



ARCUS

**VOLUME III:
COMMENTS & RESPONSES REPORT**

For

**THE PROPOSED HIGHLANDS SOUTH WIND
ENERGY FACILITY, EASTERN CAPE PROVINCE
14/12/16/3/3/1/1960**

On behalf of

**HIGHLANDS SOUTH WIND ENERGY FACILITY
(RF) (PTY) LTD**

JANUARY 2019





ARCUS

VOLUME III

Highlands South Wind Energy Facility

Basic Assessment Process Comments and Responses Report

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1 INTRODUCTION

WKN Windcurrent South Africa (Ltd) Pty ('the Developer') is proposing the Highlands Wind Energy Facilities (WEFs), and associated infrastructure including grid connection infrastructure (the Proposed Development), located 20 km from the town of Somerset East in the Eastern Cape Province. The area of interest for development within the affected land parcels is approximately 9000 hectares (The Proposed Development Area), and falls entirely within the Cookhouse Renewable Energy Development Zone (REDZ). The Proposed Development aims to generate and produce electricity from renewable wind energy sources in order to supply electricity into the national grid by connecting to an existing Eskom transmission line within the Proposed Development Area.

Arcus Consultancy Services South Africa (Pty) Ltd ('Arcus') has been appointed to act as the independent environmental impact assessment practitioner (EAP) to undertake the environmental impact assessment (EIA) process for Environmental Authorisation under Chapter 5 of the National Environmental Management Act, 1998 (Act 107 of 1998 – NEMA) as amended, for the Proposed Development.

For the purpose of obtaining Environmental Authorisation (EA), and bidding requirements in the Department of Energy's Renewable Energy Independent Power Producers Procurement Programme (REIPPPP), the project has been split into three phases: North, Central and South. A Special Purpose Vehicle (SPV) has been set up for each of the three phases. Each phase will consist of two applications: one for the wind energy facility and one for the respective grid connection. The Proposed Development therefore consists of six components and six separate applications for EA:

- Highlands North Wind Energy Facility (RF) (Pty) Ltd:
 - The Highlands North WEF (up to 85 MW) consisting of up to 17 turbines with a generating capacity of up to 5 MW each (The Proposed Project),
 - Electrical Grid Connection and Associated Infrastructure for Highlands North WEF;
- Highlands Central Wind Energy Facility (RF) (Pty) Ltd:
 - The Highlands Central WEF (up to 70 MW): up to 14 turbines with a generating capacity of up to 5 MW each
 - Electrical Grid Connection and Associated Infrastructure for Highlands Central WEF;
- Highlands South Wind Energy Facility (RF) (Pty) Ltd:
 - The Highlands South WEF (up to 90 MW): up to 18 turbines with a generating capacity of up to 5 MW each;
 - Electrical Grid Connection and Associated Infrastructure for Highlands South WEF.

Should the Proposed Development be bid in the REIPPPP two submissions may potentially be made: The Highlands North WEF will be combined with the Highlands Central WEF **OR** be bid on its own, and the Highlands Central WEF will be combined with Highlands South WEF. Due to these uncertainties the specialist studies have described the baseline environment of the entire Proposed Development Site as the affected environment, and the Public Participation Process is being conducted combined for all six components.

This Comment & Response report only includes comments that are applicable to the Highlands South WEF (DEA Ref: 14/12/16/3/3/1/1960).

2 THE PUBLIC PARTICIPATION PROCESS

The primary aims of the public participation process are:

- To inform Interested and Affected Parties (I&APs) of the proposed development;
- To identify issues, comments and concerns as raised by I&APs;
- To promote transparency and an understanding of the project and its potential consequences;
- To facilitate open dialogue and liaise with all I&APs;
- To assist in identifying potential environmental (biophysical and socio-economic) impacts associated with the proposed development; and
- To ensure that all I&AP issues and comments are accurately recorded, addressed and documented in a Comments & Response Report.

This Comments & Responses Report has been compiled as Volume III to the Basic Assessment Reports that has been prepared in support of the above applications for Environmental Authorisation.

3 METHODOLOGY

This Public Participation Process follows the requirements of Regulation 41, 42, 43, and 44 of GN R. 326 Amendments to the Environmental Impact Assessment Regulations, 2014 (7 April 2017), promulgated under Section 24 (5) of the National Environmental Management Act (Act 107 of 1998 – NEMA), as amended.

3.1 Initial Notification

An I&AP database (Appendix 1) was compiled consisting of project landowners, surrounding landowners within 5 km, and relevant stakeholders of the Proposed Development Site boundary, identified organs of state and organisations. This database has been updated throughout the duration of the basic assessment process and anyone with an interest in the proposed development was encouraged to register.

On 14 June 2018 initial notification letters (email and registered mail in English and Afrikaans) were sent to I&APs on the database, informing them of the intention of the applicant to apply for Environmental Authorisations for the proposed development (Appendix 2). This included a locality map, proposed development plan and project descriptions. Details of how to submit comments and queries were included.

Site notice boards in English and Afrikaans were placed where the site boundary meets the R63 at 32°41'23.8"S 25°21'54.7"E and 32°41'23.8"S 25°21'54.7"E on 15 June 2018 (Appendix 3).

Notification posters in English and Afrikaans, encouraging I&APs to register on the database were placed on notice boards in Pearston at the post office, municipality, library, SAPS and a local supermarket on 15 June 2018 (Appendix 3).

In Somerset East notification posters were placed on notice boards at the SAPS, Langenhoven library, municipality, Spar supermarket, a hardware shop and a café. Photographs and coordinates are presented in Appendix 3.

Newspaper advertisements in English and Afrikaans were placed in *The Daily Sun* Eastern Cape and *The Mid Karoo Express* on 21 June 2018 (Appendix 4).

3.2 BA Process Public Participation

The following tasks were undertaken during the Basic Assessment process:

- Notification letters were sent out to registered I&APs, key stakeholders, and organs of state to inform them of the availability of the Basic Assessment Report (BAR) for review and comment (30 days) (Appendix 5);
- Notification letters were sent to all registered I&APs, key stakeholders, and organs of state to inform them of the extension of the commenting period on the Basic Assessment Report (BAR) by five working days (seven calendar days) (Appendix 6);
- E-mails were sent to landowners and adjacent landowners requesting contact details of their properties occupiers in order to arrange focus group meetings (Appendix 8);
- Where no response to the e-mail was received phone calls were made to surrounding landowners requesting occupier details and assistance in arranging focus group meetings (Appendix 8);
- Focus Group Meetings were held with occupiers of adjacent properties (see Section 4 & Appendix 8)
- A Comments and Responses Report was compiled and updated, recording comments and/or queries received and the responses provided (Section 5). Copies of all original comments received and responses sent are included in Appendix 7-9.

3.3 Decision & Appeal

- Notification letters will be sent to all registered I&APs, key stakeholders, and organs of state to inform them of the decision by the DEA and the appeal procedure; and
- Placement of advertisements in the same local and regional newspapers (in English and Afrikaans) to inform I&APs of the decision taken by the DEA.

4 OCCUPIER NOTIFICATIONS

In order to comply with Regulation 41(2)(b)(i) and (ii) of the EIA Regulations 2014 (as amended), the following was completed to notify occupiers:

- Two notice boards in English and Afrikaans were placed in two conspicuous places at the site boundary on the R63 at 32°41'23.8"S 25°21'54.7"E and 32°41'23.8"S; 25°21'54.7"E on 15 June 2018 (Appendix 3).
- Notification posters in English and Afrikaans were placed at the following locations on 15 June 2018:
 - Pearston post office;
 - Pearston municipality office;
 - Pearston library;
 - Pearston SAPS;
 - Pearston supermarket
 - Somerset East SAPS
 - Somerset East Langenhoven library;
 - Somerset East hardware shop
 - Somerset East Spar supermarket
 - Somerset East municipality office;
 - Somerset East coffee shop.

Evidence of this is provided in Appendix 3.

- A request was made in the initial notification letter (14 June 2018) to landowners and surrounding landowners (see Appendix 2): "To assist Arcus in ensuring all I&APs have been informed of the proposed developments, we kindly request your assistance in obtaining contact details of labourers and occupiers on your properties. Arcus will include them on our database and ensure that they have been included as part of the EIA process."
- Failing a response a second request was sent to surrounding landowners and landowners on 25 September 2018: "*In the initial notification that you received*

regarding the Highlands Wind Energy Facilities (attached), we requested that you assist us with contact details of any labourers and occupiers on your property so that they can be included in the public participation process. We have not received any response from you in this regard. Please could you confirm if there are any individuals residing or working on your properties adjacent to the proposed development site, and send us the names and any contact details of the individuals residing or working there."

- Failing a response attempts to contact the remaining landowners via telephone were made. Records of this are presented in Appendix 8. In addition further emails were sent as presented in Appendix 8.
- It must be noted that a representative appointed by 11 surrounding landowners opposing the proposed development (Mr André van der Spuy) advised these landowners to refrain from cooperating with Arcus in this regards, and to actively withhold any information of occupiers on their land (Appendix 8).
- A series of Focus Group meetings were conducted on 19 October 2018 on several farms in the area with occupiers of affected and surrounding properties whose details Arcus was able to obtain through the above steps, and who agreed to a meeting. Minutes, attendance registers and photographs are presented in Appendix 8.

5 COMMENTS & RESPONSE TRAIL

Table 1: Comments & Response Table

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
INITIAL NOTIFICATION PHASE				
1	Emma Becker Eastern Cape Parks and Tourism Agency 15/06/2018 Email	FW: Initial Notification for the Proposed Highlands Wind Energy Facilities to Shane October shane.october@ecpta.co.za Dear Shane <i>Kindly see below and respond/direct this mail accordingly please</i> <i>Kind Regards,</i>	Dear Ms Becker, We have added Mr Shane October to the database of Interested & Affected Parties, and he will receive all future notifications regarding the Highlands Wind Energy Facilities project. Kind Regards,	Anja Albertyn 18/06/2018 By email
2	Shaun Williams UFF African Agri Investments 18/06/2018 Email	Dear Anja, Please refer to the attached documents, for any correspondence or information needed please contact Jac Jordaan and Andre' Botha as per below. You can cc Frans Botha (CFO) and myself in the emails as I'm the accountant working on the project in the area. Andre Botha – andre.botha@uff.co.za Jac Jordaan - jacjordanboerdery@gmail.com cell: 073 856 7179 Thanks and regards	Dear Mr Williams, We have added the emails for Jac Jordaan, Andre Botha and Frans Botha to the I&AP database as requested. We have also emailed them the initial notification letter. They will be included in all future notifications regarding the Highlands Wind Energy facilities projects. Would you be able to indicate which farm portions or farm names you and they are part of in the area? We have a Jac Jordaan down as a project landowner contact for National Government farms but are uncertain if this is the same individual. Frans Botha is registered as a surrounding landowner contact for Purple Lily Pty Ltd. Any details would be greatly appreciated. Kind Regards,	Anja Albertyn 18/06/2018 By email
3	Grant Abrahamson East Cape Safaris	Dear Anja Thank you for your email. This is the first I hear of the project after having noticed that there is a test tower that	Dear Mr Abrahamson, You received the first official notification for the proposed Highlands WEFs. Please submit all	Anja Albertyn 18/06/2018

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
	15/06/2018 Email	<p>was erected on the farm Highlands which neighbours my property.</p> <p>Please let me know with whom I should talk to with regards some issues with the project from an environmental basis and from my tourism business venture which will be influenced by such a project.</p> <p>Look forward to hearing from you.</p> <p>Regards</p>	<p>comments and concerns to myself as soon as possible for inclusion and consideration in the basic assessment report. This report will then be made available to the public for 30 days for your review and further comment. You will be notified when it is available. At this point we estimate that the public review period for the Basic Assessment Report will start sometime in September.</p> <p>I also forward all comments to the social specialist, Tony Barbour, who will be conducting a social impact assessment study for the proposed development. He may also contact you for additional input for inclusion in his report.</p> <p>Please do not hesitate to contact me with any further queries.</p> <p>Kind Regards,</p>	By email
4	<p>John Geeringh (Pr Sci Nat) Senior Consultant Environmental Management Land Development and Management Megawatt Park, D1Y42, Maxwell Drive, Sunninghill, Sandton. P O Box 1091, Johannesburg, 2000. Tel: 011 516 7233 Cell: 083 632 7663 Fax: 086 661 4064 By email 15/06/2018</p>	<p>Please send me KMZ files of the proposed development and proposed Grid connections. Please find attached Eskom requirements for works at or near Eskom infrastructure and servitudes. Please take specific note of the setback distances for Turbines from Eskom infrastructure as per the attached Setbacks document. Should the Developer want to encroach on these setback distances, permission must be requested from Eskom in writing, and a decision on the matter will be communicated in writing to the Developer.</p> <p>Kind regards</p> <p>Attachments: Renewable Energy Generation Plant Setbacks to Eskom Infrastructure – Signed.pdf Eskom requirements for work in or near Eskom servitudes WIND (3).doc</p>	<p>Dear Mr Geeringh,</p> <p>Thank you for your comments. The Eskom requirements will be forwarded to the developer for consideration in the design of the project. I have attached a kml of the proposed development layout for your further comment : Highlands_WEFs_20180525.kmz</p> <p>Kindly confirm if the proposed layout complies with Eskom requirements.</p> <p>Thank you very much,</p>	<p>Anja Albertyn 18/06/2018 By email</p>

