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SITE SENSITIVITY VERIFICATION AND AGRICULTURAL COMPLIANCE STATEMENT FOR THE PROPOSED NOTSI PV 3 NEAR DEALESVILLE IN THE FREE STATE PROVINCE

Report by
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EXECUTIVE SUMMARY

The site has low agricultural and cropping potential because of a combination of climate and soil constraints. As a result of the constraints, the site is unsuitable for crop production, and agricultural production is limited to grazing. The land across the site is verified in this assessment as being of medium agricultural sensitivity.

Two potential mechanisms of negative agricultural impact were identified, namely occupation of agricultural land and land degradation. One potential mechanism of positive agricultural impact was identified as increased financial security for farming operations.

All mechanisms are likely to lead to low impact on the agricultural production potential and the agricultural impact is therefore assessed as having low significance.

The conclusion of this assessment is that the agricultural impact of the proposed development is acceptable because:

- it will occupy land that is of limited land capability, which is insufficient for crop production. There is not a scarcity of such agricultural land in South Africa and its conservation for agricultural production is not therefore a priority.
- The amount of agricultural land use by the development is within the allowable development limits prescribed by the agricultural protocol. These limits reflect the national need to conserve valuable agricultural land and therefore to steer, particularly renewable energy developments, onto land with low agricultural production potential.
- The proposed development is within a REDZ, which is an area that has specifically been designated within South Africa for the prioritisation of renewable energy development. The designation of the REDZ has taken into account the country's need to balance renewable energy development against the conservation of land required for agricultural production and national food security.
- The PV panels will not necessarily totally exclude agricultural production. The area can still be used to graze sheep that will, in addition, be protected against stock theft within the security area of the facility.
- All renewable energy development in South Africa decreases the need for coal power and thereby contributes to reducing the large agricultural impact that open cast coal mining has on highly productive agricultural land throughout the coal mining areas of the country.

From an agricultural impact point of view, it is recommended that the development be approved.

1 INTRODUCTION

Environmental authorisation (EA) is being sought for the proposed construction and operation of the Notsi PV 3 Solar Energy Facility near Dealesville in the Free State Province (see location in Figure 1). Five solar energy facilities form part of the Notsi PV cluster which include Notsi PV 1, Notsi PV 2, Notsi PV 3, Notsi PV 4 and Notsi PV 5. In terms of the National Environmental Management Act (Act No 107 of 1998 - NEMA), an application for environmental authorisation requires an agricultural assessment. In this case, based on the verified sensitivity of the site (see Section 7), the level of agricultural assessment required is an Agricultural Compliance Statement.

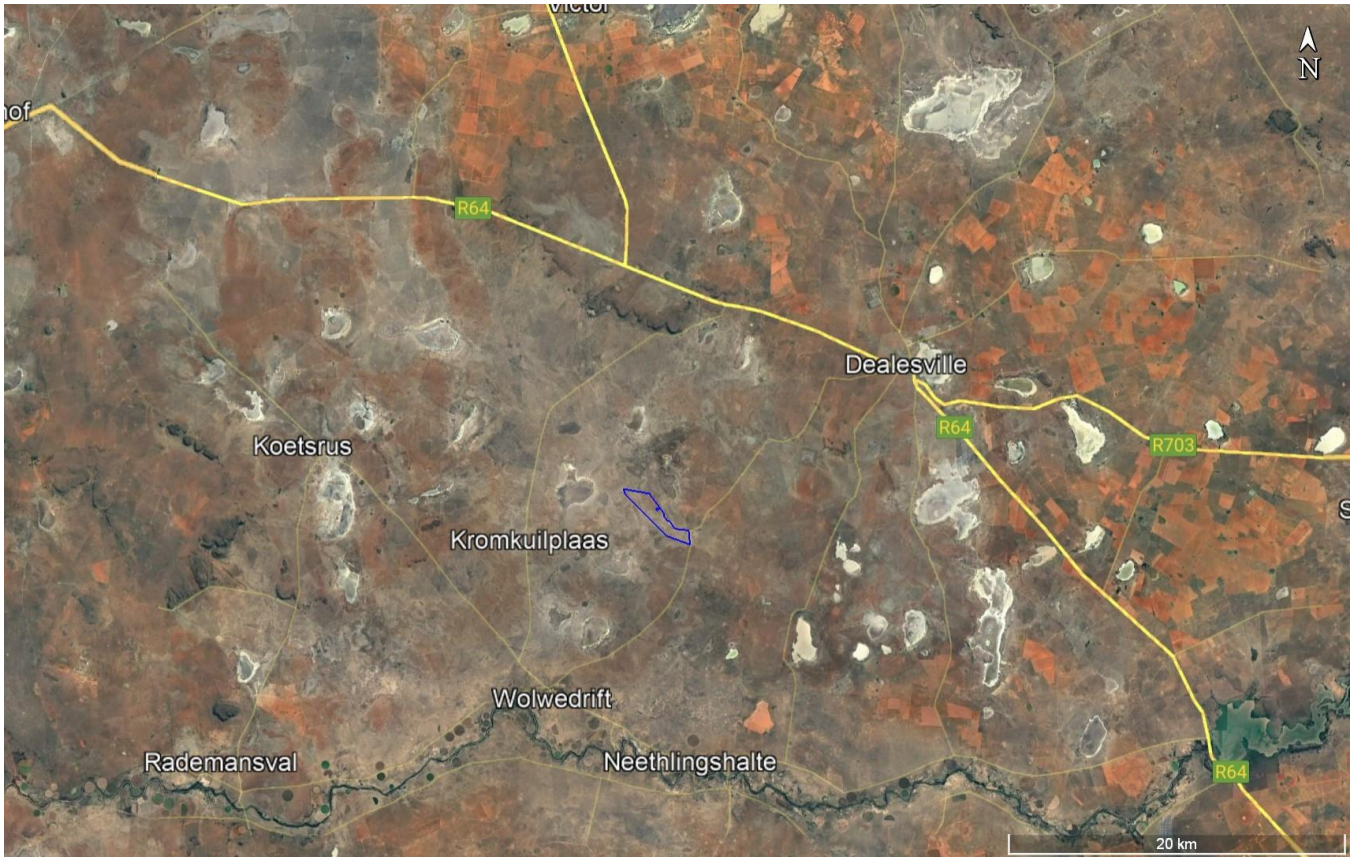

Figure 1. *Locality map of the Notsi PV 3 facility, south-west of the town of Dealesville.*

Johann Lanz was appointed as an independent agricultural specialist to conduct the agricultural assessment. The objective and focus of an agricultural assessment is to assess whether or not the agricultural impact of the proposed development will be acceptable, and based on this, to make a recommendation on whether or not it should be approved.

The purpose of the agricultural component in the environmental assessment process is to preserve the agricultural production potential, particularly of scarce arable land, by ensuring that development does not exclude existing or potential agricultural production from such land or impact it to the extent that its future production potential is reduced. However, this site has

extremely limited crop production potential and is therefore not considered particularly preservation worthy as agricultural production land.

2 PROJECT DESCRIPTION

Notsi PV 3 is part of a proposed cluster of 5 PV facilities adjacent to each other. For all intents and purposes, the cluster is a single development and although separate authorisations are required for each, the environmental impacts of each assessment cannot be viewed in isolation from each other.

