



**environmental affairs**

Department:  
Environmental Affairs  
REPUBLIC OF SOUTH AFRICA

## Environmental Authorisation

In terms of regulation 36 of the Environmental Impact Assessment Regulations, 2010

Pulida Solar Park Renewable Energy Generation project on the remainder portion of the Farm

Klipdrift 20, Letsemeng Local Municipality, Free State Province

Xhariep District Municipality

<b>Authorisation register number:</b>	14/12/16/3/3/2/391
<b>NEAS reference number:</b>	DEA/EIA/0001380/2012
<b>Last amended:</b>	<i>First issue</i>
<b>Holder of authorisation:</b>	Pulida Energy (Pty) Ltd
<b>Location of activity:</b>	FREE STATE PROVINCE: <i>Within</i> Letsemeng Local Municipality

This authorisation does not negate the holder of the authorisation's responsibility to comply with any other statutory requirements that may be applicable to the undertaking of the activity.

## Decision

The Department is satisfied, on the basis of information available to it and subject to compliance with the conditions of this environmental authorisation, that the applicant should be authorised to undertake the activities specified below.

Non-compliance with a condition of this authorisation may result in criminal prosecution or other actions provided for in the National Environmental Management Act, 1998 and the EIA regulations.

Details regarding the basis on which the Department reached this decision are set out in Annexure 1.

## Activities authorised

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act 107 of 1998) and the Environmental Impact Assessment Regulations, 2010 the Department hereby authorises –

### **PULIDA ENERGY (PTY) LTD**

with the following contact details –

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Pulida Energy (Pty) Ltd  
P.O. Box 225

**HIGHLANDS**  
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Tel: 014-772-1758

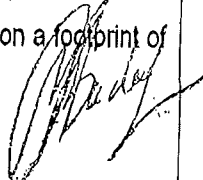
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to undertake the following activities (hereafter referred to as "the activity") indicated in Listing Notices 1, 2 or 3 (GN R. 544, 545 & 546):

Listed activities	Activity/Project description
<p><u>GN R. 544 Item 10:</u>  <i>the construction of facilities or infrastructure for the transmission and distribution of electricity:</i>  <i>Outside urban areas or industrial complexes with a capacity of more than 33 kilovolts but less than 275 kilovolts; or</i>  <i>Inside urban area or industrial complexes with a capacity of 275 kilovolts or more.</i></p>	<p>The connection to the Eskom grid will be done according to the Eskom connection solution. The connection solution may also entail intervention on the Eskom's grid and/or on Eskom's "Kimberley DS-Skietpan Switching Station" 132kV power line.</p>
<p><u>GN R. 544 Item 11:</u>  <i>the construction of Canals, Channels, Bridges, Dams, Bulk storm water outlets, Marinas, Jetties, Slipways, Buildings; or</i>  <i>Infrastructure or structures covering 50 square metre or more where such construction occurs within a watercourse or within 32m of a watercourse, measured from the edge of a watercourse, excluding where such construction will occur behind the development setback line.</i></p>	<p>The project may entail the building of stream crossings.</p>
<p><u>GN R. 544 Item 22:</u>  <i>the construction of a road, outside urban areas,</i>  <i>(i) With a reserve wider than 13,5 metres or,</i>  <i>(ii) Where no reserve exists where the road is wider than 8 metres.</i></p>	<p>An access road wider than 8 meters or with a reserve wider than 13,5 meters may be constructed. Some internal road may be wider than 8 meters.</p>
<p><u>GN R. 545 Item 1:</u>  <i>the construction of facilities or infrastructure for the generation of electricity where there electricity output is 20 megawatts or more.</i></p>	<p>The project will consist of construction, operation and maintenance of a PV Power Plant with a generation capacity of 75MW with associated infrastructure and structures on an area of approximately 2256 hectares in size, located 33km South-East from Kimberley.</p>
<p><u>GN R. 545 Item 15:</u> <i>physical alteration of undeveloped, vacant or derelict land for residential, retail, commercial, recreational, industrial or institutional use where the total area to be transformed is 20 hectares or more except where such physical alteration takes place for:</i></p>	<p>The PV Power plant with associated infrastructure and structures will be constructed and operated on a footprint of up to 200 hectares in size.</p> 

Listed activities	Activity/Project description
(i) Linear development activities; or (ii) Agriculture or afforestation where activity 16 in this Schedule will apply	
<u>GN R. 546 Item 14:</u> the clearance of an area of 5 hectares or more of vegetation where 75% or more of the vegetation cover constitutes indigenous vegetation.	The PV Power plant with associated infrastructure and structures will be constructed and operated on a footprint bigger than 20 hectares on an overall available area measuring approximately 2256 hectares in size.

as described in the final Environmental Impact Assessment Report (BAR) dated March 2013 at:

Alternative S1	Latitude	Longitude
Site coordinates	29° 02' 40" S	24° 55' 30" E

- for the the proposed Pulida Solar Park Renewable Energy Generation project on the remainder portion of the farm Klipdrift 20, Letsemeng Local Municipality, Free State Province Province, hereafter referred to as "the property".

The infrastructure associated with this facility includes:

- a. Establishment a solar power plant with a maximum generation capacity at a delivery point of up to 75MW.
- b. Preferred technical solution envisaged:
  - Thin-film modules mounted on fixed mounting systems; and or
  - Polycrystalline modules mounted on horizontal 1-axis trackers

A combination of the abovementioned two solutions is also possible.

## Conditions of this Environmental Authorisation

### Scope of authorisation

1. The preferred site location, Alternative Location 1 is approved for the proposed Pulida Solar Park Renewable Energy Generation project and associated infrastructure on the remainder portion of the

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- farm Klipdrift 20, Letsemeng Local Municipality, using thin-film, mono-crystalline or polycrystalline solar modules and fixed or tracker mounting systems.
2. Authorisation of the activity is subject to the conditions contained in this authorisation, which form part of the environmental authorisation and are binding on the holder of the authorisation.
  3. The holder of the authorisation is responsible for ensuring compliance with the conditions contained in this environmental authorisation. This includes any person acting on the holder's behalf, including but not limited to, an agent, servant, contractor, sub-contractor, employee, consultant or person rendering a service to the holder of the authorisation.
  4. The activities authorised may only be carried out at the property as described above.
  5. Any changes to, or deviations from, the project description set out in this authorisation must be approved, in writing, by the Department before such changes or deviations may be effected. In assessing whether to grant such approval or not, the Department may request such information as it deems necessary to evaluate the significance and impacts of such changes or deviations and it may be necessary for the holder of the authorisation to apply for further authorisation in terms of the regulations.
  6. This activity must commence within a period of three (3) years from the date of issue of this authorisation. If commencement of the activity does not occur within that period, the authorisation lapses and a new application for environmental authorisation must be made in order for the activity to be undertaken.
  7. Commencement with one activity listed in terms of this authorisation constitutes commencement of all authorised activities.
  8. The holder of an environmental authorisation must notify the competent authority of any alienation, transfer and change of ownership rights in the property on which the activity is to take place.

#### **Notification of authorisation and right to appeal**

9. The holder of the authorisation must notify every registered interested and affected party, in writing and within 12 (twelve) calendar days of the date of this environmental authorisation, of the decision to authorise the activity.
10. The notification referred to must –
  - 10.1. specify the date on which the authorisation was issued;
  - 10.2. inform the interested and affected party of the appeal procedure provided for in Chapter 7 of the Environmental Impact Assessment Regulations, 2010;

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- 10.3. advise the interested and affected party that a copy of the authorisation will be furnished on request; and
  - 10.4. give the reasons of the competent authority for the decision.
11. The holder of the authorisation must publish a notice –
- 11.1. informing interested and affected parties of the decision;
  - 11.2. informing interested and affected parties where the decision can be accessed; and
  - 11.3. drawing the attention of interested and affected parties to the fact that an appeal may be lodged against this decision in the newspaper(s) contemplated and used in terms of regulation 54(2)(c) and (d) and which newspaper was used for the placing of advertisements as part of the public participation process.

#### **Management of the activity**

12. The Environmental Management Programme (EMPr) submitted as part of the Application for EA is hereby approved. This EMPr must be implemented and adhered to.

#### **Monitoring**

13. The applicant must appoint a suitably experienced independent Environmental Control Officer (ECO) for the construction phase of the development that will have the responsibility to ensure that the mitigation/rehabilitation measures and recommendations referred to in this authorisation are implemented and to ensure compliance with the provisions of the EMPr.
- 13.1. The ECO must be appointed before commencement of any authorised activities.
  - 13.2. Once appointed, the name and contact details of the ECO must be submitted to the *Director, Compliance Monitoring* of the Department.
  - 13.3. The ECO must keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.
  - 13.4. The ECO must remain employed until all rehabilitation measures, as required for implementation due to construction damage, are completed and the site is ready for operation.



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**Recording and reporting to the Department**

14. All documentation e.g. audit/monitoring/compliance reports and notifications, required to be submitted to the Department in terms of this authorisation, must be submitted to the *Director: Compliance Monitoring* at the Department.
15. The holder of the authorisation must submit an environmental audit report to the Department within 30 days of completion of the construction phase (i.e. within 30 days of site handover) and within 30 days of completion of rehabilitation activities.
16. The environmental audit report must indicate the date of the audit, the name of the auditor and the outcome of the audit in terms of compliance with the environmental authorisation conditions as well as the requirements of the EMPr.
17. Records relating to monitoring and auditing must be kept on site and made available for inspection to any relevant and competent authority in respect of this development.