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
	19/06/2018 By email	Thanks, I will check John	None required	EAP in final BAR Vol III C&RR
	19/06/2018 By email	Just as a matter of interest, has the developer determined the capacity of the power line where they would like to connect. The existing line is a 66kV and may have very limited capacity. There is also limited capacity for connection at Poseidon. I would suggest that the applicant get in touch with Eskom regarding these matters if they have not yet done so. Regards John	This has been forwarded to the developer.	EAP in final BAR Vol III C&RR
5	Side By Side Trust By Email info@sidebysidesafaris.com 21/06/2018	Paul@bosberg.co.za Få Outlook til iOS	Good day, The email Paul@bosberg.co.za has been added to our database under Side by Side Safaris. All future notifications regarding the Highlands Wind Energy Facilities will be sent to that address. Please could you let us know if you wish to no longer receive notifications at info@sidebysidesafaris.com. Kind Regards,	Anja Albertyn 21/06/2018 By email
6	Roxanne Mustard Regional Content Researcher Projects Department Leads 2 Business (www.L2B.co.za) RoxanneM@l2b.co.za by email 27/06/2018	Good day Please may I register as a I&AP: Roxanne Mustard Following the progress of this project. Hilton branch Tel: +27 (0)860 836 337 Fax: +27 (0)33 <i>Postal address:</i> PO Box 1091 Hilton KZN	Dear Roxanne, Thank you very much for registering as an I&AP for the Highlands Wind Energy Facilities project. You will receive all notifications regarding the application process for environmental authorisations. Should you have any comments or queries regarding the projects or process please do not hesitate to contact me. Kind Regards,	Anja Albertyn 27/06/2018 By email

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
	By Email 02/07/2018	3245 <i>Physical address:</i> The Quarry Office Park, Block G, Section 2, 330 Old Howick Road, Hilton KZN 3245 (South Africa) Your assistance and time will be greatly appreciated. Have a great day further!		
	By Email 04/07/2018	Good day Anja, Thank you so much. Has there been a BID document drawn up for this project? Your assistance will be greatly appreciated. Have a great day further! Kind Regards	Dear Roxanne, A project description, locality map and proposed development plan was included in the initial notification letter and serves as the BID. You will receive a link to the Draft Basic Assessment Report as soon as it is available for public review. Electronic copies on CD and hardcopies will be made available upon request. Let me know if you have any further queries or comments at this stage. Kind Regards,	Anja Albertyn 03/07/2018 By email
		Thank you so much Anja I look forward to receiving the Draft Basic Assessment Report. Have a great day further! Kind Regards, Roxanne Mustard	None required	
7	Nico Lombard Cacadu District Development Agency Manager Renewable Energy nlombard@cacadudevelopment.co.za By email 28/06/2018	Will you please register the Cacadu District Development Agency as an interested and affected party for the proposed Highlands wind farm. Nico Lombard 0823294545 P O Box 197 Somerset East 5850 Thank You.	Dear Mr Lombard, Thank you very much for registering as an I&AP for the Highlands Wind Energy Facilities project. You will receive all notifications regarding the application process for environmental authorisations. Should you have any comments or queries regarding the projects or process please do not hesitate to contact me. Kind Regards,	Anja Albertyn 28/06/2018 By email

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
8	Ms Fhatuwani Magwaba Office of the Director General Department of the Rural Development and Land Reform	<p>Dear Sir/Madam Kindly find attached a letter acknowledging the receipt of your correspondence. Kind regards Ms Fhatuwani Sarah Magwaba</p> <p>Attached letter: Dear Sir/Madam INITIAL NOTIFICATION FOR THE PROPOSED HIGHLANDS WIND ENERGY FACILITIES I acknowledge with thanks receipt of your email dated 14 June 2018, regarding the above mentioned subject matter. Kindly note that the matter has been brought to the attention of the Chief Director: EC, Provincial Shared Service Centre: Mr Zukile Pityi for further attention and response. Should you wish to make a follow up on this, kindly contact Ms Aphiwe Fayindlala, Tel: 043 700 7003 Email: aphiwe.fayindlala@drdlr.gov.za Kind regards Ms Fhatuwani Sarah Magwaba For Office of the Director General Department of Rural Development and Land Reform DATE: 3 July 2018</p>	<p>Dear Ms Magabwa, Thank you for your acknowledgment of receipt. Ms Aphiwe Fayindlala has been added to our I&AP database and will be included in all future correspondence and notifications. Kind Regards,</p>	<p>Anja Albertyn 03/07/2018 By email</p>
9	Leonard Shaw Senior Manager: Access Master Planning Openserve 61 Oak Avenue, gate 2, Highveld, Centurion 0157	<p>Good day Anja We looked at the proposed farm and it will not interfere with our "radio" networks. If you need a response in accordance with the provisions of Section 29(1) (b) of Electronic Communications Act no. 36 of 2005 ("the Act") please let me know. Kind regards,</p>	None required	

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
Requests for Occupier Details / Focus Group Meetings				
10	Pieter Erasmus Surrounding landowner	<p>Dear Anja, Thank you for your e-mail. I and my direct family are the only occupiers, no labourers etc Regards Pieter Erasmus ----- From: Anja Albertyn <AnjaA@arcusconsulting.co.za> Sent: 25 September 2018 02:54 PM Subject: Highlands Wind Energy Facilities Adjacent Property Occupiers</p> <p>Dear Surrounding Landowner, In the initial notification that you received regarding the Highlands Wind Energy Facilities (attached), we requested that you assist us with contact details of any labourers and occupiers on your property so that they can be included in the public participation process. We have not received any response from you in this regard. Please could you confirm if there are any individuals residing or working on your properties adjacent to the proposed development site, and send us the names and any contact details of the individuals residing or working there. Thank you for your assistance. Kind Regards,</p>	It is recorded that there are no further occupiers on Mr Erasmus' property that have not been notified.	EAP in final BAR Vol III C&RR
11	Johan Coetzee Surrounding landowner Doornkraal 02/10/2018 by phone	AA phoned JC and introduced herself as working for the Environmental Consultants conducting the EIA for the Highlands wind energy project. JC confirmed he has been receiving notifications regarding the project. He explained that he practices law in Wellington/Paarl and has not been farming there for 20 years. His brother in law Jeremy van Niekerk operates the farming on Far 420 Doornkraal. AA enquired if there are people residing or working on the farm. Regulations requires AA to inform occupants on adjacent properties about the project and how it could affect them and give them opportunity to comment. JC enquired how a wind farm could affect workers on a neighbouring sheep farm. AA explained that according to the social specialist study the main impact to adjacent properties is visual, and would be unlikely to affect the workers on a sheep farm next door negatively,		Anja Albertyn 02/10/2018 by phone

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
		<p>as their farming operations would not be affected. Neighbouring hunting and tourism operations relying on tourists are however concerned that they may be affected negatively. The community impact is expected to be positive with increased job and business opportunities and a Community Trust benefitting community members would be set up. JC enquired if the turbines will be on Bruintjiehoogte ridges. AA explained that they are not on Bruintjieshoogte itself, but south of the R63 on ridges that would be visible from the R63 and neighbouring farms. JC asked AA to please email him a map and a link to the figures in the report so that he can see if he is affected. AA confirmed that she will send a link and a figure, but that she can also post a hardcopy. JC enquired if he could come to the office to see a hardcopy when he is in town. AA confirmed that this is possible. JC gave AA the details of the occupier Jeremy van Niekerk, who will have details of the three people residing on the property.</p>		
	<p>Jeremy van Niekerk Surrounding occupier Doornkraal 02/10/2018 By phone</p>	<p>AA phoned and introduced herself. JvN acknowledged that he knows about the Highlands project but he does not own the property and that all correspondence has to go through the owner Johan Coetzee. AA confirmed that Mr Coetzee gave her JvN's number and has told her to call him for the occupiers details. AA explained the purpose of holding a meeting for the farm occupiers and allowing them to comment on the project. JvN explained that three individuals live on the property and work for him, and that AA is welcome to come and talk to them. JvN enquired where the access road to the site will be. AA confirmed that the existing road going through Farm 420 will be upgraded and used. Therefore the project could affect JvN's operations and he should read the reports in order to comment. AA explained that should environmental authorisation be obtained the project will need to also be successful in a bid to Eskom, so it could be some years before the road gets upgraded. AA will email a link to the reports to JvN with a map so that he can study the proposed layout. JvA advised that he requires two days notice to organise a focus group meeting and AA should contact him 2 days before she wants to come.</p>	<p>Dear Jeremy, Thank you for taking my call earlier. As discussed we would like to inform the three individuals residing on the property you manage 420 Doornkraal about the proposed development on the adjacent property. We will be in touch in this regard to hold a meeting with them on the property in the week of 15 October 2018. You can download the documents for public review at this link: https://arcusconsulting.co.za/projects/highlands-wind-energy-facilities-basic-assessment-reports-for-public-review/ I have also attached a map showing the proposed development and location of the access road that runs through the Farm 420 Doornkraal (the grey line in the south east of the project site). Please do not hesitate to contact me with any queries or comments. Kind Regards,</p>	<p>Anja Albertyn 02/10/2018 by email</p>

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
	16/10/2018 By phone	AA introduced herself and asked if it is still ok for her to come and speak to his farmworkers. Arcus would like to do a focus group meeting with them on Thursday or Friday. AA and JvN agreed to hold the meeting on Friday 19 October 2018 at 10:00 at the farm Doornkraal. JvN requested that AA phone him when she arrives in Somerset East for directions.	The Focus Group meeting was held as planned on the Farm 420 Doornkraal with three resident farm workers in attendance. All three voiced their support for the project.	EAP in final BAR Vol III C&RR
12	Frans Botha 25/09/2018 by email	Dear Anja We have previously provided the name of Jac Jordaan as an individual residing on the properties of Purple Lily (Pty) Ltd. I have included his e-mail address in CC. Hi mobile number is 073 856 7179 Kind regards Frans	Jac Jordaan was already a registered I&AP and has been receiving requests for occupier details. In addition attempts were made to contact him by phone on 02/10/2018 and 16/10/2018. A voicemail was left for him asking him to phone back. No response was received. During the Focus Group meeting trip on 19/10/2018 four farm workers (occupiers) of Jac Jordaan's property were met incidentally on the side of the public road, and an impromptu focus group meeting was held with them on the public road. They were informed about the wind farm, and two chose to register as I&APs. All comments made were in support of the development	EAP in final BAR Vol III C&RR
13	Grant Abrahamson East Cape safaris Surrounding landowner 02/10/2018	AA phoned GA at 15:12, introduced herself as working for the Environmental Consultants conducting the EIA for the Highlands wind energy project. GA confirmed he knew about Arcus conducting the environmental authorisation process. AA explained that they are required to ensure that not only the landowners but also the occupiers, residents and people working on adjacent properties, are informed about the project and are given the opportunity to comment. AA would like to come to GA's farm and hold a meeting with the affected people there to explain the project, the possible impacts and record their comments or hand out comment sheets. It will take 30 minutes to an hour maximum. GA explained that he has already been to a meeting with the project developers and social specialist,	No response or further communication was received from Mr Abrahamson. It is now known that Grant Abrahamson is one of the landowners that AVDS represents.	EAP in final BAR Vol III C&RR

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
		and that he is opposed to the proposed development. AA reiterated that not only the landowners but also the residents and employees must be given opportunity to comment. GA says he understands this. GA said that he has to first go back and speak to the others and take this to them before he can give the go ahead. He did not explain who the others where. AA asked if there are people residing or working on the property. GA confirmed that one individual resides there and several others reside in Somerset East, but work on the property. AA asked that GA please contact her with a response as soon as possible.		
14	Davy Henderson by email 26/09/2018	Hallo Anja Wat van die mense soek jy, net hulle name, of id Nommers? Groete Davy Henderson	Dear Mr Henderson, We are looking for names and contact numbers (preferably cell phones) please. Thanks very much for your help. Kind Regards,	Anja Albertyn 27/09/2018 by email
	02/10/2018 By email	Hello Anja, my sel number is 0825162441 and landline is 0422432203.	Dear Mr Henderson, We are planning to conduct meetings in your area for people working and living on the properties adjacent to the proposed Highlands Wind Energy Facilities, in order to inform them about the proposed development, and enable them to comment on it. Please could you assist us with this for the people on your farm? We would come to your farm and speak to your staff / people living there at a time suitable for you and them. It would only take about half an hour to an hour maximum. We are looking at the week around 17 or 18 October 2018. Please could you let me know your phone number or give me a call on 076 265 8933 or 021 412 1529 to discuss if this is possible? Or, if there is nobody living or working on the Farm RE/145 Uitkyk, or any other	Anja Albertyn 02/10/2018 by email

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
	03/10/2018 By phone		affected property in the area you may own, please confirm this and we will make a note not to contact you again in this regard. Thanks very much for your assistance. Kind Regards,	
	16/10/2018 By phone	AA phoned DH and introduced herself. DH confirmed that he had received the emails regarding the meetings Arcus wishes to hold with farm workers. DH confirmed that he has 10 people working/residing on his farm and that Arcus is welcome to come and talk to them. DH stated that he is not opposed to the wind farm, but that his neighbour Mr Fleming Jensen is very upset and will not want to talk to us. AA explained that the people working for Mr Fleming Jensen also need to be given opportunity to comment, if they are opposed or in support of the project. DH explained that an Afrikaans interpreter will need to be present for the meeting, and that some of his workers are illiterate. AA confirmed that the meeting is especially important then and that it can be held in Afrikaans and that this way their verbal comments can be recorded. AA and DH agreed that AA will email DH proposed dates for the meeting.		Anja Albertyn 03/10/2018 By phone
		AA phoned and DH agreed to hold the meeting on his farm at noon on Friday 19 October 2018.	The Focus Group meeting was held on Mr Hendersons farm. 10 people were in attendance and 8 registered as I&APs. All comments made were in favour of the development.	Anja Albertyn 19/10/2018
15	Zirk Jordaan Landowner 02/10/2018	AA phoned Mr Jordaan and arranged to hold a focus group meeting with the approximately 8 labourers working on the affected farm on Friday 19 October 2018 at 8:30am	The Focus Group meeting was held as planned in the shed at Mr Jordaan's farm. Nine people attended and all registered as I&APs. They commented that they had seen the notice boards on the site boundary. Comments on the development were all in favour.	Anja Albertyn 19/10/2018
16	Simphiwe Fani 03/10/2018	(1) Mzwandile Maneli/Yantolo 0625660390	Dear Simphiwe,	Anja Albertyn 03/10/2018

