

## Mmakoena Mmola

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**From:** Bathandwa Ncube <BNcube@environment.gov.za>  
**Sent:** Thursday, 08 July 2021 18:14  
**To:** Jo-Anne Thomas  
**Subject:** Re: Mutsho Solar - request for pre-application consultation meeting

Goodday Jo-Anne

**Re: 2021-06-0015: Pre-application Meeting\_Mutsho Solar Power Project and associated infrastructure near Makhado (Louis Trichardt), Limpopo Province.**

Your application for a pre-application meeting refers.

The Department's officials were not available on the proposed dates for a pre-application meeting. The earliest available date is as follows;

Date : Tuesday, 13 July 2021  
Time : 10h00

If this date is suitable for you, you may initiate a pre-application meeting on MS Teams for the abovementioned development.

Please send an invite to the relevant parties on the pre-application form; and the following official(s) from the Department:

Ms Bathandwa Ncube- [BNcube@environment.gov.za](mailto:BNcube@environment.gov.za)  
Ms Masina Litsoane- [MLitsoane@environment.gov.za](mailto:MLitsoane@environment.gov.za)  
Mr Kevin Mathebula- [KLMathebula@environment.gov.za](mailto:KLMathebula@environment.gov.za)

Please insert the link to the meeting and attach the relevant documents. You will be required to record the meeting and provide meeting minutes.

Please contact me should you have any further queries.

Kind regards

**Ms Bathandwa Ncube**

Department of Forestry, Fisheries and the Environment (DFFE)  
Regulatory, Compliance and Sector Monitoring  
Integrated Environmental Authorisations: National Infrastructure Projects  
(T) 012 399 9368  
(E) [BNcube@environment.gov.za](mailto:BNcube@environment.gov.za)

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**From:** EIA Applications <[EIAApplications@environment.gov.za](mailto:EIAApplications@environment.gov.za)>  
**Sent:** Thursday, 01 July 2021 15:47  
**To:** Bathandwa Ncube <[BNcube@environment.gov.za](mailto:BNcube@environment.gov.za)>  
**Cc:** Masina Litsoane <[MLitsoane@environment.gov.za](mailto:MLitsoane@environment.gov.za)>; Jo-Anne Thomas <[joanne@savannahsa.com](mailto:joanne@savannahsa.com)>  
**Subject:** FW: Mutsho Solar - request for pre-application consultation meeting  
**Importance:** High

Dear Bathandwa.

Please note that you have been allocated an application:

**Type of Application:** Pre-Application Meeting Request;

**Reference Number:** 2021-06-0043;

**Date Received:** 28/06/2021;

**Action Required:** Decide on meeting request.

Kindly let Ephron know which date the meeting is to be held, if it will be set.

\*EAP/Applicant: please use this reference number when submitting the application for EA/amendment application (page 1 of the application form), as well as attach the approved PP Plan if the application requires a PP process.

#### **EIA Applications**

Integrated Environmental Authorisations

Department of Forestry, Fisheries and the Environment

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**From:** Jo-Anne Thomas <[joanne@savannahsa.com](mailto:joanne@savannahsa.com)>

**Sent:** Monday, June 28, 2021 13:43

**To:** EIA Applications <[EIAApplications@environment.gov.za](mailto:EIAApplications@environment.gov.za)>

**Cc:** Philani Mzimela <[philani@crieagle.co.za](mailto:philani@crieagle.co.za)>; Eliya Monyela <[PC04@crieagle.co.za](mailto:PC04@crieagle.co.za)>

**Subject:** Mutsho Solar - request for pre-application consultation meeting

**Importance:** High

Good afternoon,

Please see attached request for pre-application consultation meeting for the proposed Mutsho Solar PV facilities.

Kind regards

Jo-Anne



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

**Jo-Anne Thomas**  
Director

e: [joanne@savannahsa.com](mailto:joanne@savannahsa.com)  
c: +27 (0) 82 775 5628

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

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Environment

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# 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:** 14/12/16/3/3/2/2180

**Enquiries:** Ms Bathandwa Ncube

**Telephone:** 012 399 9368 **E-mail:** [BNcube@dffe.gov.za](mailto:BNcube@dffe.gov.za)

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

**Telephone Number** : 011 656 3237/3256/3251  
**Email Address** : [joanne@savannahsa.com](mailto:joanne@savannahsa.com)

## PER MAIL / E-MAIL

Dear Ms Thomas

### COMMENTS ON THE DRAFT SCOPING REPORT FOR THE PROPOSED DEVELOPMENT OF THE MUTSHO SOLAR PV 1, NEAR MOPANE, WITHIN THE MUSINA LOCAL MUNICIPALITY, LIMPOPO PROVINCE

The Application for Environmental Authorisation and Draft Scoping Report (SR) dated July 2022 and received by the Department on 27 July 2022, refer.