**Commencement of the activity**

18. The authorised activity shall not commence within twenty (20) days of the date of signature of the authorisation.
19. An appeal under section 43 of the National Environmental Management Act (NEMA), Act 107 of 1998 (as amended), does not suspend an environmental authorisation or exemption, or any provisions or conditions attached thereto, or any directive, unless the Minister, MEC or delegated organ of state directs otherwise.
20. Should you be notified by the Minister of a suspension of the authorisation pending appeal procedures, you may not commence with the activity until such time that the Minister allows you to commence with such an activity in writing.

**Notification to authorities**

21. Fourteen (14) days written notice must be given to the Department that the activity will commence. Commencement for the purposes of this condition includes site preparation. The notice must include a date on which it is anticipated that the activity will commence, as well as a reference number. This notification period may coincide with the notice of intent to appeal period.



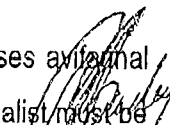
**Operation of the activity**

22. Fourteen (14) days written notice must be given to the Department that the activity operational phase will commence.

**Site closure and decommissioning**

23. Should the activity ever cease or become redundant, the applicant shall undertake the required actions as prescribed by legislation at the time and comply with all relevant legal requirements administered by any relevant and competent authority at that time.
24. A decommissioning plan must be submitted to this Department for approval 5 months prior to decommission.

**Specific conditions**

25. A design level geotechnical investigation and report, to define the design parameters for the selected foundation solution and a constant yield pump test on the borehole selected as the water supply borehole for the project, must be conducted and adopted prior to the final design and construction.
26. Site KD001 (29, 09238° S; 24, 89500° E), KD002 (29, 04521° S; 24, 93123°) and KD003 (29, 05009° S; 24, 91871°) must be clearly demarcated so that no go areas are avoided during all phases of the project.
27. Light fixtures that provide direct precise illumination to reduce light "pillaging" beyond the immediate surrounds of the project site, especially where there are open views from nearby farmsteads and roads.
28. A buffer zone of 30 metres must be implemented around the salt pans.
29. The herbaceous layer must be preserved below the solar panels and managed through slashing during the entire lifespan of the project.
30. No activities will be allowed to encroach into a water resource without a water use authorisation being in place from the Department of Water Affairs.
31. The applicant must obtain a wayleave from the Department of Public Transport Roads and Works prior construction.
32. Anti-collision devices such as bird flappers must be installed where powerlines crosses avifaunal corridors, as recommended by the avifaunal specialist. The input of an avifaunal specialist must be
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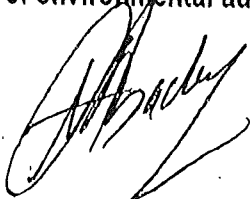
- obtained for the fitting of the anti-collision devices onto specific sections of the line once the exact positions of the towers have been surveyed and pegged.
33. A botanist must be appointed to perform a final walkthrough of the alignment to identify sensitive plant species, and assist in identifying the areas that require protection.
  34. A permit must be obtained from the relevant nature conservation agency for the removal or destruction of indigenous protected and endangered plant and animal species. Copies of all permits required for the proposed development must be submitted to the Department for record keeping.
  35. No exotic plants may be used for rehabilitation purposes. Only indigenous plants of the area may be utilised.
  36. The applicant is required to inform the provincial Department of Agriculture Forestry and Fisheries and this Department should the removal of protected species, medicinal plants and "data deficient" plant species be required.
  37. Vegetation clearing must be kept to an absolute minimum. Mitigation measures must be implemented to reduce the risk of erosion and the invasion of alien species.
  38. Construction must include appropriate design measures that allow surface and subsurface movement of water along drainage lines so as not to impede natural surface and subsurface flows. Drainage measures must promote the dissipation of storm water run-off.
  39. An integrated waste management approach must be implemented that is based on waste minimisation and must incorporate reduction, recycling, re-use and disposal where appropriate. Any solid waste shall be disposed of at a landfill licensed in terms of section 20 (b) of the National Environment Management Waste Act, 2008 (Act 59 of 2008).

