

Appendix G

SCOPING PHASE APPROVAL





forestry, fisheries & the environment

Department:
Forestry, Fisheries and the Environment
REPUBLIC OF SOUTH AFRICA

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DFFE Reference: 14/12/16/3/3/2/2243

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PER E-MAIL

Dear Ms Strong

ACCEPTANCE OF THE SCOPING REPORT FOR THE PROPOSED DALMANUTHA WIND ENERGY FACILITY (WEF) AND ITS ASSOCIATED INFRASTRUCTURE NEAR BELFAST IN MPUMALANGA PROVINCE

The final Scoping Report (SR) and the Plan of Study for Environmental Impact Assessment dated February 2023 and received by the Department on 10 February 2023, refer.

The Department has evaluated the submitted final SR and the Plan of Study for Environmental Impact Assessment dated February 2023 and is satisfied that the documents comply with the minimum requirements of the Environmental Impact Assessment (EIA) Regulations, 2014, as amended. The final SR is hereby accepted by the Department in terms of Regulation 22(1)(a) of the EIA Regulations, 2014, as amended.

You may proceed with the environmental impact assessment process in accordance with the tasks contemplated in the Plan of Study for Environmental Impact Assessment as required in terms of the EIA Regulations, 2014, as amended.

In addition, the following amendments and additional information are required for the EIAr:

(a) Specific Comments

- (i) The final SR mentions an option to include Solar PV panels which would be added for consideration in the EIA Phase. The only information regarding the inclusion of the Solar PV panels is mentioned under the technology alternative (page 39) and the revised project details (page 213), which only provides the height and mounting structures of the proposed Solar PV panels. Please take note that if the applicant plans to develop a hybrid energy facility a comprehensive assessment for both renewable energy generation types need to be conducted and included in the EIAr. Currently none of the specialist scoping reports and impact assessments mention the inclusion of Solar PV panels. The insufficient information regarding the inclusion of the Solar PV panels in the final SR is concerning as the applicant should be

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fully aware of what activities would be undertaken at this point in the process in order to effectively assess the impacts on site. The proposed activities described in the EIA must be final, clear, and concise.

- (ii) A Biodiversity Offset Report is planned to be included in the EIA as the proposed site is covered in areas classified as a CBA 1, with very high sensitivities confirmed in terms of avifauna, primary grasslands, and PES A/B wetlands. Kindly take note that the draft National Biodiversity Offset Guideline should be utilised to inform the proposed Biodiversity Offset Report.

(b) Listed Activities

- (i) The description of each Activity applied for in the application form is unclear and difficult to understand. Find examples below:

- Activity 4(f)(i)(bb)(cc)(ee)(gg) of Listing Notice 3
*“Internal access roads required by the Facility will be between 8m and 10m wide, and approximately 60km in length. Where required for turning circle/bypass areas, however, access or internal roads may be up to 12m to allow for larger component transport. The exact values will be confirmed once final designs have been provided. **The facility is therefore both located within the extent, and within 5km of the abovementioned heritage site.**”*

- Activity 14(ii)(a)(c) (f)(i)(bb)(cc)(dd)(ff)(hh) of Listing Notice 3
*“The Facility will require the development of internal roads and/or access roads around the site. The physical footprint of internal access roads, stormwater control infrastructure and electrical cabling required to connect the various components of the Facility will either traverse the delineated watercourses on site or be located within 32m of the outer extent of the delineated watercourses on site. **The facility is therefore both located within the extent, and within 5km of the abovementioned heritage site.** This site is noted as having farming activity present and is currently managed and actively utilised for agriculture.”*

It is unclear as to what heritage site is being referred to and what extent does the facility fall within? Kindly update the application form so that the description of each activity applied for is clear, applicable, and concise.

- (ii) The EIA must provide an assessment of the impacts and mitigation measures for each of the listed activities applied for.
- (iii) The listed activities represented in the EIA and the application form must be the same and correct.
- (iv) The EIA must assess the correct sub listed activity for each listed activity applied for.