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
	by email	(2) Memese Dingani (3) Rooikop Mjuza They were all informed about the wind farm Regards Simphiwe Fani 0820923894	Thank you very much for the contact details of the people working and living on the government property you lease. It is greatly appreciated. We are planning on being in the area on 17 or 18 October 2018 to meet with people working and living on the farms surrounding the proposed development. Please could you ask if these people on your farm would like us to come and speak to them as well? We can then explain the project to them, how it may affect them, answer any questions they may have about the project, and they can then give us their comments if they have any. Thanks so much for your help with this. Kind Regards,	by email
17	Blair Henderson du Randt Surrounding landowner 02/10/2018		Both numbers on file do not exist (Windeed)	Anja Albertyn 02/10/2018
18	Hein Badenhorst surrounding landowner By phone 05/10/2018 By email 05/10/2018		No answer. No voicemail.	Anja Albertyn 05/10/2018 by phone
			Dear Mr Badenhorst, As previously communicated we are trying to arrange a meeting with the people working and/or residing on your property. Please could you send me a list of names and cell phone numbers of your staff (if they agree), so that we may contact them. We want to ensure they have been informed of the proposed Highlands Wind Energy facilities development and enable them to provide their comments. Alternatively please could you provide them with my phone number 076 265 8933 and advise them that they can send a "please call me", or a missed call, and they will	Anja Albertyn By email 05/10/2018

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
			<p>be phoned back. We are hoping to set up a meeting with them in Somerset East.</p> <p>Unfortunately we have no other means of obtaining information regarding the contact details of the occupants of your property than through you.</p> <p>Kind Regards,</p>	
	<p>Andre van der Spuy (for Hein Badenhorst, surrounding landowner) 17/10/2018 By email</p>	<p>Dear Ms Albertyn</p> <p>Below email refers, as well as other similar ones sent to other of our clients. The notification and inclusion of "occupiers" is a critically important aspect of any project such as the Highlands wind farm proposal(s) and is specifically accounted for within the EIA Regulations.</p> <p>Notwithstanding concerns and associated risks to my clients of your requests around the Protection of Personal Information Act it would be appropriate to respond on behalf of my clients that unfortunately The Regulations do not make provision for them to assist, act for or undertake any tasks specifically required of the person conducting the public participation process and the EAP.</p> <p>However, in order to be of some help we would advise you to contact the Department of Environmental Affairs (Ms. Dee Fischer) who undertook the Strategic Environmental Assessment (SEA) which determined that the subject Cookhouse REDZ, within which said "occupiers" reside and our clients properties fall, be proclaimed under the auspices that the SEA was the product of a comprehensive (scoping) process of public consultation during which affected parties were extensively consulted. On that basis you would be reasonably expected to obtain from the DEA all the names and details of those you seek since they are within, and affected by, the SEA Cookhouse REDZ (as your motivation Highlands WEF evidences in its substantial reliance upon the same SEA).</p>	<p>The option of the occupiers contacting Arcus at no cost to them (by please call me) was offered, therefore no personal information was expected without consent.</p> <p>This information is not readily available elsewhere. Regardless, Ms Dee Fischer was contacted by email as AVDS recommended, but has not responded to date. However, it is the opinion of the EAP that an SEA conducted several years ago over the entire country would be unable to provide the required details on current occupiers of an area at a much smaller scale.</p> <p>The EAP is of the opinion that everything that is reasonably possible has been done in attempting to obtain information on the occupiers of the area surrounding the proposed development.</p> <p>Copy of email to Dee Fisher dated 25/10/2018:</p> <p>Dear Ms Fischer,</p> <p>I am an EAP with Arcus Consultancy Services South Africa, who are conducting the BA process for the Highlands wind energy facilities near Somerset East, Eastern Cape (within the Cookhouse REDZ). As part of the PPP we have been attempting to contact occupiers of the adjoining properties. Some of the surrounding landowners are opposing the project and through their representative, Mr André van der Spuy, have refused to assist us in obtaining the details of people living or working on their lands. We have</p>	<p>Anja Albertyn 12/11/2018 in FBAR</p>

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
		<p>Kind regards Andre van der Spuy</p>	<p>already conducted a series of focus group meetings with other occupiers in the area, but were unable to gain access or information regarding the people living on the properties of Mr van der Spuy's clients.</p> <p>Please see email below in which Mr van der Spuy claims that you should have this information on who works and lives on these farms from the PPP for the SEA on the REDZ, despite this PPP having been conducted several years ago and at a much larger scale. Please could you let me know if you indeed have any information on occupiers within the REDZ and if this information is publically available? Please feel free to give me a call. Thank you very much for your time. Kind Regards,</p>	
19	<p>Fritz Walter Surrounding landowner 17/10/2018 By phone</p>	<p>AA phoned FW, introduced herself and explained that Arcus wants to set up a meeting with the farm workers in order to ensure they know about the Highlands project and have an opportunity to comment. FW said that he has been receiving notifications but he has been overseas and he is currently in Jeffrey's Bay. AA explained she will be in the area the next day and would like to come to his farm and speak to his workers. FW said that he will be try to organise something with his workers. AA is to please put the request in an email for him. AA thanked FW for his assistance.</p>	<p>Dear Mr Walter,</p> <p>Thank you for taking my call earlier. We will be in the area all day tomorrow meeting with workers and residents of the farms affected by the proposed Highlands wind energy project, to inform them about the project and give them opportunity to comment. We would like to visit your farm and speak to anyone residing/working there anytime from 2pm (we have a meeting at Driefontein at 1pm). It should only take about half an hour. Please could you let me know if it is possible to come tomorrow, while we are already there. I could also try and move some of the other meetings on neighbouring farms around if it can only be arranged in the morning.</p> <p>Thanks very much for your assistance.</p> <p>Kind Regards, Anja</p>	<p>Anja Albertyn 17/10/2018 By email</p>

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
	18/10/2018 10:56 By email	Dear Mrs. Albertyn, I have tried to make contact with the staff as they have very limited signal. I might be able to get a feedback tonight and we will then advise you. The tower of Igen is at this stage out of order since Friday and the signal is off. Best regards		
	Andre van der Spuy on behalf of Fritz Walter 18/10/2018 12:47	Dear Ms Albertyn My client, Fritz Walters, has advised me that you have been in contact with him without having the courtesy or ethical conscience to include myself. I imagine you have adopted such approach on the advice of Tony Barbour perhaps? It is noted that you have quickly responded in this manner after my email of yesterday to you in which your request for "occupiers" details was refused. The clients have now been properly advised of the real intentions of your unethical and scheming approach and have been advised not to engage or assist you in any further manner. I have also advised my clients of Arcus' similar unethical approach in the Umsinde Emoyeni Wind Farm application (Murraysburg) and where promises made to my clients there were ultimately not honoured in the consultation process and the affair was manipulated to serve the interests of the Applicant alone. I wish to place on record that I have absolutely no trust in you or your Company on account of previous experiences (and now these) and I have advised my clients to adopt the same attitude in order to protect their interests and legal rights. At the same time we recognise the legal and independent rights of "occupiers", as such are termed under NEMA.	The EAP notes that Mr van der Spuy has advised his clients to not participate in the process and provide occupier details. It must also be noted that up to this point Mr van der Spuy had only advised that he is representing two surrounding landowners, so that the EAP was unaware that he was representing Mr Walters, nor did Mr Walters mention that he was being represented by anybody on the phone. Mr Walters ceased communication following this e-mail, therefore no further attempts were made to contact him directly.	EAP in final BAR Vol III C&RR

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
		<p>Relevant officials of the DEA are copied in here for their own record.</p> <p>Sincerely Andre van der Spuy</p>		
20	<p>Side by Side Safaris Mrs Jensen 03/10/2018 By phone</p>	<p>AA phoned, introduced herself and asked to speak to Fleming Jensen. Mrs Jensen advised that Mr Jensen is not available and will be on holiday until 20 October. AA explained that Arcus wants to set up a meeting with the farm workers in order to ensure they know about the project and have an opportunity to comment. Mrs Jensen said that all farm workers are going on leave from today and will only return to work on 20 October 2018. AA enquired if there are other means of contacting the farm workers as she would like to set up a meeting with them. Mrs Jensen said that this number AA called is the only way of contacting them, and there is no cell phone reception in the area. AA enquired if LJ can advise any other means of contacting the farmworkers to speak to them. Mrs Jensen responded that this phone number is the only means of contacting them. AA thanked Mrs Jensen for her time.</p>	<p>Following the comments made by AVDS no further attempts were made to contact Side by Side Safaris as AVDS had instructed the Jensen family not to participate or assist the EAP in any way.</p>	<p>Anja Albertyn 03/10/2018 By phone</p>
21	<p>Jana du Randt (surrounding landowner)</p>		<p>Voicemail. Left message asking to phone AA back on her cell number regarding the Highlands Wind Energy project on the adjoining property. AA would like to speak to her, and the people living and working on the land.</p>	<p>Anja Albertyn 16/10/2018 by phone</p>

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
22	Ernest Botha (surrounding landowner)		No answer. Left voicemail explaining that we want to talk to him and his occupiers about the Highlands project. Please call back.	Anja Albertyn 18/10/2018 by phone
23	Francois Jordaan (surrounding landowner)		No answer. Voicemail sent automatic sms with AA's cell number to FJ.	Anja Albertyn 18/10/2018 by phone
24	Hennie Eberson (surrounding landowner) Driefontein	AA phoned HE and introduced herself. She explained that she will be in the area this week conducting focus group meetings with occupiers of adjacent properties to the Highlands wind energy project. Mr Eberson agreed that she could speak to his staff on Friday 19/10/2018 at 2pm.	On the day of the planned meeting AA held a meeting at Davy Henderson's farm at 12:00, which is Mr Eberson's neighbour. Upon arrival at Mr Hendersons farm a note was given to AA stating that the meeting at Ebersons is cancelled. No reason was given. AA tried to phone twice to reschedule, but the phone was off and no voicemail was available.	Anja Albertyn 19/10/2018 by phone
25	Jac Jordaan Surrounding landowner	No answer. AA left a voicemail introducing herself and asking JJ to please phone her back. ----- No answer		Anja Albertyn 02/10/2018 by phone 16/10/2016 by phone

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
COMMENTS ON DRAFT BASIC ASSESSMENT REPORT				
26	Hein Badenhorst sillery@iafrica.com by email 18/09/2018 by email 18/09/2018	Morning Anja. Are the Reports that you refer to available in electronic format? Thanks, Hein Badenhorst. Sorry Anja, I see the reports are included. Thanks, Hein Badenhorst	Dear Mr Badenhorst, An electronic copy of the reports can be downloaded from: https://arcusconsulting.co.za/projects/highlands-wind-energy-facilities-basic-assessment-reports-for-public-review/ Please let me know if you are unable to download it or prefer to receive a CD which we can courier to you. Kind Regards,	Anja Albertyn 18/09/2018 By email
27	André van der Spuy AVDS Environmental Consultants 42 Afrikander Road Simon's Town 7975 Tel.: 021 786 2919 Fax.: 021 786 2919 Mobile: 084 480 2464 Email: avdspuy@iafrica.com Web: www.avdsec.com 20/09/2018	Dear Ms. A. Albertyn Your below notification, and its associated attachments, in regard to the 30 day comment period on the six environmental applications pertaining to the proposed Highlands Wind Energy Facilities, refer. AVDS Environmental Consultants, along with Nicholas Smith Attorneys, is representing Mr. Hein Badenhorst, Mr. Fleming Jensen, and their respective interests, in opposing the six applications for the proposed various phases of the Highlands Wind Energy Facility. It is our clients' wishes to review the applications and to provide comment thereon. However, we will be unable to meet the stipulated deadline (18 October 2018) for submission of comments and therefore it is requested that the current comment period be extended by an additional 30 days minimum in order for our clients' to exercise their rights to be availed of a "reasonable opportunity to comment". Our reasons for the request are listed as follows: 1. The current review period was launched without prior notification and which would have been	Dear Mr van der Spuy, Thank you for your comment below. We will take this under consideration and respond to you as soon as possible regarding the requested comment period extension. Please can you confirm if you would like to be added to the I&AP database as AVDS Environmental Consultants? Kind Regards,	Anja Albertyn 21/09/2018 by email

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
		<p>useful in providing us and our clients' with sufficient time to schedule arrangements and time in order to be sufficiently available to utilize the current review period. We and our clients have thus been taken unawares by the current review period and are unable to immediately schedule the necessary time and resources to attend to it properly.</p> <p>2. The stipulated comment period falls with a school holiday period and during which time our clients and both of their appointed representatives listed above have prior arrangements. The preparation and submission of comments will entail considerable and time-consuming review, as well as liaise between ourselves and our clients, thus requiring considerable time beyond that stipulated but, critically, we will be unable to utilize the period of the school holidays due to said previous commitments.</p> <p>3. The suite of 6 applications and complicated and exhaustive documentation being subjected to the limited 30 day comment period is entirely unrealistic and the attendance to 6 applications within a single 30 day comment period can by now stretch of the imagination be considered to constitute the "<i>reasonable opportunity to comment</i>" which our clients, and other I&APs, must be availed. There is no way that we will be able to properly review the relevant material within such a short period, and especially given the limitation posed by the school holiday period (as outlined above).</p>		

