must 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 accepted.
 - 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 Departments 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 for the preferred alternative and recommendations, and must not recommend further studies to be completed post EA.
- (ii) 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.

(f) Cumulative Assessment

- (i) Should there be any other similar projects within a 30km radius of the proposed development site, the cumulative impact assessment for all identified and assessed impacts must be refined to 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) 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.
 - (c) The cumulative impacts significance rating must also inform the need and desirability of the proposed development.
 - (d) A cumulative impact environmental statement on whether the proposed development must proceed.

(g) The EMP must include the following:

- (i) All recommendations and mitigation measures recorded in the EIA and the specialist studies conducted.
- (ii) The final site layout map.
- (iii) Measures as dictated by the final site layout map and micro-siting.

- (iv) An environmental sensitivity map indicating environmental sensitive areas and features identified during the EIA process.
- (v) A map combining the final layout map superimposed (overlain) on the environmental sensitivity map.
- (vi) An alien invasive management plan to be implemented during construction and operation. The plan must include mitigation measures to reduce the invasion of alien species and ensure that the continuous monitoring and removal of alien species is undertaken.
- (vii) A plant rescue and protection plan which allows for the maximum transplant of conservation important species from areas to be transformed. This plan must be compiled by a vegetation specialist familiar with the site and be implemented prior to commencement of the construction phase.
- (viii) A re-vegetation and habitat rehabilitation plan to be implemented during construction and operation. Restoration must be undertaken as soon as possible after completion of construction activities to reduce the amount of habitat converted at any one time and to speed up the recovery to natural habitats.
- (ix) A traffic management plan to ensure that no hazards would result from the increased traffic and that traffic flow would not be adversely impacted. This plan must include measures to minimize impacts on local commuters.
- (x) A storm water management plan to be implemented during construction and operation. The plan must ensure compliance with applicable regulations and prevent off-site migration of contaminated storm water or increased soil erosion. The plan must include the construction of appropriate design measures that allow surface and subsurface movement of water along drainage lines so as not to impede natural surface and subsurface flows.
- (xi) A fire management plan to be implemented during the construction.
- (xii) 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.
- (xiii) Measures to protect hydrological features such as streams, rivers, pans, wetlands, dams and their catchments, and other environmental sensitive areas from construction impacts including the direct or indirect spillage of pollutants.

General

Please also ensure that the final EIA includes the period for which the Environmental Authorisation is required and the date on which the activity will be concluded as per Appendix 3 of the NEMA EIA Regulations, 2014, as amended.

You are further reminded to comply with Regulation 23(1)(a) of the NEMA EIA Regulations, 2014, as amended, which states that: *"The applicant must within 106 days of the acceptance of the scoping report submit to the competent authority -*

(a) an environmental impact assessment report inclusive of any specialist reports, and an EMP, which must have been subjected to a public participation process of at least 30 days and which 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 EIA or EMP 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 23(1)(b) of the NEMA EIA Regulations, 2014, as amended, which states: *"The applicant must within 106 days of the acceptance of the scoping report submit to the competent authority - (b) a notification in writing that the reports, and an EMP, will be submitted within 156 days of acceptance of the scoping report by the competent authority, or where regulation 21(2) applies, within 156 days of receipt of application by the competent authority, as significant changes have been made or significant new information has been added to the environmental impact assessment report or EMP, which changes or information was not contained in the reports or plans consulted on during the initial public participation process*

contemplated in subregulation (1)(a) and that the revised environmental impact assessment report or EMPr will be subjected to another public participation process of at least 30 days”.

Should you fail to meet any of the timeframes stipulated in Regulation 23 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 sincerely



Mr Sabelo Malaza
Chief Director: Integrated Environmental Authorisations
Department of Environment, Forestry and Fisheries
Signed by: Ms Millicent Solomons
Designation: Director: Priority Infrastructure Projects
Date: 09/03/2021.

cc:	Matteo Brambilla	Hyperion Solar Development (Pty) Ltd	Email: m.michalowska@redrocket.energy
	Bryan Fisher	NC Environmental Affairs and Nature Conservation	Email: BFisher@ncpg.gov.za
	Thusoeng Itumeleng	Gamagara Local Municipality	Email: clementi@gamagara.gov.za

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 Environment, Forestry and Fisheries: Priority Infrastructure Projects (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

South African Heritage Resources Agency



an agency of the
Department of Arts and Culture

T: +27 21 462 4502 | F: +27 21 462 4509 | E: info@sahra.org.za
South African Heritage Resources Agency | 111 Harrington Street | Cape Town
P.O. Box 4637 | Cape Town | 8001
www.sahra.org.za

Enquiries: Natasha Higgitt
Tel: 021 462 4502
Email: nhiggitt@sahra.org.za
CaseID: 15642

Date: Tuesday March 09, 2021
Page No: 1

Final Comment

In terms of Section 38(4), 38(8) of the National Heritage Resources Act (Act 25 of 1999)

Attention: Hyperion Solar Development (Pty) Ltd

Hyperion Solar Development (Pty) Ltd proposing the development of a hybrid generation facility consisting of a dispatchable, dual fuel (liquid or gas) thermal generation plant that will work in combination with the authorised Hyperion PV Solar Energy Facility (SEF) complex. The power generated by the thermal facility and authorised Hyperion PV facility complex will connect via an overhead 132kV power line to the existing Eskom Kalbas substation. The thermal generation plant will include the following infrastructure

Savannah Environmental (Pty) Ltd has been appointed by Hyperion Solar Development (Pty) Ltd to conduct an Environmental Authorisation (EA) Application for the proposed 75MW Thermal Dual Fuel Facility and associated infrastructure for the authorised Hyperion 1 & 2 Solar OV facilities, near Kathu, Northern Cape Province.

A draft Scoping Report (DSR) has been submitted in terms of the National Environmental Management Act, 1998 (NEMA) and the 2017 NEMA Environmental Impact Assessment (EIA) Regulations. The proposed infrastructure will include gas turbines or reciprocating engines, access roads, truck entrance and parking facility, regasification plant and fuel preparation plant, dry cooling system, fuel off-loading facility, fuel storage facility, water demineralisation plant, substation, cabling, operation and maintenance building, fencing, warehouse and workshops covering an area of 5ha. The proposed Thermal Dual Fuel Facility will be located within the authorised Hyperion PV Solar Energy Facility.

SAHRIS Case ID 12966 has reference (<https://sahris.sahra.org.za/cases/hyperion-solar-development-2>). In a Final Comment issued on the 06/05/2019, SAHRA noted no objections to the proposed development and provided specific conditions for the development.

