

Dale Holder

From: Dale Holder
Sent: Friday, 15 September 2023 12:28
To: EIA Applications
Subject: Submission of Application and Draft Scoping Report for the Proposed Sunveld Solar PV and BESS Facility.
Attachments: Document control form Sunveld Solar PV.docx

Dear EIA Applications

Kindly find attached Screenshot and Document Control form and Screenshot for the submission of an Application and Draft Scoping report for the proposed Sunveld Solar PV and BESS Development.

- The Pre-Application Reference Number is: 2023-06-0016.
- The allocated Case officer is Mr Lunga Dlova.
- The pre application meeting was held on Monday 03 July 2023.

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Application and DSR - Sunveld Solar PV.zip	76,982 KB	Sep 15, 2023 1:01 PM

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Kind regards/Vriendelike groete

Dale Holder

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EAPASA Reg. 2019/301

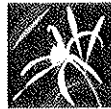
T: 044 874 0365

17 Progress Street, George

PO Box 2070, George 6530



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Please Note: When registering as an Interested and Affected Party (I&AP), you consent to the lawful processing of personal information for the intended purposes, as described by the Protection of Personal Information Act, 2013 (Act no. 4 of 2013). Your information will be used for this project, including the initial application as well as subsequent related appeals, amendments or audits, or any future project where you are identified as an I&AP. You also agree that by submitting comment to inform this process, your contact details will, where required by a public body, be reflected in our regulated reports that must be compiled and submitted to the general public, registered stakeholders, organs of state as well as the competent authority for consideration and decision-making.

Kindly view our Privacy Statement for more information.

Dale Holder

From: Ephron Maradwa <EMaradwa@dffe.gov.za>
Sent: Friday, 15 September 2023 13:22
To: Dale Holder
Cc: Lunga Dlova; Salome Mambane; EIAAdmin
Subject: 14/12/16/3/3/2/2436

Dear Dale

14/12/16/3/3/2/2436

ACKNOWLEDGEMENT OF RECEIPT OF THE NEW APPLICATION AND DRAFT SCOPING REPORT FOR ENVIRONMENTAL AUTHORISATION FOLLOWING A SCOPING ASSESSMENT PROCESS FOR THE SUNVELD SOLAR PV & BESS FACILITY AND ASSOCIATED INFRASTRUCTURE ON FARM KRUISPAD 120 AND FARM DOORNFONTEIN 118, SITUATED IN THE BERG RIVER LOCAL MUNICIPALITY OF THE WEST COAST DISTRICT IN THE WESTERN CAPE PROVINCE.

The Department confirms having received the Application form and Draft Scoping Report for Environmental Authorisation for the abovementioned project on 15 September 2023. You have submitted these documents to comply with the Environmental Impact Assessment (EIA) Regulations, 2014, as amended.

Kindly note that your application for Environmental Authorisation falls within the ambit of an application applied for in terms of Part 3 of Chapter 4 of the EIA Regulations, 2014, as amended. You are therefore referred to Regulation 21 of the EIA Regulations, 2014 as amended.

Please take note of Regulation 40(3) of the EIA Regulations, 2014, as amended, which states that potential Interested & Affected Parties, including the Competent Authority, may be provided with an opportunity to comment on reports and plans contemplated in Regulation 40(1) of the EIA Regulations, 2014, as amended, prior to the submission of an application but must be provided an opportunity to comment on such reports once an application has been submitted to the Competent Authority.

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 time-frames prescribed in terms of these Regulations, unless an extension has been granted by the Department in terms of Regulation 3(7) of the EIA Regulations, 2014, as amended.

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.

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

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@dffe.gov.za.

You are advised that this mailbox has a 48 hour response time.