(c) Public Participation

- (i) Please ensure that comments from all relevant stakeholders are submitted to the Department with the EIA. This includes but is not limited to the Mpumalanga Department Agriculture, Rural Development, Land and Environment Affairs (DARDLEA), the Emakhazeni Local Municipality, the Nkangala District Municipality, the Gert Sibande District Municipality, the Albert Luthuli Local Municipality, the Department of Water and Sanitation (DWS), the South African Heritage Resources Agency (SAHRA), the Mpumalanga Heritage Resources Agency (MHRA), the Mpumalanga Tourism and Parks Agency, the Endangered Wildlife Trust (EWT), BirdLife SA, the South African Bat Assessment Association (SABAA), the Department of Mineral Resources and Energy, the Department of Forestry, Fisheries and the Environment: Directorate Biodiversity and Conservation.
- (ii) Please ensure that all issues raised and comments received during the circulation of the draft SR and draft EIA from registered I&APs and organs of state which have jurisdiction in respect of the proposed activity are adequately addressed in the final EIA. Proof of correspondence with the various stakeholders must be included in the final EIA. Should you be unable to obtain comments, proof should be submitted to the Department of the attempts that were made to obtain comments.

- (iii) A Comments and Response trail report (C&R) must be submitted with the final EIAr. The C&R report must incorporate all comments for this development. The C&R report must be a separate document from the main report and the format must be in the table format as indicated in Annexure 1 of this comments letter. Please refrain from summarising comments made by I&APs. All comments from I&APs must be copied verbatim and responded to clearly. Please note that a response such as “noted” is not regarded as an adequate response to I&AP’s comments.
- (iv) Comments from I&APs must not be split and arranged into categories. Comments from each submission must be responded to individually.
- (v) The Public Participation Process must be conducted in terms of Regulation 39, 40, 41, 42, 43 and 44 of the EIA Regulations, 2014, as amended.

(d) Layout & Sensitivity Maps

- (i) The EIAr must provide coordinate points for the proposed development site and all proposed infrastructure (note that if the site has numerous bend points, at each bend point coordinates must be provided) as well as the start, middle and end point of all linear activities.
- (ii) All preferred turbine positions must be clearly numbered. The turbine position numbers must be consistently used in all maps to be included in the reports.
- (iii) The EIAr must provide a copy of the final preferred layout map. All available biodiversity information must be used in the finalisation of the layout map. Existing infrastructure must be used as far as possible e.g., roads. The layout map must indicate the following:
 - a) A clear indication of the envisioned area for the proposed wind energy facility;
 - b) Position of the wind turbines;
 - c) Internal roads;
 - d) All supporting onsite infrastructure such as laydown area, guard house and control room etc.;
 - e) Substations, transformers, switching stations and inverters;
 - f) Battery Energy Storage System;
 - g) The location of sensitive environmental features on site e.g. CBAs, heritage sites, wetlands, drainage lines etc. that will be affected by the facilities and its associated infrastructure;
 - h) Connection routes (including pylon positions) to the distribution/transmission network;
 - i) All existing infrastructure on the site, especially railway lines and roads; and
 - j) Buildings, including accommodation.
- (iv) Please provide an environmental sensitivity map which indicates the following:
 - a) The location of sensitive environmental features identified on site, e.g. CBAs, protected areas, heritage sites, wetlands, drainage lines etc. that will be affected by the facility and its associated infrastructure;
 - b) Buffer areas; and
 - c) All “no-go” areas.
- (v) The above layout map must be superimposed (overlain) with the sensitivity map and a cumulative map which shows neighbouring and existing infrastructure.
- (vi) Google maps will not be accepted.

(e) Specialist assessments

- (i) The EAP must ensure that the terms of reference for all the identified specialist studies must include the following:
 - a) A detailed description of the study’s methodology; indication of the locations and descriptions of the development footprint, and all other associated infrastructures that they have assessed and are recommending for authorisation.
 - b) Provide a detailed description of all limitations to the studies. All specialist studies must be conducted in the right season and providing that as a limitation will not be allowed.