ASHA Consulting (Pty) Ltd has been appointed to provide heritage specialist input as required by section 24(4)b(iii) of NEMA and section 38(8) of the National Heritage Resources Act, Act 25 of 1999 (NHRA).

Orton, J. 2020. Heritage Impact Assessment: Proposed Thermal Power Dual Fuel Generator on Farm 432/REM and Access Road on Farm 464/1, North of Kathu, Kuruman Magisterial District, Northern Cape.



an agency of the
Department of Arts and Culture

T: +27 21 462 4502 | F: +27 21 462 4509 | E: info@sahra.org.za
South African Heritage Resources Agency | 111 Harrington Street | Cape Town
P.O. Box 4637 | Cape Town | 8001
www.sahra.org.za

It is noted that no physical survey was conducted as part of this HIA, however, the area where the proposed facility is to be located was surveyed as part of the original EA application. No heritage resources were previously identified within the proposed facility footprint.

Recommendations provided in the report include the following:

- The subsurface palaeontological record can never be fully understood, and the EIA Phase report will need to make recommendations for monitoring and/or mitigation to be carried out in advance of or during construction work;
- The EIA Phase report will need to make recommendations for mitigation to be carried out in advance of construction work. This will likely entail monitoring of excavations and excavating column samples from a few strategic locations. It should be noted that the potential does exist for a larger excavation to be required if highly significant archaeological resources are discovered;
- The EIA Phase report will need to make recommendations for mitigation or avoidance of graves visible on the surface and indicate how to proceed in the event that a grave is discovered during excavation.

In an Interim Comment issued on the 16/11/2020, SAHRA requested that the EIA phase report HIA must include a field-based survey be conducted for the proposed access road. The EIA phase HIA must include a Palaeontological Desktop Study as the proposed development footprint is located within an area of moderate sensitivity as per the SAHRIS PalaeoSensitivity map.

Since the issuing of the Interim Comment, a field-based HIA and Desktop PIA have been submitted on the 12/02/2021 (Appendix H of the draft EIA).

Almond, J. A. 2021. Palaeontological Heritage: Letter of Exemption from Further Specialist Studies. Proposed Thermal Power Dual Fuel Generator on Farm 432/Rem and Access Road on 432/Rem, 457/1, 457/2 And 457/Rem, near Kathu, Kuruman Magisterial District, Northern Cape.

The proposed development area is underlain by Late Caenozoic aeolian sands and Precambrian lavas of the Ongeluk Formation that are of low to very low sensitivity. A Chance Fossil Finds Procedure is recommended to be implemented and is provided in the report.

Orton, J. 2021. Heritage Impact Assessment: Proposed Thermal Power Dual Fuel Generator on Farm 432/Rem and Access Road on 432/Rem, 457/1, 457/2 And 457/Rem, north of Kathu, Kuruman Magisterial



an agency of the
Department of Arts and Culture

T: +27 21 462 4502 | F: +27 21 462 4509 | E: info@sahra.org.za
South African Heritage Resources Agency | 111 Harrington Street | Cape Town
P.O. Box 4637 | Cape Town | 8001
www.sahra.org.za

Enquiries: Natasha Higgitt
Tel: 021 462 4502
Email: nhiggitt@sahra.org.za
CaseID: 15642

Date: Tuesday March 09, 2021
Page No: 3

District, Northern Cape.

It is noted that the report is based off field-work conducted in 2018. A total of 11 heritage resources were identified along the proposed road servitude and generator site which include surface scatters of Stone Age lithics of low significance and two historical houses of low significance.

Recommendations provided in the report include the following:

- An archaeologist should be appointed to conduct test excavations and sampling of the archaeology in areas where in situ gravel may be intersected by foundations, trenches and the access road. If geotechnical work is done in time, the results of such work could inform the archaeological fieldwork. This work should aim primarily to understand the distribution of archaeology on the landscape through sampling many small areas, although if any dense archaeology is encountered it may be necessary to expand excavations; and
- If any fossils, archaeological material or human burials are uncovered during the course of development then work in the immediate area should be halted. The find would need to be reported to the heritage authorities and may require inspection by an archaeologist or palaeontologist. Such heritage is the property of the State and may require excavation and curation in an approved institution.

Final Comment

The following comments are made as a requirement in terms of section 3(4) of the NEMA Regulations and section 38(8) of the NHRA in the format provided in section 38(4) of the NHRA and must be included in the Final EIA and EMPr:

- 38(4)a – The SAHRA Archaeology, Palaeontology and Meteorites (APM) Unit has no objections to the proposed development;
- 38(4)b – The recommendations of the specialists are supported and must be adhered to. Further additional specific conditions are provided for the development as follows:
- The conditions provided in the Final Comment for SAHRIS Case ID 12966 are valid and must be adhered to (<https://sahris.sahra.org.za/node/522889>), with specific reference to the bufferzone around the Vlermuisleegte;
- Permits in terms of section 35(4) of the NHRA and Chapter II and IV of the NHRA Regulations must be

Our Ref:



an agency of the
Department of Arts and Culture

T: +27 21 462 4502 | F: +27 21 462 4509 | E: info@sahra.org.za
South African Heritage Resources Agency | 111 Harrington Street | Cape Town
P.O. Box 4637 | Cape Town | 8001
www.sahra.org.za

Enquiries: Natasha Higgitt
Tel: 021 462 4502
Email: nhiggitt@sahra.org.za

Date: Tuesday March 09, 2021
Page No: 4

CaseID: 15642

applied for the recommended test excavations and sampling of the archaeological sites in areas where in situ gravel will be intersected by foundations, cable trenches and/or access roads. This permit must be applied for well in advance prior to construction;

- 38(4)c(i) – If any evidence of archaeological sites or remains (e.g. remnants of stone-made structures, indigenous ceramics, bones, stone artefacts, ostrich eggshell fragments, charcoal and ash concentrations), fossils or other categories of heritage resources are found during the proposed development, SAHRA APM Unit (Natasha Higgitt/Phillip Hine 021 462 5402) must be alerted as per section 35(3) of the NHRA. Non-compliance with section of the NHRA is an offense in terms of section 51(1)e of the NHRA and item 5 of the Schedule;
- 38(4)c(ii) – If unmarked human burials are uncovered, the SAHRA Burial Grounds and Graves (BGG) Unit (Thingahangwi Tshivhase/Mimi Seetelo 012 320 8490), must be alerted immediately as per section 36(6) of the NHRA. Non-compliance with section of the NHRA is an offense in terms of section 51(1)e of the NHRA and item 5 of the Schedule;
- 38(4)d – See above;
- 38(4)e – The following conditions apply with regards to the appointment of specialists:
 - With reference to the mitigation work noted above, a qualified archaeologist must be appointed to undertake the work in terms of the permit applied for as noted above;
 - If heritage resources are uncovered during the course of the development, a professional archaeologist or palaeontologist, depending on the nature of the finds, must be contracted as soon as possible to inspect the heritage resource. If the newly discovered heritage resources prove to be of archaeological or palaeontological significance, a Phase 2 rescue operation may be required subject to permits issued by SAHRA;
 - The Final EIA and EMP must be uploaded to the SAHRIS application for record purposes;
 - The decision regarding the EA Application must be communicated to SAHRA and uploaded to the SAHRIS Case application.

