



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

Private Bag X 447 · PRETORIA · 0001 · Environment House · 473 Steve Biko, Arcadia · PRETORIA
Tel (+ 27 12) 399 9372

DEA Reference: 14/12/16/3/3/2/1110

Enquiries: Mr Thando Booï

Telephone: (012) 399 9387 **E-mail:** TBooi@environment.gov.za

Jo-Anne Thomas
Savannah Environmental (Pty) Ltd
P.O. Box 148
SUNNINGHILL
2157

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

PER E-MAIL / MAIL

Dear Ms Thomas

COMMENTS ON THE DRAFT SCOPING REPORT FOR THE PROPOSED HYPERION SOLAR DEVELOPMENT 2, NORTHERN CAPE PROVINCE

The application form and draft Scoping Report (SR) dated October 2018 as received by this Department on 26 October 2018 refers.

This Department has the following comments on the abovementioned application:

Activities applied for:

- Please ensure that the relevant sub activity in item 11(ii) of GN 983 of EIA regulations of 2014 as amended is cited correctly.
- Please provide the quantity of dangerous goods that will be stored and handled on site.
- Explain why item 24(ii) of GN 983 of EIA Regulations of 2014 as amended is triggered by this project considering the fact that the roads to be constructed are below the thresholds that trigger this activity.

Alternatives

- Please provide a description of the identified alternatives for the proposed activity that are feasible and reasonable, including the advantages and disadvantages that the proposed activity or alternatives will have on the environment and on the community that may be affected by the activity as per Appendix 2, (2) (1) (g) (i-xi), of GN R.982 of 2014, as amended.
- Alternatively, you should submit written proof of an investigation and motivation if no reasonable or feasible alternatives exist as per the requirements of Appendix 2, (2) (1) (g) (x).

Impacts Assessment

This Department requests the EAP to familiarise themselves with the requirements of Appendix 2 of GNR 982 of the EIA Regulations, 2014 (as amended) and ensure that the final SR submitted to this Department for consideration meets the requirements in terms of identifying, assessing and providing mitigation measures of the impacts on the alternatives and preferred site.

Environmental Sensitivity Map

It has been noted on the sensitivity map provided in the draft report (Figure 1) that there is a heritage site and river buffer overlapping in the development area. Therefore, you are requested to provide a sensitivity map that consider the following:

- A sensitivity layout plan overlaid by the sensitive features and the buffer zones i.e. wetland, showing the location of the proposed and existing structure. Please ensure all features are clearly indicated on the legend of the sensitivity layout plan.
- Please ensure that the PV structures are positioned and numbered on the plan, taking into consideration the sensitive features and the buffer zones.

Public Participation Process

- Please ensure that all issues raised and comments received during the circulation of the SR from the 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 SR.
- Please provide a translation of the comments that are provided in Afrikaans to English.
- Proof of correspondence with the various stakeholders must be included in the final SR, should you be unable to obtain comments, proof of the attempts that were made to obtain comments must be submitted to the Department.
- The Public Participation Process must be conducted in terms of Regulations 39, 40, 41, 42, 43 & 44 of the EIA Regulations 2014, as amended.

General Comments

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

Further note that in terms of Regulation 45 of the EIA Regulations 2014, this application will lapse if the applicant fails to meet any of the timeframes prescribed in terms of these Regulations, unless an extension has been granted in terms of Regulation 3(7).

You are hereby reminded of Section 24F of the National Environmental Management Act, Act No 107 of 1998, as amended, that no activity may commence prior to an environmental authorisation being granted by the Department.

Yours faithfully



Mr Sabelo Malaza

Chief Director: Integrated Environmental Authorisations

Department of Environmental Affairs

Signed by: Ms Olivia Letlalo

Designation: Control Environmental Officer: Strategic Infrastructure Developments

Date: 19/11/2018

cc:	Matteo Brambilla	Cyraguard (Pty) Ltd	Tel: (021) 418 3940	Email: d.pasi@bulidingenergy.it
	Bryan Fischer	Northern Cape (DENC)	Tel: (054) 307 7431	Email: BFisher@ncpg.gov.za
	Thusoeng Itumeleng	Gamagara Local Municipality	Tel: (053) 723 6000	Email: clementine@gamagara.gov.za



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Enquiries: Mr Thando Booï

Tel: 012 399 9387 E-mail: TBooi@environment.gov.za

Thalitha Botha
Savannah Environmental
P.O Box 148
SUNNINGHILL
2157

Tel: 011 656 3237

Email: thalitha@savannahsa.com / info@savannahsa.com

PER EMAIL / MAIL

Dear Sir/Madam

ACKNOWLEDGEMENT OF RECEIPT OF THE SCOPING REPORT FOR THE PROPOSED HYPERION SOLAR DEVELOPMENT 2, NORTHERN CAPE PROVINCE

The Department confirms having received the final Scoping Report (SR) for the abovementioned project on 07 December 2018. We further confirm that you have submitted these documents to comply with the Environmental Impact Assessment (EIA) Regulations, 2014, as amended.