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
	21/09/2018 By email	<p>4. It is anticipated that it may be necessary for us to engage the advice and services of other professionals in order to properly inform our comments and objections and which will naturally entail an additional commitment of time and resources over and above the limits already outlines above.</p> <p>We trust that our request is suitably motivated and will be met with the favourable response it deserves. We look forward to receiving your confirmation of our request. Sincerely</p>		
		<p>Dear Ms. Albertyn</p> <p>Below refers and is noted. We look forward to receiving your response in due course and will proceed on the basis of it having been granted.</p> <p>I confirm that you should please register AVDS Environmental Consultants as an I&AP. However, please also separately register our individual clients as I&APs as well and be sure to allocate any inputs made on their behalves to them specifically. I would further ask that you please always copy myself, Mr. Smith, Mr. Jensen and Mr. Badenhorst , together, into all correspondence and future notifications (as you have done now) in order to overcome any missed correspondence through absence.</p> <p>On another matter, please could you confirm that it is the intention of the 3 Applicants to ultimately increase the name plate capacities of each of the 3 separate wind farms, respectively, according to the maximum permissible generation capacity of 140MW per wind farm.</p> <p>Regards Andre van der Spuy</p>	<p>Dear Mr van der Spuy,</p> <p>Please note that no decision has been made regarding your request to an extension of the reviewing period. You will be informed of the result as soon as a decision has been made.</p> <p>AVDS Environmental Consultants, Mr Smith, Mr Jensen and Mr Badenhorst have been registered as I&APs for the six applications, and they will be copied into all correspondence with you as well as all future notifications.</p> <p>Regarding your query please be informed that the applications are for the maximum capacity as stated in the project descriptions of the Draft Basic Assessment reports, with no intention to increase these capacities.</p> <p>Highlands North WEF: up to a maximum of 85 MW Highlands Central WEF: up to a maximum of 70 MW Highlands South WEF: up to a maximum of 90 MW</p> <p>Kind Regards,</p>	<p>Anja Albertyn 25/09/2018 By email</p>

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
			<p>Dear Mr van der Spuy, Your email below refers.</p> <ol style="list-style-type: none"> 1. The Regulations do not make provisions for prior notification of the comment period dates to I&APs. As surrounding landowners to the proposed development Mr. Hein Badenhorst, Mr. Fleming Jensen, received an initial notification of the proposed development in June 2018. No request for prior notification of the comment period was received from either Mr. Hein Badenhorst, Mr. Fleming Jensen. 2. The Regulations do not make provision for school holidays to be taken into consideration in determining when the 30 day commenting period is held. 3. The six Basic Assessment applications that require review are for one development: the Highlands Wind Energy Facilities of up to 150 MW, which was split in order to comply with REIPPP requirements. The six applications share an identical Volume II: Specialist Studies and Volume III: Comments & Response Report. These volumes therefore only require to be reviewed once. In addition, the six applications are Basic Assessments, and not full EIA reports. Therefore the amount of time required to review the documentation is standard for a wind energy facility of this size, and the legislated period of 30 days constitutes a reasonable opportunity to comment on the application. 	<p>Anja Albertyn 28/09/2018 by email</p>

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
			<p>4. The Regulations make provisions for comment by registered Interested & Affected Parties, which includes any representatives they choose to engage, for a period of at least 30 days.</p> <p>As the process followed is that of a Basic Assessment Process, a Final Basic Assessment Report must be submitted to the Department within 90 days of receipt of the applications by the competent authorities. Any extension of the public review period will therefore impact directly and negatively on the time available to suitably address the comments received.</p> <p>Despite the above reasoning, and as a sign of good faith to ensure a thorough investigation of the contents of the applications is possible, the comment period for the six applications is hereby extended by five (5) working days, or seven (7) calendar days to 25 October 2018. All registered I&APs are receiving a notification of the extended comment period (attached).</p> <p>Kind Regards</p>	
	<p>17/10/20188 By email</p>	<p>Dear Ms Albertyn</p> <p>Your below email refers. We note the contents thereof. As you are aware I, like several of my clients, was away and on leave until last week.</p> <p>It is recorded that you have refused our reasonable and well motivated request.</p> <p>You have issued an extension of 5 working days to the 30 comment period.</p> <p>Please be advised that the extension is regarded as being merely a token gesture designed to appear as a sign of reasonable compromise (we do not regard it as a sign of good faith) but it has no effect in rendering the final</p>	<p>All I&APs have been provided with a reasonable opportunity to comment on the reports: The Regulations do not make provisions for prior notification of the comment period dates to I&APs. As surrounding landowners to the proposed development Mr. Hein Badenhorst, Mr. Fleming Jensen, received an initial notification of the proposed development in June 2018. No request for prior notification of the comment period was received from either Mr. Hein Badenhorst, Mr. Fleming Jensen.</p>	<p>EAP in final BAR Vol III C&RR</p>

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
		<p>comment period as a reasonable one. We will accordingly be significantly limited and inhibited to the extent that it will not be practically possible to provide a comment on the applications to the desired level of detail and scope wished for.</p> <p>Thank you for describing your own method of review under your point 3 but we regard that as substantially superficial and insufficient and it would necessarily rely on a suitable amount of trust in the documents.</p> <p>You have advised on some selected, but not all of the, minimum requirement EIA Regulations as they pertain to such comment periods. However, other pertinent and relevant EIA Regulations have been ignored in your decision. For instance , you ignore EIA Regulation 41(6)(b)* which is an overriding one in this matter and which determines that any comment opportunity (and associated Regulations such as you have quoted) be subservient to the requirement that "all potential or registered interested and affected parties are provided with a reasonable opportunity to comment". Our original request described at length why such "reasonable" requirement was not met and the insignificant extension now granted does not change the effect.</p> <p>Sincerely Andre van der Spuy</p> <p>* When complying with this regulation, the person conducting the public participation process must ensure that- ... (b) participation by potential or registered interested and affected parties is facilitated</p>	<p>The Regulations do not make provision for school holidays to be taken into consideration in determining when the 30 day commenting period is held.</p> <p>The six Basic Assessment applications that require review are for one development: the Highlands Wind Energy Facilities of up to 150 MW, which was split in order to comply with REIPPP requirements. The six applications share an identical Volume II: Specialist Studies and Volume III: Comments & Response Report. These volumes therefore only require to be reviewed once. In addition, the six applications are Basic Assessments, and not full EIA reports. Therefore the amount of time required to review the documentation is standard for a wind energy facility of this size, and the legislated period of 30 days constitutes a reasonable opportunity to comment on the application.</p> <p>The Regulations make provisions for comment by registered Interested & Affected Parties, for a period of at least 30 days.</p> <p>As the process followed is that of a Basic Assessment Process, a Final Basic Assessment Report must be submitted to the Department within 90 days of receipt of the applications by the competent authorities. Any extension of the public review period will therefore impact directly and negatively on the time available to suitably address the comments received.</p> <p>Despite the above reasoning, and as a sign of good faith to ensure a thorough investigation of the contents of the applications is possible, the comment period for the six applications was extended by five (5) working days, or seven (7) calendar days to 25 October 2018. All registered I&APs received a notification of the extended comment period</p>	

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
		in such a manner that all potential or registered interested and affected parties are provided with a reasonable opportunity to comment on the application or proposed application.		
28	12/10/2018 by phone	Mr van der Spuy phoned to enquire if the applications have been submitted.	Mrs Albertyn confirmed that the applications were submitted and received by the Department on 18 September 2018.	Anja Albertyn 12/10/2018 by phone
	by email 11/10/2018	Dear Ms. Albertyn I am recently back from leave, as you are aware. The invitation for enquiries in the notice that was attached to the below email refers. Please kindly advise: whether or not the applications have been submitted to the DEA, and , if so, on what date was submission made; on what date the applications will be submitted to the DEA , if they have not already been submitted; and on the specific stages of the EIA process going forward until submission of the Final Basic Assessment Report to the DEA and the dates of each stage , as planned by yourself and/ or the Applicant. Thank you Andre van der Spuy	Dear Mr van der Spuy, Thank you for your call last week. This email is to confirm that the date of receipt of the applications by the DEA was 18 September 2018, as I stated in our telephone conversation. The extended public commenting period ends 25 October 2018 (inclusive), as you have been previously informed. The final Basic Assessment Reports (BARs) must be submitted to the Department of Environmental Affairs within 90 days of receipt of the applications, excluding public holidays and the period 15 December – 5 January, ie. by 9 January 2019. I trust this answers your query below. Please do not hesitate to contact me if you have any further questions. Kind Regards,	Anja Albertyn 15/10/2018 by email
	17/10/2018	Dear Ms. Albertyn Thank you for your response. All is noted. Regards Andre v d Spuy	None required	

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
29	P Mr Stanley Tshitwamulomoni Department of Environmental Affairs, Environment House · 473 Steve Biko Road· PRETORIA, Tel: 0123999411 Email: pmakitla@environment.gov.za 8 October 2018	Dear Sir/Madam COMMENTS ON THE DRAFT PROPOSED BASIC ASSESSMENT REPORT FOR THE HIGHLANDS CENTRAL WIND ENERGY FACILITY ELECTRICAL GRID CONNECTION AND ASSOCIATED INFRASTRUCTURE, SOMERSET EAST WITHIN EASTERN CAPE The Directorate: Biodiversity Conservation has reviewed and evaluated the aforementioned report and satisfied with the information provided in the Draft Basic Reports and its specialist's studies. The following recommendation must be considered during the final Basic Assessment Reports (BAR).	AA called Portia, she advised that she sent comment on the 28 September 2018 for the Highlands Central Grid. The comments received yesterday (8 October 2018) are for the rest of the Highlands reports i.e. 5 reports. She admits that a mistake was made in the subject line of the comment however the comment is combined for all 5 projects.	Aneesah Alwie 9/10/2018 By phone
			Dear Portia, Thank you for your comments on the proposed Highlands wind energy facilities. You requested that we also receive comment from the Directorate: Protected Area Planning Legislation, Compliance and Monitoring Are you able to provide us with the correct contact details of this Directorate? We are unable to find anyone from this Directorate on the Departmental website or the internet. Thank you kindly, You can get hold of Lindiwe Ndeu Indeu@environment.gov.za Sent from my Huawei Mobile	Anja Albertyn 15/10/2018 by email Portia Makitla: 30/10/2018 by email
		The development footprint, within the high sensitivity areas and near any roosting areas for bats should be minimised	All buildings, even if they have not been confirmed as roosts, have been buffered by 200 m as per best practise. An additional buffer of 75 m has been placed around this 200 m buffer in which the turbine blades may not enter. Therefore, within the roost buffers no turbines are allowed as these will have the greatest impact to bats compared to other infrastructure.	Bat specialist in final BAR Vol III C&RR

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
			Other infrastructure will have low impact to bats and are therefore permitted inside the roost buffers. No bats were found roosting in buildings on site during the monitoring but they still present a potential roost opportunity for some species of bat and therefore afforded the buffer of 275m around all potential roost sites.	
		The cumulative impacts which may occur as the result of the proposed development must be assessed and included in the final report;	Cumulative impacts within a 35 km radius (as a minimum) are assessed by each specialist and included in the draft and final reports. Chapter 18 is dedicated to the assessment of cumulative impacts.	EAP in final BAR Vol III C&RR
		The area has been identified as a potential target for the protected area expansion (NPAES), please ensure that comments from the Directorate: Protected Area Planning Legislation, Compliance and Monitoring comments are incorporated in the Final BAR	<p>Dear Lindiwe,</p> <p>Please find attached a request for your comment on the proposed Highlands Wind Energy Facilities applications for EA.</p> <p>The Directorate: Biodiversity and Conservation has requested your comment on the above applications. The public review period ended on 25 October 2018, and we are aiming to submit the Final Report before 15 December 2018. We would therefore appreciate it greatly if you could submit your comment as soon as possible, but no later than 30 November, so that we have time to respond and address your comments in the limited timeframe available.</p> <p>You can download the reports here: https://arcusconsulting.co.za/projects/highlands-wind-energy-facilities-basic-assessment-reports-for-public-review/</p> <p>Please could you let me know if you require anything else in order to provide comment, and when is the earliest you will be able to provide comment by.</p> <p>Thank you very much.</p>	<p>Anja Albertyn 12/11/2018 By email Lindiwe Ndelu Directorate: Protected Area Planning Legislation, Compliance and Monitoring</p>

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
			Kind Regards,	
		Search, rescue and relocation of Red Data, protected and endangered species, medicinal plants must be undertaken and permits must be obtained from the relevant authorities;	A Search & Rescue plan is included in the EMPr under Chapter 10: Plant Rescue & Protection Plan. All required permits will be obtained from the relevant authorities prior to the commencement of construction activities.	EAP in final BAR Vol III C&RR
		The final walk-through with an ecological specialist must be undertaken to fine tune the final positioning of the turbines in order to avoid impacting on species of conservation concern;	The following construction phase mitigation measure is included in the EMPr under Impacts on vegetation and listed or protected plant species resulting from construction activities: "Preconstruction walk-through of the approved development footprint by a qualified specialist to ensure that sensitive habitats and species are avoided where possible".	EAP in final BAR Vol III C&RR
		Vegetation removal must be limited to the footprint of the proposed development;	The following construction phase mitigation measure is included in the EMPr: Vegetation clearing to be kept to a minimum. No unnecessary vegetation to be cleared.	EAP in final BAR Vol III C&RR
		The ridges are habitats for red data and endemic species and supports a unique floral and faunal species composition; they are also areas of High Ecological Function and of High Conservation Value therefore development within this areas is not supported;	While there are certainly some listed and endemic species present in the study area, the sensitive areas where such species are common have been mapped as high sensitivity areas that have been avoided by the development. The turbines across most of the site are distributed across the lower-lying ridges. The higher-lying ridges, especially in the south are not in the development footprint.	Ecology Specialist in final BAR Volume III: C&RR
		The final report must include at least one A3 regional map combining the final layout map superimposed on the environmental sensitivity; and	Figure 20.1 Environmental sensitivity includes the final layout map superimposed on environmental sensitivities in A3.	EAP in final BAR Volume III: C&RR

