



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: 14/12/16/3/3/2/2135

Enquiries: Ms Makhosazane Yeni

Telephone: (012) 399 9400 **E-mail:** MYeni@dfpe.gov.za

Ashlea Strong
WSP Group Africa (Pty) Ltd
WSP House Building C Knightsbridge
33 Sloane Street
BRYANSTON
2191

Tel Number: 011 361 1392
Email Address: Ashlea.strong@wsp.com

PER MAIL / E-MAIL

Dear Ms Strong

ACCEPTANCE OF THE FINAL SCOPING REPORT FOR THE PROPOSED CAMDEN II WIND ENERGY FACILITY (WEF) AND ASSOCIATED INFRASTRUCTURE ON PORTION 0, PORTION 1, PORTION 2 & PORTION 3 OF ADRIANOPEL FARM NO. 296, PORTION 3, PORTION 4 & PORTION 5 OF BUHRMANSVALLEI FARM NO. 297, PORTION 5 OF KLIPFONTEIN FARM NO. 326, PORTION 3 & PORTION 6 OF DE EMIGRATIE FARM NO. 327 NEAR ERMELO WITHIN MSUKALIGWA AND DR PIXLEY KA ISAKA SEME LOCAL MUNICIPALITIES IN GERT SIBANDE DISTRICT MUNICIPALITY IN MPUMALANGA PROVINCE

The final Scoping Report (FSR) and the Plan of Study for Environmental Impact Assessment dated 08 April 2022 and received by the Competent Authority (CA) on 08 April 2022, refer.

The CA has evaluated the submitted FSR, and the Plan of Study for Environmental Impact Assessment dated 08 April 2022 and is satisfied that the documents comply with the minimum requirements of the Environmental Impact Assessment (EIA) Regulations, 2014, as amended. The FSR 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 amendments and additional information are required to be incorporated in the Environmental Impact Assessment Report (EIAR):

Listed Activities

- There are discrepancies identified regarding to the listed activities and sub-activities as well as the description of the activities in the application form and FSR that really need to be addressed. In the comments dated 25 March 2022, you were advised to ensure that only relevant listed activities are applied for, are specific and can be linked to the development activity or infrastructures as described in the project description. This is the

responsibility of the EAP to ensure only relevant information is included in the report. For example, activity 11 in the application form and FSR, refer to different sub-activities, which the description is also not in line with the activity triggered. Please ensure that all the aforementioned discrepancies are addressed in the EIA phase.

- Activity 11 of Listing Notice 1 has been applied for and the power line capacity for the proposed activity is between 34 and 275 kilovolts. However, the portion of the proposed project to which the applicable listed activity relates mentioned that *"The Electrical Grid Infrastructure is located outside urban areas. The Collector Substation will be rated 132kV/400kV whereas the overhead power line planned will be up to 400kV. Where required from a technical perspective however, the grid connection capacity implemented may be reduced to 132kV if necessary"*. Please provide the exact capacity of the proposed activity as per the applicable listed activity (i.e. activity 11 of Listing Notice 1).
- For activity 12 of Listing Notice 1, you are required to provide the total footprint of the proposed infrastructure in square meters.
- The Department has noted that activity 14 of Listing Notice 1 and 10 of Listing Notice 3 are applied for as it relates to the infrastructure for the storage or storage and handling of a dangerous goods, in which fuel, transformer oil, cement and chemical storage onsite will be greater than 80m³ but not exceeding 500m³. As such, please ensure that the environmental impacts of fuel, cement and chemical storage are fully assessed, and mitigation measures are provided.
- It has been indicated in describing the activity that the exact value will be confirmed once the final design is provided. Please ensure that this activity is applied for only if it is triggered by the proposed development.
- 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. In addition, the onus is thus on the applicant and the environmental assessment practitioner (EAP) to ensure that all the applicable listed activities are included in the application. Failure to do so may result in unnecessary delays in the processing of the application.
- 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.environment.gov.za/documents/forms>.

Project Description

- It is noted that listed activity 14 of Listing Notice 1 and activity 10 of Listing Notice 3 are applied for as it relates to the infrastructure for the storage and handling of dangerous goods, in which_in which fuel, transformer oil, cement and chemical storage onsite will be greater than 80m³ but not exceeding 500m³. However, section 5 of the application form on page 6-7 of 35 does not provide any description of the infrastructure for the storage and handling of dangerous goods. As such. You are requested to provide the exact type and capacity of the dangerous goods applicable to the proposed development.

BESS Alternative

- Page 6, 7 and 13 of 35 of the application form, BESS has been mentioned as part of the component for the proposed development. It was indicated on page 30 of the FSR the technology related to BESS and further highlighted that BESS component swill be pre-assembled. You are advised to be clear of the technology preferred in the final report and ensure assessment of the risk associated with the technology and indicate how impacts will be minimised.