The proposed facility will consist of the standard infrastructure of a PV energy facility including PV array; inverters; cabling; battery storage; auxiliary buildings; access and internal roads; on-site substation; temporary construction laydown areas; and perimeter fencing and will have a total generating capacity of up to 100MW.

The exact nature and layout of the different infrastructure within the boundary fence of a solar energy facility has absolutely no bearing on the significance of agricultural impacts. It is therefore not necessary to detail this design and layout of the facility any further in this assessment. All that is of relevance is simply the total footprint of the facility that excludes agricultural land use or impacts agricultural land, referred to as the agricultural footprint. This is the area within the facility fence. Whether that footprint comprises, for example, a solar array, a road or a BESS is irrelevant to agricultural impact.

Furthermore, in a low agricultural potential environment like the one being assessed, the actual positions of the facilities in the landscape also has no real bearing on the significance of the agricultural impact.

3 TERMS OF REFERENCE

The terms of reference for this study is to fulfill the requirements of the *Protocol for the specialist assessment and minimum report content requirements of environmental impacts on agricultural resources by onshore wind and/or solar photovoltaic energy generation facilities where the electricity output is 20 megawatts or more*, gazetted on 20 March 2020 in GN 320 (in terms of Sections 24(5)(A) and (H) and 44 of NEMA, 1998).

The verified agricultural sensitivity of the site is less than high (see Section 7). The level of agricultural assessment required in terms of the protocol for sites verified as less than high sensitivity is an Agricultural Compliance Statement.

The terms of reference for such an assessment, as stipulated in the protocol, are listed below, and

the section number of this report which fulfils each stipulation is given after it in brackets.

1. The Agricultural Compliance Statement must be prepared by a soil scientist or agricultural specialist registered with the South African Council for Natural Scientific Professions (SACNASP) **(Appendix 3)**.
2. The compliance statement must:
    1. be applicable to the preferred site and proposed development footprint **(Figures 2 & 3)**;
    2. confirm that the site is of "low" or "medium" sensitivity for agriculture **(Section 7)**; and
    3. indicate whether or not the proposed development will have an unacceptable impact on the agricultural production capability of the site **(Section 10)**.
3. The Agricultural Compliance Statement must contain, as a minimum, the following information:
    1. details and relevant experience as well as the SACNASP registration number of the soil scientist or agricultural specialist preparing the statement including a curriculum vitae **(Appendix 1)**;
    2. a signed statement of independence by the specialist **(Appendix 2)**;
    3. a map showing the proposed development footprint (including supporting infrastructure) with a 50 m buffered development envelope, overlaid on the agricultural sensitivity map generated by the screening tool **(Figure 2)**;
    4. calculations of the physical development footprint area for each land parcel as well as the total physical development footprint area of the proposed development including supporting infrastructure **(Section 9.9)**;
    5. confirmation that the development footprint is in line with the allowable development limits contained in Table 1 of the protocol **(Section 9.9)**;
    6. confirmation from the specialist that all reasonable measures have been taken through micro-siting to avoid or minimize fragmentation and disturbance of agricultural activities **(Section 9.7)**;
    7. a substantiated statement from the soil scientist or agricultural specialist on the acceptability, or not, of the proposed development and a recommendation on the approval, or not of the proposed development **(Section 10)**;
    8. any conditions to which this statement is subjected **(Section 10)**;
    9. in the case of a linear activity, confirmation from the agricultural specialist or soil scientist, that in their opinion, based on the mitigation and remedial measures proposed, the land can be returned to the current state within two years of completion of the construction phase **(Section 9.8)**;
    10. where required, proposed impact management outcomes or any monitoring requirements for inclusion in the EMPr **(Section 9.11)**; and
    11. a description of the assumptions made and any uncertainties or gaps in knowledge or data **(Section 5)**.

4 METHODOLOGY OF STUDY

The assessment was based on an on-site investigation of the soils and agricultural conditions and was also informed by existing soil and agricultural potential data for the site. The following sources of existing information were used:

- Soil data was sourced from the land type data set, of the Department of Agriculture, Forestry and Fisheries (DAFF). This data set originates from the land type survey that was conducted from the 1970's until 2002. It is the most reliable and comprehensive national database of soil information in South Africa and although the data was collected some time ago, it is still entirely relevant as the soil characteristics included in the land type data do not change within time scales of hundreds of years.
- Land capability data was sourced from the 2017 National land capability evaluation raster data layer produced by the DAFF, Pretoria.
- Field crop boundaries were sourced from Crop Estimates Consortium, 2019. *Field Crop Boundary data layer, 2019*. Pretoria. Department of Agriculture, Forestry and Fisheries.
- Rainfall and evaporation data was sourced from the SA Atlas of Climatology and Agrohydrology (2009, R.E. Schulze) available on Cape Farm Mapper. Note that Cape Farm Mapper includes national coverage of climate, grazing and certain other data.
- Grazing capacity data was sourced from the 2018 DAFF long-term grazing capacity map for South Africa, available on Cape Farm Mapper.
- Satellite imagery of the site and surrounds was sourced from Google Earth.

The aim of the on-site Site Sensitivity Verification was to:

1. ground-truth cropland status and consequent agricultural sensitivity;
2. ground-truth the land type soil data and assess the soil potential across the site that will be impacted;
3. gain an understanding of overall agricultural production potential across the site.

This was achieved by a drive and walk-over investigation across the site. The site investigation was conducted on 24 August 2022. An interview was also conducted with members of the farming family to get details of farming practices on the site.

The soil investigation was based on the investigation of existing excavations, indications of the surface conditions and topography, and strategically positioned auger samples where necessary. Soils were classified according to the South African soil classification system (Soil Classification Working Group, 1991). This level of soil assessment is considered entirely adequate for an understanding of on-site soil potential for the purposes of this assessment. An assessment of soils

and long-term agricultural potential is in no way affected by the season in which the assessment is made, and therefore the fact that the assessment was done in summer has no bearing on its results.

5 ASSUMPTIONS, UNCERTAINTIES OR GAPS IN KNOWLEDGE OR DATA

There are no specific assumptions, uncertainties or gaps in knowledge or data that affect the findings of this study.

6 APPLICABLE LEGISLATION AND PERMIT REQUIREMENTS

A renewable energy facility requires approval from the National Department of Agriculture, Land Reform and Rural Development (DALRRD) if the facility is on agriculturally zoned land. There are two approvals that apply. The first is a No Objection Letter for the change in land use. This letter is one of the requirements for receiving municipal rezoning. It is advisable to apply for this as early in the renewable development process as possible because not receiving this DALRRD approval is a fatal flaw for a project. Note that a positive EA does not assure DALRRD's approval of this. This application requires a motivation backed by good evidence that the development is acceptable in terms of its impact on the agricultural production potential of the development site. This assessment report will serve that purpose.

The second required approval is a consent for long-term lease in terms of the Subdivision of Agricultural Land Act (Act 70 of 1970) (SALA). If DALRRD approval for the development has already been obtained in the form of the No Objection letter, then SALA approval should not present any difficulties. Note that SALA approval is not required if the lease is over the entire farm portion. SALA approval (if required) can only be applied for once the Municipal Rezoning Certificate and Environmental Authorisation has been obtained.