Should you have any further queries, please contact the designated official using the case number quoted above in the case header.

Yours faithfully

Our Ref:



an agency of the
Department of Arts and Culture

T: +27 21 462 4502 | F: +27 21 462 4509 | E: info@sahra.org.za
South African Heritage Resources Agency | 111 Harrington Street | Cape Town
P.O. Box 4637 | Cape Town | 8001
www.sahra.org.za

Enquiries: Natasha Higgitt
Tel: 021 462 4502
Email: nhiggitt@sahra.org.za
CaseID: 15642

Date: Tuesday March 09, 2021
Page No: 5

Natasha Higgitt
Heritage Officer
South African Heritage Resources Agency

Phillip Hine
Manager: Archaeology, Palaeontology and Meteorites Unit
South African Heritage Resources Agency

ADMIN:

Direct URL to case: <https://sahris.sahra.org.za/node/542131>
(DEA, Ref:)

Terms & Conditions:

1. This approval does not exonerate the applicant from obtaining local authority approval or any other necessary approval for proposed work.
2. If any heritage resources, including graves or human remains, are encountered they must be reported to SAHRA immediately.
3. SAHRA reserves the right to request additional information as required.

Transnet SOC Ltd

9 March 2021

Ref: TFR/RN/WR/13/1/16/175

Mrs. N. Venter
Savannah Environmental (Pty) (Ltd)
P.O. BOX 148
Sunninghill
2157

Dear Mrs. N. Venter

KAMFERSDAM-HOTAZEL DEVELOPMENT OF A THERMAL POWER DUAL FUEL FACILITY TO FORM PART OF A HYBRID GENERATION FACILITY TOGETHER WITH AUTHORISED HYPERION 1&2 SOLAR PV ENERGY FACILITIES NEAR KATHU- NORTHERN CAPE PROVINCE

Your letter dated 10th February 2021 refers.

Transnet Property:

Ref: LS.BFX.25/1/55

This office has no objection to the proposal. Transnet and its OD's are not affected as the site lies \pm 12km west from the closest railway line.

Transnet Freight Rail would however, like the opportunity to re-evaluate our position with regards to this proposal once final plans have been prepared.

Yours truly



V. MAHARAJ
DEPOT MANAGER

Transnet SOC Ltd
Registration Number
1990/000900/30

DEPOT ENGINEER
1B Austen Street
Beaconsfield
Kimberley
8315

PO BOX 10201
South Africa,
T +27 53 8383039
F +27 53 8383211

Directors: Dr PS Molefe (Chairperson) PPJ Derby* (Group Chief Executive) UN Fikelepi ME Letlape DC Matshoga Dr FS Mufamadi AP Ramabulana GT Ramphaka LL von Zeuner
NS Dlamini* (Group Chief Financial Officer)

*Executive

Interim Group Company Secretary: Ms S Bopape

TRANSNET HAS A 'ZERO GIFTS' POLICY. NO EMPLOYEE IS ALLOWED TO ACCEPT GIFTS, FAVOURS OR BENEFITS

Northern Cape Department of Agriculture,
Environmental Affairs, Rural Development and
Land Reform

(Directorate: Air Quality)

Nicolene Venter

From: Jana de Jager
Sent: Monday, March 15, 2021 7:29 AM
To: Savannah Public Process; Magdalena Logan
Subject: RE: Request for details of the project and its listed activity

Good morning

From my conversation with Henry on Friday, he confirmed that DEFF will be the competent authority for the AEL application. He also gave a friendly reminder to submit on the NAEIS by the end off March. I contacted Terri and she indicated that this is on her schedule for this week.

Kind regards



t: +27 (0)11 656 3237
f: +27 (0) 86 684 0547

Jana de Jager
Environmental Consultant

e: jana@savannahsa.com

SAWEA Award for Leading Environmental Consultant on Wind Projects in 2013 & 2015

From: Savannah Public Process <publicprocess@savannahsa.com>
Sent: 15 March 2021 00:57
To: Magdalena Logan <m.logan@redrocket.energy>; Jana de Jager <Jana@savannahsa.com>
Subject: RE: Request for details of the project and its listed activity

Dear Maggie,

Henry called us on Friday and from the PP point of view, he acknowledged that the process we have followed with the submission of the Report for comments from their Department was the correct process. It seems internally the Report did not reached their Directorate. However, he also said that their comments will be submitted to National as DEFF (national) will issue the EA and not the Provincial Department.

Jana, will you please provide feedback to Maggie regarding the conversation between you and Henry.

Kind regards,



t: +27 (0)11 656 3237
f: +27 (0) 86 684 0547

Nicolene Venter
Public Participation & Social
Consultant

e: nicolene@savannahsa.com
c: +27 (0) 83 377 9112

SAWEA Award for Leading Environmental Consultant on Wind Projects in 2013 & 2015

From: Magdalena Logan <m.logan@redrocket.energy>
Sent: Friday, March 12, 2021 11:52 AM
To: Henry Mthembu <mbonkz@gmail.com>
Cc: David Khakhane <khakhane@gmail.com>; mlathat <MLathaT@yahoo.com>; CGoA <cgoa@ncpg.gov.za>; Magdalena Logan <m.logan@redrocket.energy>; Savannah Public Process <publicprocess@savannahsa.com>
Subject: RE: Request for details of the project and its listed activity

Dear Henry,

Many thanks for the call and email below.

As discussed, the Hyperion Solar Hybrid Project is still undergoing the EIA Phase. This is to be submitted to the DEFF for a decision in the next few weeks. The Draft EIA is currently out for Public Comment and this commenting period concludes on Monday 15th March 2021.