This letter serves to inform you that the following information must be included to the Final Scoping Report:

#### **Application form**

1. You are required to provide written consent of the landowner identified in Section 3 of the application form, as per the requirement of Regulation 39 of the NEMA EIA Regulations, 2014, as amended.
2. It is understood that Mutsho Solar PV1 is part of a cluster of 4 proposed 100MW Solar PV energy facilities and all the projects are proposed for development on the Remaining Extent of Farm Vrienden 589 MS. It is important to note however, that the EIA process is project specific therefore, the maps must demarcate the boundary of the development site specific to Mutsho Solar PV1, as well as the associated coordinate points.
3. Please confirm that even though the locality map of the proposed project includes a 300m grid corridor, this grid infrastructure will be applied for and assessed as part of a separate basic assessment process.
4. If the activities applied for in the application form differ from those mentioned in the final SR, an amended application form must be submitted with the final SR.

#### **Specialist Assessments**

5. You are requested to submit the Specialist Declaration of Interest form for the Landscape and Visual Impact Baseline Report dated June 2022, prepared by Environmental Planning and Design cc.

*MEM*

## **Public Participation Process**

6. The Public Participation Process must be conducted in terms of Regulation 39, 40 41, 42, 43 & 44 of the EIA Regulations 2014, as amended and as specified in the approved Public Participation Plan.
7. Comments must be obtained from this Department's Biodiversity and Conservation Section. The contact details are as follows: [BCAdmin@dffe.gov.za](mailto:BCAdmin@dffe.gov.za).
8. Please ensure that all issues raised and comments received during the circulation of the draft SR from registered Interested and Affected Parties (I&APs) and organs of state which have jurisdiction in respect of the proposed activity are adequately addressed and included in the final SR.
9. Copies of original comments received from I&APs and organs of state, which have jurisdiction in respect of the proposed activity are submitted to the Department with the Final SR.
10. Proof of correspondence with the various stakeholders must be included in the final SR. This must indicate that this draft SR has been subjected to 30 days public participation process, stating the start and end date of the PPP. Should you be unable to obtain comments, proof must be submitted to the Department of the attempts that were made to obtain comments.
11. All issues raised and comments received during the circulation of the draft SR from I&APs and organs of state which have jurisdiction in respect of the proposed activity are adequately addressed in the final SR, including comments from this Department, and must be incorporated into the Comments and Response Report (CRR).
12. Comments from I&APs must not be split and arranged into categories. Comments from each submission must be responded to individually.
13. 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 an I&AP's comments.
14. The attendance register and minutes of any meetings held by the Environmental Assessment Practitioner (EAP) with Interested and Affected Parties (I&APs) and other role players must be included in the final SR.

## **General**

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

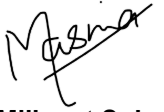
*"If S&EIR must be applied to an application, the applicant must, within 44 days of receipt of the application by the competent authority, submit to the competent authority a scoping report which has been subjected to a public participation process of at least 30 days and which reflects the incorporation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

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

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

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

Yours sincerely



**Ms Milicent Solomons**

**Acting Chief Director: Integrated Environmental Authorisations**

**Department of Forestry, Fisheries and the Environment**

**Letter signed by: Ms. Masina Morudu**

**Designation: Control Environmental Officer: National Infrastructure Projects**

**Date: 29/08/2022.**

cc:	Yi (Christine) He	Mutsho Power (Pty) Ltd	Email: <a href="mailto:Christine@crieagle.co.za">Christine@crieagle.co.za</a>
	Ngoasheng Tlhagala	Limpopo DEDET	Email: <a href="mailto:NgoashengTR@ledet.gov.za">NgoashengTR@ledet.gov.za</a>

## **Bregardia Rabbie**

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**From:** Ephron Maradwa <EMaradwa@dffe.gov.za>  
**Sent:** Thursday, 08 September 2022 12:11  
**To:** Bregardia Rabbie  
**Cc:** Bathandwa Ncube; EIAadmin; Salome Mambane  
**Subject:** 14/12/16/3/3/2/2180

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Bregardia.

14/12/16/3/3/2/2180

### **ACKNOWLEDGEMENT OF RECEIPT OF THE FINAL SCOPING REPORT FOR THE PROPOSED MUTSHO SOLAR PV1, LIMPOPO PROVINCE.**

The Department confirms having received the final Scoping Report for the abovementioned project on 07 September 2022. You have submitted these documents to comply with the National Environmental Management Act, 1998(Act No. 107 of 1998) and the Environmental Impact Assessment (EIA) Regulations, 2014, as amended

You are hereby reminded of Section 24F of the National Environmental Management Act 1998 (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.