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
		The Environmental Management Programme (EMPr) to be submitted as part of the final report must clearly indicate the biodiversity impacts that might occur as a result of the proposed project and the proposed mitigation measures thereof. The EMPr must not contain any ambiguity. Where applicable, statements containing the word "should" are to be amended to "must".	Impacts and mitigation measures including biodiversity impacts and mitigations are presented in detail in Section 6 and section 7. The wording in the EMPr has been changed from "should" to "must" where grammatically appropriate.	EAP in final BAR Volume III: C&RR
		The overall biodiversity objective is to minimise loss to biodiversity as possible. Therefore, in order to achieve this objective the above mentioned recommendations must be adhered to. Yours faithfully	The above recommendations have been incorporated into the BAR and EMPr.	EAP in final BAR Volume III: C&RR
30	M de Villiers studcor@iexchange.co.za Westondale Farm 03/10/2018	Good day, I believe you are going to be working in the area. We also have a farm in the Pearston area and would like to know how you decide where to put the wind turbines on ? Kind regards	Dear Mrs de Villiers, Thank you for contacting Arcus with regards to the Highlands Wind Energy Facilities. We have registered you on the database of Interested & Affected Parties and you will now receive notifications regarding the progress of the proposed development. The Basic Assessment reports for the proposed Highlands Wind Energy facilities are available for public review until 25 October 2018 (inclusive) at the following locations: <ul style="list-style-type: none"> • Langenhoven Library, Somerset East; • Ernst van Heerden Library, Pearston; • Website https://arcusconsulting.co.za/projects/highlands-wind-energy-facilities-basic-assessment-reports-for-public-review/ • Electronic copies on CD-ROM are available on request. In response to your query, the above mentioned Basic Assessment Reports give a detailed account in Chapter 6 – Assessment of Alternatives of the site	Anja Albertyn 03/10/2018 By email

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
			<p>selection process undertaken by the Developer. The final position of the turbines on the selected site takes into account the results of detailed specialist environmental studies which identified the best environmental option that minimises negative impacts and avoids sensitive areas.</p> <p>Please send your comments on the Draft Basic Assessment Reports in writing by 25 October 2018 to:</p> <p>Anja Albertyn; highlands@arcusconsulting.co.za Phone: 021 412 1529 or Fax: 086 762 2885; Postal: Office 220, Cube Workspace, Cnr Long Street and Hans Strijdom Avenue, Cape Town 8001</p> <p>Please feel free to contact me should you have any further queries, or should you no longer wish to receive notifications regarding the above projects.</p> <p>Kind Regards,</p>	
31	<p>Mr Sabelo Malaza Chief Director: Integrated Environmental Authorisations Department of Environmental Affairs 29/10/2018</p>	<p>Dear Sir/Madam</p> <p>COMMENTS ON THE DRAFT BASIC ASSESSMENT REPORT FOR THE PROPOSED HIGHLANDS SOUTH WIND ENERGY FACILITY AND ASSOCIATED INFRASTRUCTURE, EASTERN CAPE PROVINCE</p> <p>The Application for Environmental Authorisation and draft Basic Assessment Report (BAR) received by this Department on 18 September 2018 refers.</p> <p>This Department has the following comments on the abovementioned application:</p> <p>Please ensure that all relevant listed activities are applied for, are specific and that it can be linked to the development activity or infrastructure as described in the project description.</p>	<p>All applied for listed activities are specific and can be linked to proposed infrastructure.</p>	<p>EAP in final BAR Vol III C&RR</p>

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
		<p>Furthermore, you are required not to make use of the term "may or could "on the description of the activity as this illustrates an element of being uncertain such as the following listed activities:</p> <p>Listing Notice 1GN R327 -Activity 19; Listing Notice 1 GN R327 -Activity 27; Listing Notice 3 GN R324 -Activity 4; Listing Notice 3 GN R324 -Activity 14; and Listing Notice 3 GN R324 -Activity 23.</p> <p>You are hereby advised to amend the above listed activities applied for, on the application form and the final BAR to be submitted.</p>	<p>The wording in Table 2.1 NEMA listed activities was changed from 'may' to 'will' where applicable.</p> <p>An amended application form is being submitted to the Department with the Final BAR.</p> <p>The activities listed in this comment are not correct, as these are the ones applied for in a separate application for the associated grid connection. It is assumed this was done in error.</p>	EAP in final BAR Vol III C&RR
		Please make sure that the final BAR is printed in colour and also map legends are clearly visible.	The final BAR is printed in colour.	EAP in final BAR Vol III C&RR
		<p>Furthermore, the final BAR must provide original signatures of all the specialists that conducted the various studies and also provide dates of signature. Forms titled <i>&Details of the specialist, declaration of interest and undertaking under oath"</i> can be obtained by visiting our Department's website: https://www.environment.gov.za/documents/forms</p>	All specialists have signed the Department's form: <i>Details of Specialist and Declaration of Interest</i> and these are included in each specialists report in Volume II.	EAP in final BAR Vol III C&RR
		You are required to make sure that all In-house specialist studies are externally reviewed by specialists in compliance with regulations 13(2) and 13(3) of the EIA regulations, 2014, as amended.	The bird and bat studies have been externally reviewed to comply with Regulation 13(2) and 13(3). The reviews are appended to the specialists report in Volume II.	EAP in final BAR Vol III C&RR
		This Department requires a cumulative impact assessment to be undertaken in the final BAR to determine potential fatal flaws.	A comprehensive cumulative impact assessment with a minimum radius of 35 km was completed by all specialists. No potential fatal flaws were identified.	EAP in final BAR Vol III C&RR

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
		Please ensure that all issues raised and comments received during the circulation of the draft BAR from registered I&AP's and organs of state which have jurisdiction in respect of the proposed activity are adequately addressed in the final BAR.	All comments received from initial notification through the public reviewing period and up to the finalisation of the final BAR are included in this Table 5.1 and responded to. Any changes made to the BAR, the EMPr and the specialist reports are listed in a table at the front of the final BAR.	EAP in final BAR Vol III C&RR
		Proof of correspondence with the various stakeholders must be included in the final BAR. Should you be unable to obtain comments, proof should be submitted to the Department of the attempts that were made to obtain comments.	All originals are included in the Appendices of this Comments & Response Report. Evidence of attempts made and follow up emails sent to all entities that failed to comment are included in Appendix 9 of this Comments & Response Report, as well as this Table 5.1	EAP in final BAR Vol III C&RR
		The Public Participation Process must be conducted in terms of Regulation 39, 40, 41, 42, 43 & 44 of the EIA Regulations 2014.	The Public Participation Process is being conducted in terms of Regulation 39, 40, 41, 42, 43 & 44 of the EIA Regulations 2014 as amended.	EAP in final BAR Vol III C&RR
		You are further reminded that the final BAR to be submitted to this Department must comply with all the requirements in terms of the scope of assessment and content of Basic Assessment reports in accordance with Appendix 1 and Regulation 19(1) of the EIA Regulations, 2014.	Volume I: <i>Table 2.2: Legislative Requirements for Scope and Assessment and Content of Basic Assessment Reports</i> lists where in the final Bar all requirements have been met.	EAP in final BAR Vol III C&RR
		The Environmental Management Programme (EMPr) to be submitted as part of the BAR must include the following: All recommendations and mitigation measures recorded in the BAR and the specialist studies conducted.	The EMPr is submitted as Volume I: Appendix B EMPr. Specialist recommendations and mitigation measures have been included in the EMPr in Table 6.2 and 7.2	EAP in final BAR Vol III C&RR
		The final preferred route layout map.	This comments appears to pertain to the associated grid connection. The final preferred turbine layout is	EAP in final BAR Vol III C&RR

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			included in the EMPr as Figure 2: Highlands South WEF Development Plan	
		An environmental sensitivity map indicating environmental sensitive areas and features identified during the EIA process.	Figure 3: Environmental Sensitivity has been added to the EMPr. This is the same map as presented in the BAR as Figure 20.1 Environmental Sensitivity	EAP in final BAR Vol III C&RR
		A map combining the final preferred route layout map superimposed (overlain) on the environmental sensitivity map.	EMPr Figure 3: Environmental Sensitivity includes the development layout superimposed on the environmental sensitivity.	EAP in final BAR Vol III C&RR
		An alien invasive management plan to be implemented during construction and operation of the facility. The plan must include mitigation measures to reduce the invasion of alien species and ensure that the continuous monitoring and removal of alien species is undertaken.	The EMPr includes an Alien Invasive Management Plan (Section 8, page 64 - 66) and Alien Plant management Plan (Section 9, page 66-68)	EAP in final BAR Vol III C&RR
		A plant rescue and protection plan which allows for the maximum transplant of conservation important species from areas to be transformed. This plan must be compiled by a vegetation specialist familiar with the site and be implemented prior to commencement of the construction phase.	The EMPr includes Plant Rescue and Protection Plan compiled by the ecological specialist (Section 10, page 69-70).	EAP in final BAR Vol III C&RR
		A re-vegetation and habitat rehabilitation plan to be implemented during the construction and operation of the facility. Restoration must be undertaken as soon as possible after completion of construction activities to reduce the amount of habitat converted at any one time and to speed up the recovery to natural habitats.	The EMPr includes a Re-vegetation and Rehabilitation Plan compiled by the ecological specialist (Section 11, page 70-74)	EAP in final BAR Vol III C&RR
		A traffic management plan for the site access roads to ensure that no hazards would result from the increased truck traffic and that traffic flow would not be adversely impacted. This plan must include measures to minimize	The EMPr includes a Traffic Management Plan (Section 13, page 75 - 76).	

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
		impacts on local commuters e.g. limiting construction vehicles travelling on public roadways during the morning and late afternoon commute time and avoid using roads through densely populated built-up areas so as not to disturb existing retail and commercial operations.		
		A transportation plan for the transport of components, main assembly cranes and other large pieces of equipment.	The EMPR includes a Transportation Management Plan (Section 14, page 76).	
		A fire management plan to be implemented during the construction and operation of the facility.	The EMPR includes a Fire Management Plan (Section 17, page 81-82).	
		An erosion management plan for monitoring and rehabilitating erosion events associated with the facility. Appropriate erosion mitigation must form part of this plan to prevent and reduce the risk of any potential erosion.	The EMPr includes an Erosion Management Plan (Section 16, page 77-81).	
		An effective monitoring system to detect any leakage or spillage of all hazardous substances during their transportation, handling, use and storage. This must include precautionary measures to limit the possibility of oil and other toxic liquids from entering the soil or storm water systems.	The EMPr includes Fuel Storage Measures (Section 18, page 82-85).	
		Measures to protect hydrological features such as streams, rivers, pans, wetlands, dams and their catchments, and other environmental sensitive areas from construction impacts including the direct or indirect spillage of pollutants.	The EMPr includes Fuel Storage Measures (Section 18, page 82-85). This includes actions and measures to prevent accidental spills from entering the stormwater drainage system.	
		<p>General comments</p> <p>You are hereby reminded that should the BAR fail to comply with the requirements of this letter, the application for environmental authorisation may be refused.</p>	All requirements in this letter have been addressed and complied with.	

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		<p>The applicant is hereby reminded to comply with the requirements of Regulation 45 with regard to the time period allowed for complying with the requirements of the Regulations, and Regulations 43 and 44 with regard to the allowance of a comment period for interested and affected parties on all reports submitted to the competent authority for decision-making. The reports referred to are listed in Regulation 43(1).</p>	<p>All prescribed time-frames are being adhered to. The BAR has been subjected to a public review period of 37 and all comments received in this period and thereafter up to finalisation of the BAR are included in this Comments & Response Report. All comments received thereafter are being forwarded to the Department directly for their consideration.</p>	
		<p>Furthermore, it must be reiterated that, should an application for Environmental Authorisation be subject to the provisions of Chapter II, Section 38 of the National Heritage Resources Act, Act 25 of 1999 then this Department will not be able to make nor issue a decision in terms of your application for Environmental Authorisation pending a letter from the pertinent heritage authority categorically stating that the application fulfils the requirements of the relevant heritage resources authority as described in Chapter II, Section 38(8) of the National Heritage Resources Act, Act 25 of 1999. Comments from SAHRA and/or the provincial department of heritage must be provided in the BAR.</p>	<p>The BAR has been uploaded to SAHRIS and comment has been sought from SAHRIS and the Eastern Cape Provincial Heritage Resource Authority. SAHRIS has commented that the provincial authority has jurisdiction of the commenting in terms of Section 38 of the NHRA. Emails requesting comment were sent to the ECPHRA repeatedly, last on 7 November 2018 requesting comment but to date no comment has been received. Evidence of emails sent is included in this table as well as the Appendices.</p>	
		<p>You are hereby reminded of Section 24F of the National Environmental Management Act, Act No 107 of 1998, as amended, which stipulates that no activity may commence prior to an Environmental Authorisation being granted by the Department.</p>	<p>The Applicant has been reminded of Section 24F.</p>	
		<p>Further note that in terms of Regulation 45 of the EIA Regulations 2014, 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). Your faithfully</p>	<p>All prescribed time-frames are being adhered to.</p>	

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
32	<p>Samantha Ralston-Paton Bird & Renewable Energy Project Manager Birdlife South Africa 19 October 2018 by email</p>	<p>Dear Anja</p> <p>Re: Notification of Availability of Draft Basic Assessment Reports for the Proposed Highlands Wind Energy Facilities (North, South and Central) and Associated Grid Connections, Eastern Cape Province</p> <p>Thank you for the opportunity to comment on the above applications. The site(s) for the proposed wind farm(s) are arguably less sensitive than the more easterly parts of the Renewable Energy Development Zone (where BirdLife South Africa has serious concerns about potential impacts on Cape Vulture and other threatened species), but the area is not without its environmental challenges. Most notably the broader area has been identified as important for ecological connectivity, it is located within the Camdeboo Escarpment National Protected Area Expansion Strategy Focus Area and it is in close proximity to a number of private game reserves.</p> <p>While this does not necessarily preclude the development of wind energy infrastructure, it does imply that the application should be carefully scrutinized and should development proceed, it must be held to high environmental standards. In this regard, please note that our input relates primarily to impacts on birds and their habitats, not the overall desirability of the proposed developments.</p> <p>We are pleased to note that our guidelines have been used by the avifaunal specialists with regards to the recommended scope of the data collection and mitigation measures. We also note that the applicant has opted to adopt the recommended nest buffers and to avoid other areas associated with high collision risk, as identified by the avifaunal specialist. However, it is likely that there will still be residual negative impacts on birds, possibly including threatened and migratory species, especially</p>	<p>Dear Sam,</p> <p>This is to confirm that we received the letter of comments for the above project from Birdlife SA sent by you. The comments will be addressed and responded to in the final Basic Assessment Reports to be submitted to the Department in early January 2019. You will receive a notification in this regard with access to the final reports.</p> <p>We would like to thank Birdlife SA for their active participation in this process.</p> <p>Kind Regards,</p>	<p>Anja Albertyn 03/12/2018 by email</p>