The activities that are triggered in terms of Section 21, Air Quality Act 38 of 2004:

Section 21 Subcategory	Listed Process Description:
1.5	Reciprocating engines
2.4	Storage and Handling of Petroleum Products

If you require any information pertaining to the public consultation, you may contact the person below:

Nicolene Venter
Email: publicprocess@savannahsa.com
PO Box 148, Sunninghill, 2157
Tel: 011 656 3237
Fax: 086 684 0547
Cell: 060 978 8396
www.savannahSA.com

Please do not hesitate to contact me directly should you have any queries on the project. We will keep the DENC informed of the Project, should the project be constructed and become operational.

Kind regards,
Maggie



Magdalena Logan
Head of Environmental, Social & Governance

M: +27 (0)72 212 1531
T: +27 (0)21 418 3940
E: m.logan@redrocket.energy
Red Rocket South Africa (Pty) Ltd

14th floor, Pier Place, Heerengracht Street, Cape Town, 8001, SOUTH AFRICA - [Map](#)

www.redrocket.energy | [f](#) [t](#) [in](#) [@](#)

From: Henry Mthembu <mbonkz@gmail.com>
Sent: Tuesday, 09 March 2021 12:27
To: Magdalena Logan <m.logan@redrocket.energy>
Cc: David Khakhane <khakhane@gmail.com>; mlathat <MLathaT@yahoo.com>; CGoA <cgoa@ncpg.gov.za>
Subject: Request for details of the project and its listed activity

Good Day

I'm Henry Mthembu from the Northern Cape Department of Environment and Nature Conservation. We had a telephone conversation earlier today with regards to Hyperion Solar Power, located close to Kathu. Could you kindly provide us with the full details of the project as well as the listed activity it entails (in terms of Section 21, Air Quality Act 39 of 2004). Please also state how far the project is in terms of development and EIA processes. We would highly

appreciate it if we are kept in the loop, so as to ensure compliance with regards to the AEL processes. I thank you in advance.

Kind regards

Henry Mthembu

Environmental Officer: Air Quality & Climate Change Management

Candidate GISc Technologist (CGP GISc1690)

Northern Cape Department of Agriculture, Land Reform, Rural Development, Environment and Conservation

90 Long Street

Albertynshof, Kimberley

8301

Tel: 053 807 7300/30

Fax: 053 807 7328

Fax 2 email: 086 538 3107

Cell: 083 7300 485



t: 011 656 3237

f: 086 684 0547

Nicolene Venter

Public Process

e: publicprocess@savannahsa.com

c: +27 (0) 60 978 8396

SAWEA Award for Leading Environmental Consultant on Wind Projects in 2013 & 2015

Department of Forestry, Fisheries and the
Environment

(Directorate: Biodiversity Conservation)



environment, forestry & fisheries

Department: Environment, Forestry
and Fisheries
REPUBLIC OF SOUTH AFRICA

Private Bag X447, Pretoria, 0001, Environment House, 473 Steve Biko Road, Pretoria, 0002 Tel: +27 12 399 9000, Fax: + 27 86 625 1042

Reference: 14/12/12/3/3/2/2019

Enquiries: Ms Mmatlala Rabothata

Telephone: (012) 399 9174 **E-mail:** MRabothata@environment.gov.za

Ms Nicolene Venter
Savannah Environmental (Pty) Ltd
PO Box 148
SUNNINGHILL
2157

Telephone Number: +27 (11) 656 3237
Email Address: publicprocess@savannahsa.com

PER E-MAIL

Dear Ms. Venter

COMMENTS ON DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR) FOR THE PROPOSED DEVELOPMENT OF A 75MW THERMAL DUAL FUEL FACILITY AND ASSOCIATED INFRASTRUCTURE NEAR KATHU, NORTHERN CAPE

The Directorate: Biodiversity Conservation reviewed and evaluated the aforementioned draft report. Based on the information provided in the specialist report, the proposed development falls within the footprint of the authorised Hyperion 1 & 2 PV SEFs and located in the vicinity of several other energy generation projects. The development footprint avoids all identified highly sensitive environmental features within the project site and no environmental fatal flaws or impacts of very high significance were identified to be associated with the proposed development.

Notwithstanding the above, the following recommendations must be considered during the next EIA Phase:

- An ecologist must be appointed to perform a final walkthrough prior to finalisation of the final phase of the EIA, to identify all sensitive plant species and assist in identifying the areas that require protection.
- Erosion and Alien Invasive plant species Management Plan and Rehabilitation Plan must be developed and submitted as part of the final report to mitigate on habitat degradation due to erosion and alien plant invasion.

COMMENTS ON DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR) FOR THE PROPOSED DEVELOPMENT OF A 75MW THERMAL DUAL FUEL FACILITY AND ASSOCIATED INFRASTRUCTURE NEAR KATHU, NORTHERN CAPE

- All protected fauna and flora species of conservation concern must not be destroyed or removed prior to permit approval from relevant National and Provincial authorities.

NB: Please note that all Public Participation Process documents related to Biodiversity EIA review and any other Biodiversity EIA queries must be submitted to the Directorate: Biodiversity Conservation at Email: BCAdmin@environment.gov.za for attention of Mr Seoka Lekota

Yours faithfully



Mr. Seoka Lekota

**Control Biodiversity Officer Grade B: Biodiversity Conservation
Department of Environment, Forestry & Fisheries**

Date: 15/03/2021

South African Radio Astronomy Observatory

Ms. Nicolene Venter
First floor, Block 2
5 Woodlands Drive Office Park
Cnr Woodlands Drive & Western Service Road
Woodmead, 2191
Email: publicprocess@savannahsa.com
Date: 09 February 2021

To whom it may concern.

**RE: THE DEVELOPMENT OF A THERMAL POWER DUAL FUEL FACILITY TOGETHER
WITH THE AUTHORISED HYPERION PV SOLAR ENERGY FACILITY.**

This letter is in response to the notification of a new basic assessment process for the above mentioned project and its possible impact on the SKA radio telescope Infrastructure Territory.

SARAO has undertaken an impact assessment and it was determined that the radiated emissions from the abovementioned facility will not cause detrimental EMI to the SKA radio telescope. As such, this project is considered to be of low risk of interference to the SKA and we therefore do not have any objection to the development of the project.

