
APPENDIX F

COMMENTS AND RESPONSES REPORT

PROPOSED GROOTVLEI 600MW SOLAR PLANT,
BATTERY ENERGY STORAGE SYSTEMS & GRID
CONNECTION PROJECT NORTH WEST OF
VENTERSDORP, JB MARKS LOCAL MUNICIPALITY,
NORTH WEST PROVINCE

COMMENTS AND RESPONSES REPORT
SCOPING REPORT

FEBRUARY 2023



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TABLE OF CONTENTS

1	INTRODUCTION	1
2	SCOPING AND ENVIRONMENTAL IMPACT REPORTING PROCESS	1
3	COMMENTS AND RESPONSES REPORT	1
4	COMMENTS AND RESPONSES – SCOPING PHASE	2

1 INTRODUCTION

LTM Green Energies (Pty) Ltd (the “Applicant”) proposes to conduct the Environmental Impact Assessment (EIA) for the proposed Grootvlei 600MW Solar Plant, Battery Energy Storage Systems (BESS) and Grid Connection Project north west of Ventersdorp, in the North West Province (the “Project”). The electricity generated by the proposed Project will be injected into the existing Eskom 132 kV distribution system.

The Applicant intends to bid for the current and future Renewable Energy Independent Power Producer Procurement Programme (REIPPPP) bid windows and/or other renewable energy markets within South Africa (SA).

2 SCOPING AND ENVIRONMENTAL IMPACT REPORTING PROCESS

An Application for Environmental Authorisation in terms of the National Environmental Management Act (Act No. 107 of 1998) (NEMA) and the Environmental Impact Assessment (EIA) Regulations of 2014 (as amended) has been made for the proposed Project. In terms of the aforementioned Act, the lead decision-making authority for the environmental assessment is the Department of Forestry, Fisheries and the Environment (DFFE).

The process for seeking authorisation is being undertaken in accordance with Government Notice No. R. 982 of 4 December 2014 (as amended). Based on the types of activities involved, the requisite environmental assessment for the Project is a Scoping and Environmental Impact Reporting (S&EIR) Process.

Nemai Green was appointed by the Applicant as the Environmental Assessment Practitioner (EAP) to undertake the S&EIR Process for the proposed Project.

3 COMMENTS AND RESPONSES REPORT

This Comments and Responses Report (CRR), which accompanies the draft Scoping Report, serves to record the comments received from authorities and Interested and Affected Parties (I&APs) during the Scoping Phase of the S&EIR Process. This CRR also attempts to address these comments through responses and input provided by the Applicant, project team, EAP and environmental specialists (as relevant).

The CRR will be updated during the course of the S&EIR process.

4 COMMENTS AND RESPONSES – SCOPING PHASE

The Draft Scoping Report was available from 13 January 2023 to 15 February 2023, served to obtain upfront comments from authorities and I&APs regarding the proposed Project to understand potential concerns and to guide the environmental assessment.

No.	COMMENT / QUERY / ISSUE	RAISED BY	SOURCE	RESPONSE BY	RESPONSE
1.	Can you please send me the KMZ file for the project.	Tessa Smith (MTN)	Email (18-01-23)	Nemai Green	As requested, kindly note the attached kmz files.
2.	Kindly be advised that your application is outside the SANRAL Easter Region jurisdiction. Kindly liaise with the Northern region @ nrstatutory@sanral.co.za for comments.	Mashego Moswana (National Road Agency)	Email (26-01-23)	Nemai Green	Thank you.
3.	Due to limit working hours, working from home & limited internet access, I won't be able to download the attachments. Please attached them to your email, send it to nrstat@nra.co.za, or send it via post to 38 Ida street, Menlo Park, Pretoria, 0081, to SANRAL's offices. Please make sure that an A4 locality map as well as GPS co-ordinates are also included in the application.	Ria Barkhuizen (National Road Agency)	Email (27-01-23)	Nemai Green	Kindly note the attached report for your attention.
4.	This letter serves to inform you that the following information must be included in the final SR: a) 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 listed activities represented in the final SR and the application form must be the same and correct. iii. If the activities applied for in the application form differ from those mentioned in the final SR, 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	Herman Alberts (Department of Forestry, Fisheries and the Environment)	Email (13-02-23)	Nemai Green	a) Listed Activities: The applicable listed activities have been applied for. The SR and Application form have the same listed activities.