Rehabilitation after disturbance to agricultural land is managed by the Conservation of Agricultural Resources Act (Act 43 of 1983) (CARA). A consent in terms of CARA is required for the cultivation of virgin land. Cultivation is defined in CARA as "any act by means of which the topsoil is disturbed mechanically". The purpose of this consent for the cultivation of virgin land is to ensure that only land that is suitable as arable land is cultivated. Therefore, despite the above definition of cultivation, disturbance to the topsoil that results from the construction of a renewable energy facility and its associated infrastructure does not constitute cultivation as it is understood in CARA. This has been corroborated by Anneliza Collett (Acting Scientific Manager: Natural Resources Inventories and Assessments in the Directorate: Land and Soil Management of the Department of Agriculture, Land Reform and Rural Development (DALRRD)). The construction and operation of the facility will therefore not require consent from the Department of Agriculture, Land Reform and Rural Development in terms of this provision of CARA.

7 SITE SENSITIVITY VERIFICATION

In terms of the gazetted agricultural protocol, a site sensitivity verification must be submitted that:

1. confirms or disputes the current use of the land and the environmental sensitivity as identified by the screening tool, such as new developments or infrastructure, the change in vegetation cover or status etc.;
2. contains a motivation and evidence (e.g. photographs) of either the verified or different use of the land and environmental sensitivity.

The purpose of including an agricultural component in the environmental assessment process is to ensure that South Africa balances the need for development against the need to ensure the conservation of the natural agricultural resources, including land, required for agricultural production and national food security. The different categories of agricultural sensitivity, used in the national web-based environmental screening tool, indicate the priority by which land should be conserved as agricultural production land.

Agricultural sensitivity is a direct function of the capability of the land for agricultural production. All arable land that can support viable crop production, is classified as high (or very high) sensitivity. This is because there is a scarcity of arable production land in South Africa and its conservation for agricultural use is therefore a priority. Land which cannot support viable crop production is much less of a priority to conserve for agricultural use and is rated as medium or low agricultural sensitivity.

The screening tool classifies agricultural sensitivity according to only two independent criteria – the land capability rating and whether the land is used for cropland or not. All cropland is classified as at least high sensitivity, based on the logic that if it is under crop production, it is indeed suitable for it, irrespective of its land capability rating.

The screening tool sensitivity categories in terms of land capability are based upon the Department of Agriculture's updated and refined, country-wide land capability mapping, released in 2016. The data is generated by GIS modelling. Land capability is defined as the combination of soil, climate, and terrain suitability factors for supporting rain fed agricultural production. It is an indication of what level and type of agricultural production can sustainably be achieved on any land, based on its soil, climate, and terrain. The higher land capability values (≥8 to 15) are likely to be suitable as arable land for crop production, while lower values are only likely to be suitable as non-arable grazing land.

A map of the proposed development area overlaid on the screening tool sensitivity is given in

Figure 2. The classification of parts of the area as high agricultural sensitivity (red in Figure 2) is because those parts are classified as cropland in the data set used by the screening tool. However, that data set is outdated. All land across the site and surrounds is no longer viable for and used as cropland. None of the land across the site should still be classified as viable cropland and allocated high sensitivity because of it (see Section 8).

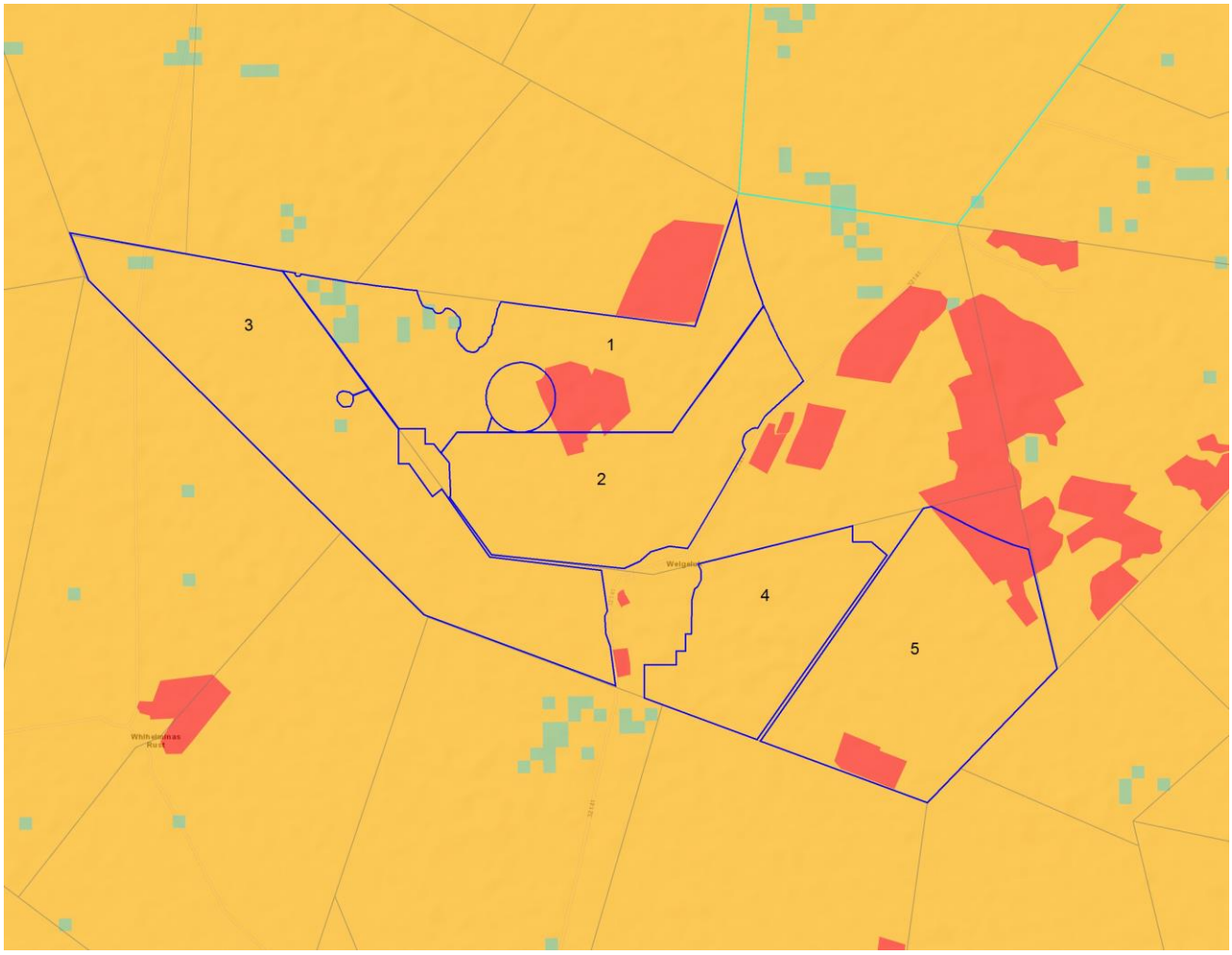

Figure 2. *The assessed sites for each of the 5 Notsi PV facilities (numbered) overlaid on agricultural sensitivity, as given by the screening tool (green = low; yellow = medium; red = high). Note that all the areas classified as high sensitivity in this map were disputed and assessed as medium sensitivity in this assessment. This report is an assessment only of Notsi PV 3.*

The fact that previously cropped lands are no longer viable for cropping is not because the soil has changed but because the suitability for cropping changes with a changing agricultural economy. Poorer soils or marginal climates that may have been cropped with economic viability in the past, are abandoned as cropland because they become too marginal for viable crop production in a more challenging agricultural economy with higher input costs. Climate change and changes in rainfall patterns have also lead to the increasing marginality of agricultural lands.