We thank you for notifying us about the project and apologise for the delayed response

Regards,



Mr Selaelo Matlhane
Spectrum & Telecommunication Manager
South African Radio Astronomy Observatory (SARAO)
Tel: 011 442 2434
Email: smatlhane@ska.ac.za

www.ska.ac.za

The South African Radio Astronomy Observatory (SARAO) is a National Facility managed by the National Research Foundation and incorporates all national radio astronomy telescopes and programmes. SARAO is responsible for implementing the Square Kilometre Array (SKA) in South Africa.

Comments received during Impact Assessment
Phase

Department of Forestry, Fisheries and the
Environment



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

DEFF Reference: 14/12/16/3/3/2/2019

Enquiries: Mr Herman Alberts

Telephone: (012) 399 9371 E-mail: HAlberts@environment.gov.za

Ms Karen Jodas
Savannah Environmental (Pty) Ltd
PO Box 148
SUNNINGHILL
2157

Telephone Number: (011) 656 3237
Email Address: karen@savannahsa.com

PER E-MAIL / MAIL

Dear Ms Jodas

ACCEPTANCE OF THE SCOPING REPORT FOR THE PROPOSED THERMAL POWER DUAL FUEL FACILITY AND ASSOCIATED INFRASTRUCTURE TO FORM PART OF A HYBRID GENERATION FACILITY TOGETHER WITH THE AUTHORISED HYPERION 1 & 2 SOLAR PV ENERGY FACILITIES NEAR KATHU, NORTHERN CAPE PROVINCE

The final Scoping Report (SR) and the Plan of Study for Environmental Impact Assessment dated November 2020 and received by the Department on 01 December 2020, refer.

The Department has evaluated the submitted final SR and the Plan of Study for Environmental Impact Assessment dated November 2020 and is satisfied that the documents comply with the minimum requirements of the Environmental Impact Assessment (EIA) Regulations, 2014, as amended. The final SR 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.

In addition, the following are required for the EIAR:

(a) Listed Activities

- (i) 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.
- (ii) If the activities applied for in the application form differ from those mentioned in the final SR, an amended application form must be submitted. Please note that the Department's application form template has been amended and can be downloaded from the following link <https://www.environment.gov.za/documents/forms>.
- (iii) The EIAR must provide an assessment of the impacts and mitigation measures for each of the listed activities applied for.

JDA

(b) Public Participation

- i. Please ensure that comments from all relevant stakeholders are submitted to the Department with the EIAr. This includes but is not limited to the Northern Cape Department of Environment and Nature Conservation, the provincial Department of Agriculture, the Provincial Department of Transport, the local and district Municipality, the Department of Water and Sanitation (DWS), the South African Heritage Resources Agency (SAHRA), the Department of Rural Development and Land Reform (DRDLR), and the Department of Environment, Forestry and Fisheries: Climate Change; Oceans and Coast, Biodiversity and Protected Areas Directorates.
- ii. Please ensure that all issues raised and comments received during the circulation of the draft SR from registered I&APs and organs of state (including this Department's Climate Change; Oceans and Coast, Biodiversity and Protected Areas Directorates), which have jurisdiction in respect of the proposed activity are adequately addressed in the EIAr.
- iii. Proof of correspondence with the various stakeholders must be included in the draft EIAr. Should you be unable to obtain comments, proof should be submitted to the Department of the attempts that were made to obtain comments.
- iv. The Public Participation Process must be conducted in terms of Regulation 39, 40 41, 42, 43 & 44 of the EIA Regulations 2014, as amended.
- v. The EIAr must provide evidence that all identified and relevant competent authorities have been given an opportunity to comment on the proposed development particularly, the Northern Cape Department of Environment and Nature Conservation, and the District and Local Municipalities.
- vi. A Comments and Response trail report (C&R) must be submitted with the final EIAr. The C&R report must incorporate all comments for this development. 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 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&APs' comments.

(c) Layout & Sensitivity Maps

- (i) The EIAr must provide coordinate points for the proposed development site (note that if the site has numerous bend points, at each bend point coordinates must be provided) as well as the start, middle and end point of all linear activities.
- (ii) Please provide a layout map which indicates the following:
 - a) Positions of the power island, turbine and generator, fuel storage tanks, water storage reservoir and tanks, water and gas supply pipelines;
 - b) Permanent laydown area footprint;
 - c) All supporting onsite infrastructure e.g. roads (existing and proposed);
 - d) Substation(s) and/or transformer(s) sites including their entire footprint;
 - e) Connection routes (including pylon positions) to the distribution/transmission network; and
 - f) All existing infrastructure on the site.
- (iii) Please provide an environmental sensitivity map which indicates the following:
 - a) The location of sensitive environmental features on site e.g. CBAs, heritage sites, wetlands, drainage lines etc. that will be affected;
 - b) Buffer areas; and,
 - c) All "no-go" areas.
- (iv) The above layout map must be overlain with the sensitivity map and a cumulative map which shows neighbouring energy developments and existing grid infrastructure.

(d) Specialist assessments

- i. Specialist studies to be conducted must provide a detailed description of their methodology, as well as indicate the locations and descriptions of infrastructure positions, and all other associated infrastructures that they have assessed and are recommending for authorisation.

- ii. The specialist studies must also provide a detailed description of all limitations to their studies. All specialist studies must be conducted in the right season and providing that as a limitation, will not be accepted.
- 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) Cumulative Assessment

- (i) If there are other similar facilities proposed within a 30km radius of the proposed development site, a cumulative impact assessment must be conducted for all identified and assessed impacts which must be refined to 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) 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.
 - c) The cumulative impacts significance rating must also inform the need and desirability of the proposed development.
 - d) A cumulative impact environmental statement on whether the proposed development must proceed.

(f) General

- (i) The Air Quality and Climate Change specialist studies' terms of reference (TORs) must be made available to this Department's Climate Change Directorate for comments. Proof of correspondence must be included in the public participation report.

