

**APPENDIX E.11: COMMENTS AND RESPONSES TRAIL  
FOR COMMENTS RECEIVED DURING THE 30-DAY  
REVIEW OF THE DRAFT SCOPING REPORT**

*App. E.11/...*

SCOPING REPORT: Scoping and Environmental Impact Assessment (EIA) Process for the Proposed Development of a Solar Photovoltaic (PV) Facility (Kudu Solar Facility 1) and associated infrastructure, near De Aar, Northern Cape Province

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An integrated Public Participation Process is being undertaken for the proposed projects, which include the 12 Solar Photovoltaic (PV) Facilities, as well as associated infrastructure and Electrical Grid Infrastructure (EGI). The EGI projects (i.e. Projects 13 to 26) will be undertaken at a later stage, and the current focus and subject of the Draft Scoping Reports are the Solar PV projects (Projects 1 to 12).

The tables below include the comments and/or issues raised by stakeholders and Interested and Affected Parties (I&APs) following the release of the Draft Scoping Report for a 30-day comment period, extending from 9 December 2022 to 30 January 2023, together with the responses from the project team. The original comments received (emails and letters) are included in Appendix E.10 of this Scoping Report. **Please note that the comments are verbatim as provided by the stakeholders and I&APs.**

The comments included in this appendix only apply to the Kudu Solar Facility 1 project (hereafter referred to as the proposed project in the responses provided), however in some cases, comments relating to the other PV Facilities have been included for context or background purposes (where necessary). Comments and responses for the remaining Kudu Solar Facilities are included in the respective Scoping Reports. The comments received have been grouped per organisation, based on the structure recommended by the Department of Forestry, Fisheries and the Environment (DFFE).

### 1. Comments Received from the Department of Forestry, Fisheries and the Environment (DFFE)

#### 1.1 The DFFE Directorate: Integrated Environmental Authorisation

COMMENTS RECEIVED FROM THE DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT (DFFE)			
NO.	DATE OF COMMENT, FORMAT OF COMMENT, NAME OF ORGANISATION/ I&AP	COMMENT	RESPONSE FROM THE ENVIRONMENTAL ASSESSMENT PRACTITIONER (EAP) / APPLICANT / SPECIALIST
1.	09/12/2022 Email Department of Forestry, Fisheries and the Environment: Integrated Environmental Authorisations (Ephron Maradwa)	14/12/16/3/3/2/2244  ACKNOWLEDGEMENT OF RECEIPT OF THE NEW APPLICATION AND DRAFT SCOPING REPORT FOR ENVIRONMENTAL AUTHORISATION FOLLOWING A SCOPING ASSESSMENT PROCESS FOR THE PROPOSED DEVELOPMENT OF A SOLAR PHOTOVOLTAIC (PV) FACILITY (KUDU SOLAR FACILITY 1) AND ASSOCIATED INFRASTRUCTURE, NEAR DE AAR, NORTHERN CAPE PROVINCE.  The Department confirms having received the Application form and Draft Scoping Report for Environmental Authorisation for the abovementioned project on 09 December 2022. You have submitted these documents to	<b>CSIR:</b> The acknowledgement of receipt of the Application Form for Environmental Authorisation (EA) and Draft Scoping Report (DSR) is noted with thanks.  The subsequent comments are noted.  <ul style="list-style-type: none"> <li>Regulation 21 of the 2014 National Environmental Management Act (Act 107 of 1998, as amended) (NEMA) Environmental Impact Assessment (EIA) Regulations (as amended) is noted. The timeframes in Regulation 21 (1) have been adhered to in the submission of this Final Scoping Report. The Application Form for EA was submitted to the DFFE, together with the DSR for comment, on 9 December 2022. In line with Regulation 21 (1) of the 2014 EIA</li> </ul>

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		<p>comply with the Environmental Impact Assessment (EIA) Regulations, 2014, as amended.</p> <p>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.</p> <p>Please take note of Regulation 40(3) of the EIA Regulations, 2014, as amended, which states that potential Interested &amp; 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.</p> <p>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.</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> <p>Kindly quote the abovementioned reference number in any future correspondence in respect of the application.</p>	<p>Regulations (as amended), the Final Scoping Report needed to be submitted to the DFFE for decision-making within 44 days of receipt of the application by the Competent Authority.</p> <p>In addition, the Final Scoping Report complies with all the requirements in terms of the content of Scoping Reports in accordance with Appendix 2 of the 2014 NEMA EIA Regulations (as amended). Refer to Chapter 1 of the Final Scoping Report for additional information on compliance with Appendix 2.</p> <ul style="list-style-type: none"> <li>▪ The potential Interested and Affected Parties (I&amp;APs) were provided with an opportunity to comment on the DSR for a period of 30 days, i.e., from 9 December 2022 to 30 January 2023. This complies with Regulation 40 (3) of the 2014 NEMA EIA Regulations (as amended). The proof of correspondence, such as emails, text messages, letters, and placement of newspaper advertisements, as well as relevant follow up emails sent in order to remind stakeholders of the comment period closure, in order to seek comments is included in Appendix E.7 and E.8 of this Final Scoping Report.</li> <li>▪ The reminder regarding failure to meet any timeframes stipulated in Regulation 45 of the 2014 NEMA EIA Regulations (as amended) is noted.</li> <li>▪ The Project Developer is aware of Section 24F of the NEMA.</li> <li>▪ The reference number for the Application for EA is noted and acknowledged and will be used in future correspondence with the DFFE and I&amp;APs.</li> </ul>
<b>2.</b>	20/01/2023 Email	Please find herein the attached letters for the above mentioned.	<b>CSIR:</b> Thank you for the comments received on the DSR for the proposed project.

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	Department of Forestry, Fisheries and the Environment: Integrated Environmental Authorisations: Priority Infrastructure Developments (Lydia Kutu)	<p>Please do not respond to this mailbox with any queries related to the decision been issued. All queries on the attached decision must be directed to official whose contact details is listed as enquiries.</p> <p>I hope you find all in order.</p> <p>Thank you.</p>	
<b>3.</b>	<p>20/01/2023 Letter (received via email on 20/01/2023) Department of Forestry, Fisheries and the Environment: Chief Directorate: Integrated Environmental Authorisations (Ms Milicent Solomons; Acting Chief Director: Integrated Environmental Authorisations; Letter signed by: Mahlatse Shubane; Enquiries: Ms Olivia Letlalo)</p>	<p>COMMENTS ON THE DRAFT SCOPING REPORT FOR THE PROPOSED KUDU 1 SOLAR FACILITY AND ASSOCIATED INFRASTRUCTURE ON THE REMAINING EXTENT OF THE FARM BAS BERG NO. 88 AND REMAINING EXTENT OF PORTION 3 OF THE FARM BAS BERG NO. 88, NORTH-EAST OF THE TOWN OF DE AAR IN THE RENOSTERBERG LOCAL MUNICIPALITY AND PIXLEY KA SEME DISTRICT MUNICIPALITY IN THE NORTHERN CAPE PROVINCE</p> <p>The application for Environmental Authorisation (EA) and draft Scoping Report (SR) dated December 2022 and received by the Competent Authority (CA) on 09 December 2022, refer.</p> <p><b><u>This letter serves to inform you that the following information must be included to the Final SR:</u></b></p>	<b>CSIR:</b> Thank you for the comments received on the DSR for the proposed project. The responses are provided below to each comment raised.
	<p>20/01/2023 Letter (received via email on 20/01/2023) Department of Forestry, Fisheries and the</p>	<p><b><u>Screening Tool Report</u></b></p> <ul style="list-style-type: none"> <li>▪ It has been noted that the screening tool report for the abovementioned application has been included in the draft SR, however, there is no compiler signature on the aforesaid report. Therefore, you are advised to sign the abovementioned report to be submitted with the final SR.</li> </ul>	<b>CSIR:</b> An updated Screening Tool Report has been generated on the Screening Tool with a compiler signature included. The updated Screening Tool Report has been included in the Amended Application Form for EA and Appendix H of the Final Scoping Report (FSR).

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	Environment: Chief Directorate: Integrated Environmental Authorisations (Ms Milicent Solomons; Acting Chief Director: Integrated Environmental Authorisations; Letter signed by: Mahlatse Shubane; Enquiries: Ms Olivia Letlalo)	<ul style="list-style-type: none"> <li>▪ In addition, it has been noted that the screening tool report submitted is for the proposed solar facilities 1 to 12 and not specifically for the proposed Kudu 1 solar facility even though the CA refused the request to combine the applications. Therefore, you are advised to only submit the screening tool report for the abovementioned proposed development indicating the relevant environmental sensitivities to be affected by the proposed development.</li> </ul>	<p><b>CSIR:</b> An updated Screening Tool Report has been generated on the Screening Tool for each individual proposed project as requested and included in the Amended Application Form for EA and Appendix H of the FSR. This has been specifically requested for Kudu Solar Facility 1, 2 and 3, however for uniformity, updated individual Screening Tool Reports have been provided for the remaining proposed projects also (i.e. Kudu Solar Facility 4 to 12).</p> <p>As noted throughout the DSR and FSR, the study area for all the proposed project is the full extent of the eight affected farm properties on which the proposed PV Facilities are planned to be constructed. The full extent of these properties has been assessed by the specialists to identify environmental sensitivities and no-go areas. The total study area is approximately 8 150 hectares (ha). Therefore, the original Screening Tool Report showing the entire study area and the Revised Scoping Buildable Area within has still been included in the relevant appendices.</p>
	20/01/2023 Letter (received via email on 20/01/2023) Department of Forestry, Fisheries and the Environment: Chief Directorate: Integrated Environmental Authorisations (Ms Milicent Solomons; Acting Chief Director: Integrated Environmental Authorisations; Letter signed by: Mahlatse	<p><b>Listed Activities</b></p> <ul style="list-style-type: none"> <li>▪ It has been noted that in the description of activity 11, there is a remark that “the applicability of this listed activity will be discussed with the CA during the 30-day comment period, to clarify if the Independent Power Producer (IPP) substation can be included in this EIA application or whether a separate process is required under the EGI Standard”. Kindly note that it is the decision of the Applicant when it comes to the infrastructure to be included in this application and ensure applicable listed activity is applied for and Gazette Notice is complied with.</li> <li>▪ It has been noted that the words “may and could” have been used in the description of activities 19 and 56 of Listing Notice (LN) 1, activity 15 of LN 2 and activities 4, 12, 18 and 23 of LN 3. Please refrain from using such word/s, since it creates an uncertainty regarding the applicability of the listed activity applied for, for the proposed development.</li> </ul>	<p><b>CSIR:</b> Thank you for the guidance provided. Based on the feedback received from the DFFE, specifically with regards to Kudu Solar Facility 4 to 12, Activity 11 of Listing Notice 1 will be retained in the current application for the proposed project. The DFFE noted that should the Applicant wish to do so, the IPP Substation can be included in this current Application for EA for the proposed Kudu Solar Facility and associated infrastructure. The IPP Substation is required to facilitate connection of the proposed Kudu Solar Facility to the national grid. This has been updated in the FSR and the Amended Application for EA.</p> <p><b>CSIR:</b> The comment on the use of words such as “may”, and “could” is noted. The Listing Notice activities have been reviewed and updated in order to allow for more certainty regarding the applicability of the listed activities, where possible. However, it must also be noted that at Scoping Phase there are some project aspects that are still to be confirmed during the EIA Phase. In such instances, the applicability of the listed activities</p>

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	Shubane; Enquiries: Ms Olivia Letlalo)	<ul style="list-style-type: none"> <li>▪ Under activity 56 of LN 1, the CA acknowledged that the access roads to be widened or upgraded have been provided, however, it is noted that the length of the aforesaid access roads have not been included in the application form and draft SR to determine the applicability of the abovementioned activity. You are advised to include the relevant details to determine if the said activity is triggered by the proposed development or not.</li> </ul>	<p>will be confirmed during the EIA Phase, and an Amended Application for EA will be submitted accordingly.</p> <p><b>CSIR:</b> Activity 56 of Listing Notice 1 is for “the widening of a road by more than 6 metres, or the lengthening of a road by more than 1 kilometre (i) where the existing reserve is wider than 13,5 meters; or (ii) where no reserve exists, where the existing road is wider than 8 metres”. This listed activity is applicable either for widening <b>or</b> lengthening.</p> <p>As noted in the FSR, existing roads will be used as far as practically achievable. The proposed project site can be accessed via various existing main roads and unnamed farm gravel roads. Some access roads may need to be upgraded depending on which route is used. Upgrading of the main access point from the R48 is likely to need upgrading. Such upgrading will include lengthening of less than 1 km. Details will be confirmed during the EIA Phase, together with an assessment of the impacts associated with the proposed upgrading.</p> <p>Based on preliminary investigations by the Traffic Specialist, the main roads leading to the site are of a sufficient width to accommodate truck movement, however widening by more than 4 m or more than 6 m may be required at localised positions as required (i.e. intersections). If lengthening of the intersections is required, then such lengthening will not exceed 1 km. Exact details of the length will be confirmed during the EIA Phase.</p>
		<ul style="list-style-type: none"> <li>▪ It has been noted that activities 4, 12, 18 and 23 of LN 3 have been applied for, as the “entire study area or a site fall within an Ecological Support Area (ESA) according to the Northern Cape Critical Biodiversity Area (CBA) Map (2016)”. Therefore, the CA request the following to be addressed in the final report: <ul style="list-style-type: none"> <li>○ Please ensure the abovementioned environmental sensitive area i.e., ESA, affect only the site for the proposed development</li> </ul> </li> </ul>	<p><b>CSIR:</b> The comments are responded to below:</p> <ul style="list-style-type: none"> <li>▪ As noted in the DSR and FSR, the <u>preferred site</u> for the proposed Kudu Solar Facility comprises the full extent of the affected farm portions which cover a combined footprint of 8 150 ha, which serves as the <u>study area</u> for this Scoping and EIA Process. <b>Therefore, the terms “site” and “study area” are used synonymously in the report.</b> The <u>Original and Revised Scoping Buildable Areas</u> serve as</li> </ul>

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		<p>and not the entire study area to determine the applicability of the abovementioned listed activities.</p> <ul style="list-style-type: none"> <li>○ You are advised to obtain a written confirmation from the relevant CA that there is an adopted bioregional plan to determine the applicability of the aforesaid activities.</li> </ul>	<p>the “<u>development footprint</u>” and fall within the preferred site (or study area). Identified Ecological Support Areas (ESAs) (2016 Northern Cape CBA Map) extend over a wide area in this specific region of the Northern Cape. The entire site / study area, and thus all identified buildable areas and development footprints are located within the ESA (refer to the CBA map in Chapter 3 of the FSR). Activities 4, 14, 18 and 23 of Listing Notice 3 are thus applicable to each of the individual 12 proposed PV developments.</p> <ul style="list-style-type: none"> <li>▪ The following listed activities were included in the Application Form for Environmental Authorisation (EA) from Listing Notice 3: <ul style="list-style-type: none"> <li>○ <b>Activity 4 (g) (ii) (ee):</b> The development of a road wider than 4 meters with a reserve less than 13.5 meters. g. Northern Cape; ii. Outside urban areas; <u>(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.</u></li> <li>○ <b>Activity 12 (g) (ii):</b> The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan. g. Northern Cape; ii. <u>Within critical biodiversity areas identified in bioregional plans.</u></li> <li>○ <b>Activity 14 (ii) (a) and (c); (g), (ii) (ff):</b> The development of – (ii) infrastructure or structures with a physical footprint of 10 square metres or more; where such development occurs (a) within a watercourse; (c) if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse. g. Northern Cape; ii. Outside urban areas; (ff) <u>Critical biodiversity areas</u></li> </ul> </li> </ul>

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			<p><u>or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.</u></p> <ul style="list-style-type: none"> <li>○ <b>Activity 18 (g) (ii) (ee) (ii):</b> The widening of a road by more than four meters, or the lengthening of a road by more than one kilometre. g. Northern Cape. ii. Outside urban areas. <u>(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.</u> (ii) Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland.</li> <li>○ <b>Activity 23 (ii) (a) (g) (ii) (ee):</b> The expansion of (ii) infrastructure or structures where the physical footprint is expanded by 10 square metres or more; where such expansion occurs. (a) within a watercourse; if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse. g. Northern Cape. ii. Outside urban areas; <u>(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.</u></li> </ul> <p>The Northern Cape Department of Agriculture, Environmental Affairs, Rural Development and Land Reform (DAEARDLR) has confirmed in writing that the Northern Cape Critical Biodiversity Areas (CBA) Map has been accepted by the Department as an environmental tool. Furthermore, DAEARDLR has confirmed that the province currently does not have any bioregional plans. Refer to Appendix E.10 of this FSR for a copy of this correspondence, as well as Section 2 of this Comments and Responses Report. This means that the CBAs <b>as identified in bioregional plans does not apply to the above listed activities.</b> Therefore, Activity 12 (g) (ii) of Listing</p>



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			<p>Notice 3 has been removed from the Application Form for EA, and an Amended Application has been submitted with the FSR.</p> <p>However, Listing Notice 3 defines a “systematic biodiversity plan” as a “<i>plan that identifies important areas for biodiversity conservation, taking into account biodiversity patterns (i.e. the principle of representation) and the ecological and evolutionary processes that sustain them (i.e. the principle of persistence). A systematic biodiversity plan must set quantitative targets/thresholds for aquatic and terrestrial biodiversity features in order to conserve a representative sample of biodiversity pattern and ecological processes</i>”. Therefore, it is believed that the Northern Cape CBA Map, a systematic biodiversity plan developed through systematic conservation planning approach, and accepted by the Department as an environmental tool, fulfils this definition. A follow up email was sent to the Department in this regard. The Department further confirmed via email that the Northern Cape CBA map was signed off by the Head of Department as an “instrument for informing decisions and priorities on biodiversity”. Furthermore, based on the above definition of a systematic biodiversity plan, the CBA map meets both the criteria as important biodiversity areas were identified and targets for both terrestrial and freshwater systems were determined (Holness &amp; Oosthuysen, 2016<sup>1</sup>). Thus, the relevant triggers regarding CBAs and ESAs based on systematic biodiversity plans would still apply.</p> <p>Therefore, in relation to the listed activities, <b>CBA areas as identified in systematic biodiversity plans adopted by the competent authority is regarded as applicable</b>, and thus retained in the Application Form for EA.</p>

<sup>1</sup> Holness, S., & Oosthuysen, E. (2016). Critical Biodiversity Areas of the Northern Cape: Technical Report

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		<ul style="list-style-type: none"> <li>▪ 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 on the applicant and the Environmental Assessment Practitioner (EAP) to ensure that all the applicable listed activities are included in the application form and the final SR. Failure to do so may result in unnecessary delays in the processing of the application.</li> <li>▪ If the activities applied for in the application form differ from those mentioned in the draft SR, an amended application form must be submitted with the final SR. Please note that the Department's application form template has been amended and can be downloaded from the following link <a href="https://www.environment.gov.za/documents/forms">https://www.environment.gov.za/documents/forms</a>.</li> </ul>	<p><b>CSIR:</b> Section 4.2 of the FSR has been updated, where possible, to ensure that the applicability of the listed activities is more specific and to describe how the listed activities applied for are linked to the project description. In addition, all relevant listed activities triggered by the proposed project have been applied for. However, it must also be noted that at Scoping Phase there are some project aspects that are still to be confirmed during the EIA Phase, and it is necessary to follow the maximum development scenario or precautionary approach. In such instances, the applicability of the listed activities will be confirmed during the EIA Phase, and an Amended Application for EA will be submitted accordingly.</p> <p><b>CSIR:</b> An Amended EA Application Form with the updated applicability of the listed activities applied for will be submitted to the Competent Authority with the FSR. The latest available Application Form template has been downloaded from the DFFE website provided.</p>
	<p>20/01/2023 Letter (received via email on 20/01/2023) Department of Forestry, Fisheries and the Environment: Chief Directorate: Integrated Environmental Authorisations (Ms Milicent Solomons; Acting Chief Director: Integrated Environmental Authorisations; Letter signed by: Mahlatse</p>	<p><b>Alternatives</b></p> <ul style="list-style-type: none"> <li>▪ The CA acknowledged that alternatives to be considered for the Battery Energy Storage System (BESS) has been provided in the draft SR i.e., Lithium Ion or Redox Flow, which some of the electrolytes i.e., Sulphuric and Hydrochloric Acid for Redox flow could potentially be stored separately in above ground storage tanks on site. You are required to provide details of all the alternatives considered for this development and indicate the preferred alternatives as per Appendix 2 (2) (1) (g) (i) (v) (vi) of the NEMA EIA Regulations, 2014, as amended in the final report.</li> </ul>	<p><b>CSIR:</b> The 2014 NEMA EIA Regulations (as amended) notes that some of the objectives of the Scoping Process, as they relate to "alternatives" is to:</p> <ul style="list-style-type: none"> <li>▪ Identify and confirm the preferred activity and technology alternative;</li> <li>▪ Identify and confirm the preferred site; and</li> <li>▪ To agree on the level of assessment to be undertaken, the expertise required and the extent of further consultation to be undertaken to determine the impacts and risks the activity will impose on the preferred site to inform the location of the development footprint within the preferred site.</li> </ul> <p>In terms of the content of a Scoping Report, the 2014 NEMA EIA Regulations (as amended) state that a full description of the process followed to reach the proposed preferred activity, site and location of the</p>

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	Shubane; Enquiries: Ms Olivia Letlalo)		<p>development footprint within the site, including (i) details of all the alternatives considered must be provided.</p> <p>Chapter 5 of the FSR includes the details regarding all the alternatives considered, as noted below:</p> <ul style="list-style-type: none"> <li>▪ <u>No-Go Alternative</u>: The no-go alternative assumes that the proposed project will not go ahead i.e. it is the option of not constructing the proposed Kudu Solar Facility. The no-go alternative will be assessed in detail by all the specialists on the project team during the EIA Phase.</li> <li>▪ <u>Land-Use Alternative</u>: The current land-use is agriculture, specifically low density small stock grazing. The proposed project offers some positive impact on agriculture by way of improved financial security for farming operations, as well as wider, societal benefits. The development of the proposed project at the preferred site is more favourable than the agricultural land-use alternative. Based on this, this alternative will not be assessed further in the EIA Phase.</li> <li>▪ <u>Type of Activity Alternative</u>: This relates to the generation of electricity from a renewable energy source, and in this particular case, from solar resources. The generation of electricity from a renewable energy source was the only activity considered by the Applicant, and thus considered in this Scoping Report. No other activity types were considered or deemed appropriate based on the expertise of the Applicant. Based on this, this alternative will not be assessed further in the EIA Phase.</li> <li>▪ <u>Renewable Energy Alternatives</u>: Given the above, the development of Solar PV is the preferred and only renewable energy technology to be developed on site because the site has a very good solar resource availability, and the local conditions are favourable. Based</li> </ul>

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<b>NO.</b>	<b>DATE OF COMMENT, FORMAT OF COMMENT, NAME OF ORGANISATION/ I&amp;AP</b>	<b>COMMENT</b>	<b>RESPONSE FROM THE ENVIRONMENTAL ASSESSMENT PRACTITIONER (EAP) / APPLICANT / SPECIALIST</b>
			<p>on this, other renewable energy alternatives will not be assessed further in the EIA Phase.</p> <ul style="list-style-type: none"> <li>▪ <u>Preferred Site and Development Footprint within the site</u>: As noted in the DSR and FSR, the <u>preferred site</u> for the proposed Kudu Solar Facility comprises the full extent of the affected farm portions which cover a combined footprint of 8 150 ha, which serves as the <u>study area</u> for this Scoping and EIA Process. Therefore, the terms “site” and “study area” are used synonymously in the report. Given the site selection requirements associated with solar energy facilities and the suitability of the land available on the preferred site, and the fact that no initial fatal flaws are present on the site, no other site alternatives were considered as part of this Scoping and EIA Process. Therefore, the site is selected as the preferred site. The approach followed to identify the buildable areas is to use environmental and social constraints to avoid sensitive features, thus applying mitigation hierarchy thinking. This approach replaces the need to rank alternative sites and locations, as it leads to the selection of the least sensitive development footprint. The <u>Original and Revised Scoping Buildable Areas</u> serve as the “<u>development footprint</u>” and fall within the preferred site (or study area). The strategic process followed to reach the preferred site and to consider various development footprints (or location alternatives i.e. buildable areas) within the preferred site are discussed in Chapter 5 of the FSR.</li> <li>▪ <u>Technology Alternatives</u>: The following types of BESS technologies will be assessed in the EIA Phase and the preferred alternative will thereafter be selected or both alternatives will be put forward for approval in the EA (should it be granted): Lithium-ion BESS; and RFB. This was discussed and agreed with the case officers at the Pre-Application Meeting. Refer to Appendix F.3 for the notes of the Pre-Application Meeting.</li> </ul>