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

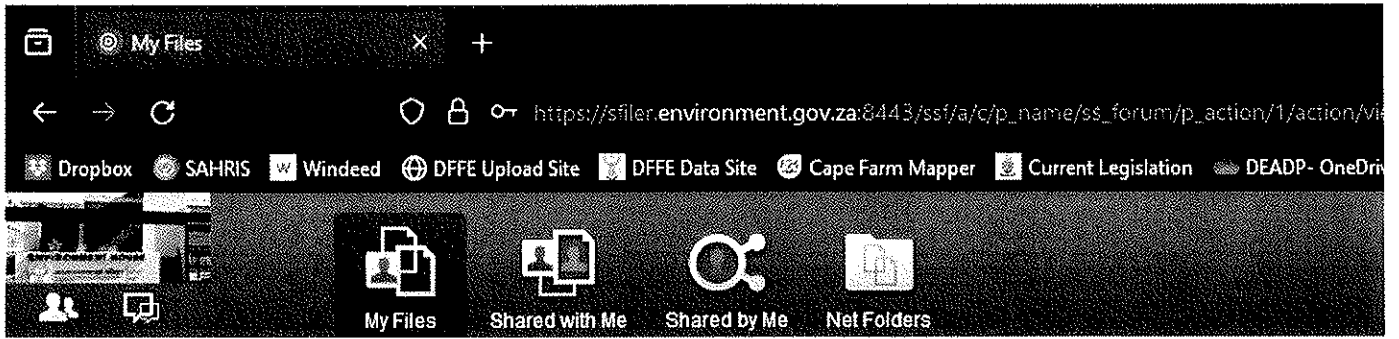
Dale Holder

From: Dale Holder
Sent: Friday, 27 October 2023 13:59
To: EIA Applications
Subject: Submission of Final Scoping Report for the Proposed Sunveld Solar PV Energy and BESS Project.
Attachments: Document control form Sunveld Solar PV.docx

Dear EIA Applications

Kindly find attached Document Control Form and Screenshot for the submission of the Final Scoping Report for the proposed Sunveld Solar PV Facility and BESS on the Remaining Extent of the farm Kruispad 120 and Remaining Extent of the farm Doornfontein A 118 in the Western Cape Province of South Africa.

The Departments reference number is 14/12/16/3/3/2/2436 and the allocated case officer is Mr Lunga Dlova



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Name

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Coega Zone 13 Phase 1 (200 MW) Gas to Power _14-12-16-3-3-2-2069

Sunveld Solar PV Final Scoping Report.zip

Kind regards/Vriendelike groete

Dale Holder

SENIOR ENVIRONMENTAL PRACTITIONER

Cape EAPrac

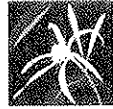
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EAPASA Reg. 2019/301

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PO Box 2070, George 6530



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Please Note: When registering as an Interested and Affected Party (I&AP), you consent to the lawful processing of personal information for the intended purposes, as described by the Protection of Personal Information Act, 2013 (Act no. 4 of 2013). Your information will be used for this project, including the initial application as well as subsequent related appeals, amendments or audits, or any future project where you are identified as an I&AP. You also agree that by submitting comment to inform this process, your contact details will, where required by a public body, be reflected in our regulated reports that must be compiled and submitted to the general public, registered stakeholders, organs of state as well as the competent authority for consideration and decision-making.

Kindly view our Privacy Statement for more information.



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: 14/12/16/3/3/2/2436
Enquiries: Mr Lunga Dlova
Telephone: (012) 399 8524 E-mail: LDlova@dfffe.gov.za

Mr Dale Holder
Cape Environmental Assessment Practitioners (Pty) Ltd
PO Box 2070
GEORGE
6530

Telephone Number: 044 874 0365
Email Address: dale@cape-eaprac.co.za

PER MAIL / E-MAIL

Dear Mr Holder

COMMENTS ON THE DRAFT SCOPING REPORT FOR THE DEVELOPMENT, CONSTRUCTION, AND OPERATION OF UP TO 600 MW SUNVELD SOLAR PV & BESS FACILITY AND ASSOCIATED INFRASTRUCTURE ON FARM KRUISPAD 120 AND FARM DOORNFONTEIN 118, SITUATED IN THE BERG RIVER LOCAL MUNICIPALITY OF THE WEST COAST DISTRICT IN THE WESTERN CAPE PROVINCE.

The Application for Environmental Authorisation and Draft Scoping Report (SR) dated 15 September 2023 and received by the Department on 15 September 2023, refer.

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

(a) Application form and draft SR

- 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.
- 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>.