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 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: 06/01/2021

cc:	Matteo Brambilla	Hyperion Solar Development (Pty) Ltd	Email: m.michalowska@redrocket.energy
	Bryan Fisher	NC Environmental Affairs and Nature Conservation	Email: BFisher@ncpp.gov.za
	Thusoeng Itumeleng	Gamaqara Local Municipality	Email: clementi@gamaqara.gov.za

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 Environment, Forestry and Fisheries: Priority Infrastructure Projects (John Doe)	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

JCA

Department of Forestry, Fisheries and the
Environment
(Directorate: Biodiversity Conservation)



environment, forestry & fisheries

Department: Environment, Forestry
and Fisheries
REPUBLIC OF SOUTH AFRICA

Private Bag X447, Pretoria, 0001, Environment House, 473 Steve Biko Road, Pretoria, 0002 Tel: +27 12 399 9000, Fax: + 27 86 625 1042

Reference: Hyperion hybrid generation facility

Enquiries: Ms Mmatlala Rabothata

Telephone: (012) 399 9174 **E-mail:** MRabothata@environment.gov.za

Ms Nicolene Venter
Savannah Environmental (Pty) Ltd
PO Box 148
SUNNINGHILL
2157

Telephone Number: +27 (11) 656 3237
Email Address: publicprocess@savannahsa.com

PER E-MAIL

Dear Ms. Venter

COMMENTS ON DRAFT SCOPING REPORT FOR THE PROPOSED DEVELOPMENT OF A 75MW THERMAL DUAL FUEL FACILITY AND ASSOCIATED INFRASTRUCTURE NEAR KATHU, NORTHERN CAPE

The Directorate: Biodiversity Conservation reviewed and evaluated the aforementioned draft report. Based on the information provided in the specialist report, the proposed development falls within the footprint of the authorised Hyperion 1 & 2 PV SEFs and located in the vicinity of several other energy generation projects. No environmental fatal flaws or impacts of very high significance were identified to be associated with the development of the thermal generation facility and associated infrastructure on the identified project site.

Notwithstanding the above, the following recommendations must be considered during the next EIA Phase:

- An ecologist must be appointed to perform a final walkthrough prior to finalisation of the final phase of the EIA, to identify all sensitive plant species and assist in identifying the areas that require protection.
- Search and rescue plan for the identified plant Species of Conservation Concern (SCC) must be developed.

- All protected fauna and flora species of conservation concern must not be destroyed or removed prior to permit approval from relevant National and Provincial authorities.
- Erosion and Alien Invasive plant species Management Plan and Rehabilitation Plan must be developed and submitted as part of the final report to mitigate on habitat degradation due to erosion and alien plant invasion.
- A full biodiversity assessment must be undertaken to determine the sensitivity of the site and the potential impacts to the study areas.
- The significance of the cumulative impacts must be assessed in detail within the impact assessment phase of the EIA process.

Yours faithfully



Mr. Seoka Lekota
Control Biodiversity Officer Grade B: Biodiversity Conservation
Department of Environment, Forestry & Fisheries
Date: 17/11/2020

SCOPING PHASE

DEFF



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: 14/12/16/3/3/2/2019

Enquiries: Mr Herman Alberts

Telephone: (012) 399 9371 E-mail: HAlberts@environment.gov.za

Ms Jo-Anne Thomas
Savannah Environmental (Pty) Ltd
PO Box 148
SUNNINGHILL
2191

Telephone Number: (011) 656 3237
Email Address: joanne@savannahsa.com

PER E-MAIL / MAIL

Dear Ms Thomas

COMMENTS ON THE DRAFT SCOPING REPORT FOR THE PROPOSED THERMAL POWER DUAL FUEL FACILITY AND ASSOCIATED INFRASTRUCTURE TO FORM PART OF A HYBRID GENERATION FACILITY TOGETHER WITH THE AUTHORISED HYPERION 1 & 2 SOLAR PV ENERGY FACILITIES NEAR KATHU, NORTHERN CAPE PROVINCE

The draft Scoping Report (SR) dated October 2020 and received by this Department on 16 October 2020 refer.

This letter serves to inform you that the following information must be included in the final SR:

(a) Listed Activities

- i. Please ensure that all relevant listed activities are applied for, are specific and can be linked to the development activity or infrastructure as described in the project description.
- ii. If the activities applied for in the application form differ from those mentioned in the final SR, an amended application form must be submitted. Please note that the Department's application form template has been amended and can be downloaded from the following link <https://www.environment.gov.za/documents/forms>.

(b) Layout & Sensitivity Maps

- i. Please provide a layout map which indicates the following:
 - a) Positions of the power island, steam turbine and generator, fuel storage tanks, water storage reservoir and tanks, water and gas supply pipelines;
 - b) Permanent laydown area footprint;
 - c) All supporting onsite infrastructure e.g. roads (existing and proposed);
 - d) Substation(s) and/or transformer(s) sites including their entire footprint;
 - e) Connection routes (including pylon positions) to the distribution/transmission network; and
 - f) All existing infrastructure on the site.
- ii. Please provide an environmental sensitivity map which indicates the following:
 - a) The location of sensitive environmental features on site e.g. CBAs, heritage sites, wetlands, drainage lines etc. that will be affected;
 - b) Buffer areas; and
 - c) All "no-go" areas.

- iii. The above layout map must be overlain with the sensitivity map and a cumulative map which shows neighbouring energy developments and existing grid infrastructure.

(c) Public Participation Process

- i. Please ensure that all issues raised and comments received during the circulation of the draft SR from registered I&APs and organs of state (including this Department's Climate Change Section), which have jurisdiction in respect of the proposed activity are adequately addressed in the final SR. Proof of correspondence with the various stakeholders must be included in the final SR. Should you be unable to obtain comments, proof should be submitted to the Department of the attempts that were made to obtain comments.
- ii. The Public Participation Process must be conducted in terms of Regulation 39, 40 41, 42, 43 & 44 of the EIA Regulations 2014, as amended.
- iii. A comments and response trail report (C&R) must be submitted with the final SR. The C&R report must incorporate all historical comments for this development. 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 Annexure 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.
- iv. The final SR must provide evidence that all identified and relevant competent authorities have been given an opportunity to comment on the proposed development particularly the Northern Cape Department of Environment and Nature Conservation, and the District and Local Municipalities.

(d) Specialist Assessments

- i. An Air Quality and Climate Change impact assessment must be undertaken.
- ii. Specialist studies to be conducted must provide a detailed description of their methodology, as well as indicate the locations and descriptions of infrastructure positions, and all other associated infrastructures that they have assessed and are recommending for authorisation.
- iii. The specialist studies must also provide a detailed description of all limitations to their studies. All specialist studies must be conducted in the right season and providing that as a limitation, will not be accepted.
- iv. 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) Cumulative Assessment

- i. If there are other similar facilities proposed within a 30km radius of the proposed development site, a cumulative impact assessment must be conducted for all identified and assessed impacts which must be refined to 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) 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.
 - c) The cumulative impacts significance rating must also inform the need and desirability of the proposed development.
 - d) A cumulative impact environmental statement on whether the proposed development must proceed.

