

Subject: Objection to part 2 of EA amendment application: DFFE Ref: 2022-09-0038
From: "METSIMATALE MINING" <metsimatalemining@gmail.com>
Sent: 2023/06/08 09:35:16
To: lizette@earthnsky.co.za;
CC: "Itumeleng Mojatau" <mojatautrading@gmail.com>; daniel.muller@telkomsa.net;
Attachments: Graveyard.pdf

Please be advised that Groenwater Community Leadership request a separate consultation at your convenient time.

The attached photo reflects the previous engagement pertaining to any development in the Photovoltaic (PV) 1 Solar Power Facility.

Our engagement is centred around graves within the facility.

Regards
Benjamin Kolberg
0762985084

Subject: Re:Objection to part 2 of EA amendment application: DFFE Ref: 2022-09-0038
From: "METSIMATALE MINING" <metsimatalemining@gmail.com>
Sent: 2023/06/09 17:37:10
To: "Lizette Kloppers" <lizette@earthnsky.co.za>;
CC: "Itumeleng Mojatau" <mojatautrading@gmail.com>; "daniel.muller@telkomsa.net" <daniel.muller@telkomsa.net>; "Rachelle Botha" <Rachelle@envizio.co.za>;

Afternoon Lizette

Please don't be confused the Groenwater I am referring to is the Groenwater Stasie, there are two communities, the other Groenwater you have already invited them for consultation at Refentse Primary School.

The Groenwater that I am referring is the Groenwater which belong to the traditional council.
Please contact me on Monday so I can explain to you.

Regards

Benjamin Kolberg
0762985084

Sent from my Huawei phone

----- Original message -----

From: Lizette Kloppers <lizette@earthnsky.co.za>
Date: Fri, Jun 9, 2023, 2:25 PM
To: METSIMATALE MINING <metsimatalemining@gmail.com>
Cc: Itumeleng Mojatau <mojatautrading@gmail.com>, daniel.muller@telkomsa.net, Rachelle Botha <Rachelle@envizio.co.za>
Subject: Re: Objection to part 2 of EA amendment application: DFFE Ref: 2022-09-0038

Good day Mr Kolberg

I hereby confirm receipt of your email and comments. Thank you.

We will respond formally in due course.

Regards



Lizette Kloppers

Director | Reg. EAP (EAPASA) & Pr. Sci. Nat.

Cell: 061 524 2211 / 067 021 3401

Email: lizette@earthnsky.co.za / lizette.earthnsky@gmail.com

Fax2mail: 086 552 6837

P.O. Box 5419, Rietvalleirand, Pretoria, 0174

www.earthnsky.co.za

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From "METSIMATALE MINING" <metsimatalemining@gmail.com>

To lizette@earthnsky.co.za

Cc "Itumeleng Mojatau" <mojatautrading@gmail.com>; daniel.muller@telkomsa.net

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Benjamin Kolberg

0762985084

Subject: RE: Re[2]: Objection to part 2 of EA amendment application: DFFE Ref: 2022-09-0038
From: "Daniel" <daniel.muller@telkomsa.net>
Sent: 2023/06/20 21:51:14
To: "METSIMATALE MINING" <metsimatalemining@gmail.com>; "Lizette Kloppers" <lizette@earthnsky.co.za>;
CC: "Itumeleng Mojatau" <mojatautrading@gmail.com>; "Rachelle Botha" <Rachelle@envizio.co.za>;

Hi Lizette;

Whilst we on this platform...

Kindly take note that tacit reference to the Communal Property Association Act 28 of 1996. It is also our contestation in due consideration of the pending engagement talks to be reserved for the Director General as enhanced by SAHA.

This is becoming increasingly vital to have pre-talks with all relevant stakeholders prior the abovementioned interactions.

Earlier discussion prior your site establishment was running smoothly but evaporated in thin air ever since.

We will not allow same this time around as this is exclusively a Heritage insist by which our ancestors calling for.

We recommend that you and team render an alternative meeting date soonest... We will follow-up by the **27th of June 2023**.

Please spearhead your intent with the necessary vigour soonest...

Regards 

Daniel K Muller

Kgatelopele Business Community Contractors Forum

Tel: 053 385 0683

Fax: 053 385 0683

Cell: 079 154 3496



From: METSIMATALE MINING [<mailto:metsimatalemining@gmail.com>]
Sent: 12 June 2023 09:35 AM
To: Lizette Kloppers
Cc: Itumeleng Mojatau; daniel.muller@telkomsa.net; Rachelle Botha
Subject: Re:Re[2]: Objection to part 2 of EA amendment application: DFFE Ref: 2022-09-0038

Good morning Lizette.
Noted.
Regards
Benjamin Kolberg
0762985084

Sent from my Huawei phone

----- Original message -----

From: Lizette Kloppers <lizette@earthnsky.co.za>
Date: Mon, Jun 12, 2023, 9:33 AM
To: METSIMATALE MINING <metsimatalemining@gmail.com>
Cc: Itumeleng Mojatau <mojatautrading@gmail.com>, daniel.muller@telkomsa.net, Rachelle Botha

<Rachelle@envizio.co.za>

Subject: Re[2]: Objection to part 2 of EA amendment application: DFFE Ref: 2022-09-0038

Good day Benjamin

Thank you for your email. We take note hereof.

