

Mmakoena Mmola

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
Ms Masina Litsoane- MLitsoane@environment.gov.za
Mr Kevin Mathebula- 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

From: EIA Applications <EIAApplications@environment.gov.za>
Sent: Thursday, 01 July 2021 15:47
To: Bathandwa Ncube <BNcube@environment.gov.za>
Cc: Masina Litsoane <MLitsoane@environment.gov.za>; Jo-Anne Thomas <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

Please note that this email is for the receipt and processing of online applications only, and is not monitored for responses. All queries must be directed to EIAadmin@environment.gov.za.

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Please note that this mailbox has a 5mb mail limit. No zip files are to be attached in any email.

From: Jo-Anne Thomas <joanne@savannahsa.com>
Sent: Monday, June 28, 2021 13:43
To: EIA Applications <EIAApplications@environment.gov.za>
Cc: Philani Mzimela <philani@crieagle.co.za>; Eliya Monyela <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
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: 14/12/16/3/3/2/2182

Enquiries: Mr Lunga Dlova

Telephone: (012) 399 8524 **E-mail:** LDlova@dff.gov.za

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

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

PER MAIL / E-MAIL

Dear Ms Thomas

COMMENTS ON THE DRAFT SCOPING REPORT FOR THE PROPOSED CONSTRUCTION AND OPERATION OF A COMMERCIAL PHOTOVOLTAIC (PV) SOLAR ENERGY FACILITY AND ASSOCIATED INFRASTRUCTURE ON THE REMAINING EXTENT OF FARM VRIENDEN 589 MS, LOCATED APPROXIMATELY 8KM SOUTH-WEST OF MOPANE AND 39KM SOUTH-WEST OF MUSINA, WITHIN THE MUSINA LOCAL MUNICIPALITY AND THE VHEMBE DISTRICT MUNICIPALITY IN THE LIMPOPO PROVINCE.

The Applications for Environmental Authorisation and the Draft Scoping Reports (SR's) 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:

(a) Written confirmation from Eskom that the grid connection solution would be considered separately from the facility.

(b) Listed Activities and Application Form

- Please ensure that all relevant listed activities are applied for, are specific and can be linked to the development activity or infrastructure as described in the project description. Please provide the details, capacities and thresholds of the specific project infrastructure, not a repetition of the listed activity thresholds (i.e., a description of the dangerous goods facility infrastructure, capacity and location, and the length and width of the main access roads.
- If the activities applied for in the application form differ from those mentioned in the final SR, an amended application form must be submitted. Please note that the Department's application form template has been amended and can be downloaded from the following link <https://www.environment.gov.za/documents/forms>.

MEM

(c) Public Participation Process

- The final SR must provide evidence that all identified and relevant commenting authorities have been given an opportunity to comment on the proposed development, including but not limited to the Northern Cape Department of Agriculture, Environmental Affairs, Rural Development and Land Reform, Fisheries and the Environment (DFFE): Biodiversity Conservation (BCAdmin@environment.gov.za), the Department of Water and Sanitation, the relevant heritage authorities, and the affected district and local municipalities.
- Proof of correspondence with the various stakeholders must be included in the Final SR. Should you be unable to obtain comments, proof must 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 and the approved Public Participation Plan.
- A comments and response trail report (C&R) must be submitted with the final SR. The C&R report must be a separate document from the main report and the format must be in the table format, which reflects the details of the interested and affected parties (I&APs) and the date comments were received, actual comments received, and responses provided. Please ensure that all issues raised and comments received during the circulation of the SR from registered I&APs and organs of state which have jurisdiction (including this Department's comments) in respect of the proposed activity are adequately addressed. Comments made by I&APs must be comprehensively captured (copy verbatim if required) and responded to clearly and fully. Please note that a response such as "Noted" is not regarded as an adequate response to I&AP's comments.

(d) Specialist Assessments to be conducted in the EIA phase

- Specialist studies must include a detailed description of the study's methodology, an indication of the locations and descriptions of the development footprint, and all other associated infrastructures that they have assessed and are recommending for authorisation.
- The specialist studies must also provide a detailed description of all limitations to their studies. All specialist studies must be conducted in the right season and providing that as a limitation, will not be accepted.
- Should the appointed specialists specify contradicting recommendations, the EAP must clearly indicate the most reasonable recommendation and substantiate this with defensible reasons; and where necessary, include further expertise advice.
- Should the specialist studies require additional studies to be undertaken, these must be commissioned and included in the draft EIA reports for public comment.
- Declaration forms must be provided for all specialist studies to be conducted.
- It is further brought to your attention that Procedures for the Assessment and Minimum Criteria for Reporting on identified Environmental Themes in terms of Sections 24(5)(a) and (h) and 44 of the National Environmental Management Act, 1998, when applying for Environmental Authorisation, which were promulgated in Government Notice No. 320 of 20 March 2020 (i.e. "the Protocols"), and in Government Notice No. 1150 of 30 October 2020 (i.e. protocols for terrestrial plant and animal species), have come into effect. Please note that specialist assessments must be conducted in accordance with these protocols, except where the applicant provides proof to the competent authority that the specialist assessment affected by these protocols had been commissioned before the date on which the protocols came into effect, in which case Appendix 6 of the Environmental Impact Assessment Regulations, 2014, as amended, will apply.
- Please note further that the protocols require certain specialists' to be SACNASP/EAPSA registered. Refer to the relevant protocols in this regard.

- Please include a table in the final SR summarising the specialist studies required by the Screening Tool, a column indicating whether these studies will be conducted or not, and a column with motivation for any studies that will not be undertaken. Please note that if any of the specialists' studies and requirements recommended in the Department's Screening Tool are not commissioned, motivation for such must be provided in the report, per the requirements of the Protocols.
- Where specialist studies are conducted in-house or by a specialist other than a suitably qualified specialist in the relevant field per the requirements of the protocols, such specialist reports must be peer reviewed by a suitably qualified external specialist in the relevant field.

(e) Environmental Management Programme

- You are required to submit a draft Environmental Management Programme (EMPr) in terms of Appendix 4 of the EIA Regulations 2014, amended.

(f) Cumulative Assessment to be conducted in the EIA phase

- Should there be any other similar projects within a 30km radius of the proposed development site, the cumulative impact assessment for all identified and assessed impacts must be refined to indicate the following:
 - 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.
 - 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.
 - The cumulative impacts significance rating must also inform the need and desirability of the proposed development.
 - A cumulative impact environmental statement on whether the proposed development must proceed.

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 Millicent 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: Christine@crieagle.co.za
	Florence Duval	Fumaria Prop Holdings (Pty) Ltd	Email: florence.duval@mcmining.co.za
	Ngoasheng Tlhagala	Limpopo Department: Economic Development, Environment and Tourism	Email: NgoashengTR@ledet.gov.za
	Nkhanedzeni Godfrey Mawela (Mayor)	Musina Local Municipality	Email: info@musina.gov.za

Bregardia Rabbie

From: Ephron Maradwa <EMaradwa@dffe.gov.za>
Sent: Thursday, 08 September 2022 12:17
To: Bregardia Rabbie
Cc: Lunga Dlova; Salome Mambane; EIAAdmin
Subject: 14/12/16/3/3/2/2182

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Bregardia.

14/12/16/3/3/2/2182

ACKNOWLEDGEMENT OF RECEIPT OF THE FINAL SCOPING REPORT FOR THE PROPOSED MUTSHO SOLAR PV3, 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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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: 14/12/16/3/3/2/2182
Enquiries: Mr Lunga Dlova
EAPSA Registration Ref: 2021/3237
Telephone: (012) 310 8524 E-mail: LDlova@dfpe.gov.za

Yi (Christine) He
Mutsho Power (Pty) Ltd
P O Box 2862
RIVONIA
2128

Telephone Number: 011 467 4077
Cell phone Number: 083 289 3133
Email Address: Christine@crieagle.co.za

PER E-MAIL / MAIL

Dear Yi (Christine) He

ACCEPTANCE OF THE SCOPING REPORT FOR THE PROPOSED CONSTRUCTION AND OPERATION OF A COMMERCIAL PHOTOVOLTAIC (PV) SOLAR ENERGY FACILITY AND ASSOCIATED INFRASTRUCTURE ON THE REMAINING EXTENT OF FARM VRIENDEN 589 MS, LOCATED APPROXIMATELY 8KM SOUTH-WEST OF MOPANE AND 39KM SOUTH-WEST OF MUSINA, WITHIN THE MUSINA LOCAL MUNICIPALITY AND THE VHEMBE DISTRICT MUNICIPALITY IN THE 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, refer.

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.

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

(a) Listed Activities

- (i) The EIAR must provide an assessment of the impacts and mitigation measures for each of the listed activities applied for.
- (ii) The listed activities represented in the EIAR and the application form must be the same and correct.
- (iii) The EIAR must assess the correct sub listed activity for each listed activity applied for.

(b) Public Participation

- (i) Please ensure that comments from all relevant stakeholders are submitted to the Department with the EIAr. This includes but is not limited to the Department of Mineral Resources and Energy (DMRE), Department of Agriculture, Land Reform, and Rural Development (DALRRD), Department of Water and Sanitation (DWS), Department of Communications and Digital Technologies, National Energy Regulator of South Africa (NERSA), Air Traffic Navigation Services (ATNS), South African Civil Aviation Authority (CAA), South African Heritage Resources Agency (SAHRA), South African National Roads Agency Limited (SANRAL), 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), the Department of Environment, Forestry and Fisheries: Directorate Biodiversity and Conservation and Interested & Affected Parties I&APs.
- (ii) Please ensure that all issues raised and comments received during the circulation of the draft SR and draft EIAr from registered I&APs and organs of state which have jurisdiction in respect of the proposed activity are adequately addressed in the final EIAr. Proof of correspondence with the various stakeholders must be included in the final EIAr. Should you be unable to obtain comments, proof should be submitted to the Department of the attempts that were made to obtain comments.
- (iii) A Comments and Response trail report (C&R) must be submitted with the final EIAr. The C&R report must incorporate all comments for this development. The C&R report must be a separate document from the main report and the format must be in the table format as indicated in Appendix 1 of this comments letter. Please refrain from summarising comments made by I&APs. All comments from I&APs must be copied verbatim and responded to clearly. Please note that a response such as "noted" is not regarded as an adequate response to I&AP's comments.
- (iv) Comments from I&APs must not be split and arranged into categories. Comments from each submission must be responded to individually.
- (v) The Public Participation Process must be conducted in terms of Regulation 39, 40, 41, 42, 43 & 44 of the EIA Regulations, 2014, as amended.