The classified land capability of Notsi PV 3 varies from 5 to 7, but is predominantly 7, which translates to a medium agricultural sensitivity. The medium agricultural sensitivity of the site, as identified by the screening tool, is confirmed by this assessment but the high, as discussed above, is disputed. The motivation for confirming the sensitivity is predominantly that the climate data (low rainfall of approximately 410 mm per annum and high evaporation of approximately 1,570 mm per annum) proves the area to be arid and therefore of limited land capability. Moisture availability is too marginal for viable rainfed crop production. In addition, the land type data and the field investigation showed the dominant soils to have depth limitations due to underlying rock, hardpan carbonate or dense clay. A medium agricultural sensitivity is entirely appropriate for all the land across the site, which is too marginal for crop production.

This site sensitivity verification verifies the entire site as being of medium agricultural sensitivity. The required level of agricultural assessment is therefore confirmed as an Agricultural Compliance Statement.

8 BASELINE DESCRIPTION OF THE AGRO-ECOSYSTEM

The purpose of this section of the report is to present the baseline information that controls the agricultural production potential of the site. A satellite image map of the agricultural footprint of the proposed facility is shown in Figure 3 and photographs of site conditions are shown in Figures 4 to 7.

The site is located on flat land with low slope gradients. The geology is Kalahari group, Karoo dolerite suite, and calcrete surface limestone. The land type soil data is given in Appendix 5. The dominant soils are high clay content soils of limited depth of the Valsrivier, Swartland, and Coega soil forms. Better soils of the Hutton soil form also occur in places, but they are still limited in depth by underlying rock (see Figures 6 and 7).

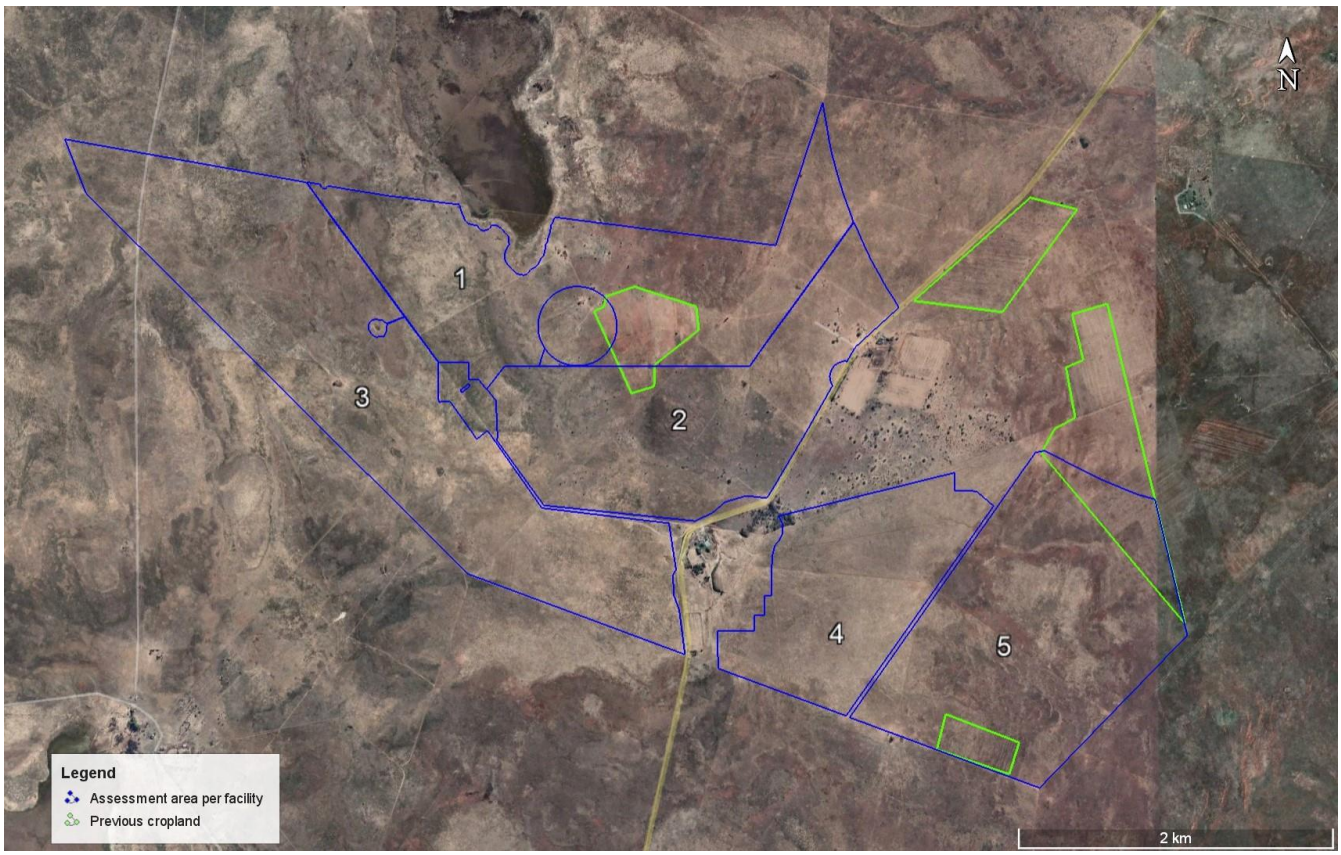

Figure 3. *Satellite image map of the assessed sites for each of the 5 Notsi PV facilities (numbered), and showing previous croplands. This report is an assessment only of Notsi PV 3.*

Figure 4. *View of typical site conditions, where shallow, high clay content soils are dominant.*

Figure 5. *Rock occurs close to the surface across much of the site.*

Figure 6. *The more sandy, red Hutton soils which have been cultivated in the past but are limited by shallow depths to underlying rock.*

Figure 7. *The very shallow depths to underlying rock in are evident where erosion has removed the topsoil.*

9 ASSESSMENT OF AGRICULTURAL IMPACT

9.1 What constitutes an agricultural impact?

An agricultural impact is a temporary or permanent change to the future production potential of land. The significance of the agricultural impact is directly proportional to the extent of the change in production potential. If a development will not change the future production potential of the land, then there is no agricultural impact. A decrease in future production potential is a negative impact and an increase is a positive impact.

9.2 The significance of agricultural impact and the factors that determine it

When the agricultural impact of a development involves the permanent or long-term non-agricultural use of potential agricultural land, as it does in this case, the focus and defining question of the agricultural impact assessment is:

> Does the loss of future agricultural production potential that will result from this development, justify keeping the land solely for potential agricultural production and therefore not approving the development?

If the loss is small, then it is unlikely to justify non approval. If the loss is big, then it is likely to justify it.