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		<ul style="list-style-type: none"> <li>Alternatively, you should submit written proof of an investigation and motivation if no reasonable or feasible alternatives exist in terms of Appendix 2.</li> </ul>	<p>Therefore, technology alternatives and the no-go alternatives will be assessed further in the EIA Phase. Land-use alternatives, type of activity alternatives and renewable energy alternatives are not feasible as discussed above and will not be assessed further in the EIA Phase. However, in terms the preferred site and development footprint (or location or buildable area) within the site, a strategic process has been followed, where the selection is informed by the environmental constraints identified through screening. This is based on the mitigation hierarchy approach of firstly trying to avoid impacts through careful siting. Therefore, it must be noted that different site, location or development footprint alternatives are not identified or ranked, but rather a strategic process is followed where sensitive features are screened out, in order to reach the preferred location or development footprint within the preferred site. The Revised Scoping Buildable Area was identified as a result of this process and serves as the preferred location or development footprint of the project within the preferred site. The layout of the development footprint will be detailed further during the EIA Phase.</p> <p><b>CSIR:</b> As noted in Chapter 5 of the DSR and FSR, where no further alternatives were considered, a motivation has been provided. Refer to the response provided above for additional information.</p> <p>Overall, land-use alternatives, type of activity alternatives and renewable energy alternatives are not feasible as discussed above and will not be assessed further in the EIA Phase. Different site, location or development footprint alternatives are not identified or ranked, but rather a strategic process has been followed where sensitive features are screened out, in order to reach the preferred location or development footprint within the preferred site. Furthermore, no site alternatives were identified based on the positive site selection requirements associated with solar energy facilities and the suitability of the land available on the preferred site, and the fact that no initial fatal flaws are present on the</p>

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		<ul style="list-style-type: none"> <li>▪ It has been noted on figure 7.2 in the draft SR that there are other similar projects or renewable projects within a 30km radius of the proposed development site, therefore, the cumulative impact assessment for all identified and assessed impacts must be refined to indicate the following:                             <ul style="list-style-type: none"> <li>○ Assess the cumulative impacts of the proposed (not yet authorised), authorised (not yet constructed) and existing solar energy facilities.</li> <li>○ 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.</li> <li>○ The cumulative impacts significance rating must also inform the need and desirability of the proposed development.</li> <li>○ A cumulative impact environmental statement on whether the proposed development must proceed.</li> </ul> </li> </ul>	<p>site. Therefore, the site is deemed feasible and selected as the preferred site.</p> <p><b>CSIR:</b> The cumulative impact assessment, where applicable, captured in the Scoping Level Specialist Assessments and Inputs in Appendix G and summarised in Chapter 6 of the FSR is only high level at the Scoping Phase. These are not the detailed Specialist Assessments. Such assessments will be provided in the EIA Phase as per the Assessment Protocols and/or Appendix 6 of the 2014 NEMA EIA Regulations (as amended), where applicable.</p> <p>The cumulative impact assessment will be detailed further during the EIA Phase, as per the requirements of Appendix 3 (EIA Report) and Appendix 6 (Specialist Assessments) of the 2014 NEMA EIA Regulations (as amended) or the Assessment Protocols published in March and October 2020 (where applicable), based on the methodology detailed in the Plan of Study for EIA in Chapter 7 of the FSR.</p> <p>The cumulative impact assessment will include other renewable energy projects (i.e. Wind and Solar PV) projects within a 30 km radius that are in different stages of planning and/or development (e.g. have received an EA, BA/EIA in progress at the commencement of this Scoping and EIA Process, or has been constructed); including the 12 proposed Kudu Solar Facilities and 14 Kudu EGI developments. All withdrawn or lapsed projects will not be considered.</p> <p>The DFFE's content guidelines on the cumulative impact assessments are duly noted, will be adhered to during the EIA Phase of the proposed project where possible, and will be documented in the Draft EIA Report.</p>
	20/01/2023 Letter (received via email on 20/01/2023)	<p><b>Specialist Assessments</b></p> <ul style="list-style-type: none"> <li>▪ It has been noted that specialist studies are included in the draft SR as Appendix G, therefore, you are requested to separate the specialist</li> </ul>	<p><b>CSIR:</b> Appendix G of the FSR includes the <u>Scoping Level</u> Specialist Assessments and Inputs. These files have been separated and will be uploaded separately onto the Novell S-Filer upon submission of the FSR to the DFFE for decision-making.</p>

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	Department of Forestry, Fisheries and the Environment: Chief Directorate: Integrated Environmental Authorisations (Ms Milicent Solomons; Acting Chief Director: Integrated Environmental Authorisations; Letter signed by: Mahlatse Shubane; Enquiries: Ms Olivia Letlalo)	<p>studies as different Appendices for easy review (without missing other studies).</p> <ul style="list-style-type: none"> <li>According to the terrestrial report on page 32, no development should take place within high sensitivity areas or buffer zones i.e., the koppies and watercourse habitats should be avoided. Therefore, you are advised to indicate all sensitive areas on the final development layout plan and its buffers as no-go area in relation to the proposed development.</li> </ul>	<p><b>CSIR:</b> As noted in the Aquatic Biodiversity Scoping Level Assessment (Appendix G.3 of this FSR), based on the present ecological condition (largely natural to moderately modified) and ecological importance and sensitivity, as well as the recommended ecological condition of the watercourses (largely natural to moderately modified), buffers have been recommended to protect these ecosystems. The recommended buffer area between the aquatic features and the project components to ensure these aquatic ecosystems are not impacted by the proposed activities, is as follows:</p> <ul style="list-style-type: none"> <li><b>The larger tributary:</b> the delineated edge of the surrounding floodplain wetland features. <b>No buffer area is deemed to be required considering that the floodplain is a wide transitional area between the tributary and the surrounding terrestrial areas.</b></li> <li>Smaller streams and drainage features that are indicated to be of medium sensitivity: <b>at least 35 m for the watercourse or the delineated edge of wetland features to allow for the movement of water along these streams.</b></li> <li>Pans: at least 50 m from these features.</li> </ul> <p>Therefore, buffer zones are not assigned to the larger tributary. However, they are assigned to the smaller streams and drainage features. The Aquatic Biodiversity Scoping Level Assessment further notes that the unnamed tributaries of the Orange River and their floodplains are rated with a medium aquatic ecosystem sensitivity; whilst the smaller feeder streams, drainage lines and their floodplains are rated with a low sensitivity.</p> <p>In addition, as noted in the Terrestrial Biodiversity Scoping Level Assessment (Appendix G.2 of this FSR), even though watercourse</p>

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		<ul style="list-style-type: none"> <li>It has been mentioned on page 54 of the Animal Compliance Statement that the Hippotragus niger (Sable Antelope), which is Provincially Protected and vulnerable has been noted on site. You are advised to indicate the location or habitat area on the final layout plan in which it was located and ensure the buffer zone is provided. In addition, <u>ensure the Provincial CA is informed of this species and comments are provided on how to mitigate impacts on the species and its habitat.</u> Furthermore,</li> </ul>	<p>habitats are indicated as High from a Site Ecological Importance perspective, it can be considered as medium and low sensitivity as per the feedback provided in the separate Aquatic Biodiversity Scoping Level Assessment. The Terrestrial Specialists have used the buffers provided in the Aquatic Biodiversity Scoping Level Assessment for aquatic features.</p> <p>The above areas are avoided in the Revised Scoping Buildable Areas (development footprint). They are not necessarily no-go areas as they have been assigned low and medium sensitivity by the Aquatic Specialist. No-go areas are regarded as very high sensitivity.</p> <p>In terms of the Koppies, the Terrestrial Biodiversity specialists have confirmed that no buffers need to be applied to these features. The actual feature, as delineated by the specialist, must be avoided, which has been taken into consideration in the project footprint. The Terrestrial Biodiversity and Species Assessment will be updated in the EIA Phase to provide more clarity on this.</p> <p>Refer to Section 3.7 of Chapter 3 of the FSR for a full description of the Environmental Sensitivity Mapping for the preferred site or study area.</p> <p>The layout plan in Chapter 7 of this FSR has been updated to indicate buffers, where applicable. Sensitive areas were already indicated in the aforementioned map.</p> <p><b>CSIR and Terrestrial Biodiversity and Species Specialist:</b> As indicated in the Animal Compliance Statement (Appendix E of Appendix G.2 of the FSR), the Sable Antelope is an introduced species i.e. <u>it does not occur naturally in the area and it was introduced to the country, therefore occurs outside its area of historical distribution, is possibly ranched or farmed or free roaming. Importantly it does not function as part of the study area ecosystem.</u> It is believed that the individual sited</p>



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		<p>it has been indicated that “it is not necessary to include the presence of this species as part of the impact analysis and SEI evaluation, and accordingly a full animal assessment is not required”. <u>Please explain the abovementioned considering that it has been indicated in the report that this species is vulnerable and should be protected.</u></p>	<p>came from an adjacent property, which has high fences. The adjacent property owner is believed to have game on their land. It is suggested that the developer come to an agreement with the adjacent landowner to consider appropriate measures for the current bordering fences to prohibit the Sable to move between the two properties. Once this is achieved, there are no further mitigation measures required.</p> <p>As further indicated in the Animal Compliance Statement, even though animals were sighted at specific locations, <u>they can occur across the study area (or site) as they move around to feed.</u> <b>Accordingly, the animals mentioned in the Animal Compliance Statement should not be associated with a specific PV facility and the possible impacts and proposed mitigation measures will be applicable for all PV facilities.</b> However, the only exclusion can be that of the Sable Antelope, which is <u>unlikely</u> to venture of further away from the adjacent property. Based on this, it is not vital to show the habitat in which it was found in the layout plan. Furthermore, based on the above, a buffer zone is not required.</p> <p>In addition, the Species Environmental Assessment Guideline (2022<sup>2</sup>), which must be used as per the requirements of the Terrestrial Animal Species Protocol (GN 1150), states the following (direct extract, Page 89) in relation to the Sable:</p>

<sup>2</sup> South African National Biodiversity Institute (SANBI). 2020. *Species Environmental Assessment Guideline. Guidelines for the implementation of the Terrestrial Fauna and Terrestrial Flora Species Protocols for environmental impact assessments in South Africa.* South African National Biodiversity Institute, Pretoria. Version 3.1. 2022.

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			<table border="1"> <thead> <tr> <th>Species or species groups</th> <th>Description</th> <th>Recommendation</th> </tr> </thead> <tbody> <tr> <td>Large carnivores</td> <td>Introduced, outside area of historical distribution, ranches or farmed, not functioning as part of PAOI ecosystem. May persist in artificially inflated numbers due to feeding supplementation and/or intensive practices and will not exhibit usual home range/ecological behaviour. Species that have been introduced into areas outside of historical distribution and have fully integrated into the natural PAOI ecosystem are considered 'feral' or 'alien'.</td> <td>Highly unlikely to be relevant. Specialist advised to exclude presence of species as part of the impact analysis and SEI evaluation. If species are to remain within the PAOI post development, rare or high-value species should form part of the security management plan.</td> </tr> </tbody> </table> <p>Based on the reasons above (i.e. it is an introduced species, likely to occur on the adjacent property and the need for an agreement between the developer and the adjacent landowner to consider appropriate measures for the bordering fences to restrict the Sable from entering the PV Facility; and based on recommendation of the Species Environmental Assessment Guideline), it is not necessary to include the presence of this species as part of the impact analysis and Site Ecological Importance (SEI) evaluation, and accordingly a full animal assessment is not required.</p> <p>The Northern Cape DAEARDLR will be communicated with during the EIA Phase regarding this species, and to seek guidance on the impact mitigation.</p>	Species or species groups	Description	Recommendation	Large carnivores	Introduced, outside area of historical distribution, ranches or farmed, not functioning as part of PAOI ecosystem. May persist in artificially inflated numbers due to feeding supplementation and/or intensive practices and will not exhibit usual home range/ecological behaviour. Species that have been introduced into areas outside of historical distribution and have fully integrated into the natural PAOI ecosystem are considered 'feral' or 'alien'.	Highly unlikely to be relevant. Specialist advised to exclude presence of species as part of the impact analysis and SEI evaluation. If species are to remain within the PAOI post development, rare or high-value species should form part of the security management plan.
Species or species groups	Description	Recommendation							
Large carnivores	Introduced, outside area of historical distribution, ranches or farmed, not functioning as part of PAOI ecosystem. May persist in artificially inflated numbers due to feeding supplementation and/or intensive practices and will not exhibit usual home range/ecological behaviour. Species that have been introduced into areas outside of historical distribution and have fully integrated into the natural PAOI ecosystem are considered 'feral' or 'alien'.	Highly unlikely to be relevant. Specialist advised to exclude presence of species as part of the impact analysis and SEI evaluation. If species are to remain within the PAOI post development, rare or high-value species should form part of the security management plan.							
		<ul style="list-style-type: none"> <li>The waterbodies i.e., ephemeral streams, wetlands and floodplains considered as no-go areas and provide aquatic habitat to a diverse of faunal species must be mapped and its buffer zones i.e., 50m and 35m be indicated on the layout plan in relation to the proposed development.</li> </ul>	<p><b>CSIR:</b> All the aquatic features, including, but not limited to, watercourses, floodplains, wetlands, small streams, drainage features have been identified by the Aquatic Specialist. Refer to the Aquatic Biodiversity Scoping Level Assessment (Appendix G.3 of this FSR) for more information, which states that based on the present ecological condition (largely natural to moderately modified) and ecological importance and sensitivity, as well as the recommended ecological condition of the watercourses (largely natural to moderately modified), buffers have been recommended to protect these ecosystems. The recommended buffer area between the aquatic features and the project components to ensure these aquatic ecosystems are not impacted by the proposed activities is as follows:</p>						

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			<ul style="list-style-type: none"> <li>▪ The larger tributary: the delineated edge of the surrounding floodplain wetland features. No buffer area is deemed to be required considering that the floodplain is a wide transitional area between the tributary and the surrounding terrestrial areas.</li> <li>▪ Smaller streams and drainage features that are indicated to be of medium sensitivity: at least 35 m for the watercourse or the delineated edge of wetland features to allow for the movement of water along these streams.</li> <li>▪ Pans: at least 50 m from these features.</li> </ul> <p>Therefore, buffer zones are not assigned to the larger tributary. However, they are assigned to the smaller streams and drainage features. The Aquatic Biodiversity Scoping Level Assessment further notes that the unnamed tributaries of the Orange River and their floodplains are rated with a medium aquatic ecosystem sensitivity; whilst the smaller feeder streams, drainage lines and their floodplains are rated with a low sensitivity.</p> <p>The above areas are avoided in the Revised Scoping Buildable Areas (development footprint). They are not necessarily no-go areas as they have been assigned low and medium sensitivity by the Aquatic Specialist. No-go areas are regarded as very high sensitivity. Refer to Section 3.7 of Chapter 3 of the FSR for a full description of the Environmental Sensitivity Mapping for the preferred site or study area.</p> <p>The layout plan in Chapter 7 of this FSR has been updated to indicate buffers, where applicable. Sensitive areas were already indicated in the aforementioned map.</p>
		<ul style="list-style-type: none"> <li>▪ It has been noted that Figure 4 shows the Avifaunal sensitivity zones, which overlap the area for the development for Kudu 1 solar facility and section 4.4 of the Avifaunal study indicated that “such sensitivities will be further assessed during the EIA Phase”. You are advised to ensure that</li> </ul>	<p><b>CSIR and Avifauna Specialist:</b> Refer to Section 4.3.2 of the Avifauna Scoping Level Assessment (Appendix G.4 of this FSR) for a detailed description of the sensitivities identified by the Avifauna specialist, which include:</p>

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		<p>this sensitivity zone is not affected by the proposed development and the aforesaid sensitivities as well as its buffer is shown on the final development layout plan.</p>	<ul style="list-style-type: none"> <li>▪ All infrastructure exclusion zones;</li> <li>▪ Solar panel exclusion zones (other infrastructure allowed); and</li> <li>▪ High sensitivity zones.</li> </ul> <p>In terms of buffers, with regards to “all infrastructure exclusion zones”, a 1 km all infrastructure exclusion zone has been recommended around the Verreaux’s Eagle nest to prevent the displacement of the breeding pair during the construction phase due to disturbance. Furthermore, with regards to the “Solar panel exclusion zones (other infrastructure allowed, some water points have been buffered by a minimum of 50 m, and some may be removed”. The buffers were already integrated into the sensitivity mapping, however this has been made clearer in the FSR main report.</p> <p>Figure 4 of the Avifauna Scoping Level Assessment notes that there is a minor section of the Original Scoping Buildable Area that overlaps with a waterpoint solar panel exclusion zone. Following the identification of sensitivities during the Scoping Phase, the Project Developer considered such sensitivities and formulated the Revised Scoping Buildable Areas. The Revised Scoping Buildable Areas are considered suitable from an avifaunal perspective, as the sensitivities identified have been taken into consideration. This is clearly stated in Section 4.4 of the Avifauna Scoping Level Assessment. Note that Section 4.4 states that the Revised Scoping Buildable Areas will be further assessed during the Scoping Phase. The Revised Scoping Buildable Area is the development footprint of the proposed project that will be enhanced and detailed as the EIA process progresses. Refer to the responses provided to the comments regarding the layout and sensitivity maps, below, for additional information.</p> <p>Refer to Chapter 7 of the FSR for a detailed layout plan that shows that the development footprint (or Revised Scoping Buildable Area) does not intersect with the water point solar panel exclusion zone. In addition, refer</p>

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		<ul style="list-style-type: none"> <li>It has been noted that the nearest surrounding farmstead, Vrede, is about 2,9km away and the “developer has considered such sensitivities and would formulate the revised scoping buildable areas, which will be further assessed during the EIA Phase”. Please ensure this impact is assessed and addressed adequately in the final report.</li> </ul>	<p>to Section 3.7 of Chapter 3 of the FSR for a full description of the Environmental Sensitivity Mapping for the preferred site or study area. This section also includes a feature map that can be read in conjunction with the layout and sensitivity map.</p> <p>All sensitivities were shown on the feature and sensitivity maps in Chapter 3 and Chapter 7 of the DSR and retained and updated where required in the FSR.</p> <p><b>CSIR:</b> Refer to Section 4.4 of the Visual Scoping Level Assessment (Appendix G.5 of this FSR) for a detailed description of the sensitivities identified by the Visual specialist. Section 4.4.3 of the Visual Scoping Level Assessment clearly states that following the identification of sensitivities during the Scoping Phase, the Project Developer has considered such sensitivities and formulated the Revised Scoping Buildable Areas. The Revised Scoping Buildable Areas are considered suitable from a Visual perspective, as the sensitivities identified have been taken into consideration. The Revised Scoping Buildable Area is the development footprint of the proposed project that will be enhanced and detailed as the EIA process progresses. Refer to the responses provided to the comments regarding the layout and sensitivity maps, below, for additional information.</p> <p>Refer to Chapter 7 of the FSR for a detailed layout plan that shows that the development footprint (or Revised Scoping Buildable Area) does not intersect with the very high sensitivity areas (drainage courses) identified by the Visual Specialist. It does intersect with a high sensitivity area (within 50 m of drainage courses); however, this is not a development constraint, as noted in Table 6 of the Visual Scoping Level Assessment. In addition, refer to Section 3.7 of Chapter 3 of the FSR for a full description of the Environmental Sensitivity Mapping for the preferred site or study area. This section also includes a feature map that can be read in conjunction with the layout and sensitivity map.</p>

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			Various impacts were identified and assessed in the Visual Scoping Level Assessment, such as the potential effect of dust and noise from trucks and construction machinery during the construction period, and the effect of this on nearby farmsteads and visitors to the area; as well as the potential visual impact of an industrial type of activity on the pastoral / rural character and sense of place of the area. Therefore, the impact of the project on nearby farmsteads were addressed in the DSR and will be further detailed in the EIA Phase. Note that the Vrede farmstead is located more than 2 km away from the proposed project, and significantly outside the buffer area.
		<ul style="list-style-type: none"> <li>▪ In addition to the above, you are hereby drawn to the following:                             <ul style="list-style-type: none"> <li>○ Specialist Declaration of interest forms must be attached for all specialist studies to be conducted in the final SR. The forms are available on Department's website (please use the Department's template).</li> <li>○ Specialist studies to be conducted must provide a detailed description of their methodology, as well as indicate the locations and descriptions of proposed rehabilitation, and all other proposed structures that they have assessed and are recommending for authorisations.</li> <li>○ 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.</li> <li>○ 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.</li> <li>○ Ensure that specialist studies as identified in the screening tool, comply with the requirements of GN 320 of 20 March 2020 and GN 1150 of 30 October 2020, unless proof is provided that</li> </ul> </li> </ul>	<p>CSIR: The comments received on the Specialist Studies are noted, and have been responded to below:</p> <ul style="list-style-type: none"> <li>▪ Specialist Declaration of Interest Forms were included as an appendix to each Scoping Level Specialist Assessment and Input that was compiled as part of the Scoping Phase and included in the DSR (Appendix G). These have been retained in the FSR and will be maintained during the EIA Phase. The DFFE's template for the Specialist Declaration of Interest Form was used.</li> <li>▪ The Scoping Level Specialist Assessments and Inputs (Appendix G of the FSR) are intended for the Scoping Phase, and to capture high level assessments and to identify if there are any fatal flaws, as well as to capture the findings of the Site Sensitivity Verifications in line with the Assessment Protocols of GN 320 and GN 1150 (as applicable). However, the specialist studies to be undertaken during the EIA Phase, where relevant, will comply with Appendix 6 of the 2014 NEMA EIA Regulations (as amended) and/or the Assessment Protocols published in March 2020 (GN 320) and October 2020 (GN 1150). Specifically, Agriculture, Terrestrial Biodiversity, and Aquatic Biodiversity will comply with GN 320. The Visual; Heritage (Archaeology and Cultural Heritage); Palaeontology; Socio-</li> </ul>

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		<p>indicates that the specialist study was commissioned within 50 days after the date of gazetting of the notice i.e., 20 March 2020 and was commissioned prior to 30 October 2020 respectively. Failure to comply with the abovementioned notices presents a risk to this application.</p> <ul style="list-style-type: none"> <li>○ Please note further that the protocols require certain specialists' to be registered with SACNASP. Refer to the relevant protocols in this regard.</li> <li>○ Please include a table in the final SR summarising the specialist studies required by the Screening Tool, a column indicating whether these studies will be conducted or not, and a column with motivation for any studies that will not be undertaken. Please note that if any of the specialists' studies and requirements recommended in the Department's Screening Tool are not commissioned, motivation for such must be provided in the report, as per the requirements of the Protocols.</li> <li>○ Please also ensure that the final SR includes the Site Verification Report as required by the relevant environmental themes and assessments.</li> <li>○ Should it be determined that there is a need for additional specialist studies to be undertaken based on the outcome of public participation, these must be commissioned and be included in the draft EIA reports for public comment.</li> </ul>	<p>Economic; Traffic; Geohydrology; and Geotechnical Assessments will comply with Appendix 6 of the 2014 NEMA EIA Regulations (as amended), and where relevant, Part A of GN 320 which contains site sensitivity verification requirements where a Specialist Assessment is required but no specific assessment protocol has been prescribed. However, in some instances there are no themes on the Screening Tool that relate to some of these studies and as such sensitivities cannot be verified against the Screening Tool. The Terrestrial Biodiversity and Species, and Avifauna specialist assessments will comply with the Assessment Protocols published in GN R1150 on 30 October 2020. The Battery Energy Storage System (BESS) High Level Safety, Health and Environment Risk Assessment will serve as a technical report, and the aforementioned legislation will thus not be applicable. The specialist studies to be conducted during the EIA Phase will therefore comply with the relevant legislation and will accordingly provide a detailed description of the methodology, project infrastructure and locations, structures assessed, limitations, proposed rehabilitation, and recommendations for authorisation.</p> <ul style="list-style-type: none"> <li>▪ The Scoping Level Specialist Assessments and Inputs (Appendix G of the FSR) are high level and intended for the Scoping Phase, and include Site Sensitivity Verifications, where relevant and required, as per the requirements of the Assessment Protocols published in March 2020 (GN 320) and October 2020 (GN 1150). Furthermore, the Scoping Level Specialist Assessments and Inputs include a detailed description of the limitations of their Scoping Level Inputs report, as well as feedback on the season that the field work and Site Sensitivity Verifications were undertaken. The relevant specialists have complied with the protocols in terms of the undertaking of the field surveys in the correct season. Details on the suitability of the season for fieldwork will be provided in the Specialist Assessments during the EIA Phase.</li> </ul>


SCOPING REPORT: Scoping and Environmental Impact Assessment (EIA) Process for the Proposed Development of a Solar Photovoltaic (PV) Facility (Kudu Solar Facility 1) and associated infrastructure, near De Aar, Northern Cape Province