All documentation delivered to the physical address contained in this form must be delivered during the official Departmental Office Hours which is visible on the Departmental gate. 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.

You are hereby reminded of Section 24F of the National Environmental Management Act (NEMA), (Act No. 107 of 1998), as amended, that no activity may commence prior to an Environmental Authorisation being granted by the Department.

Kindly quote the abovementioned reference number in any future correspondence in respect of the application.

Yours sincerely

Mr Sabelo Malaza

Chief Director: Integrated Environmental Authorisations

Department of Environmental Affairs:

Letter signed by: Ms Azrah Essop

Designation: Environmental Officer Specialized Production: EIA Coordination, Strategic Planning and Support

Date: 11 December 2018



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DEA Reference: 14/12/16/3/3/2/1110

Enquiries: Mr Thando Booï

Telephone: (012)399 9387 **E-mail:** TBooi@environment.gov.za

Jo-anne Thomas
Savannah Environmental (Pty) Ltd
P.O. Box 148
SUNNINGHILL
2157

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

PER EMAIL / MAIL

Dear Ms Thomas

ACCEPTANCE OF THE SCOPING REPORT FOR THE PROPOSED HYPERION SOLAR DEVELOPMENT 2, NORTHERN CAPE PROVINCE

The final Scoping Report (SR) and Plan of Study for Environmental Impact Assessment (PoSEIA) dated December 2018 and received by this Department on 07 December 2018 refer.

This Department has evaluated the submitted final SR and the PoSEIA dated December 2018 and is satisfied that the documents comply with the minimum requirements of the Environmental Impact Assessment (EIA) Regulations 2014, as amended. The SR is hereby accepted by the Department in terms of Regulation 22(a) of the EIA Regulations 2014, as amended.

You may proceed with the EIA process in accordance with the tasks contemplated in the PoSEIA and the requirements of the EIA Regulations 2014, as amended. However, you must take note of the following comments from the Department:

Technical Details of the proposed facility and design alternative

- The EIAR must provide the technical details for the proposed facility in a table format as well as their description and/or dimensions. A sample for the minimum information required is listed under point 2 of the EIA information required for PV facilities below.
- Further, the EIAR must include the design alternative for the proposed 75MW PV facility.

Application for re-zoning

The EIAR must include proof indicating that an application for the re-zoning has been lodged with the National Department of Agriculture as development on agricultural land needs to be approved by the National Department of Agriculture in terms of the subdivision of Agricultural Land Act 70 of 1970 (SALA).

The EIAR must also provide the following:

- Clear description of all associated infrastructure. This description must include, but not limited to the following:
 - Power lines;
 - Internal roads infrastructure; and;

- All supporting onsite infrastructure such as laydown area, guard house and control room etc.
- All necessary details regarding all possible locations and sizes of the proposed satellite substation and the main substation.
- Information on services required on the site, e.g. sewage, refuse removal, water and electricity, agreements with suppliers and confirmation of capacity been obtained must be provided.

Need and Desirability of the proposed development

The Department has noted that there are other projects of similar nature in the area, therefore; your EIA must provide detailed description of the need and desirability of the proposed development taking into account cumulative impacts as a result of similar development in the area.

A copy of the final site layout map and alternatives.

All available biodiversity information must be used in the finalisation of the layout map.

- The layout map must indicate the following:
 - PV positions and its associated infrastructure;
 - Permanent laydown area footprint;
 - Internal roads indicating width (construction period width and operation period width) and with numbered sections between the other site elements which they serve (to make commenting on sections possible);
 - Wetlands, drainage lines, rivers, stream and water crossing of roads and cables indicating the type of bridging structures that will be used;
 - The location of sensitive environmental features on site e.g. CBAs, heritage sites, wetlands, drainage lines etc. that will be affected by the facility and its associated infrastructure;
 - Substation(s) and/or transformer(s) sites including their entire footprint;
 - Connection routes (including pylon positions) to the distribution/transmission network;
 - All existing infrastructure on the site, especially roads;
 - Buffer areas;
 - Buildings, including accommodation; and
 - All “no-go” areas.

