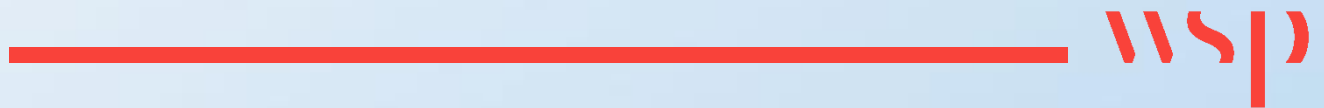


Appendix G

DFFE ACCEPTANCE OF FINAL SCOPING REPORT





forestry, fisheries & the environment

Department:
Forestry, Fisheries and the Environment
REPUBLIC OF SOUTH AFRICA

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

DFFE Reference: 14/12/16/3/3/2/2324

Enquiries: Mr Wayne Hector

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WSP Group Africa (Pty) Ltd
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Magwa Crescent West
Waterfall City
MIDRAND
1685

Cell Number: (011) 361-1392
Email Address: Ashlea.strong@wsp.com

PER E-MAIL / MAIL

Dear Ms Strong

ACCEPTANCE OF THE SCOPING REPORT FOR THE PROPOSED DEVELOPMENT OF UP TO 320 MW MURA 3 SOLAR PHOTOVOLTAIC FACILITY BETWEEN LOXTON AND BEAUFORT WEST IN THE WESTERN CAPE PROVINCE AND NORTHERN CAPE PROVINCES.

The final Scoping Report (SR) and the Plan of Study for Environmental Impact Assessment (PoSEIA) dated April 2023 and received by the Department on 18 April 2023, refer.

The Department has evaluated the submitted final SR and the PoSEIA dated April 2023 and is satisfied that the documents comply with the minimum requirements of the Environmental Impact Assessment (EIA) Regulations, 2014, as amended.

The FSR 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.

Please ensure that the following information forms part of the next report:

1. Listed Activities

- a) The EIAR must provide an assessment of the impacts and mitigation measures for each of the listed activities applied for.
- b) Please continue to ensure that all relevant listed activities are applied for, are specific and can be linked to the development activity or infrastructure (including thresholds) as described in the project

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description. Only activities (and sub-activities) applicable to the development must be applied for and assessed.

- c) The listed activities represented in the EIAR and the application form must be the same and correct.
- d) The EIAR must assess the correct sub listed activity for each listed activity applied for.

2. **Public Participation**

- a) Please ensure that comments from all relevant stakeholders are submitted to the Department with the EIAR.
- b) Please ensure that all issues raised and comments received during the circulation of the draft SR and draft EIAR from registered I&APs and organs of state which have jurisdiction in respect of the proposed activity are addressed in the final EIAR. 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.
- c) 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 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.
- d) Comments from I&APs must not be split and arranged into categories. Comments from each submission must be responded to individually.
- e) The Public Participation Process must be conducted in terms of Regulation 39, 40, 41, 42, 43 & 44 of the EIA Regulations, 2014, as amended.
- f) The EAP is requested to contact the Department to make the necessary arrangements to conduct a site inspection prior to the submission of the final EIAR.

3. **Alternatives**

The EAP is required to provide clear assessment for each identified alternative and further provide clear motivation and reasons as to why the **preferred** alternative **proves** to be the preferred compared to other alternatives.

These alternatives includes:

- Location / Site Alternatives.
- Technology Alternatives.
- Design and Layout Alternatives.
- BESS technology alternatives.
- No-go alternative.

4. **The layout map must indicate the following:**

All supporting onsite infrastructure such as follows:

- All supporting onsite infrastructure that will support the proposed 320MW photovoltaic solar facility e.g., roads (existing and proposed, fencing, BESS area, etc.).
- Connection routes (including pylon positions) to the distribution/transmission network; and
- All existing infrastructure on the site, including neighbouring villages (if any), etc.
- The location of sensitive environmental features on site e.g., CBAs, heritage sites, wetlands, drainage lines etc. that will be affected;
- Buffer areas; and
- All “no-go” areas.

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5. **Specialist assessments**

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

- a) 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.
- b) 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. 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.
- c) 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.
- d) It is further brought to your attention that Procedures for the Assessment and Minimum Criteria for Reporting on identified Environmental Themes in terms of Sections 24(5)(a) and (h) and 44 of the National Environmental Management Act, 1998, when applying for Environmental Authorisation, which were promulgated in Government Notice No. 320 of 20 March 2020 (i.e. "the Protocols"), and in Government Notice No. 1150 of 30 October 2020 (i.e. protocols for terrestrial plant and animal species), have come into effect. Please note that specialist assessments must be conducted in accordance with these protocols.
- e) The screening tool output:
 - The screening tool and the gazetted protocols (GN R320 of 20 March 2020 and GN R 1150 of 30 October 2020) require a site sensitivity verification to be completed to either confirm or dispute the findings and sensitivity ratings of the screening tool.
 - It is the **responsibility** of the **EAP** to confirm the list of specialist assessments and to motivate in the assessment report, the reason for not including any of the identified specialist studies including the provision of photographic evidence of the site situation. The site sensitivity verification for each of the recommended studies, as per the protocols, must be compiled and attached.
- f) Should the appointed specialists specify contradicting recommendations, the EAP must clearly indicate the most reasonable recommendation and substantiate this with defensible reasons; and were necessary, include further expertise advice.
- g) Please include a table that shows the proposed studies and the relevant specialists carrying out the study. In addition, a summary should be included of the specialist's recommendations in terms of the alternatives that are preferred based on the findings of their study.

General

Details of the future plans for the site and infrastructure after decommissioning in 20-30 years and the possibility of upgrading the proposed infrastructure to more advanced technologies must be indicated.

Should a Water Use License be required, proof of application for a license needs to be submitted.

A construction and operational phase EMP that includes mitigation and monitoring measures must be submitted with the final EIAR.

The comments issued by this Department on 29 March 2023, during the draft scoping report are still valid and must be all addressed throughout the EIA process.

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Should you use coordinates, please ensure that it is in the format as prescribed in the 2014 EIA NEMA Regulations, as amended.

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 Forestry, Fisheries & the Environment
Signed by: Mr Wayne Hector
Designation: Deputy Director: Priority Infrastructure Projects
Date: 12/05/2023

cc:	Lance Blaine	Mura 3 (Pty) Ltd	Email: anthony@atlanticep.com
	Gavin Benjamin	DEA&DP	Email: gavin.benjamin@westerncape.gov.za
	Elsabe Swart	DENC	Email: elsabeswart.denc@gmail.com
	Ashley Mitchell	Beaufort West Local Municipality	Email: buildingcontrol@beaufortwestmun.co.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