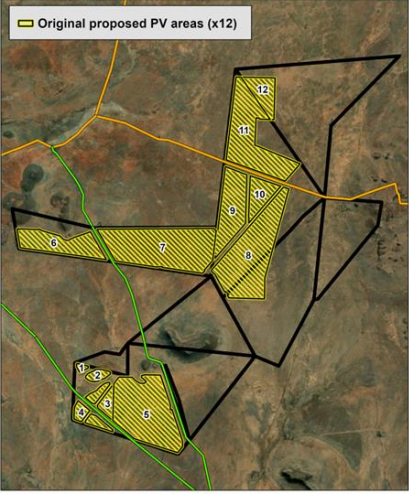
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			<ul style="list-style-type: none"> <li>▪ The Environmental Assessment Practitioner (EAP) will clearly indicate the most reasonable recommendation substantiated by defensible reasons should any of the appointed Specialists specify contradicting recommendations in their assessments during the EIA Phase. Further expert advice will be sought to substantiate such recommendations, if and where required.</li> <li>▪ As noted above, the relevant Specialist Assessments for the EIA Phase are being conducted in adherence with the Assessment Protocols of March 2020 (GN 320) and October 2020 (GN 1150). This is also noted in the Plan of Study for the EIA (Chapter 7 of the FSR). None of the specialists were appointed prior to the commencement of the abovementioned Assessment Protocols.</li> <li>▪ The Specialist Declaration of Interest Forms that were originally included in the DSR and retained in this FSR (relevant appendices of the Scoping Level Assessments in Appendix G) indicate the scientific organisation registration/member number and status of registration/membership for each specialist. Cognizance has been taken of the specific professional registration (SACNASP) requirements of specialists undertaking work in terms of the Assessment Protocols, and this has been complied with. Registration has also been verified on the SACNASP database website.</li> <li>▪ Section 4.3 of Chapter 4 of the DSR did include a table listing the specialist studies required by the Screening Tool, whether the study would be undertaken in the Scoping and EIA Process, the type of assessment to be undertaken in the Scoping and EIA Process, as well as feedback or motivation as to why a certain study would not be commissioned, and a reference to where the study can be found in the DSR. This has been retained in the FSR. As indicated in</li> </ul>

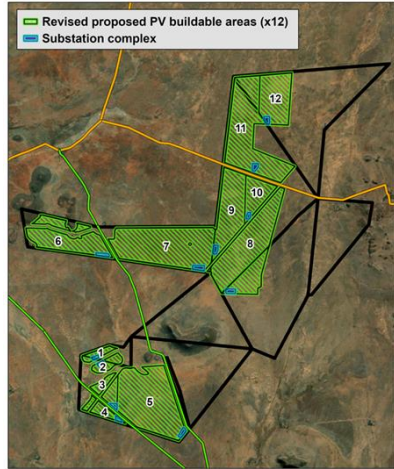


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			<p>Section 4.3 of the FSR, all studies recommended by the Screening Tool will be undertaken in the EIA Phase, except for the Radio Frequency Interference (RFI) Study. A clear motivation is included in the aforementioned table, as well as Section 4.3.2 of the chapter. To ensure all relevant project related environmental impacts are addressed, four additional studies that were not listed or required by the Screening Tool have been commissioned and will be detailed during the EIA Phase. These include an Avifauna Assessment, Traffic Impact Assessment, Geohydrology Assessment and Battery High-Level Safety, Health and Environment Risk Assessment. Refer to Appendix G of the FSR for the relevant Scoping Level Specialist Assessments and Inputs.</p> <ul style="list-style-type: none"> <li>▪ The Site Verification Reports have been included in the FSR as required by the relevant Assessment Protocols and environmental themes. Refer to the various appendices in Appendix G of the FSR, which include the Scoping Level Specialist Assessments and Inputs.</li> <li>▪ Noted, if additional specialist studies are identified based on the outcome of Public Participation Process, the need for such will be investigated and if warranted, they will be commissioned and included in the Draft EIA Reports for public comment. However, to date, no additional specialist studies have been requested or highlighted by stakeholders during the Public Participation Process. As noted above, the Applicant has commissioned four specialist studies that were not listed on the Screening Tool, in order to ensure that all potential project related environmental impacts are addressed.</li> </ul>
		<p><b>Layout &amp; Sensitivity Maps</b></p> <ul style="list-style-type: none"> <li>▪ The inconsistency of the area/footprint for the proposed development on Figure 3-29: Avifaunal sensitivity zones, Figure A. Locality map of the proposed Kudu Projects (attached as Appendix C) and Figure 7.3:</li> </ul>	<p><b>CSIR:</b> As noted in the DSR and FSR, the <u>preferred site</u> for the proposed Kudu Solar Facility 1 to 12 comprises the full extent of the affected farm portions which cover a combined footprint of 8 150 ha, which serves as the <u>study area</u> for this Scoping and EIA Process. Therefore, the terms</p>

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		<p>Revised Scoping Buildable Area for the PV Facility, On-Site Substation Complex, and Environmental Sensitivities for the proposed project has been noted. Therefore, you are advised to provide a map showing similar development area/footprint for only Kudu 1 solar facility in the final report and be in line with the size of the site to be developed. Please ensure each specialist indicate the area assessed for the proposed Kudu 1 solar facility, i.e., make reference into the specialist studies report (the layout plan) where it indicates the area assessed.</p>	<p>“site” and “study area” are used synonymously in the report. This is depicted in Figure 1 below.</p>  <p><b>Assessment study area / preferred site</b> = Total extent of the land portions identified for the development. This entire extent was assessed by the specialists.</p> <p><b>Figure 1: Study Area / Preferred Site</b></p> <p>At the commencement of this Scoping and EIA Process, the Original Scoping Buildable Areas, which fall within the study area / preferred site, were identified by the Project Applicant following the completion of high-level environmental screening based on the Screening Tool. The <u>Scoping Buildable Areas</u> serve as the “<u>development footprints</u>” for the 12 x PV</p>

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			<p>proposed PV facilities and fall within the preferred site / study area. This is depicted in Figure 2 below.</p>  <p><b>Original proposed PV areas / development footprint</b> = Preliminary PV areas (buildable areas) identified and proposed by the project proponent.</p> <p><b>Figure 2: Original Scoping Buildable Areas / development footprint</b></p> <p>Following the identification of sensitivities by the specialists and relevant specialist fieldwork during the Scoping Phase, the Project Developer took such sensitivities, and other considerations, into account and formulated the Revised Scoping Buildable Areas or development footprints for the proposed 12 x PV areas. These are indicated in Figure 3.</p>

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			 <p><b>Revised proposed PV areas / development footprint</b> = Revised PV areas (buildable areas) that avoids sensitive environmental features identified during specialist site visit.</p> <p><b>Figure 3: Revised Scoping Buildable Areas / development footprint</b></p> <p>The full extent of the study area (Figure 1) has been assessed by the specialists and mapped accordingly in the Scoping Level Assessments to identify environmental sensitivities and no-go areas. The Original and Revised Scoping Buildable Areas <u>both</u> fall within the study area, and therefore <u>both</u> have been assessed by the specialists. As part of the Scoping Phase, the specialists were provided the Original Scoping Buildable Areas within the study area as an indicative point of departure of development footprints and relative location of the 12 x PV facilities. Therefore, the maps provided in the Scoping Level Specialist</p>

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			<p>Assessments include the Original Scoping Buildable Areas to provide a comprehensive view of the approach followed to identify the buildable areas. This approach uses environmental and social constraints to avoid sensitive features, thus applying mitigation hierarchy thinking, and it leads to the selection of the least sensitive development footprint. Following the identification of sensitivities in relation to the Original Scoping Buildable Areas, each specialist study provides a "Statement on the Revised Scoping Buildable Areas". Each relevant Scoping Level Specialist Assessment confirms that the Revised Scoping Buildable Areas are acceptable as the sensitivities identified by the specialists have been avoided. The findings of the Scoping Level Specialist Assessments are included in Appendix G and integrated in relevant sections of the Scoping Report.</p> <p>The Revised Scoping Buildable Areas will be used to inform the design of the layout and will be further refined during the EIA Phase.</p> <p>Therefore, the areas depicted in the various maps should not be seen as inconsistencies, but rather supporting the evolution of the study area to the Revised Scoping Buildable Areas that avoid environmental sensitivities earmarked as such by the specialists.</p> <p>Site specific sensitivities are documented in each Scoping Level Assessment, where relevant, and a detailed project specific Sensitivity and Layout Map is provided in Chapter 7 of the FSR.</p>
		<ul style="list-style-type: none"> <li>▪ Furthermore, you are advised not to refer to the original buildable area in the final SR, however, the area considered for the proposed development which is assessed by all the specialists. The maps showing the area assessed by the specialists must be included in the final report.</li> </ul>	<p><b>CSIR:</b> Refer to the response provided above regarding how the study area was assessed and how the Original Scoping Buildable Areas evolved to the Revised Scoping Buildable Areas. Overall, the entire site / study area was assessed by the specialists, which include both the Original and Revised Scoping Buildable Areas.</p>
		<ul style="list-style-type: none"> <li>▪ Figure 7.3 and Figure 3.28 in the draft SR shows that the proposed development will affect sensitive areas with medium and high</li> </ul>	<p><b>CSIR:</b> Figure 3.28 indicates the sensitivities identified by the Terrestrial Biodiversity and Species specialist in relation to the Original Scoping</p>

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		<p>sensitivities, however, there are no buffer zones provided. You are advised to provide a final site development layout plan that shows the sensitive areas and its buffer (as no-go development areas).</p>	<p>Buildable Areas. It provided insight into how the Buildable Areas needed to be shifted in order to avoid sensitive features identified. Refer to Section 3.7 of Chapter 3 of the FSR for a full description of the Environmental Sensitivity Mapping for the preferred site / study area. The following sensitivities were identified in the Terrestrial Biodiversity and Species Scoping Level Assessment:</p> <ul style="list-style-type: none"> <li>▪ High Sensitivity: <ul style="list-style-type: none"> <li>○ The Koppies habitat is considered highly sensitive which must be avoided.</li> <li>○ Linear infrastructure such as roads and overhead powerlines should not cross the Koppies, and pylons should not be constructed in this habitat.</li> </ul> </li> <li>▪ Medium Sensitivity: <ul style="list-style-type: none"> <li>○ The White and Shrubby Grasslands are considered of medium sensitivity owing to its pristine nature with limited major impacts.</li> <li>○ The Watercourse sensitivity is medium and low as per the findings of the Aquatic Specialist.</li> </ul> </li> <li>▪ Very Low Sensitivity: <ul style="list-style-type: none"> <li>○ Existing transformed areas.</li> </ul> </li> </ul> <p>In terms of the Koppies, the Terrestrial Biodiversity specialists have confirmed that no buffers need to be applied to these features. The actual feature, as delineated by the specialist, must be avoided, which has been taken into consideration in the project footprint. The Terrestrial Biodiversity and Species Assessment will be updated in the EIA Phase to provide more clarity on this.</p> <p>The layout plan in Chapter 7 of this FSR has been updated to indicate buffers, where applicable.</p>

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			Note that Section 3.7 of Chapter 3 of the FSR also includes a combined environmental feature map for the proposed project study area based on scoping level specialist inputs. This feature map also includes buffers, where applicable.
		<ul style="list-style-type: none"> <li>▪ Please ensure that the above map has a clear legend that communicate with details of the map.</li> </ul>	<b>CSIR:</b> The updated layout plan in Chapter 7 of this FSR includes a clear legend to adequately depict the features captured on the map.
	<p>20/01/2023 Letter (received via email on 20/01/2023) Department of Forestry, Fisheries and the Environment: Chief Directorate: Integrated Environmental Authorisations (Ms Milicent Solomons; Acting Chief Director: Integrated Environmental Authorisations; Letter signed by: Mahlatshe Shubane; Enquiries: Ms Olivia Letlalo)</p>	<p><b>Generic EMPr</b></p> <ul style="list-style-type: none"> <li>▪ On page 7-6 of the draft SR, it has been mentioned that “it is understood that the Generic EMPr for the development and expansion of (a) overhead electricity transmission and distribution infrastructure will not apply to any of the proposed projects, as the medium-voltage power lines within the footprint of the Solar PV Facility are planned to be underground and have a capacity of 22 or 33kV”. Therefore, the CA would like to advise on the following: <ul style="list-style-type: none"> <li>○ Considering that this application is still at an early stage, the Applicant must decide on whether to consider the underground or aboveground powerline and ensure the relevant listed activity with applicable description is applied for or included in the final report.</li> <li>○ In addition, the on-site substation has been mentioned as part of the infrastructure to form part of the proposed development in activity 11 of LN 1. Therefore, ensure that the generic EMPr that complies with the GN 435 of March 2022 is submitted in the final report.</li> </ul> </li> </ul>	<p><b>CSIR:</b> Activity 11 of the Listing Notice 1 states:</p> <ul style="list-style-type: none"> <li>▪ “The development of facilities or infrastructure for the transmission and distribution of electricity: (i) outside urban areas or industrial complexes with a capacity of <b>more than 33 but less than 275 kilovolts</b>”.</li> </ul> <p>The internal reticulation (medium voltage power lines) within the Solar PV Facility would be <b>22 or 33 kV</b>, and most likely underground. However, in the isolated event of crossing a feature hindering underground cabling (for example, a road, or a topographical or environmental constraint) the reticulation line could be better suited as above ground on certain sections. Therefore, such an above ground activity should also be covered and addressed in this Application for EA. The project description in Chapter 2 of the FSR has been updated accordingly. However, it must be noted that the internal reticulation will not have “a capacity of more than 33 kV but less than 275 kV”. Therefore, in this regard, Activity 11 of Listing Notice 1 is not triggered by the internal reticulation lines.</p> <p>Furthermore, in terms of the proposed project, the Generic Environmental Management Programme (EMPr) for <b>power lines</b> (GN 435 published in March 2019) only applies to <b>aboveground power lines and those that have a capacity of more than 33 kV (i.e. triggering Listed Activity 11 of GN 327 or Listed Activity 9 of GN 325)</b>. Therefore, it is understood that the Generic EMPr for the development and expansion of (a) <b>overhead electricity transmission and distribution infrastructure</b> will</p>

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			<p>not apply to the proposed project, as the medium-voltage power lines (internal reticulation) within the footprint of the Solar PV Facility are planned to have a capacity of 22 or 33 kV (i.e. not more than 33 kV).</p> <p>With regards to the IPP Substation, as noted in the project description, the proposed project will entail the construction of an on-site substation complex at the Solar PV Facility. The on-site substation complex will include various infrastructure, as well as an On-site Independent Power Producer (IPP) or Facility Substation. This will include the relevant section that will be maintained by the IPP (i.e. the high voltage infrastructure leading up to the Point of Connection (the Project Applicant's section of the proposed on-site substation complex)). This constitutes facilities for the distribution and transmission of electricity. The on-site substation complex will be up to 4 ha in area and will have a height of up to 10 m, with a <b>capacity stepping up to 132 kV</b>.</p> <p>It was noted that the applicability of this listed activity will be discussed with the DFFE to clarify if the IPP Substation can be included in this EIA or whether a separate process is required under the EGI Standard (similar to Projects 13 to 26). Based on the feedback received from the DFFE, specifically with regards to Kudu Solar Facility 4 to 12, Activity 11 of Listing Notice 1 will be retained in the current application for the proposed project. The DFFE noted that should the Applicant wish to do so, the IPP Substation can be included in this current Application for EA for the proposed Kudu Solar Facility and associated infrastructure. The IPP Substation is required to facilitate connection of the proposed Kudu Solar Facility to the national grid. This has been updated in the FSR and the Amended Application for EA.</p> <p>In line with the above, the Generic EMP<sub>r</sub> for the development and expansion of substation infrastructure for the transmission and distribution of electricity (GN 435 published in March 2019) will be</p>



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			<p>complied with during the EIA Phase and will be provided as an appendix to the Draft EIA Report. Appendix 2 (Scoping Report) of the 2014 NEMA EIA Regulations (as amended) does not stipulate the requirement to provide an EMPr in the Scoping Phase, whilst Appendix 3 (EIA Report) does. Furthermore, the Generic EMPr (GN435) notes that the relevant information must be provided in the BA or EIA Phase. Therefore, the Generic EMPr for substations, as well as an EMPr that complies with Appendix 4 of the 2014 NEMA EIA Regulations (as amended) for the remaining components proposed at the Solar PV Facility, will be provided during the EIA Phase.</p> <p>The approach towards this has been updated in the FSR.</p>
	<p>20/01/2023 Letter (received via email on 20/01/2023) Department of Forestry, Fisheries and the Environment: Chief Directorate: Integrated Environmental Authorisations (Ms Milicent Solomons; Acting Chief Director: Integrated Environmental Authorisations; Letter signed by: Mahlatse Shubane; Enquiries: Ms Olivia Letlalo)</p>	<p><b>Specific comments</b></p> <ul style="list-style-type: none"> <li>▪ It has been noted that the reports for Kudu 1, 2 and 3 solar PV facilities as well as specialist studies to be undertaken are the same, therefore, you are advised to ensure each report adequately address relevant issues of concern considering the environmental sensitivity on each site, the activities that will take place and provide relevant mitigation measures in the EIAR. In addition, ensure the assessment for the issues of concern comply with the relevant Gazette published by the Minister.</li> </ul>	<p><b>CSIR:</b> Kindly note that Kudu Solar Facility 1, 2 and 3 are very closely located, and span about 220 m away from each other. Therefore, it is expected and understood that the environmental sensitivities are quite similar, and therefore it would appear that the DSRs and Scoping Level Specialist Assessments and Inputs (Appendix G) are similar to each other. Nonetheless, the reports are not identical, and efforts were made to capture site specific findings and sensitivities, where relevant and possible, in the DSR and Scoping Level Specialist Assessments and Inputs (Appendix G).</p> <p>During the EIA Phase, the specialists will continue to provide site specific information, although because of the closeness of the site and similarity of the project components, they may appear very similar. Nonetheless, during the EIA Phase, all efforts will continue to be made to ensure that each Draft EIA Report, Specialist Assessment, Compliance Statement, or Input is site specific, adequately addresses relevant issues of concern considering the environmental sensitivity, the activities that will take place and provide relevant mitigation measures. As noted in Chapter 4 and Chapter 7 of this FSR, the specialist studies to be undertaken during the EIA Phase, where relevant, will comply with Appendix 6 of the 2014</p>

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			<p>NEMA EIA Regulations (as amended) and/or the Assessment Protocols published in March 2020 (GN 320) and October 2020 (GN 1150).</p> <p>Specifically, Agriculture, Terrestrial Biodiversity, and Aquatic Biodiversity will comply with GN 320. The Visual; Heritage (Archaeology and Cultural Heritage); Palaeontology; Socio-Economic; Traffic; Geohydrology; and Geotechnical Assessments will comply with Appendix 6 of the 2014 NEMA EIA Regulations (as amended), and where relevant, Part A of GN 320 which contains site sensitivity verification requirements where a Specialist Assessment is required but no specific assessment protocol has been prescribed. However, in some instances there are no themes on the Screening Tool that relate to some of these studies and as such sensitivities cannot be verified against the Screening Tool. The Terrestrial Biodiversity and Species, and Avifauna specialist assessments will comply with the Assessment Protocols published in GN R1150 on 30 October 2020. The Battery Energy Storage System (BESS) High Level Safety, Health and Environment Risk Assessment will serve as a technical report, and the aforementioned legislation will thus not be applicable.</p>
	<p>20/01/2023 Letter (received via email on 20/01/2023) Department of Forestry, Fisheries and the Environment: Chief Directorate: Integrated Environmental Authorisations (Ms Milicent Solomons; Acting Chief Director: Integrated Environmental Authorisations; Letter</p>	<p><b>Public Participation Process</b></p> <ul style="list-style-type: none"> <li>Please ensure that comments from all relevant stakeholders are submitted to the Department with the final SR. This includes but not limited to the Department of Forestry, Fisheries, and the Environment (DFFE): Protected Areas Planning and Management Effectiveness Directorate, Biodiversity Planning and Conservation (BCAdmin@environment.gov.za); Northern Cape Department of Agriculture, Environmental Affairs, Rural Development and Land Reform: Environmental Research and Development (ERD), Telkom, South African Heritage Resources Agency (SAHRA), South African Civil Aviation Authority, Endangered Wildlife Trust, Birdlife South Africa, Department of Human Settlement, Water and Sanitation, South African National Defense Force, Local interest groups, for example: Councillors</li> </ul>	<p><b>CSIR:</b> In line with Regulation 41 (2) (b) of the 2014 NEMA EIA Regulations (as amended) and prior to the commencement of the Scoping and EIA Process (and advertising the EA Processes in the local print media), an initial database of I&amp;APs (including key stakeholders and Organs of State) was developed for the Scoping and EIA Processes. This was undertaken based on research. Appendix D of this FSR includes a copy of the I&amp;AP Database, which has been updated to indicate stakeholders and I&amp;APs that have been added to the project database based on requests, submission of comments or based on research following the release of the DSR for a 30-day comment period.</p> <p>These relevant I&amp;APs and Stakeholders were included on the initial I&amp;AP Database and have been retained. Reminder emails were sent to all</p>

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NO.	DATE OF COMMENT, FORMAT OF COMMENT, NAME OF ORGANISATION/ I&AP	COMMENT	RESPONSE FROM THE ENVIRONMENTAL ASSESSMENT PRACTITIONER (EAP) / APPLICANT / SPECIALIST
	signed by: Mahlatse Shubane; Enquiries: Ms Olivia Letlalo)	and Rate Payers associations; Surrounding landowners, Farmer Organisations, Environmental Groups and NGOs; and Grassroots communities and structures as well as the affected district and local municipalities.	I&APs, including these stakeholders listed by the DFFE, during the 30-day review of the DSR, in order to seek comments. Correspondence and proof of correspondence sent to stakeholders for the DSR release are included in Appendix E.8 of this FSR. Reminder text messages were also sent to these stakeholders, where cell phone numbers are available, and proof of such is included in Appendix E.8 of this FSR.
		<ul style="list-style-type: none"> <li>Proof of correspondence with the various stakeholders must be included in the Final SR. Should you be unable to obtain comments, proof must be submitted to the Department of the attempts that were made to obtain comments.</li> </ul>	<p>Copies of all comments received from various stakeholders during the 30-day comment period of the DSR have been captured in Appendix E.10 of this FSR; as well as Appendix E.11 (i.e. this Comments and Responses Report). All issues raised and comments received during the review of the DSR have been adequately addressed in this Comments and Responses Report, and the FSR, where applicable and necessary.</p> <p><b>CSIR:</b> Proof of correspondence with various stakeholders is included in Appendix E.7, Appendix E.8 and Appendix E.9 of this FSR. It includes the necessary proof of correspondence, such as emails, text messages, letters, and newspapers. It also shows relevant follow up emails sent in order to remind stakeholders of the comment period closure, in order to seek comments. Kindly refer to Appendix E.8 for proof of reminder emails sent to stakeholders to show that attempts were made to obtain comments.</p>
		<ul style="list-style-type: none"> <li>The Public Participation Process must be conducted in terms of Regulations 39, 40, 41, 42, 43 &amp; 44 of the EIA Regulations 2014, as amended and the approved Public Participation Plan.</li> </ul>	<p><b>CSIR:</b> This comment is noted. Refer to Chapter 4 of the FSR, for background on the Public Participation Process, including feedback on compliance with the relevant regulations relating to Public Participation.</p> <p>Kindly note that the proposed Public Participation Plan was discussed at the Pre-Application Meeting on 26 April 2022, and the plan was submitted via email to the assigned DFFE Case Officers on 6 May 2022. However, the DFFE confirmed via email on 16 May 2022 that Public Participation Plans are no longer required for Applications for EA. Refer to Appendix E.1 of this FSR for a copy of this email correspondence, confirming that no Public Participation Plan is required for the proposed project.</p>

SCOPING REPORT: Scoping and Environmental Impact Assessment (EIA) Process for the Proposed Development of a Solar Photovoltaic (PV) Facility (Kudu Solar Facility 1) and associated infrastructure, near De Aar, Northern Cape Province