The extent of the loss is a direct function of two things, firstly the amount of land that will be lost and secondly, the production potential of the land that will be lost. The land's production potential must be evaluated on a scale of land capability (which equates to production potential) that is applicable across the country, because the need is to conserve the higher potential land in the country, not the lower potential land. The threshold for conserving land for agricultural production is determined by the scarcity of arable crop production land in South Africa and the relative abundance of land that is only good enough to be used for grazing. If land is of sufficient land capability to support viable and sustainable crop production, then it is considered to be above the threshold for being conserved as agricultural production land. If land is not of sufficient land capability to support viable and sustainable crop production, then it is considered to be below the threshold and its loss as agricultural production land may be justified, depending on the importance and value of the proposed non-agricultural land use that will replace it. Renewable energy has high national importance and benefit and the use of agricultural land that is below the threshold is therefore considered to be justified for renewable energy development.

Another aspect to consider is the scale at which the significance of the agricultural impact is assessed. The change in production potential of a farm or significant part of a farm is likely to be

highly significant at the scale of that farm, but may be much less so at larger scales. This assessment considers a regional and national scale to be the most appropriate one for assessing the significance of the loss of agricultural production potential because, as has been discussed above, the purpose is to ensure the conservation of agricultural land required for national food security.

9.3 Impact identification and discussion

There is ultimately only ever a single agricultural impact of a development and that is a change to the future agricultural production potential of the land. This impact occurs by way of different mechanisms some of which lead to a decrease in production potential and some of which lead to an increase. It is the net sum of positive and negative effects that determines the overall agricultural impact.

Two direct mechanisms have been identified that lead to decreased agricultural potential by:

1. **occupation of land** - Agricultural land directly occupied by the development infrastructure will become restricted for agricultural use, with consequent potential loss of agricultural productivity for the duration of the project lifetime.
2. **soil erosion and degradation –** Erosion can occur as a result of the alteration of the land surface run-off characteristics, predominantly through the establishment of hard surface areas including roads. Soil erosion is completely preventable. The stormwater management that will be an inherent part of the engineering on site and standard, best-practice erosion control measures recommended and included in the Environmental Management Programme (EMPr), are likely to be effective in preventing soil erosion. Loss of topsoil can result from poor topsoil management during construction related excavations.

One indirect mechanism has been identified that could lead to increased agricultural potential through:

1. **increased financial security for farming operations –** Reliable and predictable income will be generated by the farming enterprises through the lease of the land to the energy facilities. This is likely to increase their cash flow and financial security and could improve farming operations and productivity through increased investment into farming. This is most likely to occur on other farm portions with higher potential because the investigated portions will largely be utilised for the solar development.

Considering what is detailed in Section 9.2 above, the extent to which any of these mechanisms is likely to actually affect levels of agricultural production is small and the overall impact of a change in agricultural production potential is therefore small and acceptable.

9.4 Cumulative impacts

The cumulative impact of a development is the impact that development will have when its impact is added to the incremental impacts of other past, present, or reasonably foreseeable future activities that will affect the same environment. It is important to note that the cumulative impact assessment for a particular project, like what is being done here, is not the same as an assessment of the impact of all surrounding projects. The cumulative assessment for this project is an assessment only of the impacts associated with this project but seen in the context of all surrounding impacts. It is concerned with this project's contribution to the overall impact, within the context of the overall impact, but it is not simply the overall impact itself.

The most important concept related to a cumulative impact is that of an acceptable level of change to an environment. A cumulative impact only becomes relevant when the impact of the proposed development will lead directly to the sum of impacts of all developments causing an acceptable level of change to be exceeded in the surrounding area. If the impact of the development being assessed does not cause that level to be exceeded, then the cumulative impact associated with that development is not significant.

The potential cumulative agricultural impact of importance is a regional loss (including by degradation) of future agricultural production potential. The defining question for assessing the cumulative agricultural impact is this:

> What loss of future agricultural production potential is acceptable in the area, and will the loss associated with the proposed development, when considered in the context of all past, present or reasonably foreseeable future impacts, cause that level in the area to be exceeded?

The Department Forestry, Fisheries and the Environment (DFFE) requires compliance with a specified methodology for the assessment of cumulative impacts. This is positive in that it ensures engagement with the important issue of cumulative impacts. However, the required compliance has some limitations and can, in the opinion of the author, result in an over-focus on methodological compliance, while missing the more important task of effectively answering the above defining question.

This cumulative impact assessment has considered all renewable energy projects within a 30 km radius. These are listed in Appendix 4 of this report.

All of these projects have the same agricultural impacts in an almost identical agricultural environment, and therefore the same mitigation measures apply to all.

The cumulative impact is affecting an agricultural environment that has been declared a Renewable Energy Development Zone (REDZ) – the Kimberly Solar Renewable Energy Development Zone (REDZ5) - precisely because it is an environment that can accommodate numerous renewable energy developments without exceeding acceptable levels of loss of agricultural production potential. This is primarily because of the low agricultural capability of land across the REDZ, and the fact that such land is not a scarce resource in South Africa.

In quantifying the cumulative impact, the area of land taken out of grazing as a result of all the projects listed in Appendix 4 (total generation capacity of 3,375 MW) will amount to a total of approximately 8,468 hectares. This is calculated using the industry standards of 2.5 and 0.3 hectares per megawatt for solar and wind energy generation respectively, as per the Department of Environmental Affairs (DEA) Phase 1 Wind and Solar Strategic Environmental Assessment (SEA) (2015). As a proportion of the total area within a 30km radius (approximately 282,700 ha), this amounts to 2.98% of the surface area. That is within an acceptable limit in terms of loss of low potential agricultural land which is only suitable for grazing and of which there is no scarcity in the country. This is particularly so when considered within the context of the following point.

In order for South Africa to develop the renewable energy generation that it urgently needs, agriculturally zoned land will need to be used for renewable energy generation. It is far more preferable to incur a cumulative loss of lower potential agricultural land in a region which has been designated as a REDZ, than to lose agricultural land that has a higher potential, and that is much scarcer, to renewable energy development elsewhere in the country.

It should also be noted that there are few land uses, other than renewable energy, that are competing for agricultural land use in this area. The cumulative impact from developments, other than renewable energy, is therefore likely to be very low.

As discussed above, the risk of a loss of agricultural potential by soil degradation can effectively be mitigated for renewable energy developments and the cumulative risk is therefore low.

Due to all of the considerations discussed above, the cumulative impact of loss of future agricultural production potential will not have an unacceptable negative impact on the agricultural production capability of the area. The proposed development is therefore acceptable in terms of cumulative impact, and it is therefore recommended that it be approved.

9.5 Impacts of the no-go alternative

The no-go alternative considers impacts that will occur to the agricultural environment in the absence of the proposed development. The one identified potential impact is that due to irregular

rainfall in the area, which is likely to be exacerbated by climate change, agriculture in the area will come under increased pressure in terms of economic viability.

The development offers an alternative income source to agriculture, but it restricts agricultural use of the site. Therefore, even though the excluded land has low agricultural production potential, the negative agricultural impact of the development is more significant than that of the no-go alternative, and so, purely from an agricultural impact perspective, the no-go alternative is the preferred alternative between the development and the no-go.