(b) Layout & Sensitivity Maps

- Please provide a layout map which indicates the following:
- The proposed Sunveld Solar PV Facility and BESS, overlain by the sensitivity map;
- All supporting onsite infrastructure e.g., roads (existing and proposed);
- The location of sensitive environmental features on site e.g., CBAs, heritage sites, wetlands, drainage lines etc. that will be affected;
- Buffer areas; and
- All "no-go" areas.

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- The above map must be overlain with a sensitivity map and a cumulative map which shows neighbouring renewable energy developments and existing grid infrastructure.

(c) Public Participation Process

- 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 Biodiversity Section**) in respect of the proposed activity are adequately addressed in the Final SR. Proof of correspondence with the various stakeholders must be included in the Final SR. Should you be unable to obtain comments, proof should 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.
- A comments and response trail report (C&R) must be submitted with the final SR. The C&R report must incorporate all historical 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 Annexure 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.
- The final SR must provide evidence that all identified and relevant competent authorities have been given an opportunity to comment on the proposed development.

(d) Specialist Assessments

- Specialist studies to be conducted must provide a detailed description of their methodology, as well as indicate the locations and descriptions of turbine positions, and all other associated infrastructures that they have assessed and are recommending for authorisations.
- 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.
- 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.**

(e) Cumulative Assessment

- As there are 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:

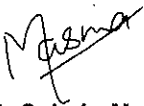
"If S&EIR must be applied to an application, the applicant must, within 44 days of receipt of the application by the competent authority, submit to the competent authority a scoping report which has been subjected to a public participation process of at least 30 days and which reflects the incorporation 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 Authorisations being granted by the Department.

Yours sincerely



Mr Sabelo Malaza

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

Letter signed by: Ms Masina Morudu

Designation: Control Environmental Officer: National Integrated Authorisation Projects

Date: 16/10/2023.

cc:	Marshall Mabin	Sunveld Energy (Pty) Ltd	Email: marshall@merchant.energy
	Mr Zaahir Toefy	Western Cape Department of Environmental Affairs and Development Planning.	Email: Zaahir.toefy@westerncape.gov.za
	Angila Joubert	Bergriver Municipality	Email: JoubertA@bergmun.org.za



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: 14/12/16/3/3/2/2436

Enquiries: Mr Lunga Dlova

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

Mr Dale Holder
Cape Environmental Assessment Practitioners (Pty) Ltd
PO Box 2070
GEORGE
6530

Telephone Number: 044 874 0365
E-mail Address: dale@cape-eaprac.co.za

PER E-MAIL

Dear Mr Holder

ACCEPTANCE OF THE SCOPING REPORT FOR THE PROPOSED DEVELOPMENT OF THE SUNVELD SOLAR PV & BESS FACILITY AND ASSOCIATED INFRASTRUCTURE ON FARM KRUISPAD 120 AND FARM DOORNFONTEIN 118, SITUATED IN THE BERG RIVER LOCAL MUNICIPALITY OF THE WEST COAST DISTRICT IN THE WESTERN CAPE PROVINCE

The final Scoping Report (SR) and the Plan of Study for Environmental Impact Assessment dated 26 October 2023 and received by the Department on 27 October 2023, refer.

The Department has evaluated the submitted final SR and the Plan of Study for Environmental Impact Assessment dated 26 October 2023 and is satisfied that the documents comply with the minimum requirements of the Environmental Impact Assessment (EIA) Regulations, 2014, as amended. The final SR 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 additional information is required for the Environmental Impact Assessment Report (EIAR):

(a) Listed Activities

- (i) Please ensure that all relevant listed activities are applied for, are specific and that it can be linked to the development activity or infrastructure as described in the project description.
- (ii) Please ensure that all relevant listed activities and sub-activities are correctly numbered as per the relevant listing notices.
- (iii) If the activities applied for in the application form differ from those mentioned in the draft EIAR, an amended application form must be submitted.
- (iv) Please note that the Department's application form template has been amended and can be downloaded from the following link www.environment.gov.za/index.php/forms-and-permits.

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- (v) The EIA must provide an assessment of the impacts and mitigation measures for each of the listed activities applied for.