Alternatives

- Appendix 7: Locality Map highlights 2 location alternatives for the substation and BESS, however they are not discussed in FSR. Please provide a description of any identified alternatives for the proposed activity that are feasible and reasonable, 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). Alternatively, you should submit written proof of an investigation and motivation if no reasonable or feasible alternatives exist in terms of Appendix 2.

Public Participation

- Please ensure that all issues raised, and comments received during the circulation of the draft report from registered I&APs and organs of state (**including this Department's Biodiversity and Protected Areas Section**), which have jurisdiction in respect of the proposed activity are adequately addressed in the final EIAr.
- 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.
- The Public Participation Process must be conducted in terms of Regulations 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 EIAr. 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.
- 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 EIAr must provide evidence that all identified and relevant competent authorities have been given an opportunity to comment on the proposed development particularly the **Mpumalanga Department of Agriculture, Rural Development, Land and Environmental Affairs (MDARDLEA, Mpumalanga Tourism and Parks Agency (MTPA), Langcarel Private Nature Reserve**, South African Heritage Resources Agency (SAHRA) and the District and Local Municipalities.

Layout & Sensitivity Maps

- A copy of the layout and environmental sensitivity map must be submitted with the final EIAr and all available biodiversity information must be used in the finalisation of these maps.
- The layout map must indicate the following:
 - Positions of the wind turbines and all associated infrastructure;
 - All supporting onsite infrastructure e.g. roads (existing and proposed);
 - Permanent laydown area footprint;
 - Substation(s) and/or transformer(s) sites including their entire footprint;
 - Proposed infrastructure related to the proposed development;
 - Connection routes (including pylon positions) to the distribution/transmission network; and
 - All existing infrastructure on the site.
- The environmental sensitivity map must indicate the following:
 - The location of sensitive environmental features on site e.g. CBAs, heritage sites, wetlands, drainage lines etc. that will be affected;
 - Buffer areas; i.e., 1km of the Protected Area, etc, and
 - All "no-go" areas.
- The above layout map must have a clear legend with information communicating with that on the map, be overlain with the sensitivity map which shows neighboring energy developments.
- It has been noted that the location of the proposed development is situated in an area with Eastern Highveld Grassland, which is endangered and or vulnerable. Therefore, you are required to explain why the site is considered suitable for the proposed development and specialists' findings must be considered while addressing this issue.

- According to figure 7 in the Aquatic assessment report, the site is located within the Freshwater Ecosystem Priority Areas (FEPA), therefore, you are required to indicate the suitability of the proposed development in the area and the impacts on such environmental features.
- According to the Biodiversity map on page 104 of the FSR, part of the proposed development site is located within the National Protected Area Expansion Strategy focus areas. You are required to provide details of the Protected Area. Furthermore, proof of approval in terms of Section 50 of NEM:PA obtained and submitted with the draft EIAr.
- It has been mentioned that development layout map will be confirmed in the EIA phase. Please ensure it considers the buffers of the sensitive areas.

a) Specialist assessments

The following Specialist Assessments will form part of the EIAr:

- Soils and Agricultural Potential Assessment;
- Archaeological and Cultural Heritage Assessment;
- Palaeontology Impact Assessment;
- Visual Impact Assessment;
- Biodiversity Impact Assessment (inclusive of terrestrial biodiversity, plant species and animal species);
- Freshwater Assessment;
- Avifauna Impact Assessment;
- Bat Impact Assessment;
- Environmental Acoustic (Noise) Impact Assessment;
- Social Impact Assessment;
- Qualitative Risk Assessment (specific to the BESS);
- Desktop Geotechnical Assessment; and
- Desktop Traffic Assessment.

The EAP must ensure that the terms of reference for all the identified specialist studies must include the following:

- 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.
- 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.
- 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.
- 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.
- 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.
- Should a specialist recommend specific mitigation measures, these must be clearly indicated.
- 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.
- It is further brought to your attention that Procedures for the Assessment and Minimum Criteria for Reporting on identified Environmental Themes (as per the Screening Report), which were promulgated in Government Notice No. 320 of 20 March 2020 and in Government Notice No. 1150 of 30 October 2020 (i.e. "the Protocols"), have come into effect. Please note that specialist assessments must be conducted in accordance with the requirements of these protocols. For instance, Agricultural, Archaeological, Flicker, Paleontological,

Noise, Terrestrial and RFI were rated as very high sensitivities by the screening report dated 14 September 2021.