However, the no-go option would prevent the proposed development from contributing to the environmental, social and economic benefits associated with the development of renewable energy in South Africa.

9.6 Comparative assessment of alternatives

Due to the low agricultural potential of the site, and the effectively uniform agricultural conditions across the site, there will be absolutely no material difference between the agricultural impacts of any layout alternatives. Technology alternatives will also make absolutely no material difference to the significance of the agricultural impacts.

9.7 Micro-siting to minimize fragmentation and disturbance of agricultural activities

The agricultural protocol requires confirmation that all reasonable measures have been taken through micro-siting to minimize fragmentation and disturbance of agricultural activities. However, the agricultural uniformity and lack of suitability for crop production of the site, mean that the exact positions of all infrastructure will not make any material difference to agricultural impacts.

9.8 Confirmation of linear activity impact

Confirmation of the linear activity impact is not applicable in this case.

9.9 Impact footprint

The agricultural protocol stipulates allowable development limits for renewable energy developments of > 20 MW. Allowable development limits refer to the area of a particular agricultural sensitivity category that can be directly impacted (i.e. taken up by the physical footprint) by a renewable energy development. The agricultural footprint is defined in the protocol as the area that is directly occupied by all infrastructures, including roads, hard standing areas, buildings etc., that are associated with the renewable energy facility during its operational phase, and that result in the exclusion of that land from potential cultivation or grazing. It excludes all areas that were already occupied by roads and other infrastructure prior to the establishment of the energy facility but includes the surface area required for expanding existing infrastructure (e.g. widening existing roads). It therefore represents the total land that is actually excluded from agricultural use as a result of the renewable energy facility.

For a solar energy facility, the footprint is considered to be the total area inside the security fence of the facility.

The allowable development limit on land of low or medium agricultural sensitivity with a land capability of < 8, as this site has been verified to be, is 2.5 ha per MW. This would allow the proposed facility of 100 MW to occupy an agricultural footprint of 100 X 2.5 = 250 hectares.

The proposed footprint of the facility is 370 hectares, which means that the facility slightly exceeds the allowable development limits contained in the agricultural protocol. The combined footprint of all five Notsi facilities, as shown in Table 1, also slightly exceeds the allowable development limits. However, the purpose of the allowable development limits is to conserve higher potential, predominantly arable, agricultural land by steering renewable energy development off such land and onto lower potential land. In this case, the Notsi PV facilities have already been located on low potential agricultural land that is of insufficient land capability to be viable as cropland. It is precisely such land onto which renewable energy developments should be steered in order to conserve the country's agricultural production potential. Compliance with the allowable development limits is therefore unnecessary because their purpose has already been achieved in this case.

Table 1. Compliance of the Notsi Solar PV cluster with the allowable development limits.

Facility	Generation capacity (MW)	Agricultural footprint (ha)	ha/MW
Notsi Solar PV 1	100	260	2.6
Notsi Solar PV 2	100	220	2.2
Notsi Solar PV 3	100	370	3.7
Notsi Solar PV 4	100	220	2.2
Notsi Solar PV 5	100	195	1.95
Total	**500**	**1265**	**2.53**

9.10 The 10% rule

The so-called 10% rule that has been used by DALRRD is not considered to be useful or constructive for assessing the agricultural approval of this project. In this agricultural environment, the rule is likely to simply hinder solar energy development without serving any benefit to agriculture. The argument against using the rule is detailed below.

In order to limit the potential threat that solar energy development in rural areas could pose to agricultural production and to the agricultural economy of those rural areas, DALRRD created the so-called 10% rule to inform the decision of whether a solar energy development on agricultural land should be approved or not. This rule states that a solar energy facility may not utilise more than 10% of the surface area of a farm. Its aim was to ensure that each farm unit remained predominantly agricultural rather than certain farms abandoning agricultural production in favour of renewable energy generation.

The rule was established when solar energy development was new and unknown. However, it is now evident that solar energy development is less of a threat to agricultural production and the agricultural economy than it was initially feared that it might be. Solar energy development has demonstrated benefits for agriculture and has the potential to be integrated into the rural agricultural economy. It is a source of much needed income into rural areas. The 10% rule is now considered unnecessary and impractical. It is likely to simply hinder solar energy development without serving any benefit to agriculture. It is far more constructive and effective to focus on integrating renewable energy with agricultural production in a way that provides benefits to agriculture and focuses on minimising loss of future agricultural production potential. This can be done by using only the production potential of land as the deciding factor for solar energy approval.

The problem with the 10% rule and only utilising up to 10% of each farm, is that it forces solar facilities to be spread across the landscape in a way that is impractical and financially non-viable and creates a much larger environmental footprint in the landscape. Furthermore, it does not

actually make any difference to the loss of agricultural production potential or to the impact on the agricultural economy of the area.

It is important to recognise that there is no real need to limit the amount of land occupied by solar energy facilities. Solar energy will never occupy more than a tiny proportion of the land, anyway. The total extent of South Africa's intended solar development for the foreseeable future was calculated to only occupy 0.4% of the surface area of the 8 original renewable energy development zones (REDZ). This was if all the country's solar development was located only in those 8 REDZ, which it is not. An additional 2 REDZ have been proclaimed since then and much of the country's solar development is occurring outside the REDZ. This means that for the foreseeable future, solar energy will only ever occupy much less than 0.4% of land in an area. If it will only ever occupy such a small proportion of the land, anyway, it cannot replace agriculture in the rural economy and it serves no purpose to limit solar facilities to 10% of each farm. From an agricultural production and food security point of view there is only a need to preserve scarce arable land for crop production and therefore to limit solar development to land that is of insufficient land capability to support viable crop production.

Early solar development in the country was located predominantly in arid, low potential agricultural environments with large farm sizes, such as the Northern Cape. In such environments the 10% rule is achievable, even if not desirable. However, because solar development has now used up the available grid capacity in the Northern Cape, it needs to move to more intensively farmed areas in the North-West, Free State and Mpumalanga provinces. Farms are much smaller in these areas and 10% of a farm is often an unfeasibly small area for solar development. In such agricultural environments, some soils are suitable for crop production and others are not. The important thing in these environments is that land that has potential for viable crop production is not sacrificed for solar development. The focus in terms of locating solar facilities should be to avoid land that has potential for viable crop production, and thereby minimise the loss of agricultural production potential. As long as that is done, it does not matter what percentage of an individual farm is used. The 10% rule is unnecessary. In this scenario, solar energy development is integrated with agricultural production. It will not replace agriculture from the land and therefore does not pose a threat to agricultural production or to the agricultural economy of rural areas.

9.11 Mitigation measures

Mitigation measures are all inherent in the project design and/or are standard, best-practice for construction sites.

- A system of stormwater management, which will prevent erosion, will be an inherent part of the engineering on site. Any occurrences of erosion must be attended to immediately

and the integrity of the erosion control system at that point must be amended to prevent further erosion from occurring there.