(b) Public Participation

- (i) Please ensure that comments from all relevant stakeholders are submitted to the Department with the EIA. This includes but is not limited to the Department of Environmental Affairs and Development Planning (Western Cape); Department of Water and Sanitation; Berg River Municipality; Western Cape Department of Transport and Public Works; South African National Roads Agency Limited; South African Heritage Resources Agency; South African National Roads Agency Limited; Department of Minerals and Energy; Department of Forestry, Fisheries and the Environment: Biodiversity Conservation Directorate; Provincial Department of Agriculture; Endangered Wildlife Trust; Department of Mineral Resources; Birdlife South Africa; Affected Land Owners; and Interested and Affected Parties.
- (ii) It is noted that figure 31 on page 45 of the final SR depicts the proposed development site within the West Coast Biosphere Reserve and the nearby Berg River Ramsar site. You are requested to obtain comments from the Department's Protected Areas, Planning and Management Effectiveness section (Tnethononda@dffe.gov.za).
- (iii) Please ensure that all issues raised, and comments received during the circulation of the draft SR and draft EIA from registered I&APs and organs of state which have jurisdiction in respect of the proposed activity are adequately addressed in the final EIA.
- (iv) Proof of correspondence with the various stakeholders must be included in the final EIA. Should you be unable to obtain comments, proof should be submitted to the Department of the attempts that were made to obtain comments.
- (v) A Comments and Response trail report (C&R) must be submitted with the final EIA. 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 Annexure 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.
- (vi) Comments from I&APs must not be split and arranged into categories. Comments from each submission must be responded to individually.
- (vii) The Public Participation Process must be conducted in terms of Regulation 39, 40, 41, 42, 43 & 44 of the EIA Regulations, 2014, as amended.
- (viii) 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 EIA.

(c) Alternatives

- (i) Please provide a description of each of the preferred alternative type and provide detailed motivation on why it is preferred.
- (ii) The EAP must ensure that all relevant alternatives and/or alternative combinations are adequately assessed in the EIA.

(d) Layout & Sensitivity Maps

- (i) The EIA must provide 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) A copy of the final layout map must be submitted with the final EIA. 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:
 - a) The panel positions and its associated infrastructure;
 - b) All supporting onsite infrastructure such as laydown area, guard house, control room, and buildings, including accommodation etc.

- c) All necessary details regarding all possible locations and sizes of the proposed BESS, the main substation and internal power lines.
- d) All existing infrastructure on the site, especially internal road infrastructure.
- (iii) Please provide an environmental sensitivity map which indicates the following:
 - a) The location of sensitive environmental features on site, e.g. CBAs, protected areas, heritage sites, wetlands, drainage lines etc. that will be affected by the facility and its associated infrastructure;
 - b) Buffer areas; and
 - c) All "no-go" areas.
- (iv) The above layout map must be overlain with the sensitivity map and a cumulative map which shows neighbouring energy developments and existing grid infrastructure.

(e) Specialist assessments

- (i) The EAP must ensure that the terms of reference for all the identified specialist studies must include the following:
 - a) 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.
 - b) 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.
 - c) 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.
 - d) Should the specialist definition of 'no-go' area differ from the Department's definition; this must be clearly indicated. The specialist must also indicate the 'no-go' area's buffer if applicable.
 - e) 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.
 - f) Should a specialist recommend specific mitigation measures, these must be clearly indicated.
- (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 expert advice.
- (iii) It is further brought to your attention that Procedures for the Assessment and Minimum Criteria for Reporting in 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.
- (iv) As such, the Specialist Declaration of Interest forms must also indicate the scientific organisation registration/member number and status of registration/membership for each specialist.
- (v) The following Specialist Assessments will form part of the EIAR:
 - Visual – Mr Stephen Stead of Visual Resource Management Africa (VRMA)
 - Botanical – Ms Tarryn Martin of Biodiversity Africa
 - Terrestrial Biodiversity – Mr Tarryn Martin and Ms Amber Jackson of Biodiversity Africa
 - Animal Species (excluding Invertebrates and Avifauna) – Ms Amber Jackson of Biodiversity Africa
 - Avifauna (including Black Harrier Habitat Modelling) – Mr Albert Froneman with Black Harrier habitat suitability modelling undertaken by Robin Colyn.
 - Invertebrate – Dr Jonathan Colville.
 - Aquatic Biodiversity – Ms Toni Belcher
 - Heritage – Dr Jayson Orton.