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		given the moderate to high passage rates and abundance of birds on site.		
		While we are satisfied that sufficient effort has been / will be made to minimise impact through the layout of the facility, we suggest the following: All powerline infrastructure (including any above ground, internal lines) must be checked by a bird specialist and/or the EWT Wildlife Energy Programme, first during the design phase and again once constructed, to confirm the risk of electrocution has been addressed.	The design phase requirement is already a recommendation of the bird specialist report. The additional check after construction should be considered by the Applicant.	Avifaunal Specialist in final BAR Vol III: C&RR
		Consideration should be given to increasing the minimum clearance between live components of powerlines and possible bird perches (e.g. cross arms) from 1.8 m to 2.2 m, given that Cape Vultures are likely to be an occasional visitor to the area.	The applicant will consider this suggestion and ensure that all structures constructed are safe and in line with Eskom's and the EWT's requirements for Safe bird structure.	Avifaunal Specialist in final BAR Vol III: C&RR
		The possibility of painting one turbine blade as experimental mitigation against turbine collisions be provided for. (The CAA has indicated that they will consider experiments that involve a single blade with signal red obstruction painting, to partly meet the regulations on Obstacles, as per the South African Civil Aviation Technical Standards with regards to Obstruction colours SANS 1091 2004).	This recommendation has been forwarded to the Applicant for consideration during operation.	Avifaunal Specialist in final BAR Vol III: C&RR
		More attention needs to be paid to operational phase mitigation.	The correct and most effective form of operational mitigation, can only be prescribed once operation begins. A thorough understanding of the key issues/impacts is required, and this can only be determined during operations. Mitigation may need to be very specific, i.e. species specific and turbine specific, and may only need to, for example, be applied to one or two turbines or one area of the site	Avifaunal Specialist in final BAR Vol III: C&RR

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			<p>in certain environmental conditions etc. Furthermore, should the project proceed, likely operation will only be in more than three years' time, by which time new more suitable mitigations may exist, and measures proposed now may be outdated.</p> <p>However, an operational phase monitoring plan has been collated from the specialist report and included in the EMPr.</p>	
		The EMPr should include clear environmental impact management outcomes (see Appendix 4 of the NEMA EIA regulations) relating to operational phase impacts on birds.	The EMPr Section 7 includes impacts and mitigation measures and outcomes relating to operational phase impacts on birds.	EAP in final BAR Vol III: C&RR
		An operational phase mitigation plan should be drafted and proactively implemented to address anticipated impacts on birds (there is no need to wait for predicted impacts to occur).	The correct and most effective form of operational mitigation, can only be prescribed once operation begins. A thorough understanding of the key issues/impacts is required, and this can only be determined during operations. Mitigation may need to be very specific, i.e. species specific and turbine specific, and may only need to, for example, be applied to one or two turbines or one area of the site in certain environmental conditions etc. Furthermore, should the project proceed, likely operation will only be in more than three years' time, by which time new more suitable mitigations may exist, and measures proposed now may be outdated. <p>However, an operational phase monitoring plan has been collated from the avifaunal specialist report and included in the EMPr.</p>	Avifaunal Specialist in final BAR Vol III: C&RR
		This operational phase mitigation plan for birds should be periodically reviewed together with the results of monitoring, and if necessary updated along with the EMPr.	This plan will be reviewed together with the results of monitoring and any updates will be included in the EMPr and submitted to the DEA for consideration.	Avifaunal Specialist in final BAR Vol III: C&RR

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		<p>d. Applicants do not always account for the cost and management implications of operational phase mitigation and monitoring. Unless otherwise indicated, it must be assumed that the applicant has agreed that measures proposed the application(s) are reasonable and feasible. They must therefore ensure that:</p> <ul style="list-style-type: none"> • There are adequate funds for monitoring and mitigation throughout the lifespan of the project (preferably set aside for this purpose, based on the worst-case scenario); • The infrastructure is compatible, and • The necessary contractual agreements (e.g. with the turbine manufacturer and landowners) are put in place. <p>Thank you for taking the time to consider our input. Yours sincerely,</p>	<p>The Applicant acknowledges the recommended requirements for operational phase monitoring. Costs of this work will be accounted for in the future planning and financial modelling of the Project. Mitigation requirements will be discussed with appointed specialists and official recommendations incorporated into contractual agreements for the construction, operation and decommissioning phases of the project.</p>	<p>Applicant in final BAR Vol III: C&RR</p>
33	<p>Andre van der Spuy AVDS Environmental Consultants 42 Afrikander Road Simon's Town 7975 Tel/Fax: 021 786 2919 E-mail: avdspuy@iafrica.com 25 October 2018 By Email</p>	<p>OBJECTION TO SIX APPLICATIONS FOR ENVIRONMENTAL AUTHORISATION RESPECTIVELY FOR THE PROPOSED <i>HIGHLANDS NORTH, CENTRAL AND SOUTH WIND ENERGY FACILITIES AND THEIR ASSOCIATED GRID INFRASTRUCTURES</i>, EASTERN CAPE</p> <p>Introduction and context of these objections</p> <p>These objections are submitted by AVDS Environmental Consultants on behalf of the parties listed in Appendix A to these objections.</p>	<p>Dear Mr van der Spuy,</p> <p>This is to confirm that your comments on the proposed Highlands Wind Energy Facilities and associated infrastructure applications have been received and are being responded to. Once finalised the responses will be emailed to you, and they will be included in the final Basic Assessment Reports.</p> <p>Kind Regards</p>	<p>Anja Albertyn 07/11/2018 By email</p>
		<p>The 11 parties on behalf of whom or which these objections are submitted are to be listed individually as Registered I&APs and must be recorded as being strongly opposed to the six HWEF applications for the reasons set out in this submission of objections and variously elsewhere (notwithstanding the fact that the reasons</p>	<p>The parties listed in Appendix A are individually listed as I&APs. It is on record that these 11 parties are strongly opposed to the application.</p> <p>All I&APs have been provided with 37 days to comment on the reports. This is over the legislated comment period of 30 days.</p>	<p>EAP in final BAR Vol III: C&RR</p>

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
		<p>tabled herein by no means constitute the full array of reasons for the objections by our clients and which are severely limited herein on account of the unreasonable manner and timeframe in which the current comment opportunity has been extended to the parties referred to herein).</p>		
		<p>The interests and concerns of the objectors in this submission extend beyond their personal interests and they also share a common bond in that they seek to prevent the environmental and social degradation of the greater area, which would result as a direct consequence of the proposed activities being authorised by the competent authority.</p>	<p>A comprehensive assessment of potential environmental and social impacts has been conducted. It concluded that no high residual impacts on the environment that cannot be mitigated to medium or low significance, are expected. The social impact assessment has concluded that the overall social impact to the greater area would in fact be positive and with enhancements is expected to be of high positive significance for the greater region.</p>	<p>EAP in final BAR Vol III: C&RR</p>
		<p>This submission of objection concerns the six DBARs and all other products and procedures related to the six discrete environmental applications for the developments that collectively comprise the Highlands WEFs. However, and principally given the unreasonably short comment opportunity (in terms of inter alia its overlap with a period of public school holidays during which the author and many of the objecting clients were on leave and away; its unannounced and unexpected launch; and its unreasonably short window period in the context of six subject environmental applications and associated documentation) and the impossibility of the task of reviewing and preparing comment on all six applications, as is the desired wish of our clients, the author has been forced to undertake a very limited review of only the North HWEF DBAR, and a limited number of the specialist studies. The assumption is thus made by the author of these objections that the remaining and unreviewed 5 DBARs are sufficiently similar to the reviewed one to assume that the comments made on the</p>	<p>The Regulations do not make provisions for prior notification of the comment period dates to I&APs. I&APs received an initial notification of the proposed development in June 2018. No request for prior notification of the comment period was received.</p> <p>The Regulations do not make provision for school holidays to be taken into consideration in determining when the 30 day commenting period is held.</p> <p>The six Basic Assessment applications that required review are for one development: the Highlands Wind Energy Facilities of up to 150 MW, which was split in order to comply with REIPPP requirements. The six draft BA reports shared an identical Volume II: Specialist Studies and Volume III: Comments & Response Report. These volumes therefore were only required to be reviewed once. In addition, the six applications are Basic Assessments, and not full EIA reports. Therefore the amount of time required to</p>	<p>EAP in final BAR Vol III: C&RR</p>

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
		<p>reviewed DBAR apply equally to the remaining 5 DBARs. The situation is forced upon our clients by the EAP, against their will, and is entirely unsatisfactory to them. They accordingly reserve all their rights and reiterate their request to have been availed of a reasonable opportunity to comment upon all 6 DBARs and associated documentation.</p>	<p>review the documentation is standard for a wind energy facility of this size, and the legislated period of 30 days constitutes a reasonable opportunity to comment on the application.</p> <p>The Regulations make provisions for comment by registered Interested & Affected Parties, for a period of at least 30 days.</p> <p>As the process followed is that of a Basic Assessment Process, a Final Basic Assessment Report must be submitted to the Department within 90 days of receipt of the applications by the competent authorities. Any extension of the public review period will therefore impact directly and negatively on the time available to suitably address the comments received.</p> <p>Despite the above reasoning, and as a sign of good faith to ensure a thorough investigation of the contents of the applications is possible, the comment period for the six applications was extended by five (5) working days, or seven (7) calendar days. All registered I&APs received notifications of the extended comment period.</p> <p>The comments made by Mr van der Spuy with regards to the Highlands North WEF will be included in all six applications as per his request.</p>	
		<p>In the reading of this objection any reference to the HWEF in the singular must be taken to refer to all 6 of the proposed development proposals (and NEMA-listed activities) encompassed under the 6 environmental applications which relate to the 3 proposed wind farms (being the North, Central and South Highlands Wind Energy Facilities) and their 3 respective, associated electrical grid infrastructure proposals. Likewise any reference made to an application in the singular tense must be interpreted to include all of the other 5</p>	<p>The comments made by Mr van der Spuy with regards to the Highlands North WEF will be included. The EAP confirms that the comments made are not of a substantive nature regarding any of the details of the individual project descriptions that differ and can be applied to all six applications.</p>	<p>EAP in final BAR Vol III: C&RR</p>

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		<p>environmental applications as well. Such assumptions are made primarily for practical reasons and are reluctantly based upon the advice of the applicants' EAP (to the effect that the applications and associated potential impacts are sufficiently similar to justify such an approach).</p>		
		<p>Any reference made to the "EAP" in this objection is used in a practical sense to refer to the party/ parties involved in the management and assessments related to the BA process and the preparation of the respective DBARs. It must not be construed as amounting to an acknowledgement of the legitimacy of a properly constituted EAP in the management of the applications (the objection later sets out its concerns around the matter of an appointment of a proper EAP).</p>	<p>Please refer to Appendix 9.1 Declaration of the EAP and 9.2 Undertaking under oath of the application form.</p>	<p>EAP in final BAR Vol III: C&RR</p>
		<p>Simultaneous to the appointed mandate of AVDSEC as a representative of its clients, AVDSEC also acts as a professional expert in this objection, where appropriate and according to the specialist expertise and qualifications of AVDSEC member, Andre van der Spuy (the author), which are as follows:</p> <ul style="list-style-type: none"> • BSc: Zoology; Environmental & Geographical Science • BSc (Hons): Environmental & Geographical Science • MSc: Conservation Biology <p>Andre van der Spuy has professional experience of 25 years in the field of environmental management and is competent to critically review and comment on all aspects of Environmental Impact Assessments as well as social and biophysical aspects. The author is, in this matter, acting in a capacity as a professional representative and also a professional reviewer.</p>	<p>The qualification of AVDSEC as a qualified environmental consultant is acknowledged.</p>	<p>EAP in final BAR Vol III: C&RR</p>

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
		<p>The submissions made here are made by AVDS Environmental Consultants (according to the employed capabilities of Andre van der Spuy) and it should be registered on the I&AP database as such.</p>	<p>The submission is registered as made by AVDS Environmental Consultants.</p>	<p>EAP in final BAR Vol III: C&RR</p>
		<p>It is submitted in this objection that the recommendation by the EAP in the DBAR that the Applicant's Preferred Alternative be approved is unjustified, unsubstantiated and premature, on account of the fundamental flaws revealed in this limited review and objection. The EAP's recommendation is made in the almost total absence of comment from the affected local community (landowners and "occupiers") as is revealed by the mere 2 brief records of interests from 2 local community members (both being our clients now), as such are contained within Appendix 5 of the C& RR.</p>	<p>The EAPs recommendation that the Preferred Alternative be approved is based on the specialists studies findings and their assessments as presented in the draft Basic Assessment Report. Therefore the recommendation of a Preferred Alternative is not unjustified or unsubstantiated.</p> <p>The EIA Regulations 2014, as amended, Appendix 1 state (2) Objectives of the basic assessment process are (e) (i) to - <i>identify and motivate a preferred site, activity and technology alternative</i>. Therefore the recommendation of a Preferred Alternative in the Basic Assessment report is not premature.</p> <p>In the Basic Assessment process the public is given opportunity to comment during the public commenting period for a period of at least 30 days, which was extended to 37 days.</p> <p>The comment letter does not detail what the fundamental flaws are to which it refers.</p> <p>Comments from I&APs were sought and received during the initial notification phase as evidenced in Appendix 1. In addition the social specialist conducted a series of interviews with landowners and willing surrounding landowners as detailed in the Social Impact Assessment page 136. Therefore the EAPs recommendation was not made in absence of comment from the affected local community.</p> <p>The public had the opportunity to comment on the draft basic assessment reports and in addition a series of focus group meetings was conducted by Arcus with</p>	<p>EAP in final BAR Vol III: C&RR</p>