- It has been noted that the conclusions by the Terrestrial Ecological specialist on page 57 with the use of the word “may” and the Aquatic specialist on page 30 indicating that “once the layout design has been finalised, the EIA phase of the assessment will continue” indicate that at this stage, adequate assessment has not been undertaken and the area is not determined if it is suitable for the proposed development. Therefore, ensure detailed assessment is undertaken and submitted in the final report.
- Figure 8 in the Terrestrial assessment report shows the boundary of the site on the northern side adjacent to the Protected Area National Park and Nature Reserve. However, the legend provided does not show the buffer of the Protected Area National Park and Nature Reserve. Please ensure the final layout shows the buffer of the aforesaid Protected Area National Park and Nature Reserve in relation to the area earmarked for the development.

Cumulative Impact Assessment

- The cumulative impacts of the proposed development must be undertaken as per the requirements of the EIA Regulations.

Issues regarding S50 approval in terms of NEM: PAA

- In the comments dated 25 March 2022, you were advised to obtain approval in terms of S50 of NEM: PAA to be submitted with the FSR, considering that Section 50 (5) of NEM: PAA says that “no development, construction or farming may be permitted in a nature reserve without written approval of the management authority”. It is the opinion of the Department that this refers to the buffer of the Protected Area. Therefore, you are advised to obtain approval to be submitted with the final report.
- It has been noted in the listed activities that the site falls within the National Protected Area Expansion Strategy Focus Areas, however, the information contained on page 19 of the Avifaunal Assessment mentions that part of the site borders the Nature Reserve while page 56 of the Terrestrial Biodiversity Assessment further state that the Provincial Conservation Plan erroneously depicts part of the site as occurring within a National Protected Area, and contradicted by the land owner and there is no other supporting information to confirm that it is protected. This information must be clarified as it creates confusion. You are required to clarify with proof to support the statement and this must further be confirmed by comments from MTPA.
- During the meeting held on 31 March 2022, you indicated that the landowner is not aware that the site is located within the Nature Reserves. However, it was indicated that considering that MTPA mentioned in their comments dated 25 March 2022, that the site is located within the Nature Reserve, it is your responsibility (as an EAP on behalf of the Applicant) to determine whether the site falls within the Nature Reserve or not. You were further advised (by DFFE: Protected Area officials) that comments from MTPA would not be disregarded, therefore, this matter must be addressed accordingly prior submission of the EIA report.
- It has been noted that even in the FSR compiled by you as an EAP on page 42, when describing the activity, you indicated that the facility is partly located within a National Protected Area Expansion Strategy Focus area a and within 5km of Portion 1 & 2 of Farm No. 322 (Welgelegen), which are a declared Private Nature Reserve (Langcarel Private Nature Reserve) under the Game Ordinance, 1949 (No. 23 of 1949) and the Native Flora Protection Ordinance, 1940 (No. 9 of 1940). Therefore, you are required to provide proof that the site is not located within the Nature Reserve or affected by such.
- Considering that the gazette dated 15 February 1967 (Gazette No 3256) confirmed that the area falls within the Nature Reserve, this shows that detailed investigation was not undertaken by the EAP on behalf of the Applicant, confirming that the site falls within the Nature Reserve.

Environmental Management Programme (EMPr)

- Ensure that generic EMPr is submitted for the management of impacts of the infrastructure related to the transmission and distribution of energy.
- In addition, the EMPr for the facility that complies with the requirements of Appendix 4 of the EIA Regulation must be submitted.

Additional Information

- Should there be a similar project in a close proximity, in terms of Appendix 2 (1) (h) (k) of the NEMA EIA Regulations 2014, as amended, you are required to provide information on the potential wake effects of the proposed development.

General

The applicant is hereby reminded to comply with the requirements of Regulation 45 of GN R982 of 04 December 2014, as amended, regarding the time 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



Ms Millicent Solomons

Acting Chief Director: Integrated Environmental Authorisations

Department of Forestry, Fisheries and the Environment,

Signed by: Ms Olivia Letlalo

Designation: Deputy Director: Priority Infrastructure Projects

Date: 19/05/2022

cc:	Mercia Grimbeek	Camden II Wind (RF) Pty Ltd	Cell: 071 7528033	Email: gideon.raath@enertrag.co.za
	Sindisiwe Mbuyane	Mpumalanga Department of Agriculture, Rural Development, Land and Environmental Affairs (MDARDLEA)	Tel: 017 811 3951	Email: mbuyanesb@mpg.gov.za
	Hilda Maganya	Msukaligwa Local Municipality	Tel: 017 809 3505	Email: hmaganya@msukaligwa.gov.za
	Tebogo Mogakabe	Gert Sibande District Municipality	Tel: 017 801 7140	Email: tebogom@gsibande.gov.za