We will engage with our client and revert back to you in due course in this regard.

Regards

Lizette

----- Original Message -----

From "METSIMATALE MINING" <metsimatalemining@gmail.com>

To "Lizette Kloppers" <lizette@earthnsky.co.za>

Cc "Itumeleng Mojatau" <mojatautrading@gmail.com>; "daniel.muller@telkomsa.net" <daniel.muller@telkomsa.net>; "Rachelle Botha" <Rachelle@envizio.co.za>

Date 2023/06/09 17:37:10

Subject Re:Objection to part 2 of EA amendment application: DFFE Ref: 2022-09-0038

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Subject: Re: Objection to part 2 of EA amendment application: DFFE Ref: 2022-09-0038
From: "METSIMATALE MINING" <metsimatalemining@gmail.com>
Sent: 2023/07/04 11:06:44
To: "Lizette Kloppers" <lizette@earthnsky.co.za>;
CC: daniel.muller@telkomsa.net; "Itumeleng Mojatau" <mojatautrading@gmail.com>; "Rachelle Botha" <Rachelle@envizio.co.za>;

Noted, will do by the end of the week, although we are concerned that your facility has already been built without proper consultation. In fact as we speak everything should have been suspended so that we engaged the legal authority being the South African Heritage Resources agency. Your Client is in breach of section 38 environmental act(Nema).

Regards
Benjamin Kolberg
0762985084

On Mon, Jul 3, 2023 at 2:21 PM Lizette Kloppers <lizette@earthnsky.co.za> wrote:

Good day Benjamin, Daniel

I hope you are well.

Can you please provide us with your formal comments (objections) to the Environmental Authorisation amendment application, in writing (email), so that we can adequately engage further?

Thank you in advance.

Regards

Lizette

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From "METSIMATALE MINING" <metsimatalemining@gmail.com>

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Cc "Itumeleng Mojatau" <mojatautrading@gmail.com>; daniel.muller@telkomsa.net

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From: "METSIMATALE MINING" <metsimatalemining@gmail.com>
Sent: 2023/07/04 11:15:41
To: "Lizette Kloppers" <lizette@earthnsky.co.za>;
CC: daniel.muller@telkomsa.net; "Itumeleng Mojatau" <mojatautrading@gmail.com>; "Rachelle Botha" <Rachelle@envizio.co.za>;

Dear Lizette

I am sorry i wanted to refer to this clause that we were not consulted beforehand:

SECTION 38 (1) AND SECTION 38 (8) As per Section 38 (1) (e) of the National Heritage Resources Act (NHRA), No. 25 of 1999, submission of the Notification of Intent to Develop (NID) must be initiated at the earliest stage of development. Should the development trigger any other legislation, practitioners are able to submit the NID to Heritage Northern Cape (NC) prior to formal submission to other statutory bodies in order to comply with the NHRA. The authority will determine if a heritage impact assessment (HIA) will be required. Section 38(8) of the NHRA states that if the development activities listed in Section 38(1) must be subjected to an environmental impact assessment (EIA) in terms of NEMA, separate HIA and approval from the relevant heritage resources authority is not required, provided that the environmental authority must: 1. Ensure that if the relevant heritage resources authority requires an HIA, the application fulfils the requirements of the heritage resources authority in terms of Section 38(3) of the NHRA, and 2. The comments and recommendations of the relevant heritage resources authority have been considered prior to granting the environmental authority's consent.

Regards
Benjamin Kolberg
0762985084

On Tue, Jul 4, 2023 at 11:06AM METSIMATALE MINING <metsimatalemining@gmail.com> wrote:

Noted, will do by the end of the week, although we are concerned that your facility has already been built without proper consultation. In fact as we speak everything should have been suspended so that we engaged the legal authority being the South African Heritage Resources agency. Your Client is in breach of section 38 environmental act(Nema).

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Subject: RE: PUBLIC PARTICIPATION NOTIFICATION: PART 2 ENVIRONMENTAL AUTHORISATION AMENDMENT APPLICATION: 75 MW HUMANSRUS PHOTOVOLTAIC (PV) 1 SOLAR POWER FACILITY (DFFE REFERENCE NUMBER: 2022-09-0038)
From: "Kamogelo Mathetja" <KMathetja@dffe.gov.za>
Sent: 2023/06/29 16:21:29
To: "lizette@earthnsky.co.za" <lizette@earthnsky.co.za>;
CC: "MMatlala Rabothata" <MRABOTHATA@dffe.gov.za>; "Kamogelo Mathetja" <KMathetja@dffe.gov.za>;

Dear Sir/Madam

DFFE Directorate: Biodiversity Conservation hereby acknowledge receipt of the invitation to review and comment on the project mentioned on the subject line. Kindly note that the project has been allocated to Mrs M Rabothata and Mr K Mathetja (Both copied on this email). In addition, kindly share the shapefiles of the development footprints/application site with the Case Officers.