- Any excavations done during the construction phase, in areas that will be re-vegetated at the end of the construction phase, must separate the upper 30 cm of topsoil from the rest of the excavation spoils and store it in a separate stockpile. When the excavation is back-filled, the topsoil must be back-filled last, so that it is at the surface. Topsoil should only be stripped in areas that are excavated. Across the majority of the site, including construction laydown areas, it will be much more effective for rehabilitation, to retain the topsoil in place. If levelling requires significant cutting, topsoil should be temporarily stockpiled and then re-spread after cutting, so that there is a covering of topsoil over the entire cut surface. It will be advantageous to have topsoil and vegetation cover below the panels during the operational phase to control dust and erosion.

9.12 Impact assessment

An Agricultural Compliance Statement is not required to formally rate agricultural impacts. It is only required to indicate whether or not the proposed development will have an unacceptable impact on the agricultural production capability of the site.

Nevertheless, it is hereby confirmed that the agricultural impact of the proposed development is assessed as being of low significance and acceptable.

10 CONCLUSIONS

The site has low agricultural and cropping potential because of a combination of climate and soil constraints. As a result of the constraints, the site is unsuitable for crop production, and agricultural production is limited to grazing. The land across the site is verified in this assessment as being of medium agricultural sensitivity.

Two potential mechanisms of negative agricultural impact were identified, occupation of agricultural land and land degradation. One potential mechanism of positive agricultural impact was identified as increased financial security for farming operations.

All mechanisms are likely to lead to low impact on the agricultural production potential and the agricultural impact is therefore assessed as having low significance.

The conclusion of this assessment is that the agricultural impact of the proposed development is acceptable because:

- it will occupy land that is of limited land capability, which is insufficient for crop production. There is not a scarcity of such agricultural land in South Africa and its conservation for agricultural production is not therefore a priority.
- The amount of agricultural land use by the development is within the allowable development limits prescribed by the agricultural protocol. These limits reflect the national need to conserve valuable agricultural land and therefore to steer, particularly renewable energy developments, onto land with low agricultural production potential.
- The proposed development is within a REDZ, which is an area that has specifically been designated within South Africa for the prioritisation of renewable energy development. The designation of the REDZ has taken into account the country's need to balance renewable energy development against the conservation of land required for agricultural production and national food security.
- The PV panels will not necessarily totally exclude agricultural production. The area can still be used to graze sheep that will, in addition, be protected against stock theft within the security area of the facility.
- All renewable energy development in South Africa decreases the need for coal power and thereby contributes to reducing the large agricultural impact that open cast coal mining has on highly productive agricultural land throughout the coal mining areas of the country.

From an agricultural impact point of view, it is recommended that the development be approved.

The conclusion of this assessment on the acceptability of the proposed development and the recommendation for its approval is not subject to any conditions, other than recommended mitigation.

11 REFERENCES

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Department of Agriculture, Forestry and Fisheries, 2017. National land capability evaluation raster data layer, 2017. Pretoria.

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Schulze, R.E. 2009. SA Atlas of Climatology and Agrohydrology, available on Cape Farm Mapper. Available at: https://gis.elsenburg.com/apps/cfm/

Soil Classification Working Group. 1991. Soil classification: a taxonomic system for South Africa. Soil and Irrigation Research Institute, Department of Agricultural Development, Pretoria.

APPENDIX 1: SPECIALIST CURRICULUM VITAE

Johann Lanz
Curriculum Vitae

Education

M.Sc. (Environmental Geochemistry)	University of Cape Town	1996 - 1997
B.Sc. Agriculture (Soil Science, Chemistry)	University of Stellenbosch	1992 - 1995
BA (English, Environmental & Geographical Science)	University of Cape Town	1989 - 1991
Matric Exemption	Wynberg Boy's High School	1983

Professional work experience

I have been registered as a Professional Natural Scientist (Pri.Sci.Nat.) in the field of soil science since 2012 (registration number 400268/12) and am a member of the Soil Science Society of South Africa.

Soil & Agricultural Consulting **Self employed** **2002 - present**

Within the past 5 years of running my soil and agricultural consulting business, I have completed more than 170 agricultural assessments (EIAs, SEAs, EMPRs) in all 9 provinces for renewable energy, mining, electrical grid infrastructure, urban, and agricultural developments. I was the appointed agricultural specialist for the nation-wide SEAs for wind and solar PV developments, electrical grid infrastructure, and gas pipelines. My regular clients include: Zutari; CSIR; SiVEST; SLR; WSP; Arcus; SRK; Environamics; Royal Haskoning DHV; ABO; Enertrag; WKN-Windcurrent; JG Afrika; Mainstream; Redcap; G7; Mulilo; and Tiptrans. Recent agricultural clients for soil resource evaluations and mapping include Cederberg Wines; Western Cape Department of Agriculture; Vogelfontein Citrus; De Grendel Estate; Zewenwacht Wine Estate; and Goedgedacht Olives.
In 2018 I completed a ground-breaking case study that measured the agricultural impact of existing wind farms in the Eastern Cape.

Soil Science Consultant **Agricultural Consultors International (Tinie du Preez)** **1998 - 2001**

Responsible for providing all aspects of a soil science technical consulting service directly to clients in the wine, fruit and environmental industries all over South Africa, and in Chile, South America.

Contracting Soil Scientist **De Beers Namaqualand Mines** **July 1997 - Jan 1998**

Completed a contract to advise soil rehabilitation and re-vegetation of mined areas.

Publications

- Lanz, J. 2012. Soil health: sustaining Stellenbosch's roots. In: M Swilling, B Sebitosi & R Loots (eds). *Sustainable Stellenbosch: opening dialogues*. Stellenbosch: SunMedia.
- Lanz, J. 2010. Soil health indicators: physical and chemical. *South African Fruit Journal*, April / May 2010 issue.
- Lanz, J. 2009. Soil health constraints. *South African Fruit Journal*, August / September 2009 issue.
- Lanz, J. 2009. Soil carbon research. *AgriProbe*, Department of Agriculture.
- Lanz, J. 2005. Special Report: Soils and wine quality. *Wineland Magazine.*

I am a reviewing scientist for the *South African Journal of Plant and Soil*.

environmental affairs
Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

APPENDIX 2: DETAILS OF THE SPECIALIST, DECLARATION OF INTEREST AND UNDERTAKING UNDER OATH

	(For official use only)
File Reference Number:	
NEAS Reference Number:	DEA/EIA/
Date Received:	

Application for authorisation in terms of the National Environmental Management Act, Act No. 107 of 1998, as amended and the Environmental Impact Assessment (EIA) Regulations, 2014, as amended (the Regulations)

PROJECT TITLE

THE PROPOSED NOTSI PV 3 SOLALR ENERGY FACILITY NEAR DEALESVILLE IN THE FREE STATE PROVINCE

Kindly note the following:

- This form must always be used for applications that must be subjected to Basic Assessment or Scoping & Environmental Impact Reporting where this Department is the Competent Authority.
- This form is current as of 01 September 2018. It is the responsibility of the Applicant / Environmental Assessment Practitioner (EAP) to ascertain whether subsequent versions of the form have been published or produced by the Competent Authority. The latest available Departmental templates are available at https://www.environment.gov.za/documents/forms.
- A copy of this form containing original signatures must be appended to all Draft and Final Reports submitted to the department for consideration.
- All documentation delivered to the physical address contained in this form must be delivered during the official Departmental Officer Hours which is visible on the Departmental gate.
- All EIA related documents (includes application forms, reports or any EIA related submissions) that are faxed; emailed; delivered to Security or placed in the Departmental Tender Box will not be accepted, only hardcopy submissions are accepted.