- Agriculture – Mr Johann Lanz
 - BESS Risk – Ms Debbie Mitchell of ISHECON
- (vi) The list of specialist studies to be undertaken on pages 56-57 of the final SR are noted, as well as the Traffic Impact and Transportation Assessment referred to on page 13 of the final SR.
- (vii) Specialist studies related to biodiversity assessment must be amended to assess impacts related to the West Coast Biosphere Reserve and the Berg River Ramsar site.

(f) Cumulative Assessment

- (i) If there are other similar facilities proposed within a 30km radius of the proposed development site, a cumulative impact assessment must be conducted for all identified and assessed impacts which must be refined to 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) 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.
 - c) The cumulative impacts significance rating must also inform the need and desirability of the proposed development.
 - d) A cumulative impact environmental statement on whether the proposed development must proceed.

(g) Specific comments

- (i) The EAP must provide details of the specific locations (including GPS coordinates) in the EIAr, and not provide vague locations of the proposed developments. All associated infrastructure must be clearly indicated in the EIAr and its associated layout plans.
- (ii) The EAP must identify and provide a map which shows this development and its associated infrastructure in relation to the other proposed facilities in the area.
- (iii) The EAP must clearly identify and provide a final list of all applicable listed activities. If any activities are to be removed, motivation for their removal must be included in the EIAr.
- (iv) When submitting the EIAr and future documents kindly name each of the documents and attachments according to the information it contains. E.g., instead of only naming it Appendix A, it must be Appendix A: Maps, Appendix B: EAP Declaration etc.

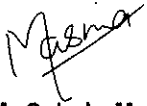
(h) General

- (i) The EIAr must provide the technical details for the proposed facility in a table format as well as their description and/or dimensions (Annexure 2).
- (ii) The EAP must provide landowner consent for all non-linear infrastructure proposed on the farm portions affected by the proposed project.
- (iii) A construction and operational phase EMPr that includes mitigation and monitoring measures must be submitted with the final EIAr.
- (iv) The final EIAr must include a list providing a clear description of the infrastructure associated with the development.
- (v) The EAP must provide an outline of where in the final EIAr each of this Department's comments are addressed. This must be a separate document and must be submitted as an appendix to the 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 Sabelo Malaza

Chief Director: Integrated Environmental Authorisations

Department of Forestry, Fisheries and the Environment

Signed by: Ms Masina Morudu

Designation: Environmental Officer Control A: National Integrated Authorisation Projects

Date: 08/12/2023.

cc:	Mr Marshall Mabin	Sunveld Energy (Pty) Ltd	Email: marshall@merchant.energy
	Mr Zaahir Toefy	Western Cape Department of Environmental Affairs and Development Planning.	Email: Zaahir.toefy@westerncape.gov.za / DEADPEIAAdmin@westerncape.gov.za
	Ms Angila Joubert	Bergriver Municipality	Email: JoubertA@bergmun.org.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 Forestry, Fisheries and the Environment: 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	

Dale Holder

From: Ephron Maradwa <EMaradwa@dffe.gov.za>
Sent: Thursday, 07 March 2024 11:06
To: Dale Holder
Cc: Lunga Dlova; Salome Mambane; EIAAdmin
Subject: 14/12/16/3/3/2/2436

Dear Dale.

14/12/16/3/3/2/2436

ACKNOWLEDGEMENT OF RECEIPT OF THE DRAFT ENVIRONMENTAL IMPACT ASSESSMENT REPORT FOR ENVIRONMENTAL AUTHORISATION FOLLOWING A SCOPING ASSESSMENT PROCESS FOR THE PROPOSED SUNVELD SOLAR PV & BESS FACILITY AND ASSOCIATED INFRASTRUCTURE ON FARM KRUISPAD 120 AND FARM DOORNFONTEIN 118, SITUATED IN THE BERG RIVER LOCAL MUNICIPALITY OF THE WEST COAST DISTRICT IN THE WESTERN CAPE PROVINCE.