(f) Specific comments

- i. The Air Quality and Climate Change specialist studies' terms of reference must be made available to this Department's Climate Change Directorate for comments. Proof of correspondence must be included in the public participation report.
- ii. The landowner contact person is different from the applicant contact person. The EAP must submit as signed landowner consent as prescribed in terms of Regulation 39(1) of the EIA Regulations, 2014 as amended, and outlined in the application form, if the landowner is different from the applicant.

General

You are further reminded to comply with Regulation 21(1) of the NEMA EIA Regulations 2014, as amended, which states that:

"If S&EIR must be applied to an application, the applicant must, within 44 days of receipt of the application by the competent authority, submit to the competent authority a scoping report which has been subjected to a public participation process of at least 30 days and which reflects the incorporation of comments received, including any comments of the competent authority"

You are further reminded that the final SR to be submitted to this Department must comply with all the requirements in terms of the scope of assessment and content of Scoping Reports in accordance with Appendix 2 and Regulation 21(1) of the EIA Regulations 2014, as amended.

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 timeframes prescribed in terms of these Regulations, unless an extension has been granted in terms of Regulation 3(7).

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 sincerely



Mr Sabelo Malaza
Chief Director: Integrated Environmental Authorisations
Department of Environment, Forestry and Fisheries
Letter signed by: Ms Millicent Solomons
Designation: Director: Priority Infrastructure Projects
Date: 11/11/2019.

cc:	Matteo Brambilla	Hyperion Solar Development (Pty) Ltd	Email: m.michalowska@redrocket.energy
	Bryan Fisher	NC Environmental Affairs and Nature Conservation	Email: BFisher@ncpg.gov.za
	Thusoeng Itumeleng	Gamagara Local Municipality	Email: clementi@gamagara.gov.za

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 Environment, Forestry and Fisheries: Priority Infrastructure Projects (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

SAHRA



an agency of the
Department of Arts and Culture

T: +27 21 462 4502 | F: +27 21 462 4509 | E: info@sahra.org.za
South African Heritage Resources Agency | 111 Harrington Street | Cape Town
P.O. Box 4637 | Cape Town | 8001
www.sahra.org.za

Enquiries: Natasha Higgitt
Tel: 021 462 4502
Email: nhiggitt@sahra.org.za
CaseID: 15642

Date: Monday November 16, 2020
Page No: 1

Interim Comment

In terms of Section 38(3), 38(8) of the National Heritage Resources Act (Act 25 of 1999)

Attention: Hyperion Solar Development (Pty) Ltd

Hyperion Solar Development (Pty) Ltd proposing the development of a hybrid generation facility consisting of a dispatchable, dual fuel (liquid or gas) thermal generation plant that will work in combination with the authorised Hyperion PV Solar Energy Facility (SEF) complex. The power generated by the thermal facility and authorised Hyperion PV facility complex will connect via an overhead 132kV power line to the existing Eskom Kalbas substation. The thermal generation plant will include the following infrastructure

Savannah Environmental (Pty) Ltd has been appointed by Hyperion Solar Development (Pty) Ltd to conduct an Environmental Authorisation (EA) Application for the proposed 75MW Thermal Dual Fuel Facility and associated infrastructure for the authorised Hyperion 1 & 2 Solar OV facilities, near Kathu, Northern Cape Province.

A draft Scoping Report (DSR) has been submitted in terms of the National Environmental Management Act, 1998 (NEMA) and the 2017 NEMA Environmental Impact Assessment (EIA) Regulations. The proposed infrastructure will include gas turbines or reciprocating engines, access roads, truck entrance and parking facility, regasification plant and fuel preparation plant, dry cooling system, fuel off-loading facility, fuel storage facility, water demineralisation plant, substation, cabling, operation and maintenance building, fencing, warehouse and workshops covering an area of 5ha. The proposed Thermal Dual Fuel Facility will be located within the authorised Hyperion PV Solar Energy Facility.

SAHRIS Case ID 12966 has reference (<https://sahris.sahra.org.za/cases/hyperion-solar-development-2>). In a Final Comment issued on the 06/05/2019, SAHRA noted no objections to the proposed development and provided specific conditions for the development.

ASHA Consulting (Pty) Ltd has been appointed to provide heritage specialist input as required by section 24(4)b(iii) of NEMA and section 38(8) of the National Heritage Resources Act, Act 25 of 1999 (NHRA).

Orton, J. 2020. Heritage Impact Assessment: Proposed Thermal Power Dual Fuel Generator on Farm 432/REM and Access Road on Farm 464/1, North of Kathu, Kuruman Magisterial District, Northern Cape.

Our Ref:



an agency of the
Department of Arts and Culture

T: +27 21 462 4502 | F: +27 21 462 4509 | E: info@sahra.org.za
South African Heritage Resources Agency | 111 Harrington Street | Cape Town
P.O. Box 4637 | Cape Town | 8001
www.sahra.org.za

Enquiries: Natasha Higgitt
Tel: 021 462 4502
Email: nhiggitt@sahra.org.za
CaseID: 15642

Date: Monday November 16, 2020
Page No: 2

It is noted that no physical survey was conducted as part of this HIA, however, the area where the proposed facility is to be located was surveyed as part of the original EA application. No heritage resources were previously identified within the proposed facility footprint.

Recommendations provided in the report include the following:

- The subsurface palaeontological record can never be fully understood, and the EIA Phase report will need to make recommendations for monitoring and/or mitigation to be carried out in advance of or during construction work;
- The EIA Phase report will need to make recommendations for mitigation to be carried out in advance of construction work. This will likely entail monitoring of excavations and excavating column samples from a few strategic locations. It should be noted that the potential does exist for a larger excavation to be required if highly significant archaeological resources are discovered;
- The EIA Phase report will need to make recommendations for mitigation or avoidance of graves visible on the surface and indicate how to proceed in the event that a grave is discovered during excavation.

Interim Comment

The SAHRA Archaeological, Palaeontological and Meteorites (APM) requests that the EIA phase report HIA must include a field-based survey be conducted for the proposed access road. The EIA phase HIA must include a Palaeontological Desktop Study as the proposed development footprint is located within an area of moderate sensitivity as per the SAHRIS PalaeoSensitivity map.

The draft EIA and appendices must be submitted in order for informed comments can be issued.

Further comments will be issued upon receipt of the above requested documents.

Should you have any further queries, please contact the designated official using the case number quoted above in the case header.