#### **EIA Applications**

Integrated Environmental Authorisations  
Department of Forestry, Fisheries and the Environment

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# 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:** 14/12/16/3/3/2/2180

**Enquiries:** Mr Vusi Skosana

**Telephone:** 012 399 9326 **E-mail:** [vskosana@dffe.gov.za](mailto:vskosana@dffe.gov.za)

Ms Jo-Anne Thomas  
Savannah Environmental (Pty) Ltd  
PO Box 148  
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**Telephone Number** : 011 656 3237/3256/3251  
**Cellphone Number** : 082 775 5628  
**Email Address** : [ioanne@savannahsa.com](mailto:ioanne@savannahsa.com)

## PER MAIL / E-MAIL

Dear Ms Thomas

### **ACCEPTANCE OF THE SCOPING REPORT FOR THE FOR THE PROPOSED DEVELOPMENT OF THE MUTSHO SOLAR PV 1, NEAR MOPANE, WITHIN THE MUSINA LOCAL MUNICIPALITY, LIMPOPO PROVINCE**

The final Scoping Report (SR) and the Plan of Study for Environmental Impact Assessment dated September 2022 and received by the Department on 07 September 2022, refers.

The Department has evaluated the submitted final SR and the Plan of Study for Environmental Impact Assessment dated September 2022 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. The Environmental Impact Assessment Report (EIAR) must comply with the requirements of Appendix 3 of the EIA Regulations, 2014, as amended.

In addition, the following amendments and additional information are required for the EIAR:

#### **Application form**

1. You are required to provide written consent of the landowner identified in Section 3 of the application form, as per the requirement of Regulation 39 of the NEMA EIA Regulations, 2014, as amended.
2. It is noted that the proposed solar PV facility does not fall within any strategic corridors or development zones, therefore the application will be considered as a normal EIA Application.
3. If the EIAR contains listed activities and/or other information that differs from the application form, the application form must be amended accordingly and submitted to the Department with the EIAR.

#### **Battery Energy Storage System (BESS)**

4. BESS technologies must be included in the Technology Alternatives section of the EIAR.



5. A Risk Assessment is not required for the Battery Energy Storage System (BESS), however, impacts associated with the risks must be identified, considered and assessed as part of the EIAr.

### **Public Participation**

6. The Public Participation Process must be conducted in terms of Regulation 39, 40, 41, 42, 43 & 44 of the EIA Regulations, 2014, as amended.
7. Please ensure that comments from all relevant stakeholders are submitted to the Department with the EIAr. This includes but is not limited to this Department's World Heritage Management section, regarding the Vhembe Biosphere Reserve (Ms Thumeka Ntloko at [tntluko@dffe.gov.za](mailto:tntluko@dffe.gov.za)), Department of Agriculture, Land Reform, and Rural Development (DALRRD), Department of Communications and Digital Technologies, South African Civil Aviation Authority (SACAA), South African Heritage Resources Agency (SAHRA), Telkom SA SOC Limited, Transnet SA SOC Limited, Limpopo Department Economic Development, Environment and Tourism (LDEDET), Limpopo Department of Transport and Community Safety, The Limpopo Provincial Heritage Resources Authority (LIHRA), Vhembe District Municipality, Musina Local Municipality, BirdLife South Africa, Endangered Wildlife Trust (EWT), Wildlife and Environment Society of South Africa (WESSA), SANParks, and Interested & Affected Parties I&APs.
8. Please ensure that comments from all relevant stakeholders are submitted to the Department with the EIAr.
9. All issues raised and comments received must be incorporated into the Comments and Response Report.
10. Proof of correspondence with the various stakeholders 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.

### **Layout & Sensitivity Maps**

11. Please provide a Layout Map which indicates the following:
  - a. Solar panel positions and its associated infrastructure;
  - b. Permanent laydown area footprint;
  - c. 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);
  - d. The location of any 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;
  - e. Substation(s) and/or transformer(s) sites, including their entire footprint;
  - f. Buffer areas;
  - g. Buildings, including accommodation if any; and
  - h. All "no-go" areas.
12. An environmental sensitivity map indicating environmental sensitive areas and features identified during the assessment process must be submitted in the EIAr.
13. A map combining the layout map superimposed (overlain) on the environmental sensitivity map must be submitted in the EIAr.

### **Specialist assessments**

14. In addition to the preliminary specialist studies contained in the final SR, it is noted that a Avifauna Impact Assessment will be included in the EIAr, as per Section 7.6 of the final SR.
15. The Heritage Impact Assessment must be submitted to the South African Heritage Resources Agency (SAHRA) for comments, via the South African Heritage Resources Information System (SAHRIS). These comments must be addressed and incorporated in the EIAr.
16. Specialist assessments must be conducted in accordance with the Government Notice No. 320 of 20 March 2020 (i.e. "the Protocols"), and Government Notice No. 1150 of 30 October 2020 (i.e. protocols for terrestrial plant and animal species).
17. The avifaunal specialist study must be conducted according to the latest *BirdLife South Africa Best Practice Guideline for Birds and Solar Energy for assessing and monitoring the impact of solar energy facilities on birds in Southern Africa*.

18. 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.
19. 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.
20. 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 environmental authorisation.
21. Should the specialist studies provide more detail regarding any of the project activity thresholds, please ensure that the project activity descriptions are amended accordingly in the application form and EIAr.
22. Should a specialist recommend specific mitigation measures, these must be clearly indicated.
23. 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.
24. Please ensure that the Specialist declarations of interest are completed in full and that they are signed.

### **Cumulative Assessments**

25. Regarding the identified similar projects within a 30km radius of the proposed development site, the cumulative impact assessment for all identified and assessed impacts must indicate the following:
  - a. Identified cumulative impacts must be clearly defined, and where possible the size of the identified impact must be quantified and indicated, i.e., hectares of cumulatively transformed land.
  - b. Identified cumulative impacts associated with the proposed development must be rated with the significance rating methodology used in the process.
  - c. Detailed process flow and proof must be provided, to indicate how the specialist's recommendations, mitigation measures and conclusions from the various similar developments in the area were taken into consideration in the assessment of cumulative impacts and when the conclusion and mitigation measures were drafted for this project.
  - d. The cumulative impacts significance rating must also inform the need and desirability of the proposed development.
  - e. A cumulative impact environmental statement on whether the proposed development must proceed.

### **PV Facility Environmental Management Programme (EMPr)**

26. A construction and operational phase EMPr for the PV facility, which includes mitigation and monitoring measures must be submitted with the EIAr.
27. The EMPr must be developed in terms of Appendix 4 of the EIA Regulations, 2014 as amended and must include (but not limited to) the following plans and measures:
  - a. Re-vegetation and habitat rehabilitation plan;
  - b. Weed and invader plant management plan;
  - c. Traffic management plan;
  - d. Noise management;
  - e. Stormwater management;
  - f. Emergency response;
  - g. Fire management;
  - h. Erosion management;
  - i. Dust management; and,
  - j. All recommendations and mitigation measures recorded in the EIAr and the specialist studies conducted.
  - k. An effective monitoring system to detect any leakage or spillage of all hazardous substances during their transportation, handling, use and storage. This must include precautionary measures to limit the possibility of oil and other toxic liquids from entering the soil or storm water systems.
28. The decommissioning phase section of the EMPr for the facility must contain information relating to the handling, repurposing or disposal of dysfunctional, severely damaged batteries, module and containers.
29. The EMPr must distinguish between impact management actions and impact management outcomes.

30. The EMPr must include all recommendations and mitigation measures recorded in the EIAR and specialist studies conducted.
31. The EMPr must not contain any ambiguity. Where applicable, statements containing the word "should" or "may" are to be amended to "must".

### **Generic Environmental Management Programme (EMPr)**

32. The proposed development triggers Activity 11 of Listing Notice 1 as amended for an on-site substation. The following generic EMPr must be included in the EIAR, over and above the EMPr for the PV facility:
  - a. *Generic EMPr for the development and expansion of substation infrastructure for the transmission and distribution of electricity.*
33. Part B: Section 2 of the generic EMPrs must be completed, and a copy of an originally signed EMPrs must be submitted with the EIAR. Please note that Point 7.1.1 in Part B: Section 2 needs to match the details of the applicant as contained in the application form.
34. If any specific environmental sensitivities/attributes are present on the site which require more specific impact management outcomes and impact management actions, not included in the pre-approved generic EMPr template, to manage impacts, those impact management outcomes and actions must be included in Part C of the generic EMPr.

### **General**

35. 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.
36. **The EAP must provide detailed motivation if any of the above requirements is not required by the proposed development and will not be included in the EMPr.**

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 Vusi Skosana**  
**Director: National Integrated Authorisations**  
**Department of Forestry, Fisheries and the Environment**  
**EAPASA Registration Ref: 2019/92**  
**Date: 19 October 2022**

cc:	Yi (Christine) He	Mutsho Power (Pty) Ltd	Email: <a href="mailto:Christine@crieagle.co.za">Christine@crieagle.co.za</a>
	Ngoasheng Thagala	Limpopo DEDET	Email: <a href="mailto:NgoashengTR@ledet.gov.za">NgoashengTR@ledet.gov.za</a>