<b>COMMENTS RECEIVED FROM THE DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT (DFFE)</b>			
<b>NO.</b>	<b>DATE OF COMMENT, FORMAT OF COMMENT, NAME OF ORGANISATION/ I&amp;AP</b>	<b>COMMENT</b>	<b>RESPONSE FROM THE ENVIRONMENTAL ASSESSMENT PRACTITIONER (EAP) / APPLICANT / SPECIALIST</b>
		<ul style="list-style-type: none"> <li>▪ The comments and response trail report (C&amp;R) must be submitted with the Final SR. The C&amp;R report must incorporate all comments for this development. The C&amp;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.</li> </ul>	<p><b>CSIR:</b> A detailed Comments and Responses Report (i.e. this Report, Appendix E.11 of this FSR) is included as part of this FSR. This Comments and Responses Report includes all comments received during the 30-day comment period on the DSR, as well as responses provided to all these comments and issues raised. All comments received have been duly considered and adequately addressed in this Comments and Responses Report.</p> <p>The Comments and Responses Report is a separate document from the main FSR document i.e. it serves as Appendix E.11, and the format used is as per the recommended format prescribed by the DFFE.</p> <p>Note that the comments received from stakeholders during the 30-day review of the Background Information Document is included in Appendix E.4 of this FSR.</p>
		<ul style="list-style-type: none"> <li>▪ Please ensure that all issues raised, and comments received during the circulation of the SR from registered I&amp;APs and organs of state which have jurisdiction (including this Department's comments) in respect of the proposed activity are adequately addressed. Comments made by I&amp;APs must be comprehensively captured (copy verbatim if required) and responded to clearly and fully. Please note that a response such as "Noted" is not regarded as an adequate response to I&amp;AP's comments.</li> </ul>	<p><b>CSIR:</b> All issues raised and comments received during the 30-day comment period of the DSR from registered I&amp;APs and Organs of State that have jurisdiction, including comments from the DFFE Chief Directorate: Integrated Environmental Authorisations, have been adequately and comprehensively captured (i.e. copied verbatim in most cases), and have been adequately, fully and clearly responded to in this Comments and Responses Report (Appendix E.11 of this FSR).</p>
	<p>20/01/2023 Letter (received via email on 20/01/2023) Department of Forestry, Fisheries and the Environment: Chief Directorate: Integrated Environmental Authorisations</p>	<p><b>General</b></p> <ul style="list-style-type: none"> <li>▪ You are further reminded to comply with Regulation 21(1) of the NEMA EIA Regulations 2014, as amended, which states that:                             <ul style="list-style-type: none"> <li>○ <i>"If S&amp;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"</i></li> </ul> </li> </ul>	<p><b>CSIR:</b> Regulation 21 of the 2014 NEMA EIA Regulations (as amended) is noted. The timeframes in Regulation 21 (1) have been adhered to in the submission of this FSR. The Application Form for EA was submitted to the DFFE, together with the DSR for comment, on 9 December 2022. In line with Regulation 21 (1) of the 2014 EIA Regulations (as amended), the Final Scoping Report needed to be submitted to the DFFE for decision-making within 44 days of receipt of the application by the Competent Authority.</p>

SCOPING REPORT: Scoping and Environmental Impact Assessment (EIA) Process for the Proposed Development of a Solar Photovoltaic (PV) Facility (Kudu Solar Facility 1) and associated infrastructure, near De Aar, Northern Cape Province

COMMENTS RECEIVED FROM THE DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT (DFFE)			
NO.	DATE OF COMMENT, FORMAT OF COMMENT, NAME OF ORGANISATION/ I&AP	COMMENT	RESPONSE FROM THE ENVIRONMENTAL ASSESSMENT PRACTITIONER (EAP) / APPLICANT / SPECIALIST
	(Ms Milicent Solomons; Acting Chief Director: Integrated Environmental Authorisations; Letter signed by: Mahlatse Shubane; Enquiries: Ms Olivia Letlalo)	<ul style="list-style-type: none"> <li>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.</li> <li>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).</li> <li>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.</li> </ul>	<p><b>CSIR:</b> The FSR complies with all the requirements in terms of the content of Scoping Reports in accordance with Appendix 2 of the 2014 NEMA EIA Regulations (as amended). Refer to Chapter 1 of the FSR for additional information on compliance with Appendix 2. Refer to the response above regarding compliance with Regulation 21 (1).</p> <p><b>CSIR:</b> The reminder regarding failure to meet any timeframes stipulated in Regulation 45 of the 2014 NEMA EIA Regulations (as amended) is noted.</p> <p><b>CSIR:</b> The Project Developer is aware of Section 24F of the NEMA.</p>
4.	23/01/2023 Letter (received via email on 23/01/2023) Department of Forestry, Fisheries and the Environment: Chief Directorate: Integrated Environmental Authorisations (Ms Milicent Solomons; Acting Chief Director: Integrated Environmental Authorisations; Letter signed by: Mahlatse Shubane; Enquiries: Ms Olivia Letlalo)	<p><b>Note from the CSIR: The following comments were included in the comments that DFFE made on Kudu Solar Facility 3, and explained that they also apply to Kudu Solar Facility 1 and Kudu Solar Facility 2.</b></p> <p><b>Application form</b></p> <ul style="list-style-type: none"> <li>It is not clear why this Department is the Competent Authority for the proposed development. It is not clear whether the applicant intends to bid the proposed development into future Renewable Independent Power Producer Programme (REIPPP) bid rounds. Please note that the Minister is the competent authority for applications for facilities or infrastructure, that will form part of the Integrated Resource Plan (IRP) Programmes for technologies whose procurement processes have been determined under the Electricity Regulation Act, 2006 and / or the Electricity Regulations on New Generation Capacity. If the applicant will not, or does not intend to, participate in any of the IRP programmes, the competent authority will be the MEC responsible for environmental affairs in the respective province. Be advised that this this information must be</li> </ul>	<p><b>CSIR:</b> Chapter 1 of the DSR and Original Application Form for EA state that the National DFFE is the Competent Authority (CA) based on the Government Gazette 40110, Government Notice 779, dated 1 July 2016. The reason for the National DFFE serving as the CA for the proposed project has been clarified, expanded and updated in Chapter 1 of the Final Scoping Report (FSR) and the Amended Application Form for EA, which will be submitted to the DFFE with the FSR. This is highlighted below.</p> <p>The 2014 NEMA EIA Regulations, as amended in GN 517 on 11 June 2021 states that the CA in respect of activities listed as part of the schedule (i.e. Listing Notices) "is the CA in the province in which the activity is to be undertaken, unless: (a) it is an application for an activity contemplated in Section 24C(2) of the Act, in which case the CA is the Minister or an organ of state with delegated powers in terms of Section 42(1) of the Act; or (b) the application is a mining application in which case the CA is the Minister responsible for mineral resources".</p>

SCOPING REPORT: Scoping and Environmental Impact Assessment (EIA) Process for the Proposed Development of a Solar Photovoltaic (PV) Facility (Kudu Solar Facility 1) and associated infrastructure, near De Aar, Northern Cape Province

COMMENTS RECEIVED FROM THE DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT (DFFE)			
NO.	DATE OF COMMENT, FORMAT OF COMMENT, NAME OF ORGANISATION/ I&AP	COMMENT	RESPONSE FROM THE ENVIRONMENTAL ASSESSMENT PRACTITIONER (EAP) / APPLICANT / SPECIALIST
		clearly presented in Section 1 – Competent Authority in the application form.	<p>With relevance to the proposed project, Section 24C (2) (a) (i) states “(2) the Minister must be identified as the competent authority in terms of subsection (1), unless otherwise agreed to in terms of section 24C (3), if the activity (a) has implications for international environmental commitments or relations, and where (i) it is identified by the Minister by notice in the Gazette”.</p> <p>Related to this, GN 779 states that, in terms of Sections 24C(1), 24C(2)(a)(i) and 24D of the NEMA, the Minister of Environmental Affairs (now Forestry, Fisheries and the Environment) is the CA for activities which are identified as activities in terms of Section 24(2)(a) of NEMA, which may not commence without an EA, and which relates to the Integrated Resources Plan (IRP) 2010 - 2030 and any updates thereto.</p> <p>GN 779 therefore fulfils Section 24C (2) (a) (i), as it serves as a gazette that documents such listed activities have implications for international commitments or relations (e.g. commitments regarding climate change), and that these activities also include activities related to the IRP.</p> <p>The proposed Kudu Solar Facility triggers various listed activities and thus requires EA. <b>The proposed project will be bid into a future bidding program of the Renewable Energy Independent Power Producer Procurement Programme (REIPPPP).</b> The REIPPPP was launched in 2011 to implement the vision of the IRP and it included several bidding rounds (called “Bidding Windows”). To submit a Bid in terms of the REIPPPP, the Project Applicant is required to have obtained an EA in terms of the 2014 NEMA EIA Regulations (as amended), as well as several additional authorisations or consents. <b>Based on the above, the National DFFE serves as the CA for the proposed project.</b></p> <p>As noted above, this information has been clearly updated in the Amended Application Form for EA and Chapter 1 of the FSR.</p>

SCOPING REPORT: Scoping and Environmental Impact Assessment (EIA) Process for the Proposed Development of a Solar Photovoltaic (PV) Facility (Kudu Solar Facility 1) and associated infrastructure, near De Aar, Northern Cape Province

COMMENTS RECEIVED FROM THE DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT (DFFE)			
NO.	DATE OF COMMENT, FORMAT OF COMMENT, NAME OF ORGANISATION/ I&AP	COMMENT	RESPONSE FROM THE ENVIRONMENTAL ASSESSMENT PRACTITIONER (EAP) / APPLICANT / SPECIALIST
		<ul style="list-style-type: none"> <li>Further note that should the proposed development not link with the national grid or be part of the REIPPPP, this Department will not be the Competent Authority responsible for the processing of the application.</li> </ul>	<p><b>CSIR:</b> Refer to the response provided above; the proposed project will be bid into a future bidding program of the REIPPPP. <b>Therefore, the national DFFE is the CA for the proposed Kudu Solar Facility (current application).</b> Also note that the proposed project will connect to the national grid via Electricity Grid Infrastructure (EGI) proposed as part of separate Environmental Assessment and/or Standard Registration projects. Refer to Chapter 1 of the FSR for additional detail.</p>
		<ul style="list-style-type: none"> <li>Considering the above, the reasons provided in Section 1 of the application form for this Department being the Competent Authority in terms of S24C of NEMA are, therefore, incorrect and incomplete. This must be rectified and expanded on in the application form as well as the report. Please refer to GN 779.</li> </ul>	<p><b>CSIR:</b> Chapter 1 of the DSR and Original Application Form for EA state that the National DFFE is the Competent Authority (CA) based on the Government Gazette 40110, Government Notice 779, dated 1 July 2016. The reason for the National DFFE serving as the CA for the proposed project has been clarified, expanded and updated in Chapter 1 of the FSR and the Amended Application Form for EA, which will be submitted to the DFFE with the FSR. This is highlighted below.</p>
		<ul style="list-style-type: none"> <li>In addition, please ensure that the need and desirability of the proposed development must include reference to REIPPPP.</li> </ul>	<p><b>CSIR:</b> This comment is noted. The need and desirability of the proposed project has been updated in Chapter 1 of this FSR to include reference to the REIPPPP.</p>
		<ul style="list-style-type: none"> <li>Please note that the above comments also apply to Kudu 1 (DFFE: 14/12/16/3/3/2/2244) and 2 (DFFE Reference: 14/12/16/3/3/2/2245).</li> </ul>	<p><b>CSIR:</b> This comment is noted and has been included in the Comments and Responses Report for Kudu Solar Facility 1 (i.e. this report) and Kudu Solar Facility 2 and addressed accordingly in the FSRs.</p>

**1.2 The DFFE Directorate: Biodiversity Conservation**

COMMENTS RECEIVED FROM THE DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT (DFFE)			
NO.	DATE OF COMMENT, FORMAT OF COMMENT, NAME OF ORGANISATION/ I&AP	COMMENT	RESPONSE FROM THE ENVIRONMENTAL ASSESSMENT PRACTITIONER (EAP) / APPLICANT / SPECIALIST
1.	12/12/2022 Email Department of Forestry, Fisheries and the Environment: Biodiversity Conservation (Kamogelo Mathetja)	DFFE Directorate: Biodiversity Conservation hereby acknowledge receipt of the invitation to review and comment on the project mentioned on the subject line. Kindly note that the project has been allocated to Mrs P Makitla and Ms M Mudau (Both copied on this email).  Please note: All Public Participation Process documents related to Biodiversity EIA review and any other Biodiversity EIA queries will be submitted to the Directorate: Biodiversity Conservation at Email: BCAdmin@environment.gov.za for attention of Mr Seoka Lekota	<b>CSIR:</b> This comment is noted, and the DFFE: DFFE Directorate: Biodiversity Conservation is thanked for their inputs into this Scoping and EIA Process.  The DFFE Directorate: Biodiversity Conservation ( <i>BCAdmin@dffe.gov.za</i> ) was included on the I&AP database at the outset of the Scoping and EIA Phase and will be retained on the database and provided with reports as they become available for comment during the EIA Phase. Refer to Appendix D of this Scoping Report for a copy of the I&AP database.
2.	17/01/2023 Email Department of Forestry, Fisheries and the Environment: Biodiversity Conservation (Mashudu Mudau)	Thank you for the reminder, kindly note the aforementioned project is still under review and we will be providing comments within the legislative timeframe (latest by 30/01/2023).	<b>CSIR:</b> This comment is noted and was received from the DFFE Directorate: Biodiversity Conservation following the release of a reminder email by the CSIR on 17 January 2023 to request for comments on the DSR.
3.	30 January 2023 (Letter signed) 31 January 2023 (email sent with the letter) Letter sent via email Department of Forestry, Fisheries and the Environment: Biodiversity Conservation / CBO: Biodiversity Mainstreaming & EIA (Mr. Seoka Lekota and	Email:  Please find the attached comments for your consideration.  Letter:  COMMENTS ON THE DRAFT SCOPING REPORT PROPOSED DEVELOPMENT OF THE PROPOSED DEVELOPMENT OF 12 SOLAR PHOTOVOLTAIC (PV) FACILITIES (I.E. KUDU SOLAR FACILITIES) AND VARIOUS ASSOCIATED INFRASTRUCTURE, NEAR DE AAR, NORTHERN CAPE	<b>CSIR:</b> The DFFE Biodiversity Conservation / Biodiversity Mainstreaming & EIA Directorate is thanked for their comments and no objection to the Scoping Report.  The Scoping Level Specialist Assessments and Inputs (Appendix G of the FSR) are intended for the Scoping Phase, and to capture high level assessments and to identify if there are any fatal flaws, as well as to capture the findings of the Site Sensitivity Verifications in line with the Assessment Protocols of GN 320 and GN 1150 (as applicable). However, the specialist studies to be undertaken during the EIA Phase, where relevant, will comply with Appendix 6 of the 2014 NEMA EIA Regulations (as amended) and/or the Assessment Protocols published in March 2020 (GN 320) and October 2020 (GN 1150). Specifically, Agriculture,



SCOPING REPORT: Scoping and Environmental Impact Assessment (EIA) Process for the Proposed Development of a Solar Photovoltaic (PV) Facility (Kudu Solar Facility 1) and associated infrastructure, near De Aar, Northern Cape Province

COMMENTS RECEIVED FROM THE DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT (DFFE)			
NO.	DATE OF COMMENT, FORMAT OF COMMENT, NAME OF ORGANISATION/ I&AP	COMMENT	RESPONSE FROM THE ENVIRONMENTAL ASSESSMENT PRACTITIONER (EAP) / APPLICANT / SPECIALIST
	Mashienyane Portia Makitla)	<p>The Directorate: Biodiversity Conservation has reviewed and evaluated the reports and does not have any objection to the Scoping Report and the Plan of Study, however, must comply with the 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.</p> <p>The final report must comply with all the requirements as outlined in the Environmental Impact Assessment (EIA) guideline for renewable energy projects and the Best Practice Guideline for Birds &amp; Solar Energy for assessing and monitoring the impact of solar energy facilities on birds in Southern Africa.</p> <p>In conclusion, the Public Participation Process documents related to Biodiversity EIA for review and queries should be submitted to the Directorate: Biodiversity Conservation at Email; BCAdmin@dffe.gov.za for the attention of Mr. Seoka Lekota.</p>	<p>Terrestrial Biodiversity, and Aquatic Biodiversity will comply with GN 320. The Visual; Heritage (Archaeology and Cultural Heritage); Palaeontology; Socio-Economic; Traffic; Geohydrology; and Geotechnical Assessments will comply with Appendix 6 of the 2014 NEMA EIA Regulations (as amended), and where relevant, Part A of GN 320 which contains site sensitivity verification requirements where a Specialist Assessment is required but no specific assessment protocol has been prescribed. However, in some instances there are no themes on the Screening Tool that relate to some of these studies and as such sensitivities cannot be verified against the Screening Tool. The Terrestrial Biodiversity and Species, and Avifauna specialist assessments will comply with the Assessment Protocols published in GN R1150 on 30 October 2020. The Battery Energy Storage System (BESS) High Level Safety, Health and Environment Risk Assessment will serve as a technical report, and the aforementioned legislation will thus not be applicable.</p> <p>The Avifauna Scoping Level Assessment (Appendix G.4 of the FSR) has taken into consideration the BirdLife South Africa (BLSA) Guidelines for assessing and monitoring the impact of solar power generating facilities on birds in southern Africa (Jenkins, A.R., Ralston-Patton, Smit-Robinson, A.H. 2017). This will also be carried through into the EIA Phase.</p> <p>The DFFE Environmental Impact Assessment (EIA) guideline for renewable energy projects will be taken into consideration in the EIA Phase and captured in the Draft EIA Report, where applicable.</p> <p>The DFFE Directorate: Biodiversity Conservation (BCAdmin@dffe.gov.za) was included on the I&amp;AP database at the outset of the Scoping and EIA Phase and will be retained on the database and provided with reports as they become available for comment during the</p>

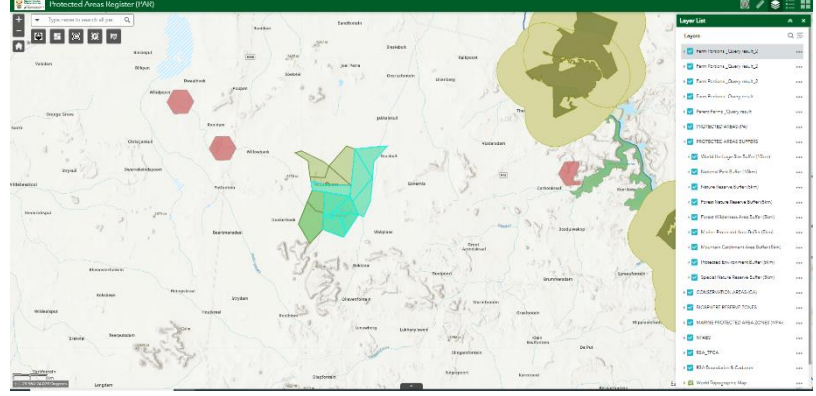
SCOPING REPORT: Scoping and Environmental Impact Assessment (EIA) Process for the Proposed Development of a Solar Photovoltaic (PV) Facility (Kudu Solar Facility 1) and associated infrastructure, near De Aar, Northern Cape Province

<b>COMMENTS RECEIVED FROM THE DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT (DFFE)</b>			
<b>NO.</b>	<b>DATE OF COMMENT, FORMAT OF COMMENT, NAME OF ORGANISATION/ I&amp;AP</b>	<b>COMMENT</b>	<b>RESPONSE FROM THE ENVIRONMENTAL ASSESSMENT PRACTITIONER (EAP) / APPLICANT / SPECIALIST</b>
			EIA Phase. Refer to Appendix D of this Scoping Report for a copy of the I&AP database.

**1.3 The DFFE Directorate: Protected Areas Planning and Management Effectiveness**

COMMENTS RECEIVED FROM THE DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT (DFFE)			
NO.	DATE OF COMMENT, FORMAT OF COMMENT, NAME OF ORGANISATION/ I&AP	COMMENT	RESPONSE FROM THE ENVIRONMENTAL ASSESSMENT PRACTITIONER (EAP) / APPLICANT / SPECIALIST
1.	24/01/2023 Email Department of Forestry, Fisheries and the Environment: Protected Areas Planning and Management Effectiveness (Thivhulawi Nethononda)	<p>The Directorate: Protected Areas Planning and Management Effectiveness, would like to thank you for the opportunity to review the Scoping Report and supporting documents for the proposed development of 12 solar photovoltaic (PV) facilities (i.e., Kudu solar facilities) and various associated infrastructure, near De Aar, Northern Cape.</p> <p>After conducting the review of the submitted documents, we have noted that the proposed developments will not take place within any kind of protected areas in terms of Section 9 of the National Environmental Management: Protected Areas Act (NEMPAA), Act No. 57 of 2003. Subsequently, this directorate provides comments or input on the projects which are affecting the protected areas.</p> <p>However, the EAP must consult and get comments (if not yet consulted) from the Biodiversity and Conservation Directorate of the Department of Forestry, Fisheries and the Environment (DFFE) which can be contacted at <a href="mailto:BCAdmin@environment.gov.za">BCAdmin@environment.gov.za</a> for the attention of Mr. Seoka Lekota. Further, also notify the provincial departments, local municipality, and other associated entities for comments.</p> <p>Note: The following image was attached to the email:</p>	<p><b>CSIR:</b> The DFFE Directorate: Protected Areas Planning and Management Effectiveness is thanked for the inputs and comments on the proposed project. It is concurred that according to the South African Protected Areas Database (SAPAD), the study area does not include any formally Protected Areas, as defined by the National Environmental Management: Protected Areas Act (Act 57 of 2003) (NEM: PAA). This is noted in Chapter 3 of the FSR.</p> <p>The DFFE Directorate: Biodiversity Conservation (<a href="mailto:BCAdmin@dffe.gov.za">BCAdmin@dffe.gov.za</a>) was included on the I&amp;AP database at the outset of the Scoping and EIA Phase and follow up emails were sent to seek comments from this Directorate, and comments were accordingly submitted on 31 January 2023. Refer to Appendix D of this FSR for a copy of the I&amp;AP database, Appendix E.8 for proof of correspondence with stakeholders, and Appendix E.10 for copies of the comments received.</p> <p>Provincial departments, the local municipality, and other associated entities were also included on the project I&amp;AP database and sent a notification on the release of the DSR for comment.</p>

SCOPING REPORT: Scoping and Environmental Impact Assessment (EIA) Process for the Proposed Development of a Solar Photovoltaic (PV) Facility (Kudu Solar Facility 1) and associated infrastructure, near De Aar, Northern Cape Province

COMMENTS RECEIVED FROM THE DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT (DFFE)			
NO.	DATE OF COMMENT, FORMAT OF COMMENT, NAME OF ORGANISATION/ I&AP	COMMENT	RESPONSE FROM THE ENVIRONMENTAL ASSESSMENT PRACTITIONER (EAP) / APPLICANT / SPECIALIST
			

**2. Comments received from the Northern Cape Department of Agriculture, Environmental Affairs, Rural Development and Land Reform**

COMMENTS RECEIVED FROM THE NORTHERN CAPE DEPARTMENT OF AGRICULTURE, ENVIRONMENTAL AFFAIRS, RURAL DEVELOPMENT AND LAND REFORM			
NO.	DATE OF COMMENT, FORMAT OF COMMENT, NAME OF ORGANISATION/ I&AP	COMMENT	RESPONSE FROM THE ENVIRONMENTAL ASSESSMENT PRACTITIONER (EAP) / APPLICANT / SPECIALIST
1.	25/01/2023 Email Northern Cape Department of Agriculture, Environmental Affairs, Rural Development and Land Reform: Environmental Research and Development (ERD) (Natalie Uys)	Thank you for your email. We will reply to your question. Ito the developments, could you please provide me with the spatial km/ gis file of the site.	<b>CSIR:</b> This comment is noted and was received from the Northern Cape Department of Agriculture, Environmental Affairs, Rural Development and Land Reform (NC DAEARDLR) following the submission of reminder emails by the CSIR on 17 and 25 January 2023 to request for comments on the DSR. A query was also sent to the Department on 25 January 2023 to enquire on the legislative status of Critical Biodiversity Areas and Ecological Support Areas in the Northern Cape i.e. whether such areas included in are systematic biodiversity plans adopted by the competent authority or in approved bioregional plans. The Department then responded on 25 January 2023 requesting for a copy of the mapping files of the proposed project. These were provided to the Department via email on 25 January 2023.
2.	02/02/2023 Email Northern Cape Department of Agriculture, Environmental Affairs, Rural Development and Land Reform: Environmental Research and Development (ERD) (Natalie Uys)	My sincere apologies for the delay in my reply. I am still catching up on all the work and emails since being back from maternity leave.  Our EO who deals with the Pixley comments has left the department and it is currently just me giving comments on all the developments.  Please find attached general comments for your consideration on the proposed developments  I.t.o. your question regarding the CBA map, the CBA map has been adopted by our department as an environmental tool.	<b>CSIR:</b> The CSIR is appreciative of the comments received from the NC DAEARDLR considering the workload of the Department. These comments have been noted and responded to accordingly in this Comments and Responses Report and included in Appendix E.10 of this FSR.  The CSIR is appreciative of the feedback received on the query submitted to enquire on the legislative status of Critical Biodiversity Areas and Ecological Support Areas in the Northern Cape. A further response is detailed below.
3.	02/02/2023 (Letter received via email) Northern Cape Department of Agriculture, Environmental Affairs, Rural Development and	<b>RE: Availability of Draft Scoping Reports for Comment - Kudu Solar PV</b>  1. Please take note that these are general comments relating to the development footprint. Our capacity is severely limited at this stage to work through all the 12 x Kudu PV draft scoping reports and their	<b>CSIR:</b> This comment is noted. Note that an Executive Summary was also provided with the DSR which provided a summary of the key findings of the Scoping Phase.