- c) Please note that the Department considers a 'no-go' area, as an area where no development of any infrastructure is allowed; therefore, no development of associated infrastructure including access roads is allowed in the 'no-go' areas.
- d) Should the specialist definition of 'no-go' area differ from the Department's definition; this must be clearly indicated. The specialist must also indicate the 'no-go' area's buffer if applicable.
- e) **All specialist studies must be final, and provide detailed/practical mitigation measures for the preferred alternative and recommendations, and must not recommend further studies to be completed post EA.**
- f) **Bird and bat specialist studies must have support from Birdlife South Africa and SABAA.**
- g) Should a specialist recommend specific mitigation measures, these must be clearly indicated.
- (ii) Should the appointed specialists specify contradicting recommendations, the EAP must clearly indicate the most reasonable recommendation and substantiate this with defensible reasons; and where necessary, include further expert advice.
- (iii) It is further brought to your attention that Procedures for the Assessment and Minimum Criteria for Reporting in identified Environmental Themes in terms of Sections 24(5)(a) and (h) and 44 of the National Environmental Management Act, 1998, when applying for Environmental Authorisation, which were promulgated in Government Notice No. 320 of 20 March 2020 (i.e. "the Protocols") and in Government Notice No. 1150 of 30 October 2020 (i.e. protocols for terrestrial plant and animal species), have come into effect. **Please note that specialist assessments must be conducted in accordance with these protocols.**
- (iv) Please also ensure that the EIAR includes the Site Verification Report and Compliance Statements (where applicable) as required by the relevant themes.
- (v) Please note further that the protocols, if applicable, require certain specialists' to be SACNASP registered. Please ensure that the relevant specialist certificates are attached to the relevant reports.
- (vi) As such, the Specialist Declaration of Interest forms must also indicate the scientific organisation registration/member number and status of registration/membership for each specialist.
- (vii) The following Specialist Assessments will form part of the EIAR:
 - Soils and Agricultural Potential Assessment;
 - Archaeological and Cultural Heritage Assessment;
 - Palaeontology Impact Assessment;
 - Visual Impact Assessment (inclusive of the Landscape and Flicker Assessments);
 - Biodiversity Impact Assessment (inclusive of terrestrial biodiversity, plant species and animal species);
 - Surface water Assessment;
 - Avifauna Impact Assessment;
 - Bat Impact Assessment;
 - Environmental Acoustic (Noise) Impact Assessment;
 - Social Impact Assessment;
 - Qualitative Risk Assessment (specific to the BESS);
 - Desktop Geotechnical Assessment;
 - Desktop Traffic Assessment; and
 - Biodiversity Offset Strategy.

(f) Cumulative Assessment

- (i) Should there be any similar projects within a 30km radius of the proposed development site, a cumulative impact assessment for all identified and assessed impacts must be conducted to indicate the following:
 - a) Identified cumulative impacts must be clearly defined, and where possible the size of the identified impact must be quantified and indicated, i.e. hectares of cumulatively transformed land.

- b) Detailed process flow and proof must be provided, to indicate how the specialist's recommendations, mitigation measures and conclusions from the various similar developments in the area were taken into consideration in the assessment of cumulative impacts and when the conclusion and mitigation measures were drafted for this project.
- c) The cumulative impacts significance rating must also inform the need and desirability of the proposed development.
- d) A cumulative impact environmental statement on whether the proposed development must proceed.

(g) General

- (ii) The EIAR must provide the technical details for the proposed facility in a table format as well as their description and/or dimensions. A sample for the minimum information required is listed under Annexure 2 below.
- (iii) The EAP must provide landowner consent for all farm portions affected by the proposed project i.e., all farm portions where the access road, wind turbines and associated infrastructure are to be located.
- (iv) A construction and operational phase EMP that includes mitigation and monitoring measures must be submitted with the final EIAR, including the Generic EMPs for substations.

The applicant is hereby reminded to comply with the requirements of Regulation 45 of GN R982 of 04 December 2014, as amendment, with regard to the time period allowed for complying with the requirements of the Regulations.

You are hereby reminded of Section 24F of the National Environmental Management Act, Act No. 107 of 1998, as amended, that no activity may commence prior to an environmental authorisation being granted by the Department.

Yours faithfully



Ms Milicent Solomons
Acting Chief Director: Integrated Environmental Authorisations
Department of Forestry, Fisheries and the Environment
Signed by: Mr Coenrad Agenbach
Designation: Deputy Director: Priority Infrastructure Projects
Date: 24 March 2023

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Annexure 1: Format for Comments and Response Trail Report

Date of comment, format of comment name of organisation/I&AP	Comment	Response from EAP/Applicant/Specialist
27/01/2016 Email Department of Forestry, Fisheries and the Environment: Priority Infrastructure Projects (John Doe)	Please record C&R trail report in this format Please update the contact details of the provincial environmental authority	EAP: (Noted) The C&R trail report has been updated into the desired format, see Appendix K EAP: Details of provincial authority have been updated, see page 16 of the Application form

Annexure 2: Sample of technical details for the proposed facility

Component	Description / dimensions
Location of the site	
The total area of the site	
Total disturbance footprint	
Maximum generation capacity for facility	
Number of Turbines	
Hub Height from ground level	
Rotor top tip height	
Rotor bottom tip height	
Blade Length	
Rotor Diameter	
Turbine Foundations	
Turbine Hardstands and Laydown Areas	
Capacity of on-site substation and footprint	
Battery Energy Storage System (BESS) and footprint	
Cables and Overhead Power line	
Area occupied by both permanent and construction laydown areas	
Length of internal roads	
Width of internal roads	