Topographical and sensitive Maps

- An environmental sensitivity map indicating environmental sensitive areas and features identified during the EIA process must be on an A3 page with a clear legend.
- A topographical map combining the final layout map superimposed (overlain) on the environmental sensitivity map must be submitted with the final EIA.

Shapefile of the preferred Development layout

- A shapefile of the preferred development layout/footprint must be submitted to this Department.
- The shapefile must be created using the Hartebeesthoek 94 Datum and the data should be in Decimal Degree Format using the WGS 84 Spheroid.
- The shapefile must include at a minimum the following extensions i.e. .shp; .shx; .dbf; .prj; and, .xml (Metadata file). If specific symbology was assigned to the file, then the .avl and/or the .lyr file must also be included.
- Data must be mapped at a scale of 1:10 000 (please specify if an alternative scale was used). The metadata must include a description of the base data used for digitizing.
- The shapefile must be submitted in a zip file using the EIA application reference number as the title. The shape file must be submitted to:

Postal Address: Department of Environmental Affairs
Private Bag X447
Pretoria
0001

Physical address: Environment House
473 Steve Biko Road
Pretoria

For Attention: Muhammad Essop
Integrated Environmental Authorisations
Strategic Infrastructure Developments

Telephone Number: (012) 399 9406

Email Address: MEssop@environment.gov.za

The Environmental Management Programme (EMPr)

The EMPr to be submitted as part of the EIAR must include the following:

- i. All recommendations and mitigation measures recorded in the EIAR and the specialist studies conducted.
- ii. A good quality final site layout map with clear legend.
- iii. Measures as dictated by the final site layout map and micro-siting.
- iv. An environmental sensitivity map indicating environmental sensitive areas and features identified during the EIA process.
- v. A map combining the final layout map superimposed (overlain) on the environmental sensitivity map.
- vi. An alien invasive management plan to be implemented during construction and operation of the facility. The plan must include mitigation measures to reduce the invasion of alien species and ensure that the continuous monitoring and removal of alien species is undertaken.
- vii. A plant rescue and protection plan which allows for the maximum transplant of conservation important species from areas to be transformed. This plan must be compiled by a vegetation specialist familiar with the site and be implemented prior to commencement of the construction phase.
- viii. A re-vegetation and habitat rehabilitation plan to be implemented during the construction and operation of the facility. Restoration must be undertaken as soon as possible after completion of construction activities to reduce the amount of habitat converted at any one time and to speed up the recovery to natural habitats.
- ix. A traffic management plan for the site access roads to ensure that no hazards would result from the increased truck traffic and that traffic flow would not be adversely impacted. This plan must include measures to minimize impacts on local commuters e.g. limiting construction vehicles travelling on public roadways during the morning and late afternoon commute time and avoid using roads through densely populated built-up areas so as not to disturb existing retail and commercial operations.
- x. A storm water management plan to be implemented during the construction and operation of the facility. The plan must ensure compliance with applicable regulations and prevent off-site migration of contaminated storm water or increased soil erosion. The plan must include the construction of appropriate design measures that allow surface and subsurface movement of water along drainage lines so as not to impede natural surface and subsurface flows. Drainage measures must promote the dissipation of storm water run-off.
- xi. A fire management plan to be implemented during the construction and operation of the facility.
- xii. Measures to protect archaeological sites, artefacts, paleontological fossils or graves from construction and operational impacts.

The EAP must provide detailed motivation if any of the above requirements is not required by the proposed development and not included in the EMPr.

You are hereby reminded that should the EIAR fail to comply with the requirements of this acceptance letter, the proposed Hyperion Solar Development 2 and associated infrastructure project in the Northern Cape Province will be refused in terms of the EIA Regulations 2014, as amended.

Public Participation

Ensure that all relevant stakeholders' comments are submitted to the Department with the final EIAr. This includes but is not limited to the Department of Environmental Affairs: Biodiversity and Conservation Directorate, the Department of Agriculture, Forestry and Fisheries (DAFF), Northern Cape Department of Environment and Nature Conservation, the South African Civil Aviation Authority (SACAA), the Department of Transport, Gamagara Local Municipality, Department of Water and Sanitation (DWS), the South African National Roads Agency Limited (SANRAL), the South African Heritage Resources Agency (SAHRA), the Endangered Wildlife Trust (EWT), Department of Mineral Resources, National Energy Regulator of South Africa (NERSA), National Department of Energy, South African National Defense Force, Eskom, Cape Nature and Birdlife South Africa.

Proof of all correspondence must be included in the EIAr. Should you be unable to obtain comments, proof should be submitted to the Department of the attempts that were made to obtain comments.