Departmental Details

Postal address: Department of Environmental Affairs, Attention: Chief Director: Integrated Environmental Authorisations, Private Bag X447, Pretoria, 0001
Physical address: Department of Environmental Affairs, Attention: Chief Director: Integrated Environmental Authorisations, Environment House, 473 Steve Biko Road, Arcadia

Queries must be directed to the Directorate: Coordination, Strategic Planning and Support at:
Email: EIAAdmin@environment.gov.za

1. SPECIALIST INFORMATION

Specialist Company Name:	Johann Lanz – Soil Scientist			
B-BBEE	Contribution level (indicate 1 to 8 or non-compliant)	4	Percentage Procurement recognition	100%
Specialist name:	Johann Lanz			
Specialist Qualifications:	M.Sc. (Environmental Geochemistry)			
Professional affiliation/registration:	Registered Professional Natural Scientist (Pr.Sci.Nat.) Reg. no. 400268/12 Member of the Soil Science Society of South Africa			
Physical address:	1a Wolfe Street, Wynberg, Cape Town, 7800			
Postal address:	1a Wolfe Street, Wynberg, Cape Town, 7800			
Postal code:	7800	Cell:	082 927 9018	
Telephone:	082 927 9018	Fax:	Who still uses a fax? I don't	
E-mail:	johann@johannlanz.co.za			

2. DECLARATION BY THE SPECIALIST

I, **Johann Lanz**, declare that –

- I act as the independent specialist in this application;
- I will perform the work relating to the application in an objective manner, even if this results in views and findings that are not favourable to the applicant;
- I declare that there are no circumstances that may compromise my objectivity in performing such work;
- I have expertise in conducting the specialist report relevant to this application, including knowledge of the Act, Regulations and any guidelines that have relevance to the proposed activity;
- I will comply with the Act, Regulations and all other applicable legislation;
- I have no, and will not engage in, conflicting interests in the undertaking of the activity;
- I undertake to disclose to the applicant and the competent authority all material information in my possession that reasonably has or may have the potential of influencing - any decision to be taken with respect to the application by the competent authority; and - the objectivity of any report, plan or document to be prepared by myself for submission to the competent authority;
- all the particulars furnished by me in this form are true and correct; and
- I realise that a false declaration is an offence in terms of regulation 48 and is punishable in terms of section 24F of the Act.

Signature of the Specialist

Johann Lanz – Soil Scientist (sole proprietor)

Name of Company:

03/03/2023

Date

3. UNDERTAKING UNDER OATH/ AFFIRMATION

I, **Johann Lanz**, swear under oath / affirm that all the information submitted or to be submitted for the purposes of this application is true and correct.

Signature of the Specialist

Johann Lanz – Soil Scientist (sole proprietor)

Name of Company

03/03/2023

Date

2335491

Signature of the Commissioner of Oaths

2023/03/03

Date

SUID-AFRIKAANSE POLISIEDIENS
CSM
WYNBERG KP
03 MAR 2023
CSM
WYNBERG CP
SOUTH AFRICAN POLICE SERVICE

SACNASP

South African Council for Natural Scientific Professions

herewith certifies that

Johan Lanz

Registration Number: 400268/12

is a registered scientist

in terms of section 20(3) of the Natural Scientific Professions Act, 2003
(Act 27 of 2003)
in the following fields(s) of practice (Schedule 1 of the Act)

Soil Science (Professional Natural Scientist)

Effective **15 August 2012** Expires **31 March 2024**

Chairperson

Chief Executive Officer

To verify this certificate scan this code

APPENDIX 4: PROJECTS INCLUDED IN CUMULATIVE IMPACT ASSESSMENT

Table 1**:** Table of all projects that were included in the cumulative impact assessment.

DFFE Reference	Project name	Technology	Capacity (MW)
14/12/16/3/3/1/2154	Visserspan 2	PV	75
14/12/16/3/3/1/2155	Visserspan 3	PV	75
14/12/16/3/3/1/2156	Visserspan 4	PV	75
14/12/16/3/3/2/717	Kentani solar PV facilities	PV	75
14/12/16/3/3/2/718	Kentani solar PV facilities	PV	75
14/12/16/3/3/2/719	Kentani solar PV facilities	PV	75
14/12/16/3/3/2/720	Kentani solar PV facilities	PV	75
14/12/16/3/3/2/721	Kentani solar PV facilities	PV	75
14/12/16/3/3/2/722	Kentani solar PV facilities	PV	75
14/12/16/3/3/2/723	Kentani solar PV facilities	PV	75
14/12/16/3/3/2/724	Kentani solar PV facilities	PV	75
14/12/16/3/3/2/725	Kentani solar PV facilities	PV	75
14/12/16/3/3/2/726	Kentani solar PV facilities	PV	75
14/12/16/3/3/2/728	Kentani solar PV facilities	PV	75
14/12/16/3/3/2/755	Sebina Letsatsi Solar PV	PV	75
14/12/16/3/3/2/851	Edison pv	PV	100
14/12/16/3/3/2/852	Maxwell pv	PV	100
14/12/16/3/3/2/853	Marconi PV	PV	100
14/12/16/3/3/2/854	Watt PV	PV	100
14/12/16/3/3/2/855	Faraday PV	PV	100
14/12/16/3/3/1/2523	Springhaas Solar Facility 1	PV	250
14/12/16/3/3/1/2524	Springhaas Solar Facility 3	PV	150
14/12/16/3/3/1/2525	Springhaas Solar Facility 4	PV	150
14/12/16/3/3/1/2526	Springhaas Solar Facility 5	PV	150
14/12/16/3/3/1/2527	Springhaas Solar Facility 6	PV	250
14/12/16/3/3/1/2528	Springhaas Solar Facility 8	PV	150
14/12/16/3/3/1/2529	Springhaas Solar Facility 9	PV	150
	Notsi PV 1	PV	100

DFFE Reference	Project name	Technology	Capacity (MW)
	Notsi PV 2	PV	100
	Notsi PV 3	PV	100
	Notsi PV 4	PV	100
	Notsi PV 5	PV	100
Total			**3375**

APPENDIX 5: SOIL DATA

Table of land type soil data

Land type	Soil series (forms)	Depth (mm)	Clay % A horizon	Clay % B horizon	Depth limiting layer	% of land type
Db3	Valsrivier	> 1200	25 - 35	40 - 60		39,7
Db3	Swartland	100 - 200	20 - 35	40 - 60	so	24,1
Db3	Mispah	100 - 250	10 - 20		ka	18,0
Db3	Mispah / Hutton / Glenrosa	100 - 300	10 - 20	10 - 30	R,ka	6,7
Db3	Oakleaf	600 - 1200	15 - 25	30 - 45	R,ka	2,6
Db3	Oakleaf	200 - 600	15 - 25	25 - 35	R	2,2
Db3	Katspruit	100 - 250	15 - 25	40 - 55	G	2,2
Db3	Arcadia	450 - 900	40 - 55		R	1,8
Db3	Dundee	> 1200	10 - 45			1,4
Db3	Rock outcrop					0,8
Db3	Pans					0,6