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
			occupiers of affected and adjacent properties. Details thereof are presented in Section 4, this table and Appendix 8.	
		All of our clients confirm that they and their considerable and well-established interests will be negatively impacted by the proposed HWEF to a significant degree. Neither the Applicant nor the EAP have made any reasonable effort to offset the inevitable damages that our clients would be subjected to and our clients therefore find the 6 applications for the proposed HWEF to be unacceptable, damaging and unlawful.	<p>The EAP cannot comment on the “considerable and well-established interests (that) will be negatively impacted by the HWEF to a significant degree” as this has not been quantified and no evidence has been provided regarding these potential negative impacts. The social impact assessment identified and assessed potential impacts on adjacent tourism operations and the result was an impact of potentially medium negative significance.</p> <p>The EAP does not know how the proposed HWEF is unlawful, as this BA process is a legislated required process to determine if a development can proceed or not. The results of the social impact assessment did not indicate any negative impacts of high significance on surrounding landowners.</p>	EAP in final BAR Vol III: C&RR
		This objection reminds the Applicant that the latter must ensure that “ <i>that negative impacts on the environment and on (our clients’) environmental rights be anticipated and prevented, and where they cannot be altogether prevented, are minimised and remedied</i> ”. Proper, correct and acceptable mitigation of the inevitable negative impacts (including those not yet identified or otherwise ignored or undeployed in the applications) must be effected, with the “no go” option considered as the ultimate mitigation measure. The “no go” option is our clients’ preferred option but should the HWEF proposal proceed, then it will be necessary to compensate for and / or offset those residual negative impacts which the approved HWEF development will undeniable have upon our affected landowner clients, and the environment itself.	<p>A basic assessment process is being conducted as per EIA Regulation 2014 (as amended), Appendix 1. This included the undertaking of an impact and risk assessment process, describing positive and negative impacts, as well as possible mitigation measures that could be applied and the level of residual risk. The No-Go Alternative was considered and is discussed in Section 6.1 of the BAR. It is understood that the No Go alternative is the preferred option for the objectors, however the No Go Option represents a lost opportunity cost for a larger group of people that stand to benefit from the proposed development.</p> <p>The social specialist study recommends the following mitigation measure for the potential negative impact of medium significance on adjacent tourism, property</p>	EAP in final BAR Vol III C&RR

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
			<p>values and sense of place: <i>“Recommended that the applicants meet with the affected landowners to discuss the possibility relocating wind turbines that have the highest potential visual impact.”</i></p>	
			<p>The Applicant states: “The Applicant met with the majority of the objecting party, including Grant Abrahamson of East Cape Safaris, Fleming Jensen of Side by Side Safaris and Hein Badenhorst of Kamala Game Reserve, on 8 August 2018. However, the objectors focussed on objecting to the proposed project outright rather than engaging in a discussion about compensation. Despite having contact details, the objecting party have not contacted the Applicant directly to approach the topic of compensation. Neither the objecting party, nor AVDS, have provided any evidence, either locally or abroad, of case studies where proximity to wind energy facilities have been proven to have had a significant negative influence on the financial sustainability of tourism or game-farming. In addition, neither the objecting party, nor AVDS, have provided any insight into how such compensation should be calculated.”</p> <p>The Applicant has provided proof of communication regarding the meeting held with surrounding landowners in the form of e-mails which are included in Appendix 9.</p>	<p>The Applicant in final BAR Vol III C&RR</p>
		<p>This objection must not be presumed to constitute the full range of our clients’ concerns with the HWEF application, and our clients reserve their right to table any further matters that may come to their attention going forward.</p>	<p>Thank you for comments received thus far and participating in the process.</p>	<p>EAP in final BAR Vol III C&RR</p>

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		<p>Procedural Issues <u>Inadequate and non-compliant public participation process.</u> The NEMA and associated legislated environmental application processes thereunder, including the Basic Assessment process being followed for the HWEF applications, make substantive provision for the inclusion of public and local community input into such processes so as to give effect to the Constitutional right of citizens to meaningfully contribute to and influence decisions that will affect them. The DEA's ultimate decisions on the subject HWEF applications will constitute such decisions that will have a significant and in all reasonable likelihood adverse impact upon our clients, as well as upon the environment itself. It is therefore our client's rightful expectation that the EAP responsible for managing these applications, and the DEA (which is responsible for administering these applications), will give full effect to the rights of our clients to participate in these applications and associated BA process.</p>	<p>A Public Participation process in line with regulation 40, 41, 42, 43 and 44 is being conducted and interested & affected parties have been encouraged to participate. The BARs concluded that no negative impacts of high significance that cannot be mitigated to acceptable levels are likely to occur. The process conducted gives full effect to I&APs rights to participate in the process and was conducted in line with the Regulations. In addition the commenting period was extended beyond the required period of 30 days by a further 7 days.</p>	<p>EAP in final BAR Vol III C&RR</p>
		<p>Review of the HWEF BA process and DBAR has revealed that they are substantially lacking in the necessary consultation process and are thus fatally flawed as matters stand presently. It is quite apparent that the EAP has instead embarked upon a process whereby first formal notification to I&APs entails a single, very advanced Preferred HWEF development proposal that excludes any other meaningful alternatives, including even the required "no go" alternative. The process and DBAR is in fact so advanced towards favouring the Applicant's Preferred Alternative that the DBAR includes the EAP's stated recommendation that the Applicant's Preferred Alternative be approved. This premature recommended approval is made in the absence of some crucial legislated steps for engagement with all potential I&APs yet to have been</p>	<p>Regulation 41 of the EIA regulations 2014, as amended, sets out that the notice must be given to interested & affected parties of an application or proposed application by fixing a notice board, given written notice, placing advertisements, and using reasonable alternative methods where a person is unable to participate in the above. According to Subregulation (3) the notification does not require a description of alternatives considered to be included. The public has opportunity to comment on alternatives considered during the public review period which constitutes the consultative process. All reasonable attempts were made to contact occupiers of the adjacent properties from the initial notification stage onwards, and focus group meetings</p>	<p>EAP in final BAR Vol III C&RR</p>

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
		<p>undertaken, to the extent that at this date it is known that occupiers of adjacent properties have not yet even been notified of the applications. It is furthermore clear that the DBAR is already an end product which simply seeks to include I&AP input, including that of our clients, after the fact and to an extent that such input would have no influence at all on the predetermined and already included recommendation of approval of the EAP.</p>	<p>were held with occupiers of affected and adjacent properties that are not owned by Mr AVDS's clients, who declined any assistance in the process.</p> <p>The process is such that the studies conducted have assessed the proposed development and an iterative design process was undertaken. The DBARs have concluded on this basis that the project should be approved. The final reports, based on the public consultation process, may say otherwise. To say that any I&AP input will have no influence on the recommendations of the EAP, is premature.</p>	
		<p>Review of the DBAR is also insightful to the extent that it reveals a sustained and embedded approach by the EAP to select and manipulate the information presented, in context of inter alia the EIA Regulations, towards the purposes of the Applicant (i.e. recommended approval of the Applicant's desired Alternative). The Applicant-favoured bias of the EAP is thus also revealed. The DBAR constitutes nothing more than a motivational report designed to serve the Applicant's best interests alone, and as such it is contrary to the rights and interests of our clients to participate in a fair and unprejudiced BA process</p>	<p>Negative and positive impacts are discussed and assessed. The impact statement is based on the outcomes of the specialist studies.</p> <p>There has been no manipulation of the information presented. The DBARs present the process of determining the preferred development layout, taking into consideration the required 12 months of bird and bat monitoring, as well as the other 8 specialist studies.</p> <p>Due to the nature of the regulations, and the strict timeframes of the applications, the embedded approach is widely accepted and ensures that the application for the proposed development submitted is the best environmental option. To state that this is indeed an applicant favoured approach or bias is simply not correct.</p> <p>I&APs have been provided with a 37 day comment period to participate in the process, it is unclear how this has not been a fair process undertaken thus far.</p>	<p>EAP in final BAR Vol III C&RR</p>
		<p>Our clients accordingly have no trust in the EAP and are unwilling to place their considerable rights and interests at the risk of such party by way of participating in a</p>	<p>It is unfortunate that I&APs are unwilling to participate in the process. The purpose of public participation is to understand the concerns and</p>	<p>EAP in final BAR Vol III C&RR</p>

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
		<p>fundamentally flawed and Applicant-favoured BA process. They accordingly insist that the flaws be remedied entirely and that further drafts of the respective BARs be provided to all registered I&APs (and occupiers) once the flaws identified herein have been cured.</p>	<p>queries of all potentially interested and affected parties and ensure that these are heard, responded to and addressed.</p> <p>The EAP is legally required to be independent and has been in this process, and without knowing the specific concerns of the I&APs, these cannot be addressed and included as part of the process.</p>	
		<p>A fundamental requirement of the HWEF applications is that of an adequate public participation process which complies fully and without compromise with EIA Regulations 40 and 41 and NEMA. The requirements are given force and purpose in the first sentence under Point 2 of Appendix 3 of the EIA Regulations in which is stated that the objective of the environmental impact assessment process, per:</p> <p><i>"The objective of the environmental impacts assessment process is to, through a consultative process -...".</i> (Bold text added)</p> <p>A thorough and compliant public participation process is therefore a fundamental requirement in order to meet the legislated objectives of the EIA process. Despite the brevity of the review of the DBAR undertaken so far, and for the reasons explained, it is clear that the consultative process (public participation process) upon which the current BA process and DBAR is based fails to meet the substantial PPP requirements necessary and therefore the objectives of the BA process, which is the substance of the DBAR, have also not been met. Some of the failings amount to "fatal flaws" (thereby rendering the proposed HWEFs as being unsustainable developments).</p>	<p>This application follows a basic assessment process therefore Appendix 3 is not applicable, which refers to an EIA process. However, a consultative process in line with Regulations 40-44 has been conducted in which the public was given opportunity to comment during the public commenting period. AVDS does not detail which requirements in the Regulations have not been met or what he considers failings and fatal flaws.</p>	<p>EAP in final BAR Vol III C&RR</p>

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		The purpose and procedural requirements for a correct and complaint PPP are set out under, respectively, EIA Regulations 40 and 41.	The process followed complies with Regulation 40 and 41.	EAP in final BAR Vol III C&RR
		It is incumbent upon the person conducting the PPP, in terms of EIA Regulation 41(2), to “give notice to all potential interested and affected parties of an application...” (Bold text added), and it is therefore necessary for the EAP to establish the identity of all such parties who/which constitute “potential interested and affected parties” before the serving of the notification specified under EIA Regulation 41(2). To do otherwise is to invite unnecessary risk to the subject BA process and applications, as is the case with the HWEF applications now.	Regulation 41(2) states that the EAP must give notice to all potential interested & affected parties of and application by complying with subregulations (a) to (e). The EAP undertook all steps detailed under (a) to (e) to comply with these subregulations, as detailed in Section 3 and 4 of this report.	EAP in final BAR Vol III C&RR
		Misrepresentation of the true facts through selective use and manipulation of critical information.	There has been no misrepresentation of true facts or manipulation of the information presented. The DBARs present the process of determining the preferred development layout, taking into consideration the required 12 months of bird and bat monitoring, as well as the other 8 specialist studies.	EAP in final BAR Vol III C&RR
		The EAP has engaged in selective use and manipulation of critical information so as to further the interests of the Applicant and in order to arrive at the (predetermined) EAP environmental statement which recommends that the Applicant’s Preferred Alternative(s) be approved.	The EAP has not engaged in selective use and manipulation of critical information. The EAP is legally required to be independent and has been throughout the process. The Preferred Alternative was derived through an iterative process that took into account the results of the various specialist studies and therefore represents the best environmental option.	EAP in final BAR Vol III C&RR
		For instance, Section 6.2 confusingly talks about a “Pre-feasibility” process which the Applicant supposedly undertook in order to consider various potential project sites. Table 6.1 thereafter presents an extremely superficial	Appendix 1 (3) (g) of the EIA Regulations 2014, as amended require the basic assessment report to contain a motivation for the preferred site, activity and technology alternative. Section 6.2 provides this	EAP in final BAR Vol III C&RR

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		<p>tabulated comparison of four sites which were supposedly considered for the proposed (i.e. HWEF) wind farm. In table 6.1 the subject 4 sites, or regions, are interchangeably referred to as sites and then regions making matters even more confusing. Not one Site of the 3 sites and 4th Region which are referenced in Table 6.1, are identified by name or location and it is thus objectively impossible for I&APs to verify the credibility of this vital information or and the associated comparison. No external supporting evidence is provided in the applications.</p>	<p>motivation (h) A full description of the process followed to reach the proposed preferred alternative within the site (bolding supplied) is required, as is given in Section 6.3, 6.4 and 6.5. Therefore details of names and exact locations of the investigated site alternatives are not required to be presented in the BAR.</p> <p>For clarification the headings in Table 6.1 have been changed from Site B, Site C and Site D to Region B, Region C and Region D in the final BAR.</p> <p>It should be noted the details and a full description of all alternatives considered for the preferred site is not required by the Regulations.</p> <p>The other Regions were considered unsuitable for wind energy development due to insufficient wind resource or high avifaunal sensitivity.</p>	
		<p>It is noted with a reasonably due level of suspicion (given the vagueness of the information provided by the EAP) that the Applicant's Preferred Alternative is favoured above all other hypothetical Alternatives given under Table 6.1. and 6.2 of the DBAR.</p>	<p>Table 6.1 and 6.2 demonstrate how the Applicant reached the decision on selecting the development site as the most reasonable site alternative and therefore provides the motivation for the preferred site.</p>	<p>EAP in final BAR Vol III C&RR</p>
		<p>Notwithstanding concerns (as raised elsewhere in this objection) regarding non- compliance of the process engaged in the comparison of potential Alternative sites/ regions, the EAP is advised to make the details of the "Pre-feasibility" investigation and comparison available to I&APs in its original form, and in which the 4 Alternatives are clearly indicated on a plan. This is vital information for I&APs to consider, as it is their right to comment on all material which could influence a decision which may affect them. Should the information here advised not be forthcoming in a future I&AP review opportunity then our clients will be forced to consider the means of a PAIA</p>	<p>Appendix 1 (3) (g) of the EIA Regulations 2014, as amended require the basic assessment report to contain a motivation for the preferred site, activity and technology alternative. Section 6.2 provides this motivation for the preferred site. Details and a full description of all alternatives considered for the preferred site is not required by the Regulations. Appendix 1 (3) (h) states that a full description of the process followed to reach the proposed preferred alternative within the site is required, as is given in Section 6.3. Therefore names and locations of the</p>	<p>EAP in final BAR Vol III C&RR</p>

