
MINUTES OF THE MEETING between the representatives of the South African Photovoltaic Industry Association (SAPVIA) and the Department of Environmental Affairs (DEA)

Date: 16 August 2016

Location: Department of Environmental Affairs, Pretoria

Attendees: Mahlatse Shubane (DEA)
Coenrad Agenbach (DEA)
Mohammed Essop (DEA)
Davin Chown (SAPVIA)
Rainer Novak (SAPVIA)
Ryan Hammond (SAPVIA)

- 1) Mr Shubane welcomed all to the meeting and the attendees introduced themselves
- 2) Davin Chown presented an overview of SAPVIA and the state of the Solar PV market in South Africa. A Copy of presentation is attached for reference.
- 3) Attendees from DEA gave feedback on the current state of play of the renewables market from the DEA's perspective. The salient points were:-
 - a. Almost 1000 EIA applications have been submitted for renewable energy projects, with approximately 750 positive decisions.

+/- 450 ROD's for PV with a total of +/- 23000MW

+/- 150 ROD's for Wind with a total of +/- 15000MW

Remainder spread over other renewable technologies
 - b. Most sites located in the Northern Cape (46%), Western Cape (15%) and Eastern Cape (13%). Recent trend has seen a move away from Northern Cape towards Free State and Northern Province (for PV).
 - c. Recent experience shows more and more Developers are bidding projects that exceed the scope of their EIA. There seems to be a belief in the renewable industry that once a project receives a Preferred Bidder letter, any and all issues (like requiring an amendment to an EIA) will automatically happen. This is not the case and evidenced by 4x Round 4 projects, seeking amendments to their EIA's, being rejected by DEA within the last few weeks.
 - d. DEA is noticing that some EAP's are submitting a very low standard of applications, and encourage all Developers to take a more active role in managing their EAP's. For example:-
 - Project motivations need to be far more specific, and include detailed arguments on a site specific basis. It is no longer sufficient to simply make vague and general statements about the need for energy and how "green" renewable energy is.

- Application forms must be updated and reflect all the current information before the final submission. DEA has seen an marked increase in the number of challenges to decisions, so accuracy and detail of applications needs to be of a high level (by way of example almost all wind project decisions are now being challenged)
 - If Developers have questions they are encouraged to call DEA to seek clarity. DEA can provide clarity , but not advise.
- e. Projects in Renewable Energy Development Zones (REDZ) are not entitled to an automatic approval, particularly where the matter of the SKA is concerned. Following several negative decisions, and subsequent appeals, the Minister has made it quite clear that the SKA is a national priority and takes precedence over renewable energy projects, particularly as there are now so many projects with positive ROD's.
 - f. Cumulative Impact is becoming a serious issue in several locations, e.g. De Aar and Copperton. Developers are advised to pay specific attention to this issue and ensure the relevant consideration is given.

4) BLSA Guidelines for Solar

SAPVIA raised several concerns and points about the latest guidelines and position of BLSA, not least of all the following:-

- a. BLSA have not provided SAPVIA with any problem statement, detailing the need for such guidelines (and in particular the need for an automatic 12 month study).
- b. The document appears to be based on data from the US, and relies on the most negative of such information
- c. Statements by BLSA representatives to SAPVIA members that "100's of birds are being killed in bird strikes" is in stark contrast to the practical experience of SAPVIA members with operating PV assets. Several SAPVIA members are conducting long term Avifaunal impact studies and the results to date show very little impact and a reality which is nothing like the apocalyptic one painted by BLSA.
- d. As far as SAPVIA understands, the current regulations governing the EIA process includes a requirement for Avifaunal studies, so what is BLSA unhappy about with respect to the existing process ?
- e. SAPVIA sought confirmation from DEA on the requirement to follow the BLSA Guidelines

The DEA representatives confirmed the following:-

- a. Those present are responsible for applying their minds in the context of existing legislation. The BLSA guidelines have not been approved and gazette, therefore they cannot apply them as part of the EIA evaluation and approval process.
- b. PV and CSP cannot be considered together, as the Avifaunal impact of the two technologies is very different.
- c. It is the role of the relevant persons at DEA to develop guidelines in consultation with various stakeholders, have these gazetted and then implemented, not BLSA.
- d. It was confirmed that the BLSA Guidelines have not been adopted and have not been implemented by DEA.

5) The way forward

- a. It was agreed that regular engagement between SAPVIA and the DEA is a good idea, as it provides both parties with a forum to share concerns and agree a common approach to the various challenges identified.
- b. With respect to the BLSA guidelines, DEA representatives encouraged SAPVIA to engage with their DEA colleagues in Biodiversity with respect to understanding the need for such guidelines etc.

The meeting was adjourned with the agreement to meet again before the end of 2016, with the last week of November being generally accepted as the most favourable time for the meeting.