

APPENDIX B
AUTHORITY CORRESPONDENCE

Rendani Rasivhetshele

From: Kevin Mathebula <KLMathebula@environment.gov.za>
Sent: Wednesday, September 29, 2021 11:45 AM
To: Rendani Rasivhetshele
Cc: Bathandwa Ncube
Subject: Approval of Public Participation (PP) Plan for the proposed BARLERIA, DICOMA AND SETARIA PV FACILITY AND ASSOCIATED INFRASTRUCTURE, NEAR LICHTENBURG, NWP

Dear Mr Rasivhetshele

The Public Participation PPPlan for the proposed Baleria, Dicoma and Setaria PV facility and associated infrastructure, near Lichtenburg, North West Province , received by this Department on 23 September 2021, refers.

Based on the information provided this Department decided to **approve** the PPPlan for the proposed project. You may proceed with the PP process in accordance with tasks contemplated in the PPPlan. Should you wish to deviate from the submitted PPPlan, the amended PPPlan must be submitted to the Department for approval prior commencement.

A copy of the PP Plan and this approval must be submitted as part of the application form when the application is lodged.

Also note that submission of a PP Plan and approval thereof do not negate your responsibility to comply with the requirements for public participation in terms of Regulations 39, 40, 41, 42, 43 & 44 of the EIA Regulations 2014, as amended.”

Yours sincerely`
Mr Kevin Mathebula
Department Of Forestry, Fisheries & the Environment
Regulatory, Compliance And Sector Monitoring
Integrated Environmental Authorisations: National Infrastructure Projects
(Tel) 012 399 9216
(E-mail) KLMathebula@environment.gov.za

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forestry, fisheries & the environment

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DFFE Reference: 14/12/16/3/3/2/2106

Enquiries: Mr Kevin Mathebula

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Ms Karen Jodas
Savannah Environmental (Pty) Ltd
PO Box 148
SUNNINGHILL
2157

Telephone Number : 011 656 3237
Cellphone Number : 082 775 5628
Email Address : karen@savannahsa.com

PER E-MAIL / MAIL

Dear Ms Jodas

ACCEPTANCE OF FINAL SCOPING REPORT FOR THE PROPOSED DEVELOPMENT OF THE 75MW SETARIA PHOTOVOLTAIC (PV) FACILITY AND ASSOCIATED INFRASTRUCTURE, NEAR LICHTENBURG, WITHIN THE DITSBOTLA LOCAL MUNICIPALITY NORTH WEST PROVINCE

The final Scoping Report (SR) and the Plan of Study for Environmental Impact Assessment dated November 2021 and received by the Department on 26 November 2021, refer.

The Department has evaluated the submitted final SR and the Plan of Study for Environmental Impact Assessment (EIA) dated November 2021 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

1. The EIAr must provide an assessment of the impacts and mitigation measures for each of the listed activities applied for.
2. 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.
3. The EIAr must assess the correct sub listed activity for each listed activity applied for.
4. Please indicate that the final assembling of the battery energy storage (BESS) for one of the two alternatives discussed in the FSR, triggers activity 14 of Listing Notice 1 or not, when submitting the EIAr.

Alternatives

5. The "Do-Nothing" alternative must discuss both negative as well as positive impacts of this alternative.

6. The Department acknowledge the alternative discussion of the BESS from page 60 to 62, and the BESS compliance standards, and fire prevention on page 63 of the FSR, however in the EIAr please provide the Risk Assessment of the proposed alternative of the BESS with detailed identified impacts and mitigation methods.

Coordinates

7. The EIAr must provide the four corner coordinate points for the proposed development site of the Setaria PV facility, (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 proposed development site.
8. Please provide the coordinates of the 33kV MV cabling, 132kV facility substation, 132kV Eskom switching station, and Loop-in Loop-out 132kV power line proposed to connect Setaria PV to the Eskom electricity grid in the DEIAr
9. Please also provide the coordinates of the battery energy storage system in the DEIAr.

Public Participation

10. You are required to state where the DEIAr was kept/ how it was distributed for public review and comment, as well as the period it was kept for.
11. Please ensure that comments from all relevant stakeholders are submitted to the Department with the EIAr. This includes but is not limited to North West Department of Economic Development, Environment, Conservation and Tourism, Small Business Development, Tourism and Environmental Affairs; Department of Agriculture, Forestry & Fisheries; Ditsobotla Local Municipality; Ngaka Modiri Molema District Municipality, SANRAL, Bird Life SA, SAHRA, Eskom, Department of Water and Sanitation (DWS), and DFFE: Directorate Biodiversity and Conservation,
12. 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.
13. 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.
14. Comments from I&APs must not be split and arranged into categories. Comments from each submission must be responded to individually.
15. The Public Participation Process must be conducted in terms of Regulation 39, 40, 41, 42, 43 & 44 of the EIA Regulations, 2014, as amended.
16. The EAP is requested to contact the Department to make the necessary arrangements to conduct a site inspection prior to the submission of the final EIAr.