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		<p>request to obtain such (and which may well result in detrimental delays to the BA process). The advised information should include that which has informed Table 6.2 also.</p>	<p>investigated regional and local site alternatives are not required in the BAR. The alternative regions investigated in the Pre-feasibility phase were treated as separate confidential projects, and therefore no comparative report exists. Three sites were not taken further due to insufficient wind resource or high avifaunal sensitivity.</p>	
		<p>The DBAR consistently employs throughout the DBAR a sustained use of subjective, generalized and Applicant-favoured opinions of the EAP which are presented as facts, but which mere opinions are typically unreferenced, are contrary to scientific fact, and are blatantly wrong. The use of such subjective, non-independent and Applicant-biased approach is seen throughout the DBAR and there are far too many instances to attend to within the confines posed by this unreasonably limited review opportunity. These critical inaccuracies include comments by the EAP pertaining to climate change; renewable energy socio-economic and job benefits; comparative cost-effectiveness of wind farms; and, descriptions of the affected local community (of which our clients form a significant sector), amongst other matters. Some examples will suffice for present purposes:</p> <p>Example 1: In its motivation of the Need and Desirability for the HWEF the EAP erroneously states (DBAR, Section 5.1) that:</p> <p><i>"South Africa is one of the world's largest emitters of CO₂ in absolute and per capita terms."</i></p> <p>However, the statement is entirely incorrect and contrary to the facts – Dr. J. Ledger, Associate Professor in Management & Energy Studies, University of Johannesburg (pers. com., 23/4/2017) advises as follows:</p>	<p>Appendix 1 (3) (p) of the EIA Regulations 2014, as amended, require the EAP to "provide a reasoned opinion as to whether the proposed activity should or should not be authorised.", and therefore a reasoned opinion has been given. The EAP has acted objectively and independently throughout the process, and no evidence has been presented to the contrary. The statements made on climate change have been checked and confirmed as accurate (see below), statements on renewable energy socio-economic and job benefits are presented as stated by the social specialist. The EAP maintains the statement "Wind Energy is today one of the most readily available, technically viable and commercially cost-effect sources of renewable energy." in South Africa to be factually correct. All reasonably possible efforts were made by the EAP as well as the social specialist to engage the local community in the assessment, which were largely declined by the clients of AVDS.</p> <p>The report does not state that South Africa is the largest CO₂ "emission country" in Africa. The report states that <i>"South Africa is one of the world's largest emitters of CO₂ in absolute and per capita terms."</i> Without seeing the original response from Dr. J. Ledger, it appears that these comments are taken out</p>	<p>EAP in final BAR Vol III C&RR</p>

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
		<p>“ The Carbon Dioxide nonsense is frequently used as a justification for installing renewable energy in South Africa, as well as the reason for wanting to introduce a carbon tax. The statement that South Africa is the largest CO₂ ‘emission country’ in Africa is without any basis. All the CO₂ measurements for making that case are based on emissions from industry, and that puts SA being responsible for about 1.2% of global emissions. These figures never include the emissions from the burning of biomass, or the removal of CO₂ through sequestration by plants.</p> <p>The Japanese Ibuku satellite has been measuring that for a number of years, and in terms of net emissions (after sequestration), South Africa is rated as 35th in the world, with many African countries higher on the list. The figures below are from one of my PowerPoint presentations.”</p> <p>CO2 net emissions by country after sequestration in Gt/y. African countries are highlighted</p> <p>China - 1.467 # 1 United States of America - 0.942 # 2 India - 0.456 # 3 Democratic Republic of the Congo - 0.337 # 4 Russia - 0.28 #5 Indonesia - 0.257 Japan - 0.231 Bolivia - 0.23 Germany - 0.209 Angola - 0.152 # 10 Iran - 0.136 Zambia - 0.133 # 12 Saudi Arabia - 0.129 Central African</p>	<p>of context (the quote is from 2017) and do not change the fact that South Africa is one of the world’s largest emitters of CO₂.</p> <p>The European Commission’s Emission Database for Global Atmospheric Research (1990-2016) (http://edgar.jrc.ec.europa.eu/overview.php?v=CO2andGHG1970-2016&dst=CO2pc&sort=des9) reports South Africa as the 15th highest CO₂ emitter in 2016 in the world, and 47th highest CO₂ emitter per capita in the world; and the highest CO₂ emitter in Africa, and the second highest CO₂ emitter per capita in Africa (Libya being the highest).</p> <p>The Global Carbon Atlas corroborates South Africa’s status as it lists South Africa as the 13th highest CO₂ emitter in the world and 45th emitter per capita in the world in 2016.</p> <p>http://www.globalcarbonatlas.org/en/CO2-emissions</p> <p>Comment was sought from Professor Guy Midgley from the University of Stellenbosch who is an internationally acknowledged expert in biodiversity and global change science: https://www.nrf.ac.za/content/professor-guy-midgley</p> <p>Professor Midgley comments that:“ I would use Edgar data or similar that shows we are 19th in the world and a top emerging economy emitter. I cant find Kibuki satellite data after searching around a bit, and would question if this technology is mature enough at this stage to replace national inventories. Does the unfccc accept these data? It seems premature. “and “Since this email I have spoken to a few experts in the remote sensing/global change field and they all say the same thing – this is not yet a mature technology, so I think your critic needs to be seriously questioned”.</p>	

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		<p>Republic - 0.126 South Sudan - 0.115 United Kingdom - 0.109 Mexico - 0.101 France - 0.097 Malaysia - 0.092 Colombia - 0.08 Ethiopia - 0.08 Italy - 0.077 Poland - 0.076 Thailand - 0.076 Turkey - 0.076 Ukraine - 0.075 United Republic of Tanzania - 0.07 # 27 Venezuela - 0.069 Mozambique - 0.065 # 29 Nigeria - 0.061 Cameroon - 0.06 South Korea - 0.059 Myanmar - 0.056 Republic of the Congo - 0.054 South Africa - 0.051 # 35</p> <p>The statement by the EAP is thus factually incorrect (South Africa is not even the highest emitter of CO2 in Africa!) and the EAP's motivation of the HWEF, on this basis, is equally incorrect. The same incorrect justification based on climate change has been used elsewhere, in other instances, in the DBAR to motivate the benefits of the HWEF. (In fact, the HWEF will contribute to carbon emissions significantly based upon inter alia its own energy use, necessary baseload back-up, and its purpose as a means of production).</p> <p>The EAP is clearly not a climate change expert, or even qualified to make any statements on climate change, given the factual inaccuracy of the above statements by the EAP.</p>	<p>Professor Midgley's original emails are included in Appendix 7.</p> <p>The EAP does not make any unjustified statement regarding climate change. The EAP does not purport to be a climate change expert in the report. The information contained in this section is based on reliable scientific evidence and collated by the EAP for the purposes of the EIA.</p> <p>It is therefore confirmed by multiple sources that "South Africa is one of the world's largest emitters of CO2 in absolute and per capita terms" and that the EAP's statement is factually correct.</p> <p>Renewable energy projects will play a significant role in meeting South Africa's targets in accordance with the Paris Agreement and assisting the transition to a low-carbon economy.</p>	
		<p>Example 2: In her sustained attempts to create an Applicant-favourable, environmental and social context (i.e. a context of limited land use options) against which the alternative land use represented by the proposed HWEF is then favourably presented, the EAP on numerous occasions refers to the participating farms as having limited agricultural land use options. However, she noticeably avoids consideration of any other alternative type of land use (other than the proposed HWEF). For instance, on page 34 of the DBAR is noted the following response by the EAP:</p>	<p>The EAP rejects the notion that the report is Applicant favourable. The statement that the current land use is grazing and not suitable for other agricultural uses is taken directly from the soil specialist report and is correct. The point of this statement is that the current land use will not be affected by the proposed development and can continue.</p> <p>A project landowner (Bill Brown – Highlands Trust) has submitted a comment with regards to why the project landowners do not consider game related farming as a suitable land use for the project land portions.</p>	<p>EAP in final BAR Vol III C&RR</p>

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		<p><i>"The current land use is low-intensity grazing and the land is not suitable for other <u>agricultural</u> uses." (Underlining supplied)</i></p> <p>The EAP, in her Applicant-favoured approach, fails to acknowledge the proven successful local land uses of game farming, game reserve management and associated ecotourism options, as such are well represented in the area, and which would also be a very suitable option for those participant farms located within the HWEF site.</p>		
		<p>Example 3: Under Section 7.3 of the DBAR a description of the "Adjacent Properties", which include a number of our clients, is given as follows:</p> <p><i>"More recently, game farming has become an increasingly important activity in the area and is either combined with livestock farming or has in some cases replaced commercial livestock farming. Based on the findings of the sites visit the existing game farming operations are located within a continuous band within 5-10 km along the eastern boundary of the proposed development site. The game farming includes operations based on Buffelsfontein, Kamala Game Reserve, Kaalplaas (East Cape Safaris), Klipplaat (Side by Side Safaris), and possibly more (e.g. Driefontein). These operations focus primarily on the overseas trophy-hunting market and attract high-end visitors to the area (Nolte, pers. comm). The game farms also provide benefit to other sectors of the local economy in Somerset-East, including local suppliers (groceries, etc.), taxidermists and other operations.</i></p> <p><i>Due to the broken topography and the extensive nature of farming activities, the settlement pattern in the study area is sparse and largely concentrated along major roads. Farms located in close proximity to the R63, Waterford Road or Klipplaat Road tend to be inhabited. Labourer's</i></p>	<p>This section is based on the social specialist report, which details interviews conducted with surrounding landowners and project landowners. It must be made clear that the clients of Mr AVDS have been approached by the social specialist, but mostly refused to participate in the process. Access to their properties was not granted. The social specialist made attempts to conduct interviews. Therefore, there may indeed be inaccuracies resulting from their refusal to participate, but not to the extent that the description and the assessment changes.</p>	<p>EAP in final BAR Vol III C&RR</p>

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		<p><i>housing is typically located in the immediate periphery of farm yards. Large operations (such as Rietfontein) may have up to 10 resident farm worker households. More isolated farms (which make up the majority of farms on the WF site) are typically farmed as stock-posts inhabited by a small number of supervising staff. Most of the relevant owners own farming operations in other parts of the broader region, such as Graaff-Reinet, Cookhouse and Middleton, and deploy staff to the study area farms on an as-needed basis. The study area is located sufficiently close to Somerset- East to enable owners to transport permanent and casual labour in and out on a daily basis.</i></p> <p>Based on field interviews, permanent direct employment associated with site farms and those in the immediate vicinity, ranges from none or only supervisory staff, to 10 for a large commercial farming operation such as Rietfontein, and 24 for Kaalplaas (East Cape Safaris)."</p> <p>This is an incorrect description and is clearly designed by the EAP to create the impression, for benefit of the Applicant, that the area is sparsely populated therefore the negative impacts of the proposed HWEF upon local inhabitants will be minimal. The EAP's version is however best refuted by our client, Kevin McCaughey (email, 24/10/2018) who provides the following comment in response to the above description:</p> <p><i>"Looking at the report below, I think the report about 'stock posts " is false . I only know of one, Mr Bill Brown , his farm is a so called "stock post " because he does not live on the property , he has permanent staff on his farm. Never seen any farmer in our area collecting casual staff from Somerset East on a regular basis . All farms have permanent staff. "</i></p>	<p>This is not an incorrect description, it is based on valid information obtained from I&APs willing to participate in the process. Regardless this "new information" does not change the results of the social assessment.</p> <p>The report does not state that there are no permanent staff on site, rather is stating that these numbers are small. Relevant refers to the land owners on which the proposed development will be constructed, who own farming operations in the broader region. The report clearly indicated that the isolated farms are those on which the WEF will be developed, and is not refereeing to the surrounding farms. <i>"More isolated farms (which make up the majority of farms on the WF site) are typically farmed as stock-posts inhabited by a small number of supervising staff. Most of the relevant owners own farming operations in other parts of the broader region, such as Graaff-Reinet, Cookhouse and</i></p>	

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		<p>Who are the relevant farmers from other areas like Graaff-Reinet, Cookhouse, and Middleton? Most farmers in our area live on their farms. PS , Are the rest of us irrelevant farmers .”</p>	<p><i>Middleton, and deploy staff to the study area farms on an as-needed base.”</i></p> <p>It’s important to note the context in which these words are used, the report does not state relevant farmers from other areas, as Kevin McCaughey states, but rather states that the relevant WEF lands owners have farming operations in the broader region (Graaff- Reinet, Cookhouse and Middleton).</p> <p>It should also be noted that attempts were made to contact the surrounding land owners to get their inputs, such as the ones stated by AVDS’s client, but none were willing to participate and provide this information.</p>	
		<p>As can be seen from the above examples and objections the DBAR is fundamentally flawed on account of extensive false opinions of, and misrepresentations by, the EAP, but which are presented by the EAP as being relevant facts, and which she then uses to motivate the Applicant’s interests and Preferred Alternative (and which the EAP even goes so far as to prematurely recommend for approval).</p>	<p>There are no misrepresentations by the EAP, who simply summarised the social specialist findings. These are based on interviews conducted.</p> <p>The Regulations state that an impact statement must be included in the BAR, therefore the recommendation is not premature.</p> <p>Regardless of when the consultation process was undertaken, in this case according to the regulations, these comments, have not been received by the EAP, and this is the first instance that these have been seen (and not in the original format).</p>	<p>EAP in final BAR Vol III C&RR</p>
		<p>Added to the false information presented in the DBAR is other critical information which is omitted as well as information which is variously vague, unreferenced and unsubstantiated via evidence (even where such is a requirement of the EIA Regulations, such as pertains to</p>	<p>There is no false information presented in the BAR. AVDS does not detail what critical information was omