

KLEINFONTEIN SOLAR PV1 ON PORTION 1 OF THE FARM KLEINFONTEIN NO 369, VILJOENSKROON, FREE STATE PROVINCE : SUBMISSION OF DRAFT BASIC ASSESSMENT REPORT FOR COMMENT

Previous communication regarding this project refers.

The previous application for this project has lapsed therefore a new application had to be submitted to the Department of Forestry, Fisheries and the Environment (DFFE). You are therefore notified of the following:

Notice is given in terms of the NATIONAL ENVIRONMENTAL MANAGEMENT ACT (Act No 107 of 1998) and the 2014 EIA Regulations, as amended, that an application for Environmental Authorisation is lodged with the Department of Forestry, Fisheries and the Environment for the Kleinfontein Solar PV1 project, situated south of the Vaal River and north of Viljoenskroon on the Farm Kleinfontein No 369, Portion 1, Free State Province. It falls in the Klerksdorp Renewable Energy Development Zone and the Central Strategic Transmission Corridor. The applicant is Kleinfontein Solar PV1 (Pty) Ltd. The relevant NEMA listed activities are Listing Notice 1: Nrs 11; 12; 15; 19; 24, 28, Listing Notice 2: Nr 1; as well as Listing Notice 3: Nrs 4; 10; 12; 14, 18.

The development footprint of 248ha. Key project components: solar PV array, 132kV Independent Power Producer Substation, access and internal roads; laydown area, Battery Energy Storage System and diesel storage facility.

The Draft BAR is available for comment for 30 days (excluding public holidays). The final date for comment is 21 August 2023.

Attached please find the Executive Summary of the Draft Basic Assessment Report. The entire document with appendices can be accessed on our website as follows:

Website: www.landsapedynamics.co.za

Click on ‘Stakeholder Participation’ and under ‘Project Name’ click on the following link:
Kleinfontein Solar PV1

To open the document, click on ‘Kleinfontein Solar PV1 Draft BAR dated July 2023’ and please use the following password: DBARJuly2023

Date & Ref Number	SAHRA Comment	Landscape Dynamics Response
<p>South Africa Heritage Resource Agency</p> <p>APM Assistant: Sityhilelo Ngcatsha</p> <p>Comment received via SAHRIS on 4 May 2023</p> <p>Case ID: 21031</p>	<p>They confirmed the <u>findings of CTS Heritage</u> in terms of the Kleinfontein Solar PV1:</p> <ul style="list-style-type: none"> Archaeological sites spanning the Earlier, Middle and Later Stone Age have been found in the region despite the extensive agricultural transformation of the area. The development region is underlain by the underlain by Quaternary deposits and the Malmani subgroup along with the Allanridge Formation. It is therefore, recommended that an archaeological and palaeontological assessment of the proposed area be undertaken. 	<p><u>Findings of CTS Heritage</u></p> <ul style="list-style-type: none"> An archaeological field survey was undertaken and is discussed under Chapter 6 of this report and attached under Appendix F. A Palaeontology desktop assessment was undertaken and it concluded that the palaeontological heritage is extremely low and mitigation is not proposed. A comprehensive HIA was undertaken and the heritage, archaeological and palaeontological findings that require specific mitigation were identified. The mitigation measures had been addressed in the layout and the requirement in terms of

	<ul style="list-style-type: none"> · Isolated individual artefacts along with a site of a small concentration of artefacts were documented within the development footprint along with one isolated historic burial and a historic burial ground. It is extremely unlikely that fossils would be preserved in the overlying deep soils and sands of the Quaternary. In the northernmost section (Kleinfontein PV1 only north of the grid connection), there is a very small chance that fossils may occur in the shales below ground of the early Permian Vryheid Formation. The impact on the palaeontological heritage would be low, therefore, as far as the palaeontological is concerned, the projects should be authorised. · Recommendations <ul style="list-style-type: none"> o A no development buffer of 20m must be implemented around site VK4. o A no-development buffer of 40m is recommended around the isolated burial (CVK100) and a no-development buffer of 100m is recommended around the burial ground (CVK101) to ensure that no impact takes place and that the sense of place associated with the burials is retained. o Ongoing community access to these burials, as well as their conservation into the future, must be ensured. This can be managed through the development of a Heritage Management Plan for the burials to be implemented for the duration of the project. o A pre-construction Archaeological Walkdown is recommended to identify any unmarked or hidden burials or significant archaeological resources 	<p>layout and buffer zones, compilation of a Heritage Management Plan and a Pre-Construction Archaeological Walk-down and Fossil Chance Find Protocol are now included in the EMPr.</p> <ul style="list-style-type: none"> · Site VK4 in the SAHRA comment does not fall in the Kleinplaats Solar PV1 project area. It falls within the Ratpan Solar PV1 site. · Sites CVK10 and CVK101 in the SAHRA comment do not fall within the Kleinfontein project area, it falls within the Zaaiplaats Solar PV1 project site. · There are no grave sites on the Kleinfontein Solar PV1 site; therefore the proposed Heritage Management Plan is not relevant to the Kleinfontein Solar PV1 site. · CTS Heritage concluded that from a heritage (inclusive of archaeology and palaeontology) there is no reason why the proposed Kleinfontein Solar PV1 cannot be approved, on condition that the mitigation measures proposed are implemented. <p><u>Additional SAHRA requirement</u></p> <ul style="list-style-type: none"> · All the SAHRA conditions had been included in the EMPr in Appendix H(1). · All NEMA documents will be submitted to SAHRA for their comment and record keeping as part of the public participation programme.
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within the development area.