Layout & Sensitivity Maps

17. The EIAr must provide the following:
 - Clear indication of the envisioned area for the proposed solar energy facility; i.e. location of solar PV, internal roads, powerlines, fencing, Battery Energy Storage System (BESS), 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:
 - 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.
18. A copy of the final preferred route layout map. which include the PV facility and all associated infrastructure must be submitted with the Draft EIAr. 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;
 - All existing infrastructure on the site, especially railway lines and roads;
 - Buffer areas;
 - Buildings, including accommodation; and
 - All "no-go" areas.
19. An environmental sensitivity map indicating environmental sensitive areas and features identified during the assessment process.
20. A map combining the final layout map superimposed (overlain) on the environmental sensitivity map.

Specialist assessments

21. 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.
22. 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.
23. The following Specialist Assessments will form part of the EIAR:

Specialist Study	Company
Ecology and Wetlands Impact Assessment	Nkurenkuru Ecology & Biodiversity
Avifauna Impact Assessment	Pachnoda Consulting
Soils and Agricultural Potential Impact Assessment	Terra Africa Environmental Consultants
Visual Impact Assessment	LOGIS
Heritage and Palaeontology Impact Assessment	CTS Heritage

Environmental Management Programmes (EMPRs)

Construction and Operational EMPr

24. A construction and operational phase EMPr that includes mitigation and monitoring measures must be submitted with the final EIAr.
25. 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:
 - Re-vegetation and habitat rehabilitation;
 - Alien Invasive management;
 - Traffic management;
 - Noise management;
 - Stormwater management;
 - Emergency Response;
 - Fire Management;
 - Erosion management;
 - Dust management; and,
 - All recommendations and mitigation measures recorded in the EIAr and the specialist studies conducted.
 - 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.
26. The EMPr must not contain any ambiguity. Where applicable, statements containing the word "should" or "may" are to be amended to "must".
27. The EMPr must distinguish between impact management actions and impact management outcomes.
28. The EMPr must also include the frequency for auditing of compliance with the conditions of the EA and EMPr, and for the submission of such compliance reports to the competent authority

Generic EMPr

29. For the proposed development of the 33kV MV cabling, 132kV facility substation, 132kV Eskom switching station, and Loop-in/Loop out 132kV power line, triggers Activity 11 of Listing Notice 1 of NEMA EIA Regulations, 2014, as amended. The following generic EMPr must be included as part of the EIAr:
 - *Generic EMPr for the development and expansion of substation infrastructure for the transmission and distribution of electricity*
 - *Generic EMPr for the development and expansion for overhead electricity transmission and distribution infrastructure.*
30. This generic EMPr can be downloaded from the following link <https://www.environment.gov.za/documents/forms>.
31. Part B: Section 2 of the generic EMPr must be completed, and a copy of an originally signed EMPr must be submitted with the final BAR. 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.
32. 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 section C of the generic EMPr

General

33. 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.
34. 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.
35. Should a Water Use License be required, proof of application for a license needs to be submitted?
36. 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.
37. 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 requested to submit one (1) full colour hard copy of the Environmental Impact Assessment Report (EIAR) to the Department and at least one electronic copy (USB) of the complete final report with the hard copy documents.

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

Yours faithfully



Mr Sabelo Malaza

**Chief Director: Integrated Environmental Authorisations
Department of Forestry, Fisheries and the Environment**

Signed by: Mr Vusi Skosana

Designation: Director: National Infrastructure Development

Date: 27/1/2022

cc:	L.J. Dintwe	Ditsobotla Local Municipality	Email: leefodln@gmail.com
	Ouma Skosana	North West (DEDECT)	Email: oskosana@nwpg.gov.za
	David Peinke	Setaria PV (Pty) Ltd	Email: david@atlanticep.com