Yours faithfully

Our Ref:



an agency of the
Department of Arts and Culture

T: +27 21 462 4502 | F: +27 21 462 4509 | E: info@sahra.org.za
South African Heritage Resources Agency | 111 Harrington Street | Cape Town
P.O. Box 4637 | Cape Town | 8001
www.sahra.org.za

Enquiries: Natasha Higgitt
Tel: 021 462 4502
Email: nhiggitt@sahra.org.za
CaseID: 15642

Date: Monday November 16, 2020

Page No: 3

Natasha Higgitt
Heritage Officer
South African Heritage Resources Agency

Phillip Hine
Manager: Archaeology, Palaeontology and Meteorites Unit
South African Heritage Resources Agency

ADMIN:

Direct URL to case: <http://www.sahra.org.za/node/542131>
(DEA, Ref:)

Department of Mineral Resources and Energy

Savannah Public Process

From: Savannah Public Process
Sent: Tuesday, October 27, 2020 2:18 PM
To: Johannes Nematatani
Cc: Luzuko Nxantsiya; Ronald Baloyi
Subject: RE: HYPERION THERMAL POWER PROJECT: KMZ file

Tracking:	Recipient	Delivery
	Johannes Nematatani	
	Luzuko Nxantsiya	
	Ronald Baloyi	Delivered: 10/27/2020 2:18 PM

Dear Mr Nematatani,

The affected properties on which the proposed development would be located, should and Environmental Authorisation be granted are:

- Lyndoch 432, Remaining Extent;(proposed thermal facility) and
- Selsden 464, Portion 1 (proposed access road)

The Surveyor General 21 digit codes are:

C	0	4	1	0	0	0	0	0	0	0	0	0	0	4	3	2	0	0	0	0	0
C	0	4	1	0	0	0	0	0	0	0	0	0	0	4	6	4	0	0	0	0	1
1	2		3			4					5										

The coordinates are as below:

Site	Corner	Co-ordinates
75 MW Thermal Power Dual Fuel Site	Corner 1	Lat: 27°33'10.30"S Long: 23° 3'49.45"E
	Corner 2	Lat: 27°33'10.32"S Long: 23° 3'57.71"E
	Corner 3	Lat: 27°33'17.57"S Long: 23° 3'57.67"E
	Corner 4	Lat: 27°33'17.55"S Long: 23° 3'49.45"E
Access Road	Start	Lat: 27°36'4.68"S Long: 23°1'44.68"E
	Middle	Lat: 27°34'35.01"S Long: 23° 2'20.04"E
	End	Lat: 27°33'8.80"S Long: 23° 3'48.34"E

Please do not hesitate to contact our Offices should your Department require any additional information.

Kind regards,

From: Johannes Nematatani <Johannes.Nematatani@dmre.gov.za>
Sent: Tuesday, October 27, 2020 10:26 AM
To: Savannah Public Process <publicprocess@savannahsa.com>
Cc: Luzuko Nxantsiya <Luzuko.Nxantsiya@dmre.gov.za>; Ronald Baloyi <Ronald@savannahsa.com>
Subject: RE: HYPERION THERMAL POWER PROJECT: KMZ file

Good day

Please kindly note that we can not be able to open the file you sent on the attachment. Please send to us the list of property descriptions (farm names and numbers including portions where applicable).

From: Savannah Public Process [<mailto:publicprocess@savannahsa.com>]
Sent: Tuesday, 20 October 2020 12:00 PM
To: Johannes Nematatani <Johannes.Nematatani@dmre.gov.za>
Cc: Luzuko Nxantsiya <Luzuko.Nxantsiya@dmre.gov.za>; Ronald Baloyi <Ronald@savannahsa.com>
Subject: HYPERION THERMAL POWER PROJECT: KMZ file

Dear Messrs Nematatani & Nxantsiya,

As requested, please find attached the .KMZ file.

Please do not hesitate to contact us should you require any additional information.

Kind regards,

From: Johannes Nematatani <Johannes.Nematatani@dmre.gov.za>
Sent: Monday, October 19, 2020 11:49 AM
To: Savannah Public Process <publicprocess@savannahsa.com>
Cc: Luzuko Nxantsiya <Luzuko.Nxantsiya@dmre.gov.za>
Subject: FW: HYPERION THERMAL POWER PROJECT: Notification of commencement of EIA Process

Good day

Please kindly provide coordinates of where the project is proposed to Mr Luzuko Nxantsiya and myself.

Johannes Nematatani

Mineral Regulation

Tel : 053 807 1763

Email : Johannes.Nematatani@dmre.gov.za

Website :



mineral resources

Department:
Mineral Resources
REPUBLIC OF SOUTH AFRICA

From: Public Process [<mailto:publicprocess@savannahsa.com>]
Sent: Tuesday, 13 October 2020 5:56 PM
To: Ntsikelelo Kika <Ntsikelelo.Kika@dmre.gov.za>
Subject: HYPERION THERMAL POWER PROJECT: Notification of commencement of EIA Process

DEVELOPMENT OF A THERMAL POWER DUAL FUEL FACILITY TO FORM PART OF A HYBRID GENERATION FACILITY TOGETHER WITH THE AUTHORISED HYPERION 1 & 2 SOLAR PV ENERGY FACILITIES, NEAR KATHU, NORTHERN CAPE PROVINCE

Dear Interested and Affected Parties,

Hyperion Solar Development (Pty) Ltd is proposing the development of a hybrid generation facility consisting of a dispatchable, dual fuel (liquid or gas) thermal generation plant that will work in combination with the authorised Hyperion 1 & 2 Solar PV Energy Facilities.

The hybrid thermal power facility, access road, and associated grid connection infrastructure are located approximately 15km north of Kathu within in the Gamagara Local Municipality which falls within jurisdiction of the John Taolo Gaetsewe District Municipality, Northern Cape Province. The power generated by the Hyperion hybrid generation facility will feed into the national electricity grid via an overhead 132kV power line to the existing Eskom Kalbas substation located to the south-west of the hybrid generation facility site.

Please find attached the following documents which will provide you with additional information regarding these projects:

- Environmental Impact Assessment and Public Participation Process notification letter;
- Background Information Document; and
- Registration and Comment Form.

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

Kind regards,

savannah
environmental

t: 011 656 3237
f: 086 684 0547

Nicolene Venter
Public Process

e: publicprocess@savannahsa.com
c: +27 (0) 60 978 8396

SAWEA Award for Leading Environmental Consultant on Wind Projects in 2013 & 2015