The Department confirms having received the Draft Environmental Impact Assessment Report for the abovementioned project on 06 March 2024. 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.

Please take note of Regulation 40(3) of the EIA Regulations, 2014, as amended, which states that *“Potential or registered interested and affected parties, including the competent authority, may be provided with an opportunity to comment on reports and plans contemplated in subregulation (1) prior to submission of an application but must be provided with an opportunity to comment on such reports once an application has been submitted to the competent authority.”*

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 time-frames prescribed in terms of these Regulations, unless an extension has been granted in terms of Regulation 3(7) of these Regulations.

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

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DFFE Reference: 14/12/16/3/3/2/2436
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PER E-MAIL

Dear Mr Holder

COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT ASSESSMENT REPORT FOR THE SUNVELD SOLAR PV & BESS FACILITY AND ASSOCIATED INFRASTRUCTURE ON FARM KRUISPAD 120 AND FARM DOORNFONTEIN 118, SITUATED IN THE BERG RIVER LOCAL MUNICIPALITY OF THE WEST COAST DISTRICT IN THE WESTERN CAPE PROVINCE

The Application for Environmental Authorisation and Draft Environmental Impact Assessment Report (EIAr) dated 05 March 2024 and received by the Department on 06 March 2024, refer.

This letter serves to inform you that the following information must be included in the final EIAr:

(a) Specific comments

- (i) Comments from all other developers surrounding the development must be obtained and included in the final EIAr.
- (ii) The recommendations provided by the specialist reports must be considered and used to inform the preferred layout alternative.
- (iii) Please ensure that all mitigation recommendations are in line with applicable and most recent guidelines.
- (iv) You are further reminded that the final EIAr to be submitted to this Department must comply with all the requirements in terms of the scope of assessment and content of the EIAr in accordance with Appendix 3 of the EIA Regulations, 2014 as amended.
- (v) Please provide a concise, but complete, summary and bullet list of the project description and associated infrastructure (or project scope) to be included in the decision (or as it should appear in the decision), should a positive Environmental Authorisation be granted. This must include a list of all development components and associated infrastructure.
- (vi) The final EIAr must comply with all the conditions of the acceptance of the SR signed on 08 December 2023 and must address all comments contained in the final SR, the draft EIAr and this letter.
- (vii) The final EIAr must clearly provide a detailed section which addresses the site sensitivity verification requirements where a specialist assessment is required but no specific assessment protocol has been

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prescribed as well as the site sensitivity verification and minimum report content requirements for all specialist assessments undertaken which was included in the screening tool report.

(b) Listed Activities

- (i) 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. Only activities applicable to the development must be applied for and assessed.
- (ii) The EAP must clearly identify and provide a final list of all applicable listed activities. If any activities are to be removed, motivation for their removal must be included in the final EIAr.
- (i) Please ensure that all relevant listed activities and sub-activities are correctly numbered as per the relevant listing notices.
- (ii) If the activities applied for in the application form differ from those mentioned in the final EIAr, 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.dffe.gov.za/documents/forms>.
- (iii) It is imperative that the relevant authorities are continuously involved throughout the environmental impact assessment process as the development property possibly falls within geographically designated areas in terms of numerous GN R. 985 Activities. Written comments must be obtained from the relevant authorities and submitted to this Department. In addition, a graphical representation of the proposed development within the respective geographical areas must be provided.
- (iv) The final EIAr must provide an assessment of the impacts and mitigation measures for each of the listed activities applied for.