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	
BESS technicalities	

Setaria PV (Pty) Ltd

2021 / 801390 / 07

07 West Quay Road

1st Floor Block 101-A

Waterfront

Cape Town

8001

18 January 2022

Attention: Technical Director

Ditsobotla Local Municipality

Technical Services

Civic Centre, Cnr Nelson Mandela and Transvaal Street

Lichtenburg

2740

Dear Madam / Sir

RE: REQUEST FOR CONFIRMATION OF WATER AVAILABILITY AND MUNICIPAL SERVICES FOR THE CONSTRUCTION AND OPERATION OF A SOLAR ENERGY FACILITY LOCATED NEAR LICHTENBURG, NORTH WEST PROVINCE

The Setaria PV project (including associated grid connection), is proposed to be developed on Portions 1, 9 and 10 of Farm Houthaalboomen, approximately 5 km North West of Lichtenburg in the North West Province (see Annexure A - Locality Map). The project is to be developed as a stand-alone project by **Setaria PV (Pty) Ltd** (the "Project Company"), a special purpose vehicle ("SPV") established for the sole purpose of developing, owning and operating the facility.

The Project Company intends to bid the project in response to the Department of Mineral Resources and Energy's (DMRE) request for qualification and proposals (the "RFP") for Bidding Window 6 of the Renewable Energy Independent Power Producer Procurement Program (REIPPPP). It is a requirement of the REIPPPP RFP that the Project Company submit a letter from the relevant service provider confirming availability of service delivery for the project.

This letter therefore constitutes a request to the Ditsobotla Local Municipality to provide Setaria PV (Pty) Ltd with a non-binding confirmation letter confirming capacity to supply the necessary municipal services.

The confirmation letter will be non-binding. Should the Setaria PV (Pty) Ltd be selected as a preferred bidder in the REIPPPP, we will reach out to the Ditsobotla Local Municipality at that stage to enter into a formal service level agreement.

To this end Setaria PV would like to request that the non-binding letter confirm:

a) Water Supply Capacity:

- **16 000 m³** in total over the 18 month construction period:
 - o 6 750 m³ potable water for sanitation; and
 - o 9 250 m³ potable OR recycled water for construction process;
- **5 000 m³** per annum for the 20 year operational lifespan of the facility
 - o 1 095 m³ potable water for sanitation;
 - o 3 364 m³ potable water for module cleaning; and
 - o 541 m³ for road maintenance and irrigation purposes.

b) Treatment of Sewage:

The project company will contract a registered company to store and collect the sewage from site and dispose of it at the municipal treatment facility. This letter should include:

- i. Name of sewage treatment facility
- ii. Capacity that the sewage treatment facility can accommodate
- iii. Location of the sewage treatment facility

c) The disposal of solid waste generated from the construction activities:

Could you please provide the following details for disposal of waste such as concrete, scrap metal, wooden pallets/ packaging and general waste produced by construction crew, etc.:

- i. The location of the dump site;
- ii. The name and licence number of the dump site; and
- iii. The capacity that the dump site can take – it is estimated that the project would generate 50m³ of solid waste per month during the construction phase of 12 - 18 months duration.

We trust that you will find this request for the non-binding water confirmation letter in order. Please do not hesitate to contact the undersigned or Amy Hill (081 461 7590) should you have any queries in this regard.