#### General

40. A copy of this authorisation and the approved EMPr must be kept at the property where the activity/ will be undertaken. The authorisation and approved EMPr must be produced to any authorised official of the Department who requests to see it and must be made available for inspection by any employee or agent of the holder of the authorisation who works or undertakes work at the property.
  41. The holder of the authorisation must notify both the *Director: Integrated Environmental Authorisations* and the *Director: Compliance Monitoring* at the Department, in writing and within 48 (forty eight) hours, if any condition of this authorisation cannot be or is not adhered to. Any notification in terms of this condition must be accompanied by reasons for the non-compliance.
  42. National government, provincial government, local authorities or committees appointed in terms of the conditions of this authorisation or any other public authority shall not be held responsible for
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any damages or losses suffered by the applicant or his successor in title in any instance where construction or operation subsequent to construction be temporarily or permanently stopped for reasons of non-compliance by the applicant with the conditions of authorisation as set out in this document or any other subsequent document emanating from these conditions of authorisation.

Date of environmental authorisation: 17 July 2013



**Mr Ishaam Abader**

**Deputy Director-General: Legal, Authorisations, Compliance and Enforcement**  
**Department of Environmental Affairs**

## Annexure 1: Reasons for Decision

### 1. Information considered in making the decision

In reaching its decision, the Department took, *inter alia*, the following into consideration -

- a) The information contained in the Final Environmental Impact Assessment Report (FEIAR) dated March 2013;
- b) The comments received from the organs of state and interested and affected parties as included in the FEIAR dated March 2013;
- c) Mitigation measures as proposed in the FEIAR dated March 2013 and the EMPr;
- d) The information contained in the specialist studies contained within Appendix D of the FEIAR; and
- e) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the National Environmental Management Act, 1998 (Act 107 of 1998).

### 2. Key factors considered in making the decision

All information presented to the Department was taken into account in the Department's consideration of the application. A summary of the issues which, in the Department's view, were of the most significance is set out below.

- a) The findings of all the specialist studies conducted and their recommended mitigation measures.
- b) The energy generated by Pulida Solar Park will reduce the quantity of the pollutants and greenhouse gases emitted into the atmosphere.
- c) With specific reference to the Pulida Solar Park, Eskom has indicated that the proposed project does not interfere with Eskom's present and future developments and will not negatively impact of the voltage in the areas Eskom as an interested and affected party, recognizes the positive outcome the proposed project in terms of the possibility of meeting the local growth of the energy consumption that is expected.
- d) The Pulida Solar Park will be connected to the Eskom's "Kimberley DS – Skietpan Switching Station" 132kV power line which crosses the project site. The Eskom's "Kimberley DS – Skietpan

Switching Station" 132kV power line will loop in and loop-out of the 132 kV busbar (switching station) of a new on-site substation through two new small sections of the 132kV power line, approximately 100 m long.

- e) The new power line and the busbar (switching station) of the on-site HV loop-in loop-out substation will be owned and operated by Eskom Distribution.
- f) Construction site (approximately 10 ha) will be located on the eastern corner of the footprint, covering the area where the last 4MWp are planned. The construction site will be gradually reduced at the completing if the last four PV fields and at the end of works all the construction area will be converted into last PV arrays.
- g) The FEIAR dated March 2013 identified all legislation and guidelines that have been considered in the preparation of the FEIAR dated March 2013.
- h) The methodology used in assessing the potential impacts identified in the FEIAR dated March 2013 and the specialist studies have been adequately indicated.
- i) A sufficient public participation process was undertaken and the applicant has satisfied the minimum requirements as prescribed in the EIA Regulations, 2010 for public involvement.

### 3. Findings

After consideration of the information and factors listed above, the Department made the following findings -

- a) The identification and assessment of impacts are detailed in the FEIAR dated March 2013 and sufficient assessment of the key identified issues and impacts have been completed.
- b) Construction phase will have a maximum duration of 15 months and there will be at least 70 workers on site.
- c) The agricultural potential study concluded that the agricultural potential of soils on the proposed area is mostly low.
- d) The current land-use of the proposed development site is grazing by livestock. Neighboring farms are being used for livestock grazing, with some isolated crop cultivation occurring in the deeper soils.
- e) The procedure followed for impact assessment is adequate for the decision-making process.
- f) The proposed mitigation of impacts identified and assessed adequately curtails the identified impacts.
- g) The information contained in the FEIAR dated March 2013 is accurate and credible.



- h) EMPr measures for the pre-construction, construction and rehabilitation phases of the development were proposed and included in the BAR and will be implemented to manage the identified environmental impacts during the construction process.

In view of the above, the Department is satisfied that, subject to compliance with the conditions contained in the environmental authorisation, the proposed activity will not conflict with the general objectives of integrated environmental management laid down in Chapter 5 of the National Environmental Management Act, 1998 and that any potentially detrimental environmental impacts resulting from the proposed activity can be mitigated to acceptable levels. The environmental authorisation is accordingly granted.