SCOPING REPORT: Scoping and Environmental Impact Assessment (EIA) Process for the Proposed Development of a Solar Photovoltaic (PV) Facility (Kudu Solar Facility 1) and associated infrastructure, near De Aar, Northern Cape Province

<b>COMMENTS RECEIVED FROM THE NORTHERN CAPE DEPARTMENT OF AGRICULTURE, ENVIRONMENTAL AFFAIRS, RURAL DEVELOPMENT AND LAND REFORM</b>			
<b>NO.</b>	<b>DATE OF COMMENT, FORMAT OF COMMENT, NAME OF ORGANISATION/ I&amp;AP</b>	<b>COMMENT</b>	<b>RESPONSE FROM THE ENVIRONMENTAL ASSESSMENT PRACTITIONER (EAP) / APPLICANT / SPECIALIST</b>
	Land Reform: Environmental Research and Development (ERD) (Natalie Uys)	appendices. In light of the before mentioned, would it be possible for you to please provide an overview document / presentation from the next phase of the project from results from the EIA studies showing environmental sensitivities and new layouts.	The CSIR will provide the NC DAEARDLR with an overview document or presentation including the findings of the EIA Phase, including the specialist studies, environmental sensitivities and finalised layouts.
		2. Please include Birdlife South Africa and Endangered Wildlife Trust (EWT) in your stakeholder list.	<b>CSIR:</b> Birdlife South Africa and EWT were pre-identified and included as stakeholders on the I&AP database from the project initiation phase (i.e. during the release of the Background Information Document). Refer to Appendix D of this FSR for a copy of the I&AP database.
		3. I.t.o. the question asked regarding the CBA, the Northern Cape Critical Biodiversity Areas Map has been accepted by the department as an environmental tool. The province currently does not have any bioregional plans.	<p><b>CSIR:</b> This comment is noted with thanks. The following listed activities were included in the Application Form for Environmental Authorisation (EA) from Listing Notice 3:</p> <ul style="list-style-type: none"> <li>▪ <b>Activity 4 (g) (ii) (ee):</b> The development of a road wider than 4 meters with a reserve less than 13.5 meters. g. Northern Cape; ii. Outside urban areas; (ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.</u></li> <li>▪ <b>Activity 12 (g) (ii):</b> The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan. g. Northern Cape; ii. <u>Within critical biodiversity areas identified in bioregional plans.</u></li> <li>▪ <b>Activity 14 (ii) (a) and (c); (g), (ii) (ff):</b> The development of – (ii) infrastructure or structures with a physical footprint of 10 square metres or more; where such development occurs (a) within a watercourse; (c) if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse. g. Northern Cape; ii. Outside urban areas; (ff) <u>Critical biodiversity areas or ecosystem service areas as identified in</u></li> </ul>

SCOPING REPORT: Scoping and Environmental Impact Assessment (EIA) Process for the Proposed Development of a Solar Photovoltaic (PV) Facility (Kudu Solar Facility 1) and associated infrastructure, near De Aar, Northern Cape Province

COMMENTS RECEIVED FROM THE NORTHERN CAPE DEPARTMENT OF AGRICULTURE, ENVIRONMENTAL AFFAIRS, RURAL DEVELOPMENT AND LAND REFORM			
NO.	DATE OF COMMENT, FORMAT OF COMMENT, NAME OF ORGANISATION/ I&AP	COMMENT	RESPONSE FROM THE ENVIRONMENTAL ASSESSMENT PRACTITIONER (EAP) / APPLICANT / SPECIALIST
			<p><u>systematic biodiversity plans adopted by the competent authority or in bioregional plans.</u></p> <ul style="list-style-type: none"> <li>▪ <b>Activity 18 (g) (ii) (ee) (ii):</b> The widening of a road by more than four meters, or the lengthening of a road by more than one kilometre. g. Northern Cape. ii. Outside urban areas. <u>(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.</u> (ii) Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland.</li> <li>▪ <b>Activity 23 (ii) (a) (g) (ii) (ee):</b> The expansion of (ii) infrastructure or structures where the physical footprint is expanded by 10 square metres or more; where such expansion occurs. (a) within a watercourse; if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse. g. Northern Cape. ii. Outside urban areas; <u>(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.</u></li> </ul> <p>Since the NC DAEARDLR confirmed that the Northern Cape Critical Biodiversity Areas (CBA) Map has been accepted by the Department as an environmental tool. Furthermore, DAEARDLR has confirmed that the province currently does not have any bioregional plans; it means that the CBAs as identified in <b>bioregional plans does not apply to the above listed activities</b>. However, Listing Notice 3 defines a “systematic biodiversity plan” as a “<i>plan that identifies important areas for biodiversity conservation, taking into account biodiversity patterns (i.e. the principle of representation) and the ecological and evolutionary processes that sustain them (i.e. the principle of persistence)</i>”. A systematic biodiversity plan must set quantitative targets/thresholds for aquatic and terrestrial biodiversity features in order to conserve a representative sample of biodiversity pattern and ecological processes”. Therefore, it is believed</p>

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			<p>that the Northern Cape CBA Map, a systematic biodiversity plan developed through systematic conservation planning approach, and accepted by the Department as an environmental tool fulfils this definition. A follow up email was sent to the Department in this regard. The Department further confirmed via email that the Northern Cape CBA map was signed off by the Head of Department as an "instrument for informing decisions and priorities on biodiversity". Furthermore, based on the above definition of a systematic biodiversity plan, the CBA map meets both the criteria as important biodiversity areas were identified and targets for both terrestrial and freshwater systems were determined (Holness &amp; Oosthuysen, 2016).</p> <p>Therefore, in relation to the listed activities, CBA areas as identified in systematic biodiversity plans adopted by the competent authority is regarded as applicable, and thus included in the Application for EA.</p>
		4. Fauna and flora permits will be needed from the department for handling/ removing/ relocating/ destroying all specially protected and protected flora and fauna. Estimated numbers for species that need to be removed must be provided for permit approval.	<b>CSIR:</b> The need for fauna and flora permits has been addressed in the Terrestrial Biodiversity and Species Scoping Level Assessment (Appendix G.2 of this FSR) and will be considered in detail in the EIA Phase. Estimated numbers of species that need to be removed will be provided for permit approval. All relevant permits will be applied for prior to construction, after EA is issued, should such authorisation be granted.
		5. <i>Boscia albitrunca</i> is protected under both the National Forest Act and under the Northern Cape Nature Conservation Act. Estimated densities must be calculated or the actual number of trees to be removed must be provided for permit purposes. Contact person for DFFE Forestry in the Northern Cape is Jacoline Mans, Jmans@dffe.gov.za.	<b>CSIR:</b> This comment is noted. The Terrestrial Biodiversity and Species Scoping Level Assessment (Appendix G.2 of this FSR) explains that a permit for the removal of <i>Boscia albitrunca</i> from the Northern Cape DFFE under the National Forest Act will be required should the proposed development impact on any individuals. This will be considered in detail in the EIA Phase. Estimated densities will be calculated or the actual number of trees to be removed will be provided for permit purposes. The relevant contact person (as indicated) will be contacted as necessary. All relevant permits will be applied for prior to construction, after EA is issued, should such authorisation be granted.



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		6. Please take note that <i>Olea europaea subsp. africana</i> is a protected tree under the Northern Cape Nature Conservation Act.	<b>CSIR:</b> This comment is noted with thanks. The Terrestrial Biodiversity and Species Scoping Level Assessment (Appendix G.2 of this FSR) explains that this is one of the species recorded associated with the Koppies habitat. The Koppies, however, will be avoided by the proposed project, and more specifically related to Kudu Solar Facility 6.
		7. Alien and invasive species management must be done throughout the lifetime of the projects. Please take note that cacti species such as <i>Opuntia</i> spp cannot dumped at general waste sites without prior treatment (drying/chemical). Please liaise with Dr Thabiso Mokotjomela, 073 324 6118, mokotjomela@sanbi.org.za, on the management and disposal of cacti.	<b>CSIR:</b> The Terrestrial Biodiversity and Species Scoping Level Assessment (Appendix G.2 of this FSR) explains that in terms of current impacts on site, impacts include the presence of alien invasive species, mainly <i>Prosopis</i> species and planted <i>Eucalyptus</i> and <i>Opuntia</i> species. In some areas, <i>Opuntia</i> has spread into the grassland. These specific recommendations regarding the management of cacti species such as <i>Opuntia</i> spp is noted and will be included in the Project Environmental Management Programme (EMPr) during the EIA Phase.
		8. The availability of foundational and baseline data for the Northern Cape is limited and as a result the Screening Tool has limitations and shortcomings when assessing impacts for this area. Proper site surveys are for that reason critically important and always recommended.	<b>CSIR:</b> The specialists involved in this Scoping and EIA Process are aware of this and have undertaken proper site surveys as noted in the various Site Sensitivity Verifications in Appendix G of this FSR. Additional detail will be provided during the EIA Phase, where required. In terms of the Terrestrial Biodiversity and Species Scoping Level Assessment, a detailed survey was carried out by the specialist. The Screening Tool report is a guideline which was used along with available literature and other data for the area to inform the Site Sensitivity Verification and field survey.
		9. The initial vegetation map generated for the site reflects the limitations as mentioned before reflecting the gaps in the National Vegetation Map.	<b>Terrestrial Biodiversity Specialist:</b> The comment is unclear and does not have a significant impact on the outcome of the assessment. Any limitations that exist within existing tools or datasets can be rectified after the site surveys, but the data collected did not change the status of the vegetation unit and no sensitive species were recorded during the survey.
		10. The 1km around the Verreaux eagle nests are questioned in light of the associated power lines that will be constructed for the each of these PV developments. It is recommended that habitat fragmentation must be looked at during the assessment for this	<b>CSIR and Avifauna Specialist:</b> The Avifauna Scoping Level Assessment (Appendix G.4 of this FSR) notes that a Very High sensitivity, no go area, has been demarcated around the Verreaux's Eagle nest. Specifically, a 1 km all infrastructure exclusion zone is

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		<p>species. Verreaux eagle habitat mapping is also recommended. Please liaise with Birdlife South Africa in this regard, contact person Samantha Ralston-Paton, energy@birdlife.org.za.</p>	<p>recommended to prevent the displacement of the breeding pair during the construction phase due to disturbance. In addition, the buffer area will reduce the risk of injury to the juvenile bird due to collision with the solar panels, when it starts flying and practicing its hunting technique around the nest. Note that the power lines from the PV Facilities will be subjected to separate Environmental Assessment processes. However, this 1 km exclusion zone will be abided by for the placement of the power lines also. The exclusion zone recommended by the specialists is in line with exclusion zones for Solar PV and associated electricity grid infrastructure, such as power lines. Wind energy developments usually have larger exclusion zones for such species. Habitat fragmentation and mapping of Verreaux's Eagle habitat will be considered during the EIA Phase for this species.</p> <p>As noted above, Birdlife South Africa was included on the project database, however, has not commented on the projects yet. They will be contacted during the EIA Phase, as required.</p>
		<p>11. I.t.o. the terrestrial biodiversity please assess, mitigate and make provision for in the EMPR the following:</p> <ul style="list-style-type: none"> <li>a) Please take note that tortoise populations are affected by the following: <ul style="list-style-type: none"> <li>i. electrocutions with electric fences.</li> <li>ii. predations by crows – (relates to waste management).</li> </ul> </li> <li>b) Giant bull frogs were found in De Aar area in pans after the recent rains. Most of the injuries and mortalities to this species occurs from collision with vehicles when moving between their breeding sites (pans) and their burrows. Their burrows can range from 200m to 1km from the pans and they are capable of estivating underground for 7 years. Herbicide and pesticide use should also be restricted near the sites (Yetman, undated). Please liaise with EWT in this regard.</li> </ul>	<p><b>CSIR:</b> These comments are noted and responded to below:</p> <ul style="list-style-type: none"> <li>▪ <b>Response to Comment (a) from the CSIR and Terrestrial Biodiversity Specialists:</b> The Animal Compliance Statement included as an appendix to the Terrestrial Biodiversity and Species Assessment (Appendix G.2 of the FSR) notes that Leopard tortoise (a generalist tortoise) is found in a variety of habitats including arid and mesic savannah, thorn scrub and grasslands. The species was recorded in the south and north of the study area, and it can be deduced that the species occurs throughout the study area. Various impact management actions have been included in the compliance statement with regards to faunal management. Littering and general pollution is also identified as a potential impact, with various mitigation measures, which will be included in the EMPr during the</li> </ul>

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		<p>c) The following are concerns i.t.o. of the cumulative footprint of the 12 x PV's and should be assessed:</p> <ul style="list-style-type: none"> <li>i. The heat island effect (local warming, impacts on reptiles etc.).</li> <li>ii. Lake effect on birds (mortalities and injuries on birds) as the site is located in an Important Bird Area.</li> <li>iii. Lake effect on insects (e.g. insects have been laying eggs on panels instead of pans).</li> <li>iv. Insect mortalities (security lights at these sites at night attract insects).</li> <li>v. Bat impacts (bats are attracted to by the security lights). Various bat species have been recorded around Vanderkloof and in De Aar.</li> </ul>	<p>EIA Phase. This will ensure that the construction site is managed appropriately in terms of waste, and therefore reduce the likelihood of predation by crows. However, this will be considered in the EIA Phase, along with the potential impact of electrocution.</p> <ul style="list-style-type: none"> <li>▪ <b>Response to Comment (b) from the CSIR and Terrestrial Biodiversity Specialists:</b> The aspect regarding herbicide and pesticide use being restricted is noted and will be investigated in the EIA Phase.</li> </ul> <p>The Animal Compliance Statement included as an appendix to the Terrestrial Biodiversity and Species Assessment (Appendix G.2 of the FSR) made use of the Frog Atlas of Southern Africa (FrogMAP, 2022), and Amphibian Species of Conservation Concern (SCC) information was obtained from Du Preez and Carruthers (2017). Various impact management actions have been included in the compliance statement with regards to faunal management, including road mortalities, such as:</p> <ul style="list-style-type: none"> <li>○ All vehicle speeds associated with the project should be monitored and should be limited to 40 km/h (maximum) during the construction phase.</li> <li>○ As roadkills are currently considered high for this area, a roadkill monitoring programme (inclusive of wildlife collisions record keeping) should be established. Where needed, Animex fences must be installed to direct animals to safe road crossings. Finally, mitigation should be adaptable to the onsite situation which may vary over time.</li> </ul> <p>The various mitigation measures will be included in the EMPr during the EIA Phase.</p>

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			<p>Furthermore, neither the Screening Tool Report nor the FrogMap data indicates the presence of the species in the area. This will be considered in the EIA Phase, by potentially adding additional mitigation measures (e.g. chance find procedure, restriction of construction activities to autumn and winter, where possible; installation of drift fences to prevent mortalities) should the species be recorded on site (during construction or operational phases of the project).</p> <p>The aspect regarding herbicide and pesticide use being restricted is noted and will be investigated in the EIA Phase.</p> <ul style="list-style-type: none"> <li>▪ <b>Response to Comment (c):</b> <ul style="list-style-type: none"> <li>○ <b>Response from the Terrestrial Biodiversity Specialists:</b> <u>Heat island effect (local warming) impacts on reptiles etc.:</u> This can be addressed in more detail during the EIA Phase.</li> <li>○ <b>Response from the Avifauna Specialists:</b> <u>Lake effect on birds:</u> The lake effect has so far proven not to be a major cause of avifaunal impact mortality and seems to be associated with large permanent waterbodies in close proximity to the proposed development. The unusually high percentage of waterbird mortalities at the Desert Sunlight PV facility (44%) in California in the USA may support the “lake effect” hypothesis (West 2014). Although in the case of Desert Sunlight, the proximity of evaporation ponds may act as an additional risk increasing factor, in that birds are both attracted to the water feature and habituated to the presence of an accessible aquatic environment in the area. This may translate into the misinterpretation of diffusely reflected sky or horizontal polarised light source as a body of water. However, due to limited data it would be</li> </ul> </li> </ul>

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			<p>premature to make any general conclusions about the influence of the lake effect or other factors that contribute to fatality of water-dependent birds. None of the proposed PV developments are situated near a large waterbody. Reference: <i>WEST (Western EcoSystems Technology, Inc.), 2014, Sources of Avian Mortality and Risk Factors Based on Empirical Data from Three Photovoltaic Solar Facilities, prepared by Western EcoSystems Technology, Inc., June 17.</i></p> <ul style="list-style-type: none"> <li>○ <b>Response from the Terrestrial Biodiversity Specialists:</b> <u>Lake effect on insects:</u> This can be addressed during the EIA Phase; however, this hypothesis has never been proven.</li> <li>○ <b>Response from the Terrestrial Biodiversity Specialists:</b> <u>Insect mortalities:</u> This can be addressed in more detail during the EIA Phase, however the Animal Compliance Statement (included as an appendix to the Terrestrial Biodiversity and Species Assessment (Appendix G.2 of the FSR)) provides various proposed impact management actions. One of the impact management actions that relates to this comment is the recommendation to “reduce exterior lighting to that necessary for safe operation and implement operational strategies to reduce spill light. Use down-lighting from non-UV lights where possible, as light emitted at one wavelength has a low level of attraction to insects. This will reduce the likelihood of attracting insects and their predators. Insects generally see three colours of light, Ultraviolet (UV), blue and green. Bright white or bluish lights (mercury vapor, white incandescent and white florescent) are the most attractive to insects. Yellowish, pinkish, or</li> </ul>

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			<p>orange (sodium vapor, halogen, dichroic yellow) are the least attractive to most insects.</p> <ul style="list-style-type: none"> <li>○ <b>Response from the Terrestrial Biodiversity Specialists:</b> <u>Bat impacts:</u> Assessing bats is not a requirement for solar facilities, and there are no formal guidelines in this regard. No Species of Conservation Concern were identified by the Screening Tool or during the initial site verification. The watercourses have been buffered accordingly by the Aquatic Specialist, which is the most important foraging habitat for bats. Further clarification can be provided during the EIA Phase, if required.</li> </ul>
		12. In the EMPR, please make provision for the correct disposal and possible recycling of PV panels during construction, operation and closure phases. There have been cases in the past where broken panels arrived at the construction sites that were illegally disposed at a site in a burrow pit.	<b>CSIR:</b> These comments are noted and will be addressed in the EIA Phase, and relevant management actions included in the EMPR.
4.	03/02/2023 Email Northern Cape Department of Agriculture, Environmental Affairs, Rural Development and Land Reform: Environmental Research and Development (ERD) (Natalie Uys)	<p>Thank you for the consideration of our comments.</p> <p>I had to double check our documents and liaise with our biodiversity planner regarding your question, therefore delay in my reply.</p> <p>You provided the following definition from L3: "systematic biodiversity plan" is a plan that identifies important areas for biodiversity conservation, taking into account biodiversity patterns (i.e. the principle of representation) and the ecological and evolutionary processes that sustain them (i.e. the principle of persistence). A systematic biodiversity plan must set quantitative targets/thresholds for aquatic and terrestrial biodiversity features in order to conserve a representative sample of biodiversity pattern and ecological processes;"</p> <p>Our CBA map was signed off by the head of the department as an "instrument for informing decisions and priorities on biodiversity". Based</p>	<b>CSIR:</b> The NC DAEARDLR is greatly thanked for the information and confirmation. As such, the listed activities relating to CBAs as identified in systematic biodiversity plans adopted by the competent authority is regarded as applicable, and thus included in the Application for EA.

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		<p>on the above definition of a systematic biodiversity plan, our CBA map meets both the criterias as important biodiversity areas were identified and targets for both terrestrial and freshwater systems were determined (Holness &amp; Oosthuysen, 2016). Thus, the triggers we mentioned for LN3 regarding CBAs and ESAs would still apply.</p> <p>Reference: Holness, S., &amp; Oosthuysen, E. (2016). Critical Biodiversity Areas of the Northern Cape : Technical Report.</p>	

**3. Comments received from Eskom**

COMMENTS RECEIVED FROM ESKOM			
NO.	DATE OF COMMENT, FORMAT OF COMMENT, NAME OF ORGANISATION/ I&AP	COMMENT	RESPONSE FROM THE ENVIRONMENTAL ASSESSMENT PRACTITIONER (EAP) / APPLICANT / SPECIALIST
1.	17/01/2023 Email Eskom (John Geeringh)	Please send me KMZ files of the affected properties, proposed layouts and proposed grid connection. Please find attached Eskom requirements for work at or near Eskom infrastructure and servitudes, as well as a renewable energy setbacks guideline.	<p><b>CSIR:</b> This request is noted. The requested kmz files were sent to John Geeringh via email on 25 January 2023. A separate Environmental Assessment Process will be undertaken for the proposed development of the Electrical Grid Infrastructure (EGI) in support of the proposed Kudu Solar Facilities, and hence does not form part of the current Scoping and EIA Process.</p> <p>The following specifications provided by Eskom were sent to the Project Developer for consideration:</p> <ul style="list-style-type: none"> <li>▪ Eskom requirements for work in or near Eskom servitudes; and</li> <li>▪ Renewable Energy Generation Plant Setbacks to Eskom Infrastructure.</li> </ul> <p>The above Eskom requirements are duly noted and will be adhered to by the Project Developer during the relevant project stages.</p>



4. Comments received from Telkom

COMMENTS RECEIVED FROM TELKOM			
NO.	DATE OF COMMENT, FORMAT OF COMMENT, NAME OF ORGANISATION/ I&AP	COMMENT	RESPONSE FROM THE ENVIRONMENTAL ASSESSMENT PRACTITIONER (EAP) / APPLICANT / SPECIALIST
1.	19/12/2022 Email Mvelaphande Trading, Telkom (Chris Schutte)	<b>Kudu Solar Facility 1 (Telkom Reference Number: CPLT0797-22)</b>  Hereby do we acknowledge your proposed project.  For future reference please quote CPLT0797-22.	<b>CSIR:</b> This comment is noted with thanks.
2.	16/01/2023 Email and Cover Letter Mvelaphande Trading, Telkom (Chris Schutte)	<b>Kudu Solar Facility 1 (Telkom Reference Number: CPLT0797-22)</b>  <b>Email and Cover Letter<sup>3</sup></b>  With reference to your above- mentioned application, I hereby confirm that the proposed work installation is approved in terms of Section 29 of the Electronic Communications Act No. 36 of 2005 as amended.  No infrastructure of our Client (Openserve) will be affected by this proposal. We did our utmost to ensure that we indicate our route as accurate as possible and should you discover any of our cables that is not on the sketch please stop and contact us immediately to arrange a site meeting. In the event that our cables are exposed and damaged/stolen by a third party the damages will be repaired at the customer's account. Please make use of pilot holes in order not to damage our infrastructure. Therefore any damages occurred during construction of work will be repaired at the customer's account.  Although we are not affected by this proposal, Mr Vivian Groenewald must be contacted at telephone number 081 362 6738 from our Network Field Services. Two (2) weeks prior to commencement of proposed work.	<b>CSIR:</b> This approval in terms of Section 29 of the Electronic Communications Act (Act 36 of 2005, as amended) is noted with thanks. Relevant information from the approval will be incorporated into the project Environmental Management Programme (EMPr) during the Environmental Impact Assessment (EIA) Phase. In addition, Mr Vivian Groenewald will be contacted by the relevant parties prior to the commencement of the proposed project, should Environmental Authorisation be granted.

<sup>3</sup> The first four paragraphs of the letter were also copied into the covering email. To avoid duplication, it has not been repeated here. Refer to Appendix E.10 for a copy of the email and letter in this regard.