Please note: 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

Regards,
Kamogelo

From: Lizette Kloppers <lizette@earthnsky.co.za>
Sent: Monday, June 26, 2023 2:21 PM
To: BC Admin <bcadmin@dffe.gov.za>
Cc: Nyiko Nkosi <NNKOSI@dffe.gov.za>; Rachele Botha <Rachele@envizio.co.za>; Thivhulawi Nethononda <TNETHONONDA@dffe.gov.za>; Rofhiwa Magodi <RMagodi@dffe.gov.za>; Portia Makitla <PMakitla@dffe.gov.za>
Subject: Fw: PUBLIC PARTICIPATION NOTIFICATION: PART 2 ENVIRONMENTAL AUTHORISATION AMENDMENT APPLICATION: 75 MW HUMANSRUS PHOTOVOLTAIC (PV) 1 SOLAR POWER FACILITY (DFFE REFERENCE NUMBER: 2022-09-0038)

Good day

I hope you are well.

We have been requested to obtain comments from the DFFE Biodiversity Section on the following application:

Part 2 Environmental Authorisation (EA) Amendment Application: 75 MW Humansrus Photovoltaic (PV) 1 Solar Power Facility (referred to as Lesedi Power Company) (EA: 12/12/20/1903/1)
DFFE Reference Number: 2022-09-0038 / 12/12/20/1903/1/AM2

Kindly please refer to the attached and email below and provide us with your comments at your earliest convenience?

The reports for public review and commenting can be accessed using the following link: www.dropbox.com/sh/ey7b9gtcajyw6yi/AACbmW-VaquX0SIVFrk2-k6Wa?dl=0

Thank you in advance.

Regards

Lizette

----- Forwarded Message -----

From "Lizette Kloppers" <lizette@earthnsky.co.za>

To NNKOSI@dffe.gov.za

Date 2023/05/24 14:47:30

Subject PUBLIC PARTICIPATION NOTIFICATION: PART 2 ENVIRONMENTAL AUTHORISATION AMENDMENT APPLICATION: 75 MW HUMANSRUS PHOTOVOLTAIC (PV) 1 SOLAR POWER FACILITY (DFFE REFERENCE NUMBER: 2022-09-0038)

Attention: Identified Potential Interested and Affected Party

Good day

I trust you are well.

You/the Department/Municipality/Company have been identified as a potential Interested and Affected Party (I&AP) for the application mentioned below:

Part 2 Environmental Authorisation (EA) Amendment Application: 75 MW Humansrus Photovoltaic (PV) 1 Solar Power Facility (referred to as Lesedi Power Company) (EA: 12/12/20/1903/1)
DFFE Reference Number: 2022-09-0038

Please find attached a Notification Letter relating to the application, for your attention.

The reports for public review and commenting can be accessed using the following link: www.dropbox.com/sh/ey7b9gtcajyw6yi/AACbmW-VaquX0SIVFrk2-k6Wa?dl=0

The public review and commenting period is from 19 May 2023 to 28 June 2023.

The deadline for submission of comments on the draft Environmental Impact Assessment Report and supporting documents is 28 June 2023.

Should you not wish to be kept informed of the public participation opportunities and project progress for this application, you are welcome to inform us accordingly.

Please do not hesitate to contact us should you have any queries regarding this email or the attached document.

Kindly please confirm receipt of this email.

Thank you in advance.

Regards



Lizette Kloppers

Director | Reg. EAP (EAPASA) & Pr. Sci. Nat.

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From: "BC Admin" <bcadmin@dffe.gov.za>
Sent: 2023/06/29 10:58:27
To: "Lizette Kloppers" <lizette@earthnsky.co.za>; "BC Admin" <bcadmin@dffe.gov.za>;
CC: "Nyiko Nkosi" <NNKOSI@dffe.gov.za>; "Rachelle Botha" <Rachelle@envizio.co.za>; "Thivhulawi Nethononda" <TNETHONONDA@dffe.gov.za>; "Rofhiwa Magodi" <RMagodi@dffe.gov.za>; "Portia Makitla" <PMakitla@dffe.gov.za>;

Good day Lizette.

Thank you for the notification. You will receive information regarding the case officers for the project.

However kindly note that the Directorate: Biodiversity and Conservation will not be able to provide comments within the stipulated dates, therefore we will follow the legislative timeframe of 30 days for PPP.

I trust you find all in order.

*Regards,
Mashudu Mudau*

Biodiversity Mainstreaming & EIA
Department of Forestry, Fisheries and the Environment
Environment House
473 Steve Biko and Soutpansberg Streets
PRETORIA
Tel: (012) 399 9945
Cell: 076 166 8307
E-mail: mamudau@dffe.gov.za



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forestry, fisheries & the environment

Department:
Forestry, Fisheries and the Environment
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: Humanrus PV 1 Am

Enquiries: Ms M Rabothata / Mr K Mathetja

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

Lizette Kloppers
EARTHnSKY Environmental (Pty) Ltd
PO Box 5419
RIETVALLEIRAND
0174

Telephone Number: (+ 27) 61 524 2211
Email Address: lizette@earthnsky.co.za

PER E-MAIL

Dear sir/madam

COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE PROPOSED PART 2 ENVIRONMENTAL AUTHORISATION AMENDMENT APPLICATION: 75 MW HUMANSRUS PHOTOVOLTAIC (PV) 1 SOLAR POWER FACILITY, NORTHERN CAPE PROVINCE

The Directorate: Biodiversity Conservation reviewed and evaluated the report.