The applicant is hereby reminded to comply with the requirements of Regulation 45 with regard to the time period allowed for complying with the requirements of the Regulations, and Regulations 43 and 44 with regard to the allowance of a comment period for interested and affected parties on all reports submitted to the competent authority for decision-making. The reports referred to are listed in Regulation 43(1).

Furthermore, it must be reiterated that, should an application for Environmental Authorisation be subject to the provisions of Chapter II, Section 38 of the National Heritage Resources Act, Act 25 of 1999, then this Department will not be able to make nor issue a decision in terms of your application for Environmental Authorisation pending a letter from the pertinent heritage authority categorically stating that the application fulfils the requirements of the relevant heritage resources authority as described in Chapter II, Section 38(8) of the National Heritage Resources Act, Act 25 of 1999. Comments from SAHRA and/or the provincial department of heritage must be provided in the EIAr.

You are requested to submit two (2) electronic copies (CD/DVD) and one (1) hard copies of the EIAr to the Department as per Regulation 23(1) of the EIA Regulations, 2014 as amended.

Please also find below attached information that must be used in the preparation of the EIAr. This will enable the Department to speedily review the EIAr and make a decision on the application.

You are hereby reminded of Section 24F of the National Environmental Management Act, Act No 107 of 1998, as amended, which stipulates 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 Environmental Affairs

Letter Signed by: Ms Olivia Letlalo

Designation: Control Environmental Officer: Strategic Infrastructure Developments

Date: 25/01/2019

cc:	Mr M Brambilla	Cyraguard (Pty) Ltd	Tel: (060) 605 2848	Email: d.pasi@buildingenergy.it
	Mr B Fisher	(DENC)	Tel: (053) 807 7431	Email: BFisher@ncpg.gov.za
	Mr I Thusoeng	Gamagara Local Municipality	Tel: (053) 723 6000	Email: clementi@gamagara.gov.za

Annexure 1

Format for Comments and Response Trail Report:

Date of comment, format of comment name of organisation/I&AP,	Comment	Response from EAP/Applicant/Specialist
27/01/2016 Email Department of Environmental Affairs: Strategic Infrastructure Development (John Soap)	Please record C&R trail report in this format Please update the contact details of the provincial environmental authority	EAP: (Noted) The C&R trail report has been updated into the desired format, see Appendix K EAP: Details of provincial authority have been updated, see page 16 of the Application form

A. EIA INFORMATION REQUIRED FOR SOLAR ENERGY FACILITIES

1. General site information

The following general site information is required:

- Descriptions of all affected farm portions
- 21 digit Surveyor General codes of all affected farm portions
- Copies of deeds of all affected farm portions
- Photos of areas that give a visual perspective of all parts of the site
- Photographs from sensitive visual receptors (tourism routes, tourism facilities, etc.)
- Solar plant design specifications including:
 - Type of technology
 - Structure height
 - Surface area to be covered (including associated infrastructure such as roads)
 - Structure orientation
 - Laydown area dimensions (construction period and thereafter)
 - Generation capacity
- Generation capacity of the facility as a whole at delivery points

This information must be indicated on the first page of the EIAr. It is also advised that it be double checked as there are too many mistakes in the applications that have been received that take too much time from authorities to correct.

2. Sample of technical details for the proposed facility

Component	Description / dimensions
Height of PV panels	
Area of PV Array	
Number of inverters required	
Area occupied by inverter / transformer stations / substations	
Capacity of on-site substation	
Area occupied by both permanent and construction laydown areas	
Area occupied by buildings	

Length of internal roads	
Width of internal roads	
Proximity to grid connection	
Height of fencing	
Type of fencing	

3. Site maps and GIS information

Site maps and GIS information should include at least the following:

- All maps/information layers must also be provided in ESRI Shapefile format
- All affected farm portions must be indicated
- The exact site of the application must be indicated (the areas that will be occupied by the application)
- A status quo map/layer must be provided that includes the following:
 - Current use of land on the site including:
 - Buildings and other structures
 - Agricultural fields
 - Grazing areas
 - Natural vegetation areas (natural veld not cultivated for the preceding 10 years) with an indication of the vegetation quality as well as fine scale mapping in respect of Critical Biodiversity Areas and Ecological Support Areas
 - Critically endangered and endangered vegetation areas that occur on the site
 - Bare areas which may be susceptible to soil erosion
 - Cultural historical sites and elements
 - Rivers, streams and water courses
 - Ridgelines and 20m continuous contours with height references in the GIS database
 - Fountains, boreholes, dams (in-stream as well as off-stream) and reservoirs
 - High potential agricultural areas as defined by the Department of Agriculture, Forestry and Fisheries
 - Buffer zones (also where it is dictated by elements outside the site):
 - 500m from any irrigated agricultural land
 - 1km from residential areas
 - Indicate isolated residential, tourism facilities on or within 1km of the site
- A slope analysis map/layer that include the following slope ranges:
 - Less than 8% slope (preferred areas for PV and infrastructure)
 - between 8% and 12% slope (potentially sensitive to PV and infrastructure)
 - between 12% and 14% slope (highly sensitive to PV and infrastructure)
 - steeper than 18 % slope (unsuitable for PV and infrastructure)
- A site development proposal map(s)/layer(s) that indicate:
 - Foundation footprint
 - Permanent laydown area footprint
 - Construction period laydown footprint
 - Internal roads indicating width (construction period width and operation period width) and with numbered sections between the other site elements which they serve (to make commenting on sections possible)
 - River, stream and water crossing of roads and cables indicating the type of bridging structures that will be used
 - Substation(s) and/or transformer(s) sites including their entire footprint.
 - Cable routes and trench dimensions (where they are not along internal roads)
 - Connection routes to the distribution/transmission network (the connection must form part of the EIA even if the construction and maintenance thereof will be done by another entity such as ESKOM)

- Cut and fill areas at PV sites along roads and at substation/transformer sites indicating the expected volume of each cut and fill
- Borrow pits
- Spoil heaps (temporary for topsoil and subsoil and permanently for excess material)
- Buildings including accommodation

With the above information authorities will be able to assess the strategic and site impacts of the application.

4. Regional map and GIS information

The regional map and GIS information should include at least the following:

- All maps/information layers must also be provided in ESRI Shapefile format
- The map/layer must cover an area of 20km around the site
- Indicate the following:
 - roads including their types (tarred or gravel) and category (national, provincial, local or private)
 - Railway lines and stations
 - Industrial areas
 - Harbours and airports
 - Electricity transmission and distribution lines and substations
 - Pipelines
 - Waters sources to be utilised during the construction and operational phases
 - A visibility assessment of the areas from where the facility will be visible
 - Critical Biodiversity Areas and Ecological Support Areas
 - Critically Endangered and Endangered vegetation areas
 - Agricultural fields
 - Irrigated areas
 - An indication of new road or changes and upgrades that must be done to existing roads in order to get equipment onto the site including cut and fill areas and crossings of rivers and streams

5. Important stakeholders

Amongst other important stakeholders, comments from the National Department of Agriculture, Forestry and Fisheries must be obtained and submitted to the Department. Any application, documentation, notification etc. should be forwarded to the following officials:

Ms Mashudu Marubini
 Delegate of the Minister (Act 70 of 1970)
 E-mail: MashuduMa@daff.gov.za
 Tel: (012) 319 7619

Ms Thoko Buthelezi
 AgriLand Liaison office
 E-mail: ThokoB@daff.gov.za
 Tel: (012) 319 7634

All hardcopy applications / documentation should be forwarded to the following address:

Physical address:
 Delpen Building
 Cnr Annie Botha and Union Street
 Office 270

Attention: Delegate of the Minister Act 70 of 1970

Postal Address:

Department of Agriculture, Forestry and Fisheries

Private Bag X120

PRETORIA

0001

Attention: Delegate of the Minister Act 70 of 1970

In addition, comments must be requested from Eskom regarding grid connectivity and capacity. Request for comment must be submitted to:

Mr John Geeringh

Eskom Transmission

Megawatt Park D1Y38

PO Box 1091

JOHANNESBURG

2000

Tel: (011) 516 7233

Fax: (086) 661 4064

John.geeringh@eskom.co.za

B. AGRICULTURE STUDY REQUIREMENTS

- Detailed soil assessment of the site in question, incorporating a radius of 50 m surrounding the site, on a scale of 1:10 000 or finer. The soil assessment should include the following:
 - Identification of the soil forms present on site
 - The size of the area where a particular soil form is found
 - GPS readings of soil survey points
 - The depth of the soil at each survey point
 - Soil colour
 - Limiting factors
 - Clay content
 - Slope of the site
 - A detailed map indicating the locality of the soil forms within the specified area,
 - Size of the site
- Exact locality of the site
- Current activities on the site, developments, buildings
- Surrounding developments / land uses and activities in a radius of 500 m of the site
- Access routes and the condition thereof
- Current status of the land (including erosion, vegetation and a degradation assessment)
- Possible land use options for the site
- Water availability, source and quality (if available)
- Detailed descriptions of why agriculture should or should not be the land use of choice
- Impact of the change of land use on the surrounding area
- A shape file containing the soil forms and relevant attribute data as depicted on the map.