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COMMENTS RECEIVED FROM TELKOM			
NO.	DATE OF COMMENT, FORMAT OF COMMENT, NAME OF ORGANISATION/ I&AP	COMMENT	RESPONSE FROM THE ENVIRONMENTAL ASSESSMENT PRACTITIONER (EAP) / APPLICANT / SPECIALIST
		<p>Approval of the proposed route is valid for six months. If construction has not yet commenced within this period, then the file must be resubmitted for approval.</p> <p>Any changes / deviations from the original planning during or prior to construction must immediately be communicated to this office.</p> <p>On completion of this project, please certify that all requirements as stipulated in this letter have been met. Please note that should any of our Client (Openserve) infrastructure has to be relocated or altered as a result of your activities the cost for such alteration or relocation will be for your account in terms of section 25 of the Electronic Communication Act.</p> <p>Mr Vivian Groenewald must be contacted at telephone number 081 362 6738. Two (2) weeks prior to commencement of proposed work. It's important that all services are shown on site before construction starts.</p> <p>Approval of the proposed route is valid for six months. If construction has not yet commenced within this period, then the file must be resubmitted for approval. Any changes / deviations from the original planning during or prior to construction must immediately be communicated to this office.</p> <p>Please notify this office and forward an as built plan, within 30 days of completion of construction.</p> <p>Mr Vivian Groenewald must be contacted at telephone number 081 362 6738. Two (2) weeks prior to commencement of proposed work. It's important that all services are shown on site before construction starts.</p>	

**5. Comments received from the South African Heritage Resources Agency (SAHRA)**

COMMENTS RECEIVED FROM THE SOUTH AFRICAN HERITAGE RESOURCES AGENCY (SAHRA)			
NO.	DATE OF COMMENT, FORMAT OF COMMENT, NAME OF ORGANISATION/ I&AP	COMMENT	RESPONSE FROM THE ENVIRONMENTAL ASSESSMENT PRACTITIONER (EAP) / APPLICANT / SPECIALIST
1.	09/12/2022 Email SAHRA (Natasha Higgitt)	<p>Hi there,</p> <p>Upload the DSR and I will have a look at what appendices you have. I will let you know what we need after that.</p> <p>Reports that we will definitely need are Social, Visual, Consultation reports, appendices with maps and layouts and any draft EMP type documents.</p> <p>I might only be able to look at the cases on Monday, but will let you know what we need.</p> <p>Kind regards,</p> <p>Please note that I will be on leave from the 19th December 2022 and I will return on the 9th January 2023.</p>	<p><b>CSIR:</b> This email was sent in response to a query from the CSIR on which specialist scoping level inputs need to be uploaded onto SAHRIS.</p>
2.	12/12/2022 Email SAHRA (Natasha Higgitt)	<p>Good morning,</p> <p>Thank you for the email. I have assigned myself to the cases and added them to my schedule.</p> <p>I will ask the SAHRIS Admin team to delete that report file. You must just link to the other PIA report file (which is linked to all the others cases) to PV 2 case.</p> <p>We are not able to provide editing rights to more than one profile. I would recommend creating a company profile, that everyone in your company will have access to. This way more than one person may use the profile. This will also help when people leave companies and we don't need to transfer authorship to someone else.</p>	<p><b>CSIR:</b> This email was sent in response to the project team informing SAHRA that the cases have been created on SAHRIS. The project team also enquired whether it is possible to delete a file that was erroneously uploaded twice, as well as grant an additional person editing and upload rights to the cases.</p>

SCOPING REPORT: Scoping and Environmental Impact Assessment (EIA) Process for the Proposed Development of a Solar Photovoltaic (PV) Facility (Kudu Solar Facility 1) and associated infrastructure, near De Aar, Northern Cape Province

COMMENTS RECEIVED FROM THE SOUTH AFRICAN HERITAGE RESOURCES AGENCY (SAHRA)			
NO.	DATE OF COMMENT, FORMAT OF COMMENT, NAME OF ORGANISATION/ I&AP	COMMENT	RESPONSE FROM THE ENVIRONMENTAL ASSESSMENT PRACTITIONER (EAP) / APPLICANT / SPECIALIST
		Kind regards,  Please note that I will be on leave from the 19th December 2022 and I will return on the 9th January 2023.	
3.	15/12/2022 Email SAHRA (Natasha Higgitt)	Good morning,  Please upload the Visual Scoping Reports and Appendix F for each development application. I assume that Appendix E Public Participation has no information at this stage in the Scoping Phase. If there is any public comments at this stage and they form part of that Appendix, please upload them to each case.  Kind regards,  Please note that I will be on leave from the 19th December 2022 and I will return on the 9th January 2023.	<b>CSIR:</b> This email was sent in response to the project team's inquiry as to whether additional appendices need to be uploaded onto SAHRIS.
4.	25/01/2023 Email SAHRA (Natasha Higgitt)	I am currently drafting comments on the cases which I hope to issue by Friday.	<b>CSIR:</b> This comment is noted with thanks.
5.	25/01/2023 SAHRIS messaging system SAHRA (Natasha Higgitt)	Good afternoon,  Please note that Interim Comments have been issued on SAHRIS Case ID 20336 - 20347.  Please see links to the cases.  Kind regards, Natasha Higgitt  CaseReference:	<b>CSIR:</b> This comment is noted with thanks. The comments were successfully accessed from SAHRIS.

SCOPING REPORT: Scoping and Environmental Impact Assessment (EIA) Process for the Proposed Development of a Solar Photovoltaic (PV) Facility (Kudu Solar Facility 1) and associated infrastructure, near De Aar, Northern Cape Province

COMMENTS RECEIVED FROM THE SOUTH AFRICAN HERITAGE RESOURCES AGENCY (SAHRA)			
NO.	DATE OF COMMENT, FORMAT OF COMMENT, NAME OF ORGANISATION/ I&AP	COMMENT	RESPONSE FROM THE ENVIRONMENTAL ASSESSMENT PRACTITIONER (EAP) / APPLICANT / SPECIALIST
		Kudu Solar Facility 1 Kudu Solar Facility 2 Kudu Solar Facility 3 Kudu Solar Facility 4 Kudu Solar Facility 5 Kudu Solar Facility 6 Kudu Solar Facility 7 Kudu Solar Facility 8 Kudu Solar Facility 9 Kudu Solar Facility 10 Kudu Solar Facility 11 Kudu Solar Facility 12	
6.	25/01/2023 Letter (received via SAHRIS) SAHRA (Natasha Higgitt)	<p><b>Interim Comment</b></p> <p>In terms of Section 38(3), 38(8) of the National Heritage Resources Act (Act 25 of 1999)</p> <p>Attention: Kudu Solar Facility 1 (Pty) Ltd</p> <p>ABO Wind renewable energies (Pty) Ltd is proposing to develop 12 Solar Photovoltaic (PV) power generation facilities and associated Electrical Grid Infrastructure (EGI), north-east of the town of De Aar, in the Renosterberg Local Municipality and Pixley Ka Seme District Municipality, in the Northern Cape Province. Scoping and Environmental Impact Assessment (EIA) Processes are currently being undertaken for the 12 Solar PV facilities. Separate Basic Assessment (BA) and/or EGI Standard Registration processes will be commissioned separately, once finalised, for the EGI projects. This case is for the proposed Kudu Solar Facility 1.</p> <p>The Council for Scientific and Industrial Research (CSIR) has been appointed by ABO Wind renewable energies (Pty) Ltd to undertake</p>	<p><b>CSIR, Heritage and Palaeontology Specialists:</b> SAHRA is thanked for the comments and inputs made on the proposed project.</p> <p>In terms of heritage and archaeology, the comments have been noted and will be factored into the Heritage Impact Assessment (HIA) during the <u>EIA Phase</u>, as applicable. This includes adding a map of the track logs, indication of the all the project components (once finalised in the EIA Phase), as well as updating Table 2 (i.e. the list of heritage resources recorded during the survey) to indicate in which Kudu project each heritage resource is located within and any specific mitigation and/or management measures required. This can only be undertaken during the EIA Phase based on the latest development footprints. Furthermore, note that the Heritage Assessment included in Appendix G.6 of the FSR is a Scoping Level Assessment intended for the Scoping Phase in terms of the 2014 National Environmental Management Act (NEMA) Environmental Impact Assessment (EIA) Regulations (as amended), to capture high level assessments and to identify if there are any fatal flaws, as well as to capture the findings of the Site Sensitivity Verifications in line with the Assessment Protocols of GN 320. Thus, the requirements of the National Heritage Resources Act (Act 25 of 1999) (NHRA) (and</p>

SCOPING REPORT: Scoping and Environmental Impact Assessment (EIA) Process for the Proposed Development of a Solar Photovoltaic (PV) Facility (Kudu Solar Facility 1) and associated infrastructure, near De Aar, Northern Cape Province

<b>COMMENTS RECEIVED FROM THE SOUTH AFRICAN HERITAGE RESOURCES AGENCY (SAHRA)</b>			
<b>NO.</b>	<b>DATE OF COMMENT, FORMAT OF COMMENT, NAME OF ORGANISATION/ I&amp;AP</b>	<b>COMMENT</b>	<b>RESPONSE FROM THE ENVIRONMENTAL ASSESSMENT PRACTITIONER (EAP) / APPLICANT / SPECIALIST</b>
		<p>an Environmental Authorisation Application for the proposed Kudu Solar Facility 1 and associated infrastructure, near De Aar, Northern Cape Province.</p> <p>A Draft Scoping Report (DSR) has been submitted in terms of the National Environmental Management Act, 1998 (NEMA) and the NEMA Environmental Impact Assessment (EIA) Regulations. The proposed activities will include the construction of solar panels, auxiliary buildings, inverter/transformer stations, on-site substation complex, battery energy storage system (BESS), underground cables, access roads, internal roads, fencing, storm water channels, panel cleaning and maintenance area, laydown areas with an overall application area of 33 ha.</p> <p>Natura Viva CC and ASHA Consulting (Pty) Ltd were appointed to provide heritage specialist input as part of the EA process as per section 24(4)b(iii) of NEMA and section 38(8) of the National Heritage Resources Act, Act 25 of 1999 (NHRA).</p> <p>Almond, J. E. 2022. Site Sensitivity Verification Report: Proposed Development of the Kudu Solar Photovoltaic Facilities and Associated Infrastructure near Philipstown and De Aar, Pixley Ka Seme District, Northern Cape Province.</p> <p>A report that combines the assessment of all 12 Kudu Solar Projects has been submitted.</p> <p>The proposed development footprint is underlain by the Waterford Formation, the Tierberg Formation and are overlain by the Late Caenozoic calcrete hardpans, alluvial deposits, surface gravels and soils of low sensitivity. A Chance Finds Procedure is recommended to be implemented.</p>	<p>Appendix 6 of the 2014 NEMA EIA Regulations, as amended) will be fulfilled in the EIA Phase, during which the formal HIA will be compiled.</p> <p>In terms of Palaeontology, a desktop- and field-based Site Sensitivity Verification (not palaeontological assessment reports) has been undertaken, as per the requirements of Part A of the Assessment Protocols published in GN 320. Based on the low to very low palaeo-sensitivity of the entire combined project area, there is a motivation that further palaeontology work is not required, provided that a chance find procedure is implemented during the construction phase. This overall approach has been discussed between the specialist and the palaeontologist officer at SAHRA on various occasions.</p> <p>In addition, the specialist has noted that an addendum providing site specific information is not the intention of the Site Sensitivity Verification. GPS locality details for the very few fossil remains found during the site visit have been provided in the Site Sensitivity Verification report (figure legends). They are all of very low scientific and conservation value and have no bearing on project layout or authorisation.</p>

SCOPING REPORT: Scoping and Environmental Impact Assessment (EIA) Process for the Proposed Development of a Solar Photovoltaic (PV) Facility (Kudu Solar Facility 1) and associated infrastructure, near De Aar, Northern Cape Province

COMMENTS RECEIVED FROM THE SOUTH AFRICAN HERITAGE RESOURCES AGENCY (SAHRA)			
NO.	DATE OF COMMENT, FORMAT OF COMMENT, NAME OF ORGANISATION/ I&AP	COMMENT	RESPONSE FROM THE ENVIRONMENTAL ASSESSMENT PRACTITIONER (EAP) / APPLICANT / SPECIALIST
		<p>Orton, J. 2022. Heritage Specialist Scoping Report Inputs: Scoping and Environmental Impact Assessment (EIA) Process for the Proposed Development of a Solar Photovoltaic Facility (Kudu Solar Facility 1) and associated infrastructure, near De Aar, Northern Cape Province</p> <p>No heritage resources were identified within the Kudu Solar Facility 1. A Chance Finds Procedure is recommended, and the recommendations of the Visual Impact Assessment must be followed.</p> <p><b>Interim Comment</b></p> <p>The SAHRA Archaeology, Palaeontology and Meteorites (APM) Unit requests that the HIA must be revised to include a map of the track logs and must be revised to show all project components such as the access roads etc. The table of identified heritage resources i.e. Table 2, must be revised to indicate in which Kudu project each heritage resources is located within and any specific mitigation and/or management measures required. An addendum to the PIA must be provided with specific results for the Kudu Solar 1 project.</p> <p>Further comments will be issued upon receipt of the above revised reports and draft EIA inclusive of appendices.</p> <p>Should you have any further queries, please contact the designated official using the case number quoted above in the case header.</p>	

6. Comments received from General Stakeholders and I&APS

COMMENTS RECEIVED FROM GENERAL STAKEHOLDERS AND I&APS			
NO.	DATE OF COMMENT, FORMAT OF COMMENT, NAME OF ORGANISATION/ I&AP	COMMENT	RESPONSE FROM THE ENVIRONMENTAL ASSESSMENT PRACTITIONER (EAP) / APPLICANT / SPECIALIST
1.	12/12/2022 Email Frans Jooste Library, Philipstown (████)	Have received the documents and place on the Notice Board	<b>CSIR:</b> Communications were held between the EAP and the Frans Jooste Library in Philipstown to ensure that an electronic copy of the Draft Scoping Report is kept at the library for reference purposes. This is an acknowledgment of receipt of the notice of the availability of the Draft Scoping Report for comment.
2.	24/01/2023 Email Landowner (████)	Ons het probleme met kommunikasie netwerke.  In 'n neutedop: waarom gaan die verslae waarop kommentaar gelewer moet word? (Voor ek nou alles download en in elk geval nie gaan verstaan nie)  <i>Translation:</i>  <i>We have problems with communication networks.</i>  <i>In a nutshell: What are the reports about that need to be commented on? (Before I download everything and won't be able to understand anyway)</i>	<b>CSIR:</b> The project team attempted to contact affected landowners via phone call as a means of personally reminding them of the closure of the Kudu Solar Facilities comment period. This query followed after the project team was unable to reach the affected landowner, instead opting to send an email detailing where the reports can be accessed, as well as informing the landowner that the any questions, comments, or inputs are welcome and appreciated.  The project team informed the affected landowner that ABO Wind renewable energies (Pty) Ltd appointed the CSIR to conduct the Scoping and EIA process for the proposed Kudu Solar Facilities to be constructed on their land. The project team explained that the reports contain summaries of the specialists' findings regarding the proposed Kudu Solar Facilities and that the reports are lengthy, however, Executive Summaries are available on the CSIR EMS website and Google Drive.
3.	24/01/2023 Email Landowner (████)	Baie dankie vir jou spoedige terugvoer.  <i>Translation:</i>  <i>Thank you very much for your swift response.</i>	<b>CSIR:</b> This email was sent in response to project team's response to the affected landowner's first email. This comment is noted with thanks.
4.	30/01/2023 Email Adjacent Landowner (████)	Attached my comments on the Kudu Development as an I&AP. Also note that my email changed from █████ to █████.	<b>CSIR:</b> The comments received are noted and have been captured in this Comments and Responses Report, as well as Appendix E.10 of this FSR. The change of email address for this stakeholder is noted and has been updated in the I&AP database, as captured in Appendix D of this FSR.



SCOPING REPORT: Scoping and Environmental Impact Assessment (EIA) Process for the Proposed Development of a Solar Photovoltaic (PV) Facility (Kudu Solar Facility 1) and associated infrastructure, near De Aar, Northern Cape Province

COMMENTS RECEIVED FROM GENERAL STAKEHOLDERS AND I&APS			
NO.	DATE OF COMMENT, FORMAT OF COMMENT, NAME OF ORGANISATION/ I&AP	COMMENT	RESPONSE FROM THE ENVIRONMENTAL ASSESSMENT PRACTITIONER (EAP) / APPLICANT / SPECIALIST
5.	30/01/2023 Letter (Received via email) Adjacent Landowner (██████)	<p>INPUT AND OBJECTION TOWARDS THE KUDU DEVELOPMENT</p> <p>I registered as an interested and affected party to the proposed Kudu development in the Philipstown district.</p> <p>1) We understand according to documents at our disposal that your development is a massive one proposed on only two farms. As a neighbour who has been farming for my entire life in the Karoo, I want to know what the water use of this project will be. Further, I also request information on measures that you have put into place to test the availability of water resources.</p> <p>2) According to the layouts of the solar farms, it appears the majority of certain farms will be covered almost entirely under panels. What is your company’s viewpoint and understanding of the subdivision of agricultural land act (Act 70 of 1970)? How would the act impact on your proposed developments?</p> <p>3) What benefits would your proposed development have for the farming community of Philipstown district?</p> <p>I also register my objection against the development as it does not enhance agricultural sustainability.</p> <p>(Note my email changed from ██████ to ██████).</p>	<p><b>CSIR:</b> The comments received are noted and responded to below:</p> <ul style="list-style-type: none"> <li>▪ <b><u>I&amp;AP Registration:</u></b> This I&amp;AP was pre-identified and included on the initial project I&amp;AP database during the Project Initiation Phase (i.e. for the release of the Background Information Document), and maintained for the release of the Draft Scoping Report. Refer to Appendix D of this FSR for a copy of this database.</li> <li>▪ <b><u>Interest in the approval or refusal of the proposed Kudu Solar Facility Application:</u></b> Research has been undertaken to determine the farm property that is owned / in control by this stakeholder. Based on research undertaken, it is understood that another Solar PV Facility (proposed by another Applicant) is planned on the aforementioned said property (i.e. Phase 3 of the Crossroads Green Energy Cluster of Renewable Energy Facilities, Savannah Environmental, 2023. Scoping Report Tafelkop Solar PV Facility, Northern Cape Province<sup>4</sup>). The Scoping and EIA Process for Phase 3 of the above development has not commenced yet. In line with the above, this stakeholder is reminded of Regulation 43 (1) of the 2014 NEMA EIA Regulations (as amended) which states that “<i>a registered interested and affected party is entitled to comment, in writing, on all reports or plans submitted to such party during the public participation process contemplated in these Regulations and to bring to the attention of the proponent or applicant any issues which that party believes may be of significance to the consideration of the application, provided that the interested and affected party discloses any direct business, financial, personal or other interest which that party may have in the approval or refusal of the application</i>”.</li> </ul>

<sup>4</sup> <https://savannahsa.com/public-documents/energy-generation/hydra-b-cluster/>

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COMMENTS RECEIVED FROM GENERAL STAKEHOLDERS AND I&APS			
NO.	DATE OF COMMENT, FORMAT OF COMMENT, NAME OF ORGANISATION/ I&AP	COMMENT	RESPONSE FROM THE ENVIRONMENTAL ASSESSMENT PRACTITIONER (EAP) / APPLICANT / SPECIALIST
			<ul style="list-style-type: none"> <li>▪ <b>Number of Farm Portions Affected:</b> The Kudu Solar Facility development consists of 12 Solar Facilities and associated infrastructure. Refer to Chapter 2 of the FSR for a full description of the affected properties per project, as summarised below:               <ul style="list-style-type: none"> <li>○ <b>Kudu Solar Facility 1:</b> <ul style="list-style-type: none"> <li>▪ Remaining Extent of the Farm Bas Berg No. 88</li> <li>▪ Remaining Extent of Portion 3 of the Farm Bas Berg No. 88</li> </ul> </li> <li>○ <b>Kudu Solar Facility 2:</b> <ul style="list-style-type: none"> <li>▪ Remaining Extent of the Farm Bas Berg No. 88</li> <li>▪ Remaining Extent of Portion 3 of the Farm Bas Berg No. 88</li> </ul> </li> <li>○ <b>Kudu Solar Facility 3:</b> <ul style="list-style-type: none"> <li>▪ Remaining Extent of Portion 3 of the Farm Bas Berg No. 88</li> </ul> </li> <li>○ <b>Kudu Solar Facility 4:</b> <ul style="list-style-type: none"> <li>▪ Remaining Extent of Portion 3 of the Farm Bas Berg No. 88</li> </ul> </li> <li>○ <b>Kudu Solar Facility 5:</b> <ul style="list-style-type: none"> <li>▪ Remaining Extent of Portion 3 of the Farm Bas Berg No. 88</li> </ul> </li> <li>○ <b>Kudu Solar Facility 6:</b> <ul style="list-style-type: none"> <li>▪ Remaining Extent of Portion 2 (Middel Plaats) (a Portion of Portion 1) of the Farm Grasspan No. 40</li> </ul> </li> <li>○ <b>Kudu Solar Facility 7:</b> <ul style="list-style-type: none"> <li>▪ Remaining Extent of Portion 2 (Middel Plaats) (a Portion of Portion 1) of the Farm Grasspan No. 40</li> </ul> </li> <li>○ <b>Kudu Solar Facility 8:</b> <ul style="list-style-type: none"> <li>▪ Remaining Extent of the Farm Annex Wolve Kuil No. 41</li> <li>▪ Portion 1 (Wolve Kuil West) of the Farm Annex Wolve Kuil No. 41</li> </ul> </li> </ul> </li> </ul>

SCOPING REPORT: Scoping and Environmental Impact Assessment (EIA) Process for the Proposed Development of a Solar Photovoltaic (PV) Facility (Kudu Solar Facility 1) and associated infrastructure, near De Aar, Northern Cape Province

COMMENTS RECEIVED FROM GENERAL STAKEHOLDERS AND I&APS			
NO.	DATE OF COMMENT, FORMAT OF COMMENT, NAME OF ORGANISATION/ I&AP	COMMENT	RESPONSE FROM THE ENVIRONMENTAL ASSESSMENT PRACTITIONER (EAP) / APPLICANT / SPECIALIST
			<ul style="list-style-type: none"> <li>○ <b>Kudu Solar Facility 9:</b> <ul style="list-style-type: none"> <li>▪ Portion 1 (Wolve Kuil West) of the Farm Annex Wolve Kuil No. 41</li> </ul> </li> <li>○ <b>Kudu Solar Facility 10:</b> <ul style="list-style-type: none"> <li>▪ Portion 1 (Wolve Kuil West) of the Farm Annex Wolve Kuil No. 41</li> </ul> </li> <li>○ <b>Kudu Solar Facility 11:</b> <ul style="list-style-type: none"> <li>▪ Portion 1 (Wolve Kuil West) of the Farm Annex Wolve Kuil No. 41</li> <li>▪ Portion 2 of the Farm Wolve Kuil No. 43</li> </ul> </li> <li>○ <b>Kudu Solar Facility 12:</b> <ul style="list-style-type: none"> <li>▪ Portion 2 of the Farm Wolve Kuil No. 43</li> </ul> </li> </ul> <p>Therefore, all twelve Solar PV Facilities are planned to occur on up to six farm properties (not two). The total development footprint for all twelve Solar PV Facilities based on the Revised Scoping Buildable Areas is estimated at 3 132 ha. The total extent of the affected farm properties listed above is approximately 8 176 ha. Therefore, the proposed estimated development footprint of the proposed projects comprises 38 % of the total extent of the affected properties.</p> <ul style="list-style-type: none"> <li>▪ <b>Water Usage:</b> With regards to water usage, the relevant information was provided in Chapter 2 of the DSR, as well as the Geohydrology Scoping Level Assessment (Appendix G.11) and has been retained in the FSR. Note that <b>each</b> Kudu Solar Facility will require the following water volumes. <u>This specifically applies to Kudu Solar Facility 1, 2, 3, 4, 6, 9, 10, and 12.</u> Each facility listed here will require the amount of water below: <ul style="list-style-type: none"> <li>○ Approximately 9 000 m<sup>3</sup> of water is estimated to be required per year for the construction phase.</li> <li>○ Approximately 1 000 m<sup>3</sup> of water is estimated to be required per year for the operational phase.</li> </ul> </li> </ul>

SCOPING REPORT: Scoping and Environmental Impact Assessment (EIA) Process for the Proposed Development of a Solar Photovoltaic (PV) Facility (Kudu Solar Facility 1) and associated infrastructure, near De Aar, Northern Cape Province

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			<p>The following water usage applies to <u>Kudu Solar Facilities 5, 7, 8 and 11</u> each (i.e. each facility listed here will require the amount of water below):</p> <ul style="list-style-type: none"> <li>○ Approximately 18 000 m<sup>3</sup> of water is estimated to be required per year for the construction phase.</li> <li>○ Approximately 2 000 m<sup>3</sup> of water is estimated to be required per year for the operational phase.</li> </ul> <p>For all the proposed Kudu Solar Facilities, water requirements during the decommissioning phase are unknown at this stage.</p> <p>Water required for the construction, operational and decommissioning phases will either be sourced from the following sources (<b><u>in order of priority and likelihood</u></b>):</p> <ul style="list-style-type: none"> <li>○ Local municipality i.e. most likely trucked in or made available for collection at the Local Municipal Water Treatment Plant via a metered standpipe;</li> <li>○ Investigation into a third-party water supplier which may include private services companies. This would most likely be trucked in;</li> <li>○ Existing boreholes on site to source groundwater (if available and if suitable); or</li> <li>○ New boreholes that will be drilled on site to source groundwater (if available and if suitable), which will be subject to complete geohydrological testing and an assessment, as well as a Water Use Licence Application process. This will be undertaken as a separate process, once more detailed information becomes available, <u>outside of the current Application for EA for the Solar PV Facility and associated infrastructure.</u></li> </ul>