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	<p>following link https://www.dffe.gov.za/documents/forms.</p> <p>b) Layout & Sensitivity Maps</p> <p>i. The final SR 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.</p> <p>ii. The final SR must provide the technical details of the proposed facility in a table format as well as their description and/or dimensions.</p> <p>iii. Please provide a layout map which indicates the following:</p> <ol style="list-style-type: none"> The envisioned area for the solar facility, i.e., placing of panels and all associated infrastructure; Permanent laydown area footprint; All supporting onsite infrastructure e.g., roads (existing and proposed); The BESS, substation(s) and/or transformer(s) sites including their entire footprint; Connection routes (including pylon positions) to the distribution/transmission network; and All existing infrastructure on the site. <p>iv. Please provide an environmental sensitivity map which indicates the following:</p> <ol style="list-style-type: none"> 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. <p>v. The above layout map must be overlain with the sensitivity map and a cumulative map which shows neighbouring energy developments and existing grid infrastructure.</p> <p>vi. Google maps will not be accepted.</p> <p>c) Alternatives</p> <p>i. Please provide a description of any identified alternatives for the proposed activity that are feasible and reasonable,</p>				<p>b) Layout & Sensitivity Maps</p> <ol style="list-style-type: none"> The coordinates have been provided. Current technical information has been included in Table 6 (Section 9.4.1) The layout map will be refined in the EIA phase. The sites sensitivity in terms of Critical Biodiversity Areas has been included in Section 11. Refer to Figure 7 in the Final Scoping Report. The maps are based on Geographical Information System (GIS) mapping. <p>c) Alternatives Technology alternatives have been considered.</p>

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	<p>including the advantages and disadvantages that the proposed activity or alternatives will have on the environment and on the community that may be affected by the activity as per Appendix 2 of GN R.982 of 2014 (as amended).</p> <p>ii. Alternatively, you should submit written proof of an investigation and motivation if no reasonable or feasible alternatives exist in terms of Appendix 2.</p> <p>d) Public Participation Process</p> <p>i. Please ensure that all issues raised and comments received during the circulation of the draft SR from registered I&APs and organs of state (including this Department's Biodiversity & Conservation Section), which have jurisdiction in respect of the proposed activity are adequately addressed in the final SR.</p> <p>ii. 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.</p> <p>iii. 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.</p> <p>iv. 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.</p> <p>v. 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&APs' comments.</p> <p>vi. The final SR must provide evidence that all identified and relevant competent authorities have been given an opportunity to comment on the proposed development</p>				<p>d) Public Participation Process: Refer to Appendix E for all comments received and the Comments and Responses Report.</p>

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	<p>particularly the North West Department of Economic Development, Environment, Conservation and Tourism, and the District and Local Municipalities.</p> <p>vii. 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 SR.</p> <p>e) Specialist Assessments</p> <p>i. Specialist Declaration of Interest forms must be attached to the final SR. The forms are available on Department's website (please use the Department's template).</p> <p>ii. The EAP must ensure that the terms of reference for all the identified specialist studies include the following:</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p>				<p>e) Specialists Assessments: The specialist studies will be included in the EIA Report. The Final Scoping Reports includes a Plan of Study for the EIA phase.</p>

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	<p>f) Bird specialist studies must have support from Birdlife South Africa.</p> <p>g) Should a specialist recommend specific mitigation measures, these must be clearly indicated.</p> <p>iii. 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.</p> <p>iv. Please ensure that all mitigation recommendations are in line with applicable and most recent guidelines.</p> <p>v. 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.</p> <p>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.</p> <p>vii. Please also ensure that the final SR includes the Site Verification Report as required by the relevant environmental themes and assessments.</p> <p>viii. 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.</p> <p>ix. We note that the screening tool indicates that thirteen specialist studies need to be undertaken or conducted. We</p>				

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	<p>note that the SR does not include thirteen specialist reports. Please kindly peruse the protocols and provide in the SR site sensitivity reports for each theme/study listed, as well as compliance statements for assessments not needed to be conducted based on your site sensitivity verification.</p> <p>f) Cumulative Assessment</p> <p>i. If there are any other similar facilities within a 30km radius of the proposed development site, a cumulative impact assessment must be conducted for all identified and assessed impacts which must indicate the following:</p> <p>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.</p> <p>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.</p> <p>c) The cumulative impacts significance rating must also inform the need and desirability of the proposed development.</p> <p>d) A cumulative impact environmental statement on whether the proposed development must proceed.</p> <p>g) General</p> <p>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"</p> <p>You are further reminded that the final SR to be submitted to this</p>				<p>f) Cumulative Assessment: Refer to Figure 7 in the Scoping Report; similar facilities were scoped using a 30km radius. The EIR Report will further assess the cumulative impacts.</p> <p>h) General. The general comments have considered.</p>

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	<p>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.</p> <p>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).</p> <p>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.</p>				