(c) Public Participation Process

- (i) The Public Participation Process must be conducted in terms of Regulation 39, 40, 41, 42, 43 and 44 of the EIA Regulations, 2014, as amended.
- (ii) Comments must be obtained from this Department's Biodiversity Conservation Directorate.
- (iii) Please ensure that comments from all relevant stakeholders are submitted to the Department with the EIAr. This includes but is not limited to the National and Western Cape Department of Agriculture, the Department of Agriculture, the Department of Water and Sanitation (DWS), Berg River Local Municipality, Heritage Western Cape (HWC), the Southern Africa Large Telescope (SALT), Meerkat and Square Kilometre Array (SKA), Department of Minerals and Energy, Endangered Wildlife Trust., Cape Nature, Birdlife South Africa., SANParks – West Coast National Park, Department of Environmental Affairs and Development Planning (Western Cape), South African Heritage Resources Agency, the Department of Forestry, Fisheries and the Environment: Directorate Biodiversity and Conservation at BCAdmin@dffe.gov.za, and the Directorate Protected Areas at Tnethononda@dffe.gov.za.
- (iv) Please ensure that all issues raised and comments received during the circulation of the draft SR and draft EIAr from registered Interested and Affected Parties (I&APs) and organs of state (including this Department's Biodiversity and Protected Area Sections), as listed in your I&APs Database, and others that have jurisdiction in respect of the proposed activity are adequately addressed and included in the final EIAr and are incorporated into a Comments and Response Report (CRR).
- (v) 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 EIAr.
- (vi) 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. In terms of Regulation 41(2)(b) of the EIA Regulations, 2014, as amended, please provide proof of written notice for the availability of the EIAr for comment.
- (vii) The CRR report must be a separate document from the main report and the format must be in the table format as indicated in Annexure 1 of this comments letter.

- (viii) 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.
- (ix) Minutes and attendance registers (where applicable) of any physical/virtual 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 EIAr.

(d) Layout & Sensitivity Maps

- (i) The final EIAr must provide 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) A copy of the final layout map must be submitted with the final 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:
 - a) The envisioned area for the infrastructure, i.e. placing of infrastructure and all associated infrastructure should be mapped at an appropriate scale.
 - b) Location of panels and inverters;
 - c) All supporting onsite infrastructure required such as laydown areas, roads etc. (existing and proposed);
 - d) Substation(s) and/or transformer(s) sites including their entire footprint;
 - e) Connection routes (including pylon positions) to the distribution/transmission network; and
 - f) All necessary details regarding all possible locations and sizes of the infrastructure.
 - g) All existing infrastructure on the site, especially internal road infrastructure.
- (iii) Please provide an environmental sensitivity map which indicates the following:
 - a) The location of sensitive environmental features on site, e.g. CBAs, protected areas, heritage sites, wetlands, drainage lines, nest and roosting sites, etc. that will be affected by the facility and its associated infrastructure;
 - b) Buffer areas; and
 - c) All "no-go" areas.
- (iv) The above layout map must be overlain with the sensitivity map and a cumulative map which shows neighbouring energy developments and existing grid infrastructure.
- (v) Google maps will not be accepted.

(e) Cumulative Assessment

- (i) 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:
 - 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) 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.
 - c) The cumulative impacts significance rating must also inform the need and desirability of the proposed development.
 - d) A cumulative impact environmental statement on whether the proposed development must proceed.

(f) Specialist Assessments

- (i) The EAP must ensure that the terms of reference for all the identified specialist studies must include the following:
 - a) 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 authorisation.
 - b) 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.
 - c) 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.
 - d) Should the specialist definition of 'no-go' area differ from the Department's definition; this must be clearly indicated. The specialist must also indicate the 'no-go' area's buffer if applicable.
 - e) **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.**
 - f) Should a specialist recommend specific mitigation measures, these must be clearly indicated.
- (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.
- (iii) It is further brought to your attention that Procedures for the Assessment and Minimum Criteria for Reporting in 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.**
- (iv) Please also ensure that the final EIAR includes the **Site Verification Report and Compliance Statements** (where applicable) as required by the relevant themes.
- (v) Please note further that the protocols, if applicable, require certain specialists' to be SACNASP registered. Please ensure that the relevant specialist certificates are attached to the relevant reports.
- (vi) As such, the Specialist Declaration of Interest forms must also indicate the scientific organisation registration/member number and status of registration/membership for each specialist.

(g) Specialist Declaration of Interest

- (i) Specialist Declaration of Interest forms must be attached to the final EIAR. You are therefore requested to submit original signed Specialist Declaration of Interest forms for each specialist study conducted. The forms are available on Department's website (please use the Department's template).