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			<p>As noted in Chapter 2 of the FSR and the Geohydrology Scoping Level Assessment (Appendix G.11), therefore the use of existing boreholes on site to source groundwater (if available and if suitable) is <u>only one of the potential water sources (and it is only the third most likely option, as noted above. Water from the municipality is the first option in terms of viability but consideration of other options is vital).</u></p> <p>A hydrocensus was undertaken as part of the Geohydrology Scoping Level input in order to visit selected boreholes and landowners to obtain information such as yields and to measure the field chemistry to assess the groundwater quality (pH, total dissolved solids (TDS) and electrical conductivity (EC)). An analysis of the hydrocensus chemistry results was also undertaken in terms of the SANS 241-1: 2015 and the Department of Water Affairs and Forestry (DWAF) (1998) Standards. Based on this, the groundwater quality in the study area is generally of good quality in terms of pH, TDS and EC. It is possible that the groundwater can be used for potable and domestic purposes with only minor treatment however a full laboratory analysis will be required. With regards to the cleaning of panels, salts could be removed from the groundwater by thermal distillation (i.e. boiling since salt has a much higher boiling point than water) or by membrane separation (commonly reverse osmosis). Both of these techniques are possible but financial viability would have to be determined before commissioning as both techniques are costly on a large scale. Water pipelines may need to be constructed to transfer groundwater from existing boreholes or they may be transported by trucks from the boreholes to the site. Groundwater may also need to be stored on site in suitable containers or reservoir tanks during the construction and operational phases. Ground water storage may trigger the need for a Water Use Licence. This will be investigated during the EIA Phase.</p>

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			<ul style="list-style-type: none"> <li> <p><b>Water Availability:</b> With regards to the measures in place to test the availability of water resources, as noted above, a hydrocensus was conducted to confirm the quality of various existing boreholes in the region. However, no drill records or yield test data exists for production or wind pump boreholes to clarify yields and geological logs. Therefore, estimations for groundwater supply capacity for the area are based on regional datasets. For each PV Facility, the anticipated demands are less than the regional yield potential of the underlying aquifer (0.5 – 2.0 L/s). This is considered appropriate for a study undertaken as part of an EIA Process.</p> <p>The study area is located mainly within quaternary catchment D33B with small sections within quaternary catchment D62F. Both of these quaternary catchments form part of the Lower Orange Water Management Area in the Northern Cape. The groundwater General Authorisation (GA) for both of the catchments is 45 m<sup>3</sup>/ha/a (published on 2 September 2016, in GG 40243, GN 538 (i.e. Revision of GA for the taking and storing of water). If the proposed projects are timed and planned appropriately with regards to groundwater use, all the water can be obtained from groundwater, with the use being Generally Authorised.</p> <p>In the Scoping Level Geohydrology Assessment, the impact of the proposed abstraction on groundwater is predicted to be of low significance, with effective implementation of mitigation actions (i.e. to adhere to the borehole’s safe yield and to monitor water levels and flow).</p> </li> <li> <p><b>Coverage of the Affected Farm Properties:</b> During the construction phase, one of the main activities will include removal of vegetation for the proposed infrastructure, where necessary, within the approved development footprint to facilitate the construction and/or</p> </li> </ul>

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			<p>establishment of infrastructure. Note that vegetation is planned to be trimmed within the PV array area (and not removed completely). Therefore, even though it appears that the majority of certain farms will be covered by Solar PV panels, not all the vegetation will be removed completely.</p> <p>In addition, with regards to the concern about the use of large areas of agricultural land and its impact on farming, the Agricultural Specialist has also noted that in order for South Africa to develop the renewable energy generation that it urgently needs, agriculturally zoned land will need to be used for renewable energy generation. It is far more preferable to incur a cumulative loss of agricultural land that is of limited agricultural potential in a region such as the one being assessed, which has no crop production potential, and low grazing capacity, than to lose agricultural land that has a higher potential, and that is much scarcer, to renewable energy development elsewhere in the country.</p> <ul style="list-style-type: none"> <li>▪ <b>Implications of SALA:</b> An Agricultural Compliance Statement was undertaken during the Scoping Phase in line with the requirements of the Assessment Protocols published in GN 320. The Compliance Statement is included in Appendix G.1 of the FSR. It provides feedback on the relevant legislation and permits required for the proposed project. It states that a renewable energy facility requires approval from the National Department of Agriculture, Land Reform and Rural Development (DALRRD) if the facility is on agriculturally zoned land. There are two approvals that apply. The first is a No Objection Letter for the change in land use issued by the Deputy Director General (Agricultural Production, Health and Food Safety, Natural Resources and Disaster Management). The second required approval is a consent for long-term lease in terms of the Subdivision of Agricultural Land Act (Act 70 of 1970) (SALA). If DALRRD approval</li> </ul>

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			<p>for the development has already been obtained in the form of the No Objection letter, then SALA approval should not present any difficulties. Note that SALA approval is not required if the lease is over the entire farm portion. SALA approval (if required) can only be applied for once the Municipal Rezoning Certificate and EA is in hand. The Applicant has taken cognisance of this and will apply for the relevant approval in terms of SALA once the necessary pre-requisite permits are obtained.</p> <ul style="list-style-type: none"> <li>▪ <b>Benefits to the Farming Community:</b> In terms of potential benefits that the proposed Kudu Solar Facilities will have on the farming community of Philipstown district, it is acknowledged that the proposed projects (at its closest point) are located about 20 km from Phillipstown. Nevertheless, the Agriculture Compliance Statement (Appendix G.1 of this FSR) has noted that one of the positive impacts of the proposed projects is the improved security against stock theft and other crime due to the presence of security infrastructure and security personnel at the proposed Solar PV Facilities. It is believed that this positive impact will extend to the surround farms also. Furthermore, a Socio-Economic Scoping Level Assessment was also undertaken during the Scoping Phase, which is included in Appendix G.8 of this FSR. The study identified the following positive socio-economic impacts as a result of the proposed projects: <ul style="list-style-type: none"> <li>○ <b>Construction Phase:</b> <ul style="list-style-type: none"> <li>▪ Creation of employment and business opportunities, and the opportunity for skills development and on-site training.</li> </ul> </li> <li>○ <b>Operational Phase:</b> <ul style="list-style-type: none"> <li>▪ The establishment of infrastructure to generate renewable energy.</li> </ul> </li> </ul> </li> </ul>



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			<ul style="list-style-type: none"> <li>▪ Creation of employment and business opportunities. The operational phase will also create opportunities for skills development and training.</li> <li>▪ Benefits associated with the establishment of a Community Trust.</li> <li>▪ Generation of income for affected landowner/s.</li> </ul> <p>As noted in the FSR, the construction phase will create various employment opportunities. Based on the Socio-Economic Scoping Level Assessment, the majority of the employment opportunities, specifically the low and semi-skilled opportunities, are likely to be available to local residents in the area. The majority of the beneficiaries are likely to be historically disadvantaged (HD) members of the community. This would represent a significant positive social benefit in an area with limited employment opportunities. In addition, the sector of the local economy that is most likely to benefit from the proposed development is the local service industry, linked to accommodation, catering, cleaning, transport, and security, etc. associated with the construction workers on the site.</p> <p>In addition, during the operational phase, the majority of low and semi-skilled beneficiaries are likely to be HD members of the community. Procurement during the operational phase will also create opportunities for the local economy and businesses. Furthermore, the establishment of a community benefit structure (typically, a Community Trust) also creates an opportunity to support local economic development in the area. Therefore, potential benefits of the proposed projects to the surrounding communities have been identified.</p>

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			<ul style="list-style-type: none"> <li>▪ <b>Agricultural Sustainability:</b> The concern regarding the proposed development not viewed as enhancing agricultural sustainability is noted. This will be further addressed during the EIA Phase. However, the Agricultural Compliance Statement (Appendix G.1) of this FSR has confirmed that the proposed projects are acceptable from an agricultural perspective, and that the agricultural sensitivity of the site is less than high (mainly low and medium). The Compliance Statement also discusses the allowable development limits for renewable energy developments of more than 20 MW, as per the Agriculture Assessment Protocol of GN320, which essentially refers to the area of a particular agricultural sensitivity category that can be directly impacted (i.e. taken up by the physical footprint) by a renewable energy development. The agricultural footprint is defined in the protocol as the area that is directly occupied by all infrastructure, including roads, hard standing areas, buildings etc., that are associated with the renewable energy facility during its operational phase, and that result in the exclusion of that land from potential cultivation or grazing. It excludes all areas that were already occupied by roads and other infrastructure prior to the establishment of the energy facility but includes the surface area required for expanding existing infrastructure (e.g. widening existing roads). It therefore represents the total land that is actually excluded from agricultural use as a result of the renewable energy facility (the agricultural footprint). The allowable development limit for non-cropland with a land capability value of less than 8, as this site has been confirmed to be, is 2.5 ha per MW. The proposed facilities are very likely to be within this limit, but the finalised footprint will be assessed in the EIA Phase. If the total development footprint (i.e. ~3132 ha) and generation capacity (i.e. ~2180 MW) based on the Revised Scoping Buildable Areas are used for all 12 projects, this is well within the 2.5 ha per MW limit. However, this will be confirmed during the EIA Phase.</li> </ul>

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			<p>The above being said, as noted in the Agriculture Compliance Statement, the proposed development will provide reliable and predictable income to the owners of the land on which the proposed project will be constructed and operated on. This income is likely to increase their financial security and could improve farming operations and productivity through increased investment into farming - therefore improved agricultural sustainability. For neighbouring landowners, the proposed project will potentially create various impacts that will be detailed during the EIA Phase, such as visual impacts. However, as indicated by the Agricultural specialist, the proposed project will have no impact on the agricultural production potential of adjacent farms, and therefore, no impact on agricultural sustainability. From a national food security / agricultural sustainability point of view, it is more agriculturally sustainable to utilise the country's lower potential agricultural land for renewable energy than its higher potential agricultural land. The site under question is some of the country's lowest potential agricultural land.</p> <ul style="list-style-type: none"> <li>▪ <b>Update of I&amp;AP Contact Details:</b> As indicated above, the change of email address for this stakeholder is noted and has been updated in the I&amp;AP database, as captured in Appendix D of this FSR.</li> </ul>
6.	<p>30/01/2023 Letter (Received via email) Adjacent Landowner (██████)</p>	<p>INPUT AND OBJECTION TOWARDS THE KUDU DEVELOPMENT</p> <p>I registered as an interested and affected party to the proposed Kudu development in the Philipstown district.</p> <p>1) We understand according to documents at our disposal that your development is a massive one proposed on only two farms. As a neighbour who has been farming for my entire life in the Karoo, I want to know what the water use of this project will be. Further, I</p>	<p><b>CSIR:</b> The comments received are noted and responded to below:</p> <ul style="list-style-type: none"> <li>▪ This I&amp;AP was pre-identified and included on the initial project I&amp;AP database during the Project Initiation Phase (i.e. for the release of the Background Information Document), and maintained for the release of the Draft Scoping Report. Refer to Appendix D of this FSR for a copy of this database.</li> <li>▪ The comments raised here are the same as that raised above in Row 5. Kindly refer to the responses provided above in Row 5, specifically with regards to the Number of Farm Portions Affected; Water Usage;</li> </ul>

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		<p>also request information on measures that you have put into place to test the availability of water resources.</p> <p>2) According to the layouts of the solar farms, it appears the majority of certain farms will be covered almost entirely under panels. What is your company's viewpoint and understanding of the subdivision of agricultural land act (Act 70 of 1970)? How would the act impact on your proposed developments?</p> <p>3) What benefits would your proposed development have for the farming community of Philipstown district?</p> <p>I also register my objection against the development as it does not enhance agricultural sustainability.</p>	<p>Water Availability; Coverage of the Affected Farm Properties; Implications of SALA; Benefits to the Farming Community; and Agricultural Sustainability.</p>
7.	30/01/2023 Letter (Received via email) (██████)	<b>Note from the CSIR:</b> The comments raised are the same as those raised above in Row 6.	<b>CSIR:</b> A copy of the above letter was sent to the EMS email address, most likely erroneously. Nevertheless, kindly refer to the responses provided above in Rows 5 and 6.
8.	30/01/2023 Letter (Received via email) Adjacent Landowner (██████)	<p>INPUT AND OBJECTION TOWARDS THE KUDU DEVELOPMENT – PHILIPSTOWN DISTRICT</p> <p>I/We submit the following questions regarding the Kudu Development:</p> <p>I/We understand that projects of this nature need to have an approved water license for each borehole. What measures have you put into place to adhere to this requirement?</p> <p>According to your documents and proposed layout received, it seems your development will only benefit two landowners. Do you</p>	<p><b>CSIR:</b> The comments received are noted and responded to below:</p> <ul style="list-style-type: none"> <li>▪ <b>Interest in the approval or refusal of the proposed Kudu Solar Facility Application:</b> Research has been undertaken to determine the farm property that is owned / in control by this stakeholder. Based on research undertaken, it is understood that another Solar PV Facility (proposed by another Applicant) is planned on the aforementioned said property (i.e. Phase 3 of the Crossroads Green Energy Cluster of Renewable Energy Facilities, Savannah Environmental, 2023. Scoping Report Tafelkop Solar PV Facility, Northern Cape Province<sup>5</sup>). The Scoping and EIA Process for Phase 3 of the above development has not commenced yet. In line with the above, this stakeholder is reminded of Regulation 43 (1) of the 2014 NEMA EIA Regulations (as</li> </ul>

<sup>5</sup> <https://savannahsa.com/public-documents/energy-generation/hydra-b-cluster/>

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		<p>believe it's fair and equitable to the surrounding farmers and landowners?</p> <p>How do you intend to maintain the infrastructure, such as road and water courses, during construction? Can you provide a plan on how you will manage the dust pollution that will be created by the heavy trucks and increased traffic?</p> <p>I/We also object to the entire project given the fact that we believe that the approach followed by the developer is against the letter and spirit of current legislation and regulatory frameworks that ensure agricultural sustainability especially in the Karoo.</p>	<p>amended) which states that “a <i>registered interested and affected party is entitled to comment, in writing, on all reports or plans submitted to such party during the public participation process contemplated in these Regulations and to bring to the attention of the proponent or applicant any issues which that party believes may be of significance to the consideration of the application, provided that the interested and affected party discloses any direct business, financial, personal or other interest which that party may have in the approval or refusal of the application</i>”.</p> <ul style="list-style-type: none"> <li>▪ <b>Water Use Licence Requirements for Ground Water:</b> Information regarding Water Use Authorisation requirements for the use of existing boreholes was provided in Chapter 4 of the DSR, as well as the Geohydrology Scoping Level Assessment (Appendix G.11) and has been retained in the FSR. For all the proposed Kudu Solar Facilities, the potential sources of water, in order of priority and likelihood, include the: Local municipality, third-party water supplier, existing boreholes or drilled boreholes on site. Therefore, the use of existing boreholes on site to source groundwater is only one of the potential water sources (and it is only the third most likely option, as noted above. Water from the municipality is the first option in terms of viability but consideration of other options is vital).</li> </ul> <p>In terms of measurements, the Geohydrology Scoping Level Assessment undertook a hydrocensus of the existing boreholes in the area and an analysis of the data, and based on this, the groundwater quality in the study area is generally of good quality in terms of pH, TDS and EC.</p> <p>The study area is located mainly within quaternary catchment D33B with small sections within quaternary catchment D62F. Both of these quaternary catchments form part of the Lower Orange Water</p>

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			<p>Management Area in the Northern Cape. The groundwater General Authorisation (GA) for both of the catchments is 45 m<sup>3</sup>/ha/a (published on 2 September 2016, in GG 40243, GN 538 (i.e. Revision of GA for the taking and storing of water)). If the proposed projects are timed and planned appropriately with regards to groundwater use, all the water can be obtained from groundwater, with the use being Generally Authorised. Registration of the usage in terms of the GA with the Department of Water and Sanitation (DWS) would be required.</p> <ul style="list-style-type: none"> <li>▪ <b><u>Benefit of Affected Landowners:</u></b> Refer to the response provided to the comment regarding the “Number of Farm Portions Affected” in Row 5 above. As noted in Chapter 5 of the DSR and FSR, various factors were considered by the Project Developer in selecting the preferred site / study area. These factors include land availability, environmental sensitivities, irradiation levels, distance to the national grid, site accessibility, topography, current land use and landowner willingness. The Project Developer also considered adjacent farm portions and approached the landowners; however, this exercise was unsuccessful as the land had already been secured by other developers. Note that whilst income generation for the affected landowners is listed as a positive impact in the Agriculture Compliance Statement and Socio-Economic Scoping Level Assessment, other wider community benefits have also been identified, as noted above in the response to the comment raised in Row 5 on “Benefits to the Farming Community”.</li> <li>▪ <b><u>Infrastructure Maintenance and Dust Pollution Management:</u></b> Maintenance of existing infrastructure that is impacted by the proposed project during the construction and operational phase will be undertaken by the Project Developer. The requirements for maintenance will be detailed in the EIA Phase, as these will also be informed by the specialist assessments to be undertaken at that stage.</li> </ul>

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			<p>Such requirements will also be included in the Environmental Management Programme (EMPr), as relevant. Similarly, mitigation measures to control and manage dust pollution that occurs as a result of the proposed project will be provided in the EIA Phase and EMPr. Once approved, the EMPr becomes legally binding, therefore the Applicant will place a significant emphasis on ensuring compliance with the management measures included. Furthermore, the Visual Scoping Level Assessment (Appendix G.5 of this FSR) identified the potential impact of dust and noise from trucks and construction machinery during the construction period, and the effect of this on nearby farmsteads and visitors to the area. This impact has been rated with a low significance before and after mitigation measures. The following mitigation measures have been recommended:</p> <ul style="list-style-type: none"> <li>○ Locate construction camps, batching plants and stockpiles in visually unobtrusive areas, away from public roads; and implement the EMPr with the Environmental Control Officer (ECO) during the construction phase.</li> </ul> <p>Dust pollution has also been identified as a potential impact in the Traffic Scoping Level Assessment (Appendix G.9 of the FSR), with a low significance before and after mitigation, and various mitigation measures such as ensuring that speed control is implemented by means of a stop and go system and speed limit road signage within the construction site. Further detail will be provided in the EIA Phase.</p> <ul style="list-style-type: none"> <li>▪ <b><u>Agricultural Sustainability:</u></b> Kindly refer to the response provided above in Row 5, specifically with regards to “Agricultural Sustainability”. Furthermore, it is also important to note that the Agriculture Compliance Statement (Appendix G.1 of this FSR) has been undertaken in compliance with the Protocol for the Specialist Assessment and Minimum Report Content Requirements of</li> </ul>

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			Environmental Impacts on Agricultural Resources by Onshore Wind and/or Solar Energy Generation Facilities where the Electricity Output is 20 MW or more, as published in March 2020 (GN 320). The Protocols were gazetted by the National Department of Environmental Affairs to ensure that the correct information and methodologies are adopted by specialists undertaking assessments as part of the EIA Process. Complying with the protocols therefore shows that relevant legislation has been adhered to in this regard. Additional information will be provided in the Agriculture Compliance Statement in the EIA Phase, where required.
9.	30/01/2023 Email Adjacent Landowner (██████)	Please find attached my objections towards the planned KUDU development.	<b>CSIR:</b> The comments received are noted and have been captured in this Comments and Responses Report, as well as Appendix E.10 of this FSR.
10.	30/01/2023 Letter (Received via email) Adjacent Landowner (██████)	<p style="text-align: center;">INPUT AND OBJECTION TOWARDS THE KUDU DEVELOPMENT</p> <p>I registered as an interested and affected party to the proposed Kudu development in the Philipstown district.</p> <p>1) We understand according to documents at our disposal that your development is a massive one proposed on only two farms. As a neighbour who has been farming for my entire life in the Karoo, I want to know what the water use of this project will be. Further, I also request information on measures that you have put into place to test the availability of water resources.</p> <p>2) According to the layouts of the solar farms, it appears the majority of certain farms will be covered almost entirely under panels. What is your company's viewpoint and understanding of the subdivision of agricultural land act (Act 70 of 1970)? How would the act impact on your proposed developments?</p>	<p><b>CSIR:</b> The comments received are noted and responded to below:</p> <ul style="list-style-type: none"> <li>▪ This I&amp;AP was pre-identified and included on the initial project I&amp;AP database during the Project Initiation Phase (i.e. for the release of the Background Information Document), and maintained for the release of the Draft Scoping Report. Refer to Appendix D of this FSR for a copy of this database.</li> <li>▪ The comments raised here (excluding the comment raised under point 4) are the same as that raised above in Row 5. Kindly refer to the responses provided above in Row 5, specifically with regards to the Number of Farm Portions Affected; Water Usage; Water Availability; Coverage of the Affected Farm Properties; Implications of SALA; Benefits to the Farming Community; and Agricultural Sustainability.</li> <li>▪ <b>Benefit of Socio-Economic Upliftment of Farmers in the Greater Region:</b> Refer to the response provided to the comment regarding the "Number of Farm Portions Affected" in Row 5 above. As noted in Chapter 5 of the DSR and FSR, various factors were considered by</li> </ul>



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		<p>3) What benefits would your proposed development have for the farming community of Philipstown district?</p> <p>4) What benefits would your proposed development have for the socio-economic upliftment of the farmers and their employees (including their families/ dependents) of the greater area rather than the proposed two farms and owner/beneficiary there-of?</p> <p>I also register my objection against the development as it does not enhance agricultural sustainability.</p>	<p>the Project Developer in selecting the preferred site / study area. These factors include land availability, environmental sensitivities, irradiation levels, distance to the national grid, site accessibility, topography, current land use and landowner willingness. The Project Developer also considered adjacent farm portions and approached the landowners; however, this exercise was unsuccessful as the land had already been secured by other developers. Note that whilst income generation for the affected landowners is listed as a positive impact in the Agriculture Compliance Statement and Socio-Economic Scoping Level Assessment, other wider community benefits have also been identified, as noted above in the response to the comment raised in Row 5 on "Benefits to the Farming Community".</p>
11.	<p>30/01/2023 Letter (Received via email) Adjacent Landowner (██████)</p>	<p>Objection to the Kudu in its current format and layout development</p> <p>To whom it may concern:</p> <p>My name is ██████ I am the owner of the farm ██████. My farm is next to the Kudu Development.</p> <p>Please consider and respond to the following issues of serious concern to me.</p> <p>1) The Kudu development appears to be an enormous, concentrated development of several thousands of hectares, laying in one massive block.</p> <p>*Please indicate what impact this development will have to the underground water resources of the area.</p> <p>*How much water will be withdrawn from the underground resources to service the development?</p>	<p><b>CSIR:</b> The comments received are noted and responded to below:</p> <ul style="list-style-type: none"> <li>▪ <b>Extent of the development:</b> The Kudu Solar Facility development consists of 12 Solar Facilities and associated infrastructure. Refer to Chapter 2 of the FSR for a full description of the affected properties per project. Note that during the construction phase, vegetation is planned to be trimmed within the PV array area (and not removed completely). Therefore, even though it appears that a large area will be covered by the Solar PV array, not all the vegetation will be removed completely.</li> <li>▪ <b>Impact on Groundwater:</b> Note that a Geohydrology Scoping Level Assessment (Appendix G.11 of the FSR) was commissioned for the Scoping Phase and will be expanded on for the EIA Phase. The assessment provides feedback on the suitability of the groundwater for usage during the construction and operational phases of the project, and also identifies various potential impacts of the proposed project on the geohydrology, as noted below: <ul style="list-style-type: none"> <li>○ Construction Phase:</li> </ul> </li> </ul>

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		<p>How long will the withdrawing of such an amount of water, to serve the maintenance of the development, be sustainable?</p> <p>What will the effect be to the windmills/ boreholes on my farm that I use to supply drinking water to my sheep and cattle.</p> <p>I am living for more than 47 years in this area. A part of my daily life and daily bread is an ongoing effort to serve the area with drinking water for the sheep and cattle. My way crossed with a lot of hydrologists, discussing the underground water of this specific huge plains of the Upper Karoo. The most of the farmers around me. Does the same by just supply enough drinking water to sheep and cattle.</p> <p>I want to make the following remarks that I would like your specialists to respond on.</p> <ul style="list-style-type: none"> <li>• The most of the windmills and boreholes on the farm is just enough for the sheep. Some off the boreholes even dried up in the drought season.</li> <li>• The point I am making is that the underground water is slow running.</li> <li>• The underground water is moving in this area from south to north.</li> <li>• That the depth of the water surface in this area differs from 10 to 40 meters and is slowly sinking deeper as the time go by and the drought Seasons get closer.</li> <li>• Almost all the boreholes feeding windmills to provide drinking water stops on the dolerite bank (differs from 50-80meter from the surface) and were made by the old bore machines of the previous century.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Potential lowering of the groundwater level.</li> <li>▪ Potential impact on groundwater quality as a result of accidental oil spillages or fuel leakages.</li> <li>○ Operational Phase <ul style="list-style-type: none"> <li>▪ Potential lowering of the groundwater level.</li> <li>▪ Potential impact on groundwater quality as a result of using cleaning agents for cleaning the solar panels.</li> <li>▪ Potential impact on groundwater quality as a result of electrolyte that will be used for the BESS.</li> </ul> </li> <li>○ Decommissioning Phase <ul style="list-style-type: none"> <li>▪ Potential impact on groundwater quality as a result of accidental oil spillages or fuel leakages.</li> </ul> </li> </ul> <p>All the impacts have been rated with a low to very low significance with the implementation of mitigation measures. Additional detail will be provided in the EIA Phase, and all mitigation measures will be captured in the Environmental Management Programme (EMPr).</p> <ul style="list-style-type: none"> <li>▪ <b><u>Water Usage and Groundwater Implications:</u></b> Please refer to the responses entitled “water usage” and “water availability” in Row 5 of this section of the Comments and Responses Report.</li> <li>▪ <b><u>Sustainability of Groundwater Usage:</u></b> <u>Response from the Geohydrology Specialist and CSIR:</u> The impact of the usage of the ground water during the relevant project phases has been addressed in the Geohydrology Scoping Level Assessment and will be assessed in further detail during the EIA Phase, along with the identification of various management actions to address such usage of water, which will be carried over the EMPr, which is legally binding once approved. Any historical groundwater monitoring by the Department of Water and Sanitation (DWS) should be sourced and assessed during all phases</li> </ul>

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		<p>2. This farm belongs to my family since 1893. We as children were always told to work responsible with the underground water and overgrazing fields because of the low underground water levels. Given the huge area that will be covered by the panels in a block of several thousands of hectares, how will this proposed development contribute to, and ensure long term agriculture sustainability in this semi-arid Upper Karoo?</p> <p>3. Visual impact. Please provide me with information and sketches about the visual impact that this development will have on my farm and farming. I hereby want to register an objection in the Kudu development in its current format and layout.</p>	<p>of development, and a monitoring program should be instated (water level, chemistry and volumes abstracted). This will be included in the EMPr during the EIA Phase.</p> <ul style="list-style-type: none"> <li>▪ <b><u>Effect on Windmills/Boreholes used to Supply Drinking Water to Sheep and Cattle:</u></b> Response from the Geohydrology Specialist: The Geohydrology Scoping Level Assessment (Appendix G.11 of the FSR), assessed the impact of the water required for the proposed development on the environment. It will be further detailed during the EIA Phase (such as the specific impact of ground water usage of the proposed project in relation to existing usage for the ground water). Note that the Scoping Level Assessment (Appendix G.11 of the FSR) has identified the lowering of groundwater levels as a result of over- abstraction as a potential impact, of low significance, with the implementation of recommended mitigation measures (i.e. adhere to the borehole’s safe yield and to monitor water levels and flow; and boreholes must be correctly yield tested according to the National Standard (SANS 10299-4:2003, Part 4 – Test pumping of water boreholes). This includes a Step Test, Constant Discharge Test and recovery monitoring). This will be included as a requirement in the EMPr. In addition, an appropriate monitoring program will need to be instated to ensure over abstraction of groundwater is not taking place, and/or to ensure that no contamination of groundwater is taking place. This will allow the Environmental Control Officer / Environmental Manager of the proposed project (appointed post EA should authorisation be granted, and the proposed project progresses to the commencement phase) to determine the observed effect on the groundwater resources in the area.</li> <li>▪ <b><u>Additional Remarks on Groundwater:</u></b> <ul style="list-style-type: none"> <li>○ <u>Response from Geohydrology Specialist and CSIR:</u> The comments regarding the majority of existing windmills and boreholes being just adequate for sheep; and the impact on</li> </ul> </li> </ul>

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			<p>water levels due to the drought season, are noted. The Geohydrology Specialist notes that testing of boreholes, that are planned to be used, will be required to determine the yields can actually deliver the required volumes. In addition, droughts are seasonal and will occur. The more information that is collected (e.g. monitoring prior to construction) the more certainty there will be on the actual observed effect on the proposed development on the groundwater resources. Therefore, groundwater monitoring is crucial for the protection of the regional groundwater resources.</p> <ul style="list-style-type: none"> <li>○ <u>Response from Geohydrology Specialist and CSIR:</u> The comment regarding the ground water being slow running is noted. As noted above, this will need to be scientifically yield tested. The impact of the usage of such water will be addressed in this EIA Process and assessed in during in the Geohydrology Assessment.</li> <li>○ <u>Response from Geohydrology Specialist:</u> The comment regarding ground water moving from south to north is agreed with, based on the available information. Groundwater movement is driven by gravity and (generally speaking) flows from high elevations to low elevations.</li> <li>○ <u>Response from Geohydrology Specialist and CSIR:</u> The comment regarding the depth of the water surface in this area, and its gradual sinking over time and as drought seasons approach is noted. However, this can only be confirmed by instatement of an appropriate monitoring program. The requirements for such a program will be documented in the EMPr during the EIA Phase.</li> <li>○ <u>Response from Geohydrology Specialist:</u> Feedback on the depth of the borehole (and link to the dolerite bank) and the history around the boreholes is noted. Anecdotal evidence suggests that many of the boreholes were drilled using</li> </ul>

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			<p>'stamper boor' apparatus. It appears this is the average depth of the boreholes (50 – 80 m) in the region. It is agreed that boreholes are typically shallow in the region. This is not to say there is absolutely no water deeper than the average depth of the boreholes in the region. Only several deep boreholes could prove this.</p> <ul style="list-style-type: none"> <li>▪ <b>Agricultural Sustainability:</b> Refer to the response provided above about the vegetation clearing and extent of the development. In addition, kindly refer to the response provided above in Row 5 and Row 8, specifically with regards to "Agricultural Sustainability".</li> <li>▪ <b>Visual Impact:</b> An email was sent to this stakeholder to confirm the actual location of the affected farm property and farmstead in question, as this does not appear on topographical maps. At the time of finalisation of this report, no response was received from the stakeholder. This will be addressed in the VIA that will be undertaken during the EIA Phase. The Visual Scoping Level Assessment (Appendix G.5 of this FSR) has identified the following potential impacts of the proposed project at the Scoping Phase: <ul style="list-style-type: none"> <li>○ Construction Phase: <ul style="list-style-type: none"> <li>▪ Potential effect of dust and noise from trucks and construction machinery during the construction period, and the effect of this on nearby farmsteads and visitors to the area.</li> <li>▪ Potential visual effect of haul roads, access roads, stockpiles and construction camps in the visually exposed landscape.</li> </ul> </li> <li>○ Operational Phase: <ul style="list-style-type: none"> <li>▪ Potential visual intrusion of solar arrays and related infrastructure on receptors including glint and glare.</li> </ul> </li> </ul> </li> </ul>

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			<ul style="list-style-type: none"> <li>▪ Potential visual impact of an industrial type activity on the pastoral / rural character and sense of place of the area.</li> <li>○ Decommissioning Phase:                             <ul style="list-style-type: none"> <li>▪ Potential visual effect of any remaining structures, platforms and disused roads on the landscape.</li> </ul> </li> </ul> <p>Therefore, impacts on adjacent farmsteads have been identified and will be further expanded on during the EIA Phase.</p>
12.	30/01/2023 Email Adjacent Landowner (████)	Please find the letter consist out of three pages that are attached.	<b>CSIR:</b> The comments received are noted and have been captured in this Comments and Responses Report, as well as Appendix E.10 of this FSR.
13.	30/01/2023 Letter (Received via email) Adjacent Landowner (████)	<p>Objection to the Kudu in its current format and layout development</p> <p>To whom it may concern: My name is █████. I am the owner of the farm █████. My farm is a neighbor farm of the Kudu Development, bordering it for █████ to the █████.</p> <p><u>Please consider and respond to the following issues of serious concern to me.</u></p> <p>1) The Kudu development appears to be an enormous, concentrated development of several thousands of hectares, laying in one massive block.</p> <p>*Please indicate what impact this development will have to the underground water resources of the area.</p> <p>*How much water will be withdrawn from the underground resources to service the development?</p>	<p><b>CSIR:</b> The comments received are noted and responded to below:</p> <ul style="list-style-type: none"> <li>▪ <b>Extent of the development:</b> Please refer to the response entitled “extent of the development” in Row 11 of this section of the Comments and Responses Report.</li> <li>▪ <b>Impact on Groundwater:</b> Please refer to the response entitled “impact on groundwater” in Row 11 of this section of the Comments and Responses Report.</li> <li>▪ <b>Water Usage and Groundwater Implications:</b> Please refer to the responses entitled “water usage” and “water availability” in Row 5 of this section of the Comments and Responses Report.</li> <li>▪ <b>Sustainability of Groundwater Usage:</b> Please refer to the response entitled “sustainability of groundwater usage” in Row 11 of this section of the Comments and Responses Report.</li> </ul>

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		<p>*How long will the withdrawing of such an amount of water, to serve the maintenance of the development, be sustainable?</p> <p>*What will the effect be to the windmills/ boreholes that I use to serve my extensive sheep and game farm activities with drinking water.</p> <p>I am no hydrologist but am living for more than 50 years in this area. A part of my daily life and daily bread is an ongoing effort to serve the area with drinking water for the sheep and game. My way crossed with a lot of hydrologists, discussing the underground water of this specific huge plains of the Upper Karoo.</p> <p>I want to make the following remarks that I would like your specialists to respond on.</p> <ul style="list-style-type: none"> <li>• The most of the underground water in this area is fossil water. Stored for many years underground.</li> <li>• The little supplement of underground water is slow and occur only once every few years.</li> <li>• The underground water is moving in this area from south to north.</li> <li>• That the depth of the water surface in this area differs 10 to 30 meters and is slowly sinking deeper as the time go by.</li> <li>• Almost all the boreholes feeding windmills to provide drinking water stops on the dolerite bank (differs from 30-50 meter from the surface) and were made by the old bore machines of the previous century.</li> </ul>	<ul style="list-style-type: none"> <li>▪ <b><u>Effect on Windmills/Boreholes used to Supply Drinking Water to Sheep and Cattle and Game Farm Activities:</u></b> Please refer to the response entitled “effect on windmills/boreholes used to supply drinking water to sheep and cattle” in Row 11 of this section of the Comments and Responses Report.</li> <li>▪ <b><u>Additional Remarks on Groundwater:</u></b> <ul style="list-style-type: none"> <li>○ <u>Response from Geohydrology Specialist and CSIR:</u> The comment regarding status of the ground water (i.e. fossil water and stored underground for many years) is noted. This could be confirmed by isotopic dating of the ground water. There is evidence in the southern portion of the Karoo basin that there are several sources of ground water at variable depths, with variable ages. Deeper groundwater was typically found to be saline, and older (Harkness et al., 2018<sup>6</sup>). However, this is not within the scope of the current assessment, nor is it required to assess the overall impacts of ground water usage associated with the proposed project.</li> <li>○ <u>Response from Geohydrology Specialist:</u> The comment regarding the supplement of ground water is noted. As noted above, this can be confirmed by yield testing boreholes in the area and implementing monitoring to observe actual effects of groundwater removal/abstraction. The impact of the usage of such water will still be addressed in this EIA Process and assessed in during in the Geohydrology Assessment</li> <li>○ <u>Response from Geohydrology Specialist:</u> The comment regarding ground water moving from south to north is agreed</li> </ul> </li> </ul>

<sup>6</sup> Harkness, J.S., Swana, K., Eymold, W.K., Miller, J., Murray, R., Talma, S., Whyte, C.J., Moore, M.T., Maletic, E.L., Vengosh, A. and Darrah, T.H., 2018. Pre-drill groundwater geochemistry in the Karoo Basin, South Africa.

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		<p>2. This farm belongs to my family since 1867. We always stoved to practice responsible farming activities to enhance agricultural sustainability in the Karoo. Given the huge area that will be covered by the panels in a block of several thousands of hectares, how will this proposed development contribute to, and ensure long term agriculture sustainability in this semi-arid Upper Karoo?</p> <p>3. Visual impact. Please provide me with information and sketches about the visual impact that this development will have on my farm and farming activities like the offering of hunting- and photographic safaris to clients from all over the world?</p> <p><b><u>I hereby want to register an objection in the Kudu development in its current format and layout.</u></b></p> <p>Footnote: In the Karoo is the overuse of underground water the same sin to nature as the overgrazing of the natural pasture.</p>	<p>with, based on the available information. Groundwater movement is driven by gravity and (generally speaking) flows from high elevations to low elevations.</p> <ul style="list-style-type: none"> <li>○ <u>Response from Geohydrology Specialist and CSIR:</u> The comment regarding the depth of the water surface in this area, and its gradual sinking over time is noted. However, this can only be confirmed by instatement of an appropriate monitoring program. The requirements for such a program will be documented in the EMP during the EIA Phase.</li> <li>○ <u>Response from Geohydrology Specialist:</u> Feedback on the depth of the borehole (and link to the dolerite bank) and the history around the boreholes is noted. Anecdotal evidence suggests that many of the boreholes were drilled using 'stamper boor' apparatus. It appears this is the average depth of the boreholes (50 – 80 m) in the region. It is agreed that boreholes are typically shallow in the region. This is not to say there is absolutely no water deeper than the average depth of the boreholes in the region. Only several deep boreholes could prove this.</li> </ul> <ul style="list-style-type: none"> <li>▪ <b><u>Agricultural Sustainability:</u></b> Refer to the response provided above about the vegetation clearing and extent of the development. In addition, kindly refer to the response provided above in Row 5 and Row 8, specifically with regards to "Agricultural Sustainability".</li> <li>▪ <b><u>Visual Impact:</u></b> The Jakkalskuil farmstead is more than 5 km from the proposed project area, and therefore the visibility will be marginal. Refer to Appendix E of the Visual Scoping Level Assessment (Appendix G.5 of this FSR) for a Google Earth View of what potentially be seen from the Jakkalskuil farmstead. However, from the</li> </ul>



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			<p>farm boundary, which is directly adjacent to the Kudu Solar Facility 12, the visibility would be very high at a 360 m distance. The viewshed, or zone of visual influence, potentially extends for some 5 km, hence the Jakkalskuil farmstead was not included in the Visual Scoping Level Assessment (Appendix G.5 of this FSR). This will be considered during the EIA Phase, as applicable, including the potential impact on farming activities, hunting and photographic safaris.</p> <p>The Visual Scoping Level Assessment has identified the following potential impacts of the proposed project at the Scoping Phase:</p> <ul style="list-style-type: none"> <li>○ Construction Phase: <ul style="list-style-type: none"> <li>▪ Potential effect of dust and noise from trucks and construction machinery during the construction period, and the effect of this on nearby farmsteads and visitors to the area.</li> <li>▪ Potential visual effect of haul roads, access roads, stockpiles and construction camps in the visually exposed landscape.</li> </ul> </li> <li>○ Operational Phase: <ul style="list-style-type: none"> <li>▪ Potential visual intrusion of solar arrays and related infrastructure on receptors including glint and glare.</li> <li>▪ Potential visual impact of an industrial type activity on the pastoral / rural character and sense of place of the area.</li> </ul> </li> <li>○ Decommissioning Phase: <ul style="list-style-type: none"> <li>▪ Potential visual effect of any remaining structures, platforms and disused roads on the landscape.</li> </ul> </li> </ul> <p>Therefore, impacts on adjacent farmsteads have been identified and will be further expanded on during the EIA Phase.</p>

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14. & 15.	30/01/2023 Email and Letter (Received via email) Adjacent Landowner (██████)	<b>Note from the CSIR:</b> The comments raised are the same as those raised above in Rows 12 and 13.	<b>CSIR:</b> A copy of the above email and letter was sent to the EMS email address, most likely erroneously.
16.	31/01/2023 Email ██████ Prokureurs / Attorneys / Igqwetha (██████)	Kindly find herewith a letter for your urgent attention and feedback.	<b>CSIR:</b> The comments received are noted and have been captured in this Comments and Responses Report, as well as Appendix E.10 of this FSR.
17.	31/01/2023 Letter (Received via email) ██████ Prokureurs/ Attorneys / Igqwetha (██████)	<p>Re: INPUT AND OBJECTION TOWARDS THE KUDU DEVELOPMENT</p> <p>We refer to the abovementioned matter and confirm that we are acting on behalf of ██████ and ██████ who are both an interested and affected party to the proposed Kudu development in the Philipstown district.</p> <p>1) We understand according to documents at our disposal that your development is a massive one proposed on only two farms. As neighbours our clients have been farming for their entire life in the Karoo, and we want to know what the water use of this project will be. Further, we also request information on measures that you have put in place to test the availability of water resources.</p> <p>2) According to the layouts of the solar farms, it appears the majority of certain farms will be covered almost entirely under panels. What is your company's viewpoint and understanding of the subdivision of agricultural land act (Act 70 of 1970)? How would the act impact on your proposed developments?</p>	<p><b>CSIR:</b> The comments received are noted and responded to below:</p> <ul style="list-style-type: none"> <li>▪ <b><u>I&amp;AP Registration:</u></b> The I&amp;AP details are noted and have been included on the project I&amp;AP database.</li> <li>▪ The comments raised here (excluding the comment raised regarding the submission date of the comments) are the same as that raised above in Row 5. Kindly refer to the responses provided above in Row 5, specifically with regards to the Number of Farm Portions Affected; Water Usage; Water Availability; Coverage of the Affected Farm Properties; Implications of SALA; Benefits to the Farming Community; and Agricultural Sustainability.</li> <li>▪ <b><u>Submission Date of the Comments:</u></b> The submission date of the comments is noted and fully understood. The comments received are definitely noted and have been captured in this Comments and Responses Report, as well as Appendix E.10 of this FSR. The comments have been responded to in detail in Row 5 of this section of the Comments and Responses Report. Based on the sameness of comments raised by other adjacent landowners, the responses have been cross referenced instead of repeated. As noted in the FSR, this</li> </ul>

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		<p>3) What benefits would your proposed development have for the farming community of Philipstown district?</p> <p>4) We also register our objection on behalf of my clients against the development as it does not enhance agricultural sustainability.</p> <p>5) I take note that this objection had to be filed on/before 30 January 2023. I kindly request that you condone the late filing of this objection as we are of the opinion the there will be no prejudice of filing this objection 1 day late.</p> <p>6) If you fail to condone the late filing of this objection and respond in detail to our objections we hold instruction to bring a court application in order to stop the development.</p> <p>We trust you find the above in order.</p>	<p>Comments and Responses will be submitted to the Competent Authority to facilitate decision-making. This is in line with Regulation 44 of the 2014 NEMA EIA Regulations (as amended), which states “Comments of interested and affected parties to be recorded in reports and plans. (1) The applicant must ensure that the comments of interested and affected parties are recorded in reports and plans and that such written comments, including responses to such comments and records of meetings are attached to the reports and plans that are submitted to the competent authority in terms of these Regulations”.</p>
18.	31/01/2023 Email Adjacent Landowner (██████)	<p>Good day, I tried to submit this letter yesterday, 30 January 2023 but had no wifi signal and internet.</p> <p>I hope you still accept this letter of interest as it is one day late. sorry for the delay but it was out of my hands.</p> <p>PLEASE FIND ATTACHED THE LETTER OF CONCERN.</p>	<p><b>CSIR:</b> The submission date of the comments is noted and fully understood. The comments received are definitely noted, responded to below, and have been captured in this Comments and Responses Report, as well as Appendix E.10 of this FSR.</p>
19.	31/01/2023 (Letter received via email) Adjacent Landowner (██████)  Note from the CSIR: Note that this stakeholder provided a letter via email.	<p>INPUT AND OBJECTION TO THE PROPOSED KUDU DEVELOPMENT – PHILIPSTOWN DISTRICT</p> <p>I/we submit the following questions regarding the Kudu Development:</p> <p>I/We understand that projects of this nature need to have an approved water license for each borehole. What measures have you put in place to adhere to this requirement?</p>	<p><b>CSIR:</b> The comments received are noted and responded to below:</p> <ul style="list-style-type: none"> <li>The comments raised here are similar as that raised above in Row 8. Kindly refer to the responses provided above in Row 8, specifically with regards to the Water Use Licence Requirements for Ground Water; Benefit of Affected Landowners; Infrastructure Maintenance and Dust Pollution Management; and Agricultural Sustainability.</li> </ul>

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NO.	DATE OF COMMENT, FORMAT OF COMMENT, NAME OF ORGANISATION/ I&AP	COMMENT	RESPONSE FROM THE ENVIRONMENTAL ASSESSMENT PRACTITIONER (EAP) / APPLICANT / SPECIALIST
	The <u>file name</u> of the letter included the names of five stakeholders (i.e. [REDACTED]; [REDACTED]; [REDACTED]; [REDACTED]). It is unclear if the response issued is on behalf of on these stakeholders, as the email and letter was only signed off by [REDACTED].	<p>According to your documents and proposed layout received, it seems your development will only benefit to two landowners. Do you believe it's fair and equitable to the surrounding farmers and landowners?</p> <p>How do you intend to maintain the infrastructure, such as road and water courses, during construction? Can you provide a plan on how you will manage the dust pollution that will be created by the heavy trucks and increased traffic?</p> <p>I/We also object to the entire project given the fact that we believe that the approach followed by the developer is against the letter and spirit of current legislation and regulatory frameworks that ensure agricultural sustainability especially in the Karoo.</p> <p>As the direct neighbour I am concerned about the dust pollution over the long term in years to come due to the very large area that wont have any vegetation. All the roads goes past and threw my farm and dust piles on to my vegetation and the animals eats the dust with the vegetation which piles up into their stomachs and causes illness and leads to death.</p>	<ul style="list-style-type: none"> <li>▪ <b>Dust Pollution:</b> The concerns regarding dust pollution are noted. Note that during the construction phase, vegetation is planned to be trimmed within the PV array area (and not removed completely). Therefore, even though it appears that a large area will be covered by the Solar PV array, not all the vegetation will be removed completely. This is also expected to reduce some of the dust generation. Nevertheless, dust management actions will be included in the EMP during the EIA Phase.</li> </ul>
20.	Email received 2/02/2023; Letter dated 29/01/2023 Letter (Received via email) Adjacent Landowner ([REDACTED])	<p>INPUT AND OBJECTION TO THE PROPOSED KUDU DEVELOPMENT – PHILIPSTOWN DISTRICT</p> <p>I/We submit the following questions regarding the Kudu Development:</p> <p>I/We understand that projects of this nature need to have an approved water license for each borehole. What measures have you put in place to adhere to this requirement?</p> <p>According to your documents and proposed layout received, it seems your development will only benefit two landowners. Do you</p>	<p><b>CSIR:</b> The comments received are noted and responded to below:</p> <ul style="list-style-type: none"> <li>▪ <b><u>Interest in the approval or refusal of the proposed Kudu Solar Facility Application:</u></b> Research has been undertaken to determine the farm property that is owned / in control by this stakeholder. Based on research undertaken, it is understood that another Solar PV Facility (proposed by another Applicant) is planned on the aforementioned said property (i.e. Phase 1 of the Crossroads Green Energy Cluster of Renewable Energy Facilities, Savannah Environmental, 2023.</li> </ul>

SCOPING REPORT: Scoping and Environmental Impact Assessment (EIA) Process for the Proposed Development of a Solar Photovoltaic (PV) Facility (Kudu Solar Facility 1) and associated infrastructure, near De Aar, Northern Cape Province

COMMENTS RECEIVED FROM GENERAL STAKEHOLDERS AND I&APS			
NO.	DATE OF COMMENT, FORMAT OF COMMENT, NAME OF ORGANISATION/ I&AP	COMMENT	RESPONSE FROM THE ENVIRONMENTAL ASSESSMENT PRACTITIONER (EAP) / APPLICANT / SPECIALIST
		<p>believe it's fair and equitable to the surrounding farmers and landowners?</p> <p>How do you intend to maintain the infrastructure, such as road and water courses, during construction? Can you provide a plan on how you will manage the dust pollution that will be created by the heavy trucks and increased traffic?</p> <p>I/We also object to the entire project given the fact that we believe that the approach followed by the developer is against the letter and spirit of current legislation and regulatory frameworks that ensure agricultural sustainability especially in the Karoo.</p>	<p>Scoping Report Tafelkop Solar PV Facility, Northern Cape Province<sup>7</sup>. The Scoping and EIA Process for Phase 3 of the above development has not commenced yet. In line with the above, this stakeholder is reminded of Regulation 43 (1) of the 2014 NEMA EIA Regulations (as amended) which states that “<i>a registered interested and affected party is entitled to comment, in writing, on all reports or plans submitted to such party during the public participation process contemplated in these Regulations and to bring to the attention of the proponent or applicant any issues which that party believes may be of significance to the consideration of the application, <u>provided that the interested and affected party discloses any direct business, financial, personal or other interest which that party may have in the approval or refusal of the application</u>”.</i></p> <ul style="list-style-type: none"> <li>▪ The comments raised here are the same as that raised above in Row 8. Kindly refer to the responses provided above in Row 8, specifically with regards to the Water Use Licence Requirements for Ground Water; Benefit of Affected Landowners; Infrastructure Maintenance and Dust Pollution Management; and Agricultural Sustainability.</li> </ul>

<sup>7</sup> <https://savannahsa.com/public-documents/energy-generation/hydra-b-cluster/>