- o Should any buried archaeological resources or human remains or burials be uncovered during the course of development activities, work must cease in the vicinity of these finds. The South African Heritage Resources Agency (SAHRA) must be contacted immediately in order to determine an appropriate way forward.

- o The proposed development area is underlain by Quaternary sands and alluvium the northernmost part of Zaaiploats PV 1 and Biesiesfontein PV 1 are underlain by very highly sensitive rocks of the Vryheid Formation, however the study area has been disturbed by agricultural activities. A **Fossil Chance Find Protocol** should be added to the EMPr.

Additional SAHRA requirement:

The following comments are made as a requirement in terms of section 3(4) of the NEMA Regulations and section 38(8) of the NHRA in the format provided in section 38(4) of the NHRA and must be included in the Final BAR Report and EMPr:

- 38(4)a – The SAHRA Development Application Unit (DAU) and the Burial Grounds and Graves (BGG) Unit has no objections to the proposed development;
- 38(4)b – The recommendations of the specialists are supported and must be adhered to. Further conditions are recommended for the

development:

o A Heritage Management Plan must be developed for the maintenance of the identified burial sites. In

the event that grave relocation is deemed feasible, the prescribed 60 days consultation process must

be initiated to obtain consent for from the next of kin(s);

o 38(4)c(i) - If any evidence of archaeological sites or remains (e.g. remnants of stone-made structures,

indigenous ceramics, bones, stone artefacts, ostrich eggshell fragments, charcoal and ash concentrations), fossils or other categories of heritage resources are found during the proposed development, SAHRA APM Unit (Sityhilelo Ngcatsha/Natasha Higgitt 021 202 8660) must be alerted as per section 35(3) of the NHRA.

Non-compliance with section of the NHRA is an offense in terms of section 51(1)e of the NHRA and item 5 of the Schedule;

o 38(4)c(ii) - If unmarked human burials are uncovered, the SAHRA Burial Grounds and Graves (BGG) Unit (Thingahangwi Tshivhase/Ngqabutho Madida 012 320 8490), must be alerted immediately as per section 36(6) of the NHRA. Non-compliance with section of the NHRA is an offense in terms of section 51(1)e of the NHRA and item 5 of the Schedule;

	<ul style="list-style-type: none"> o 38(4)d – See section 51 of the NHRA regarding offences; o 38(4)e – The following conditions apply with regards to the appointment of specialists: o If heritage resources are uncovered during the course of the development, a professional archaeologist or palaeontologist, depending on the nature of the finds, must be contracted as soon as possible to inspect the heritage resource. If the newly discovered heritage resources prove to be of archaeological or palaeontological significance, a Phase 2 rescue operation may be required subject to permits issued by SAHRA; o The Final BAR Report and EMPr must be submitted to SAHRA for record purposes; o The decision regarding the EA Application must be communicated to SAHRA and uploaded to the SAHRIS Case application. 	
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It is therefore kindly requested that SAHRA amend their Final Comment to refer specifically to the Kleinfontein PV Project as per the recommendations included in the HIA below:

The recommended heritage mitigation for Kleinfontein is:

- Retention of the tree avenues located along roads, access routes and farm boundaries where possible.
- Implementation of the mitigation measures outlined in the VIA
- The attached Chance Fossil Finds procedure must be implemented during the course of construction activities
- Should any buried archaeological resources or burials be uncovered during the course of development activities, work must cease in the vicinity of these finds. The South African Heritage Resources Agency (SAHRA) must be contacted immediately in order to determine an appropriate way forward.