(h) Undertaking of an Oath

- (i) Please note that the final EIAR must have an undertaking under oath/ affirmation by the EAP.
- (ii) Based on the above, you are therefore required to include an undertaking under oath or affirmation by the EAP (administered by a Commissioner of Oaths) as per Appendix 3 of the NEMA EIA Regulations, 2014, as amended, which states that the EIAR must include:

"an undertaking under oath or affirmation by the EAP in relation to:

 - (i) the correctness of the information provided in the reports;*
 - (ii) the inclusion of comments and inputs from stakeholders and I&APs;*
 - (iii) the inclusion of inputs and recommendations from the specialist reports where relevant; and*

- (iv) any information provided by the EAP to interested and affected parties and any responses by the EAP to comments or inputs made by interested and affected parties”.

(i) Details and Expertise of the EAP

- (i) You are required to include the details and expertise of the EAP in the EIAr, including a curriculum vitae, in order to comply with the requirements of Appendix 3 of the NEMA EIA Regulations, 2014, as amended.

(j) Environmental Management Programme

- (i) Please ensure that all the sections of the generic Environmental Management Programme (EMPr), contemplated in Regulations 19(4) are adequately completed, is **signed and dated** on submission of the final report over and above the EMPr for the facility.
- (ii) The EMPr must also include the following:
- a) All recommendations and mitigation measures recorded in the EIAr and the specialist studies conducted.
 - b) An environmental sensitivity map indicating environmental sensitive areas and features identified during the assessment process.
- (iii) In addition to the above, the EMPr must comply with Appendix 4 of the EIA Regulations, 2014, as amended.

(k) Environmental Impact Statement

- (i) An environmental impact statement must form part of the final EIAr and contain the following –
- a) a summary of the key findings of the environmental impact assessment;
 - b) a map at an appropriate scale which superimposes the proposed activity and its associated structures and infrastructure on the environmental sensitivities of the preferred site indicating any areas that should be avoided, including buffers; and
 - c) a summary of the positive and negative impacts and risks of the proposed activity and identified alternatives.

(l) General

The EIAr must provide the technical details for the proposed facility in a table format as well as their description and/or dimensions (Annexure 2).

Please also ensure that the final EIAr includes the period for which the Environmental Authorisation is required and the date on which the activity will be concluded as per Appendix 3 of the NEMA EIA Regulations, 2014, as amended.

You are further reminded to comply with Regulation 23(1)(a) of the NEMA EIA Regulations, 2014, as amended, which states that: *“The applicant must within 106 days of the acceptance of the scoping report submit to the competent authority -*

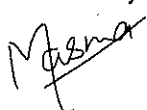
(a) an environmental impact assessment report inclusive of any specialist reports, an EMPr, a closure plan in the case of a closure activity and where the application is a mining application, the plans, report and calculations contemplated in the Financial Provisioning Regulations, which must have been 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.”

Should there be significant changes or new information that has been added to the EIA or EMP which changes or information was not contained in the reports or plans consulted on during the initial public participation process, you are required to comply with Regulation 23(1)(b) of the NEMA EIA Regulations, 2014, as amended, which states: *"The applicant must within 106 days of the acceptance of the scoping report submit to the competent authority – (b) a notification in writing that the documents contemplated in subregulation 1(a) will be submitted within 156 days of acceptance of the scoping report by the competent authority or where regulation 21(2) applies, within 156 days of receipt of the application by the competent authority, as significant changes have been made or significant new information has been added to the documents, which changes or information was not contained in the original documents consulted on during the initial public participation process contemplated in subregulation (1)(a), and that the revised documents contemplated in subregulation 1(a) will be subjected to another public participation process of at least 30 days"*.

Should you fail to meet any of the timeframes stipulated in Regulation 23 of the NEMA EIA Regulations, 2014, as amended, your application will lapse.

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



Mr Sabelo Malaza

Chief Director: Integrated Environmental Authorisations

Department of Forestry, Fisheries and the Environment

Signed by: Ms Masina Morudu

Designation: Control Environmental Officer: National Integrated Authorisation Projects

Date: 08/04/2024.

cc:	Mr Marshall Mabin	Sunveld Energy (Pty) Ltd	E-mail: marshall@merchant.energy
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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 Forestry, Fisheries and the Environment: Prioritised 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	