Based on the information provided in the report, nationally and provincially protected plant species were observed on site. *Harpagophytum procumbens* subsp *procumbens* (devil's claw) could be present in the area that the site is situated in, although it was not recorded in walked transects at the time of the assessments. Furthermore, the site is situated in the Griqualand West Centre of Endemism (GWC). Lastly, the Groenwaterspruit and adjacent grasslands dominate the overhead powerlines area.

Given the above, the Directorate Biodiversity Conservation support the proposed amendments with the following recommendations:

- The protected species must be avoided as much as possible. However, in cases whereby avoiding is not possible, relevant permits from the relevant authorities must be obtained for any disturbance of such species.
- Any disturbed areas on site must be rehabilitated with endemic plant species.
- Watercourses and grasslands present suitable habitats for avifaunal species. With the proposed overhead powerlines, there's a risk of collision or electrocution for avifaunal species. Post-construction monitoring is recommended along with the installation of appropriate bird diverters to minimize the potential risk of collision trauma in birds.
- The Avifaunal Monitoring Programme must comply with all the requirements as outlined in the Environmental Impact Assessment (EIA) guideline for renewable energy projects and the Best



COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE PROPOSED PART 2 ENVIRONMENTAL AUTHORISATION AMENDMENT APPLICATION: 75 MW HUMANSRUS PHOTOVOLTAIC (PV) 1 SOLAR POWER FACILITY, NORTHERN CAPE PROVINCE

Practice Guideline for Birds & Solar Energy for assessing and monitoring the impact of solar energy facilities on birds in Southern Africa.

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 Forestry, Fisheries & the Environment
Date: 25/07/2023



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: 12/12/20/1903/1/AM2

Enquiries: Nyiko Nkosi

Telephone: (012) 399 9392 **E-mail:** NNkosi@dff.gov.za

Ms Lizette Kloppers
EARTHnSKY Environmental (Pty) Ltd
P.O. Box 5419
RIETVALLEIRAND
0174

Telephone Number: 061 524 2211

Email Address: lizette@earthnsky.co.za / lizette.earthnsky@gmail.com

PER MAIL / E-MAIL

Dear Ms Kloppers

COMMENTS ON THE DRAFT AMENDMENT REPORT FOR THE APPLICATION FOR AMENDMENT TO THE ENVIRONMENTAL AUTHORISATION(EA) ISSUED ON THE 23 FEBRUARY 2012 AS AMENDED, FOR THE CONSTRUCTION OF THE 75 MW HUMANSRUS PHOTOVOLTAIC (PV) 1 SOLAR POWER FACILITY (REFERRED TO AS LESEDI POWER COMPANY) ON THE FARM HUMANSRUS (FARM 469) WITHIN THE TSANTSABANE LOCAL MUNICIPALITY, NORTHERN CAPE PROVINCE

The Environmental Authorisation (EA) for the above-mentioned project dated 23 February 2012, the application for amendment of the EA and the draft amendment report received by the Department on 23 May 2023 and the acknowledgement letter dated 31 May 2023, refer.

This letter serves to inform you that the following information must be included to the final Amendment Report:

(a) Amendments applied for

- (i) The submitted application form and the amendment report are not specific with regard to the section of the EA that needs to be amended. You are therefore requested to amend the application form to specify the EA sections where the proposed amendments need to be reflected. For example, for the amendment that relates to the inclusion of the 22kV in the EA, you need to specify the section of the EA where this needs to be included, and it must be reflected as “from” and amended “to”.
- (ii) The Department has noted that the amended EMPr and layout have been submitted as part of the draft Motivational Report. However, you still need to indicate under the amendment applied for that you require the amended EMPr to be approved. Therefore, you are requested to clarify whether the EMPr to be submitted with the final Report requires the department’s approval.

- (iii) As discussed during the pre-application meeting, you indicated that all these infrastructures applied for as part of the application for amendment of EA have already been built on-site, and it is in operation; the purpose of the request for amendment of the EA is for you to align the existing infrastructure with the authorised EA and to obtain retrospective EA amendment. You are therefore requested to reference this in all documentation related to the application for amendment of EA. This must also be included in the amended application form to be submitted.

(b) Listed Activities

- (i) Kindly ensure that **no new listed activities are triggered** by the proposed amendments. The EAP is to ensure that all the amendments applied for does not trigger any listed or specified activity as outlined in Regulation 31 of the EIA Regulations, 2014 as amended.
- (ii) If there are new activities that are being triggered a new process must be followed. Also please be reminded that the onus is on the applicant to ensure that all relevant and applicable listed activities are considered and assessed before the commencement of any activities.

(c) Certified copies of the EA

The copies of the EA and EA amendment appended to the application form is not certified. You are requested to submit certified copies of the EA and its amendment with the final amendment report.

(d) Public Participation Process

- (i) The following information must be submitted with the final Amendment Report:
- A list of registered interested and affected parties as per Regulation 42 of the NEMA EIA Regulations, 2014, as amended;
 - Copies of all comments received during the Draft Amendment Report comment period; and
 - A **comment and response report** which contains all comments received and responses provided to all comments and issues raised during the public participation process for the Draft Amendment Report. Please note that comments received from this Department must also form part of the comment and response report.
- (ii) Please ensure that all issues raised, and comments received during the circulation of the Draft Amendment Report from registered I&APs and organs of state which have jurisdiction (including this **Department's Biodiversity Section**) in respect of the proposed activity are adequately addressed in the final Amendment Report.
- (iii) Department's comments on the draft Amendment Report must also form part of comments and Response Report.
- (iv) Proof of correspondence with the various stakeholders must be included in the final Amendment Report. Should you be unable to obtain comments, proof should be submitted to the Department of the attempts that were made to obtain comments. 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 final report must also indicate that this draft report has been subjected to a public participation process.