Yours Sincerely,

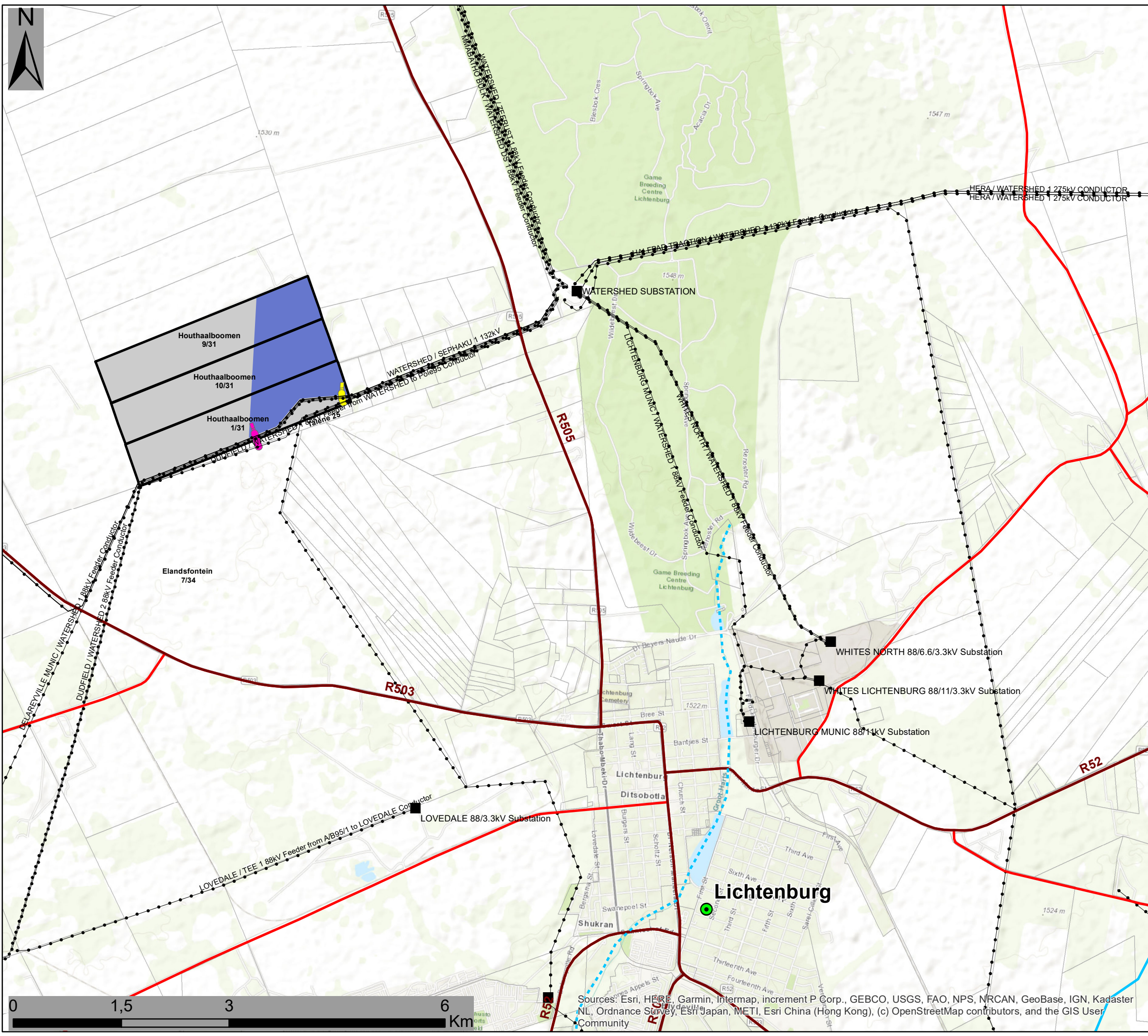


Amy Hill

For and on behalf of Setaria PV (Pty) Ltd

Annexure A – Locality Map

Annexure A
Locality Map

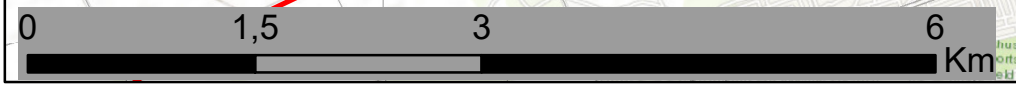
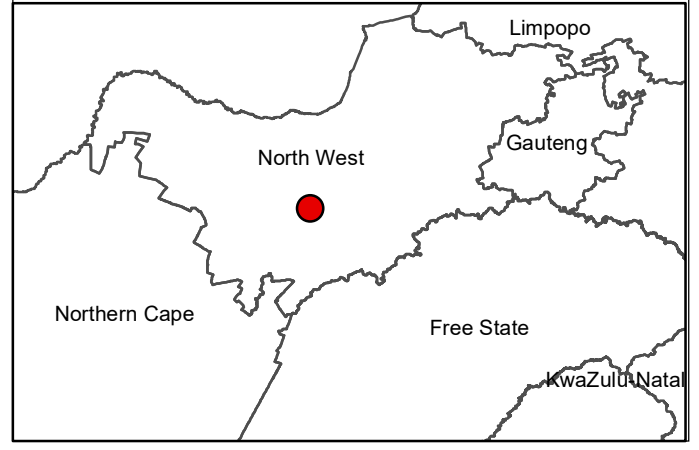


Setaria PV Facility and Associated Infrastructure, North West Province

Locality Map

- Legend**
- Town
 - Eskom Substation
 - Existing Power Lines
 - Non-Perennial River
 - Perennial River
 - National Route
 - Regional Road
 - Main Road
 - Farm Portions
 - Affected Property
 - Grid Connection Corridor Alternative 1 (100m wide)
 - Grid Connection Corridor Alternative 2 (100m wide)
 - Setaria PV Development Area

Scale: 50 000
 Projection: LO19
 Map Ref: Setraria Locality Map



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community