(c) Layout & Sensitivity Maps

- (i) The EIAr must provide the four corner coordinate points for the proposed development site (note that if the site has numerous bend points, at each bend point coordinates must be provided) as well as the start, middle and end point of all linear activities.
- (ii) The EIAr must provide the following:
 - Clear indication of the envisioned area for the proposed solar energy facility; i.e. placing of solar panels and all associated infrastructure should be mapped at an appropriate scale.
 - Clear description of all associated infrastructure. This description must include, but is not limited to the following:
 - Powerlines;
 - 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.
- (iii) A copy of the final preferred route layout map. All available biodiversity information must be used in the finalisation of the layout map. Existing infrastructure must be used as far as possible e.g. roads. The layout map must indicate the following:
 - 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;
 - Location of access and service roads;
 - Connection routes (including pylon positions) to the distribution/transmission network;
 - All existing infrastructure on the site, especially railway lines and roads;
 - Buffer areas;
 - Buildings, including accommodation; and
 - All “no-go” areas.
- (iv) An environmental sensitivity map indicating environmental sensitive areas and features identified during the assessment process.
- (v) A map combining the final layout map superimposed (overlain) on the environmental sensitivity map.

(d) Specialist assessments

- (i) The EAP must ensure that the terms of reference for all the identified specialist studies must include the following:
- A detailed description of the study’s methodology; indication of the locations and descriptions of the development footprint, and all other associated infrastructures that they have assessed and are recommending for authorisations.
 - Provide a detailed description of all limitations to the studies. All specialist studies must be conducted in the right season and providing that as a limitation will not be allowed.
 - Please note that the Department considers a ‘no-go’ area, as an area where no development of any infrastructure is allowed; therefore, no development of associated infrastructure including access roads is allowed in the ‘no-go’ areas.
 - Should the specialist definition of ‘no-go’ area differ from the Departments definition; this must be clearly indicated. The specialist must also indicate the ‘no-go’ area’s buffer if applicable.
 - **All specialist studies must be final, and provide detailed/practical mitigation measures for the preferred alternative and recommendations, and must not recommend further studies to be completed post EA.**
 - Should a specialist recommend specific mitigation measures, these must be clearly indicated.
 - Regarding cumulative impacts:
 - Clearly defined cumulative impacts and where possible the size of the identified impact must be quantified and indicated, i.e. hectares of cumulatively transformed land.
 - A detailed process flow 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.
 - Identified cumulative impacts associated with the proposed development must be rated with the significance rating methodology used in the process.
 - The significance rating must also inform the need and desirability of the proposed development.
 - A cumulative impact environmental statement on whether the proposed development must proceed.

- (ii) Should the appointed specialists specify contradicting recommendations, the EAP must clearly indicate the most reasonable recommendation and substantiate this with defensible reasons; and where necessary, include further expertise advice.

(e) General

- (i) 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 Annexure 2 below.
- (ii) Details of the future plans for the site and infrastructure after decommissioning in 20-30 years and the possibility of upgrading the proposed infrastructure to more advanced technologies must be indicated.
- (iii) Should a Water Use License be required, proof of application for a license needs to be submitted.
- (iv) The EAP must provide landowner consent for all farm portions affected by the proposed project, whether the project component is linear or not, i.e. all farm portions where the access road, solar panels and associated infrastructure is to be located.
- (v) An EMPr will be compiled in accordance with the requirements of Appendix 4 of the EIA Regulations 2014, amended and submitted together with the EIA Report. In addition, the generic EMPr for substations and grid connection must also be submitted with the EIAR.
- (vi) A construction and operational phase EMPr that includes mitigation and monitoring measures must be submitted with the final EIAR.

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:	Jo-Anne Thomas	Savannah Environmental (Pty) Ltd	Email: ioanne@savannahsa.com
	Florence Duval	Fumaria Prop Holdings (Pty) Ltd	Email: florence.duval@mcmining.co.za
	Ngoasheng Tlhagala	Limpopo Department: Economic Development, Environment and Tourism	Email: NgoashengTR@ledet.gov.za
	Nkhanedzeni Mawela	Godfrey Musina Local Municipality	Email: info@musina.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 Environment, Forestry and Fisheries: Priority Infrastructure Projects (John Doe)	Please record C&R trail report in this format Please update the contact details of the provincial environmental authority	EAP: (Noted)The C&R trail report has been updated into the desired format, see Appendix K EAP: Details of provincial authority have been updated, see page 16 of the Application form

Annexure 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	