General:

Should you fail to meet any of the timeframes stipulated in Regulation 32 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 Forestry, Fisheries and the Environment
Signed by: Dr Danie Smit
Designation: Deputy Director: National Integrated Authorisations Projects
Date: 15/06/2023

cc:	Mr Thigesh Velen	Lesedi Power Company (Pty) Ltd	E-mail: thigesh.velen@lesedipv.com
-----	------------------	--------------------------------	--

Subject: RE: PUBLIC PARTICIPATION NOTIFICATION: PART 2 ENVIRONMENTAL AUTHORISATION AMENDMENT APPLICATION: 75 MW HUMANSRUS PHOTOVOLTAIC (PV) 1 SOLAR POWER FACILITY (DFFE REFERENCE NUMBER: 2022-09-0038)
From: "Vincent Muila" <Vincent.Muila@dmre.gov.za>
Sent: 2023/06/28 09:00:09
To: "Lizette Kloppers" <lizette@earthnsky.co.za>;

Good day Lizette

No objection with the proposed project

Regards

Vincent

From: Lizette Kloppers <lizette@earthnsky.co.za>

Sent: Monday, June 26, 2023 11:33 AM

To: Vincent Muila <Vincent.Muila@dmre.gov.za>

Subject: Re: PUBLIC PARTICIPATION NOTIFICATION: PART 2 ENVIRONMENTAL AUTHORISATION AMENDMENT APPLICATION: 75 MW HUMANSRUS PHOTOVOLTAIC (PV) 1 SOLAR POWER FACILITY (DFFE REFERENCE NUMBER: 2022-09-0038)

Good day

I hope you are well.

We are please following up on the notification below. Could you please be so kind as to provide us your comments on the draft Environmental Impact Assessment Report by latest on the 28th of June 2023?

If you do not have any comments, could you please confirm such by responding to this email for our records?

Thank you in advance.

Regards

Lizette

----- Original Message -----

From "Lizette Kloppers" <lizette@earthnsky.co.za>

To vincent.muila@dmre.gov.za

Date 2023/05/24 14:47:30

Subject PUBLIC PARTICIPATION NOTIFICATION: PART 2 ENVIRONMENTAL AUTHORISATION AMENDMENT APPLICATION: 75 MW HUMANSRUS PHOTOVOLTAIC (PV) 1 SOLAR POWER FACILITY (DFFE REFERENCE NUMBER: 2022-09-0038)

Attention: Identified Potential Interested and Affected Party

Good day

I trust you are well.

You/the Department/Municipality/Company have been identified as a potential Interested and Affected Party (I&AP) for the application mentioned below:

Part 2 Environmental Authorisation (EA) Amendment Application: 75 MW Humansrus Photovoltaic (PV) 1 Solar Power Facility (referred to as Lesedi Power Company) (EA: 12/12/20/1903/1)
DFFE Reference Number: 2022-09-0038

Please find attached a Notification Letter relating to the application, for your attention.

The reports for public review and commenting can be accessed using the following link: www.dropbox.com/sh/ey7b9gtcajyw6yi/AACbmW-VaquX0SIVFrk2-k6Wa?dl=0

The public review and commenting period is from 19 May 2023 to 28 June 2023.

The deadline for submission of comments on the draft Environmental Impact Assessment Report and supporting documents is 28 June 2023.

Should you not wish to be kept informed of the public participation opportunities and project progress for this application, you are welcome to inform us accordingly.

Please do not hesitate to contact us should you have any queries regarding this email or the attached document.

Kindly please confirm receipt of this email.

Thank you in advance.

Regards



Lizette Kloppers

Director | Reg. EAP (EAPASA) & Pr. Sci. Nat.

Cell: 061 524 2211 / 067 021 3401

Email: lizette@earthnsky.co.za / lizette.earthnsky@gmail.com

Fax2mail: 086 552 6837

P.O. Box 5419, Rietvalleirand, Pretoria, 0174

www.earthnsky.co.za

Subject: RE: PUBLIC PARTICIPATION NOTIFICATION: PART 2 ENVIRONMENTAL AUTHORISATION AMENDMENT APPLICATION: 75 MW HUMANSRUS PHOTOVOLTAIC (PV) 1 SOLAR POWER FACILITY (DFFE REFERENCE NUMBER: 2022-09-0038)
From: "Jason Gerber" <jason@sr.energy>
Sent: 2023/06/26 11:40:16
To: "Lizette Kloppers" <lizette@earthnsky.co.za>; "Johann Hansen" <johann@sr.energy>;

Dear Lizette

We have no comments on the EIA report as these have no impact on the Jasper Power Plant operations, thank you

Kind Regards

Jason Gerber

SOLARRESERVE South Africa
A member of the **SR ENERGY** group of companies
1st Floor • Building 1 • Riverside Junction • 63 Saint James Crescent • Bryanston • Gauteng • South Africa • 2021
Direct: +27 11 582 6881/2
Mobile: +27 79 515 0225
www.sr.energy • jason@sr.energy
[JasonGerber_vCard](#)



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From: Lizette Kloppers <lizette@earthnsky.co.za>
Sent: Monday, June 26, 2023 11:38 AM
To: Jason Gerber <jason@sr.energy>; Johann Hansen <johann@sr.energy>
Subject: Re: PUBLIC PARTICIPATION NOTIFICATION: PART 2 ENVIRONMENTAL AUTHORISATION AMENDMENT APPLICATION: 75 MW HUMANSRUS PHOTOVOLTAIC (PV) 1 SOLAR POWER FACILITY (DFFE REFERENCE NUMBER: 2022-09-0038)

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Thank you in advance.

Regards

Lizette

----- Original Message -----

From "Lizette Kloppers" <lizette@earthnsky.co.za>

To jason@sr.energy

Date 2023/05/24 14:47:30

Subject PUBLIC PARTICIPATION NOTIFICATION: PART 2 ENVIRONMENTAL AUTHORISATION AMENDMENT APPLICATION: 75 MW HUMANSRUS PHOTOVOLTAIC (PV) 1 SOLAR POWER FACILITY (DFFE REFERENCE NUMBER: 2022-09-0038)

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Kindly please confirm receipt of this email.

Thank you in advance.

Regards



Lizette Kloppers

Director | Reg. EAP (EAPASA) & Pr. Sci. Nat.

Cell: 061 524 2211 / 067 021 3401

Email: lizette@earthnsky.co.za / lizette.earthnsky@gmail.com

Fax2mail: 086 552 6837

P.O. Box 5419, Rietvalleirand, Pretoria, 0174

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Subject: RE: PUBLIC PARTICIPATION NOTIFICATION: PART 2 ENVIRONMENTAL AUTHORISATION AMENDMENT APPLICATION: 75 MW HUMANSRUS PHOTOVOLTAIC (PV) 1 SOLAR POWER FACILITY (DFFE REFERENCE NUMBER: 2022-09-0038)

From: "Lizell Stroh" <Strohl@caa.co.za>

Sent: 2023/06/26 14:02:04

To: "Lizette Kloppers" <lizette@earthnsky.co.za>; "Aviation Environmental Compliance" <environment@caa.co.za>; "Evelyn Shogole" <ShogoleE@caa.co.za>; "Infrastructure" <Infrastructure@caa.co.za>; "Nelson Nkabiti" <NkabitiN@caa.co.za>; "ATS" <ATS@caa.co.za>; "Obstacles" <Obstacles@caa.co.za>; "Mfaneni Zulu" <ZuluM@caa.co.za>;

Attachments: New Obstacle Regulations 26TH AMENDMENT.pdf

Good day Lizette, kindly find an extract from the CARS towards Obstacle for your respected information.

Kindly find links to the caa website, towards process and procedures to follow, with regards to Solar projects.

Kindly note for SACAA Security reasons the provided link www.dropbox.com/sh/ey7b9gtcajyw6yi/AACbmW-VaquX0SIVFrk2-k6Wa?dl=0 is not accessible.

www.caa.co.za

www.caa.co.za/industry-information/obstacles/

Urgent Notices

Obstacle Notice 1/2022 – Appointment of New Windfarm and Solar Obstacle Application Service Provider

Kindly be advised, Air Traffic and Navigation Services (ATNS) has been appointed as the Obstacle application Service Provider for Windfarms on 1 May 2021. They will be also responsible for Solar Obstacle Applications from the 1st of February 2022. All new Solar applications must be lodged to obstacles@atns.co.za or contact Graham Mondzinger (Obstacle Evaluator) at 062 002 1621.

Their responsibility would pertain to the assessments, maintenance, and all other related matters in respect to Windfarms and Solar assessments.

kind regards

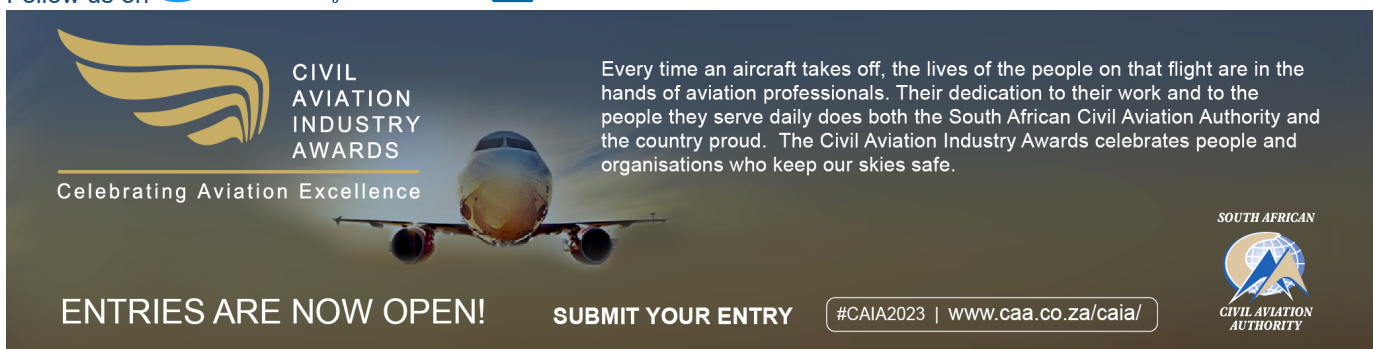
Lizell Stroh

Obstacle Inspector

Aerodrome Infrastructure

Tel: 011 545 1232 | **Cell:** 083 461 6660 | **Email:** strohl@caa.co.za | <http://www.caa.co.za>

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SOUTH AFRICAN CIVIL AVIATION AUTHORITY

From: Lizette Kloppers <lizette@earthnsky.co.za>

Sent: Monday, June 26, 2023 11:40 AM

To: Aviation Environmental Compliance <environment@caa.co.za>; Evelyn Shogole <ShogoleE@caa.co.za>; Infrastructure <Infrastructure@caa.co.za>; Nelson Nkabiti <NkabitiN@caa.co.za>; ATS <ATS@caa.co.za>; Obstacles <Obstacles@caa.co.za>; Lizell Stroh <Strohl@caa.co.za>; Mfaneni Zulu <ZuluM@caa.co.za>

Subject: Re: PUBLIC PARTICIPATION NOTIFICATION: PART 2 ENVIRONMENTAL AUTHORISATION AMENDMENT APPLICATION: 75 MW HUMANSRUS PHOTOVOLTAIC (PV) 1 SOLAR POWER FACILITY (DFFE REFERENCE NUMBER: 2022-09-0038)

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Thank you in advance.

Regards

Lizette

----- Original Message -----

From "Lizette Kloppers" <lizette@earthnsky.co.za>

To environment@caa.co.za; ShogoleE@caa.co.za; infrastructure@caa.co.za; NkabitiN@caa.co.za; ats@caa.co.za; obstacles@caa.co.za; StrohL@caa.co.za; ZuluM@caa.co.za

Cc "Rachelle Botha" <Rachelle@envizio.co.za>

Date 2023/05/24 14:48:53

Subject PUBLIC PARTICIPATION NOTIFICATION: PART 2 ENVIRONMENTAL AUTHORISATION AMENDMENT APPLICATION: 75 MW HUMANSRUS PHOTOVOLTAIC (PV) 1 SOLAR POWER FACILITY (DFFE REFERENCE NUMBER: 2022-09-0038)

Attention: Identified Potential Interested and Affected Party

Good day

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Part 2 Environmental Authorisation (EA) Amendment Application: 75 MW Humansrus Photovoltaic (PV) 1 Solar Power Facility (referred to as Lesedi Power Company) (EA: 12/12/20/1903/1)

DFFE Reference Number: 2022-09-0038

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Kindly please confirm receipt of this email.

Thank you in advance.

Regards

EARTHnSKY
environmental



Lizette Kloppers

Director | Reg. EAP (EAPASA) & Pr. Sci. Nat.

Cell: 061 524 2211 / 067 021 3401

Email: lizette@earthnsky.co.za / lizette.earthnsky@gmail.com

Fax2mail: 086 552 6837

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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: 021 202 8660
Email: nhiggitt@sahra.org.za
CaseID: 21432

Date: Friday June 23, 2023
Page No: 1

Final Comment

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

Attention: Lesedi Power Company (Pty) Ltd.

The Part 2 EA Amendment application has been lodged with the Department of Forestry, Fisheries and the Environment (DFFE) (the Competent Authority) in terms of the National Environmental Management Act (NEMA), 1998 (Act No. 107 of 1998), as amended, and the Environmental Impact Assessment (EIA) Regulations, 2014 (Regulations in terms of sections 24(5) and 44 of the NEMA, 1998), as amended on 7 April 2017 and 11 June 2021. For this EA Amendment application, a Part 2 EA Amendment process will be conducted as there has been a change in scope of the EA for the Lesedi Power Company. The Applicant, Lesedi Power Company (Pty) Ltd., has appointed EARTHnSKY Environmental (Pty) Ltd. as the independent Environmental Assessment Practitioner (EAP) to facilitate the application process. The existing Lesedi Solar Power Facility is located 4 km southeast of the Groenwater settlement and 30 km east of Postmasburg in the Northern Cape. Construction of the Lesedi Solar Power Facility commenced in November 2012, within the EA validity period (August 2011 to August 2014) and is currently operational. Full operations of the Lesedi Solar Power Facility commenced on 21 May 2014 and the facility is expected to have an operational lifespan of around 25 years. The Applicant, is applying for various amendments to its existing EA (12/12/20/1903/1, dated 23 February 2012) issued for the 75 MW Humansrus Photovoltaic (PV) 1 Solar Power Facility (referred to as Lesedi Power Project).

EarthnSky Environmental has been appointed by Oakleaf Investment Holdings 79 (RF)(Pty) Ltd (Trading as Lesedi Power Company) to conduct an Environmental Authorisation (EA) Amendment Application for the 75MW Humansrus PV 1 Solar Power Facility, near Metsimatala, Northern Cape Province (DFFE Ref: 2022-09-0038).

The EA for the development was issued on the 29/08/2011 (12/12/20/1903/1). SAHRIS Case ID 1566 (<https://sahris.sahra.org.za/cases/groenwater-solar>) has reference. SAHRA issued a Final Comment on the 21/04/2011, noting no objections to the development and provided conditions (<https://sahris.sahra.org.za/node/110321>).

A draft Amendment Report has been submitted in terms of the National Environmental Management Act, 1998 (NEMA) and the 2017 NEMA Environmental Impact Assessment (EIA) Regulations. The proposed



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amendments will include to amend the size and location of the substation, to include the above ground 22kv powerlines between the northern solar field and substation, to accommodate the temporary storage of up to 300 waste solar PV panels, to align the authorised development footprint with the farm boundary, to accommodate the overburden stockpile, to include three autonomous weather stations. It is noted that the development and the amendments has been constructed and is operational.

Dr Gideon Groenewald and APelser Archaeological Consulting were appointed to provide heritage specialist input into the EA Amendment process 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).

Groenewald, G. 2023. Desktop Palaeontological Assessment: Independent Review of existing PIA and Addendum Document/Letter with Palaeontology Impact Assessment: The Environmental Authorisation Amendment Application for the 75 Mw Humansrus Photovoltaic (PV) 1 Solar Power Facility (Referred to as Lesedi Power Company), Northern Cape

The report notes that the results of the original PIA are valid and relevant for the proposed amendments.

Recommendations provided in the report include the following:

- The on-site manager must be informed that significant areas are underlain by rocks with a very high sensitivity for palaeontological heritage. The areas not underlain by dolomite will have a moderate sensitivity for palaeontological heritage and no fossils are expected to be found after conclusion of the development;
- The project will require a formal “Chance Find Protocol” (attached to this report) that will have to be upgraded during the implementation phase of the project;
- NOTE: It is the professional opinion of Dr Gideon Groenewald, accredited palaeontologist, that NO FURTHER mitigation is needed for Palaeontological Heritage at this site and that the operational activities of this project, as presently defined, will have no negative impact on Palaeontological Heritage, as long the recommendations of the Chance Find Protocol (attached) is adhered to;
- Recommendations for palaeontological monitoring and mitigation will have to be incorporated into the EMPr for approval by the SAHRA.

Pelser, A. 2023. RE: Desktop Independent Review and Addendum Document with Heritage Impact Assessment for the Environmental Authorisation Amendment Application for the 75 MW Humansrus

Part 2 Environmental Authorisation (EA) Amendment for the 75 MW Humansrus Photovoltaic (PV) 1 Solar Power Facility (referred to as Lesedi Power Company)

Our Ref:



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Enquiries: Natasha Higgitt
Tel: 021 202 8660
Email: nhiggitt@sahra.org.za
CaseID: 21432

Date: Friday June 23, 2023
Page No: 3

Photovoltaic (PV) 1 Solar Power Facility (Referred to as Lesedi Power Company), Northern Cape

The previously identified heritage sites have not been impacted by the construction of the development.

Recommendations provided in the report include the following:

- To avoid any possible negative future impacts on the known and recorded sites, however, it is furthermore recommended that the proposed mitigation measures related to the sites (more specifically the Humansrus Homestead, family graveyard and related sites) by strictly adhered to;
- No maintenance activities may take place within 30m of these areas;
- Consideration of the development of a Cultural Heritage Management Plan (CHMP) and / or Grave Site Management (as required by the Competent Authority) for archaeological, cultural heritage resources of significance and must be completed (if required for operational/ maintenance activities).
- Finally, based on all the evidence obtained during the desktop study and the information provided, it is therefore recommended that Exemption from undertaking any further Phase I Heritage Impact Assessments as part of this Part 2 EA Amendment Application for the proposed 75 MW Humansrus Photovoltaic (PV1) Solar Power Facility be granted to the Applicant.

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 Amendment Report and EMPr:

- 38(4)a – The SAHRA Development Applications Unit (DAU) has no objections to the proposed development;
- 38(4)b – The recommendations of the specialists and in the EMPr are supported and must be adhered to. Further additional specific conditions are provided for the development as follows:
- The recommended CHMP must be developed and submitted to SAHRA within one year of the granting of the amendment;
- 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 (Natasha Higgitt 021 202 8660/ nhiggitt@sahra.org.za) must be alerted as per

Part 2 Environmental Authorisation (EA) Amendment for the 75 MW Humansrus Photovoltaic (PV) 1 Solar Power Facility (referred to as Lesedi Power Company)

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Enquiries: Natasha Higgitt
Tel: 021 202 8660
Email: nhiggitt@sahra.org.za

Date: Friday June 23, 2023
Page No: 4

CaseID: 21432

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 DAU (Natasha Higgitt 021 202 8660), 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 section 51 of the NHRA regarding offences;
- 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 Amendment Report and EMPr must be submitted to SAHRA for record purposes;
- The decision regarding the EA Amendment 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

Natasha Higgitt
Manager: Development Applications Unit
South African Heritage Resources Agency

Part 2 Environmental Authorisation (EA) Amendment for the 75 MW Humansrus Photovoltaic (PV) 1 Solar Power Facility (referred to as Lesedi Power Company)

Our Ref:



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Enquiries: Natasha Higgitt
Tel: 021 202 8660
Email: nhiggitt@sahra.org.za
CaseID: 21432

Date: Friday June 23, 2023
Page No: 5

ADMIN:

Direct URL to case: <https://sahris.sahra.org.za/node/618049>
(DFFE, Ref: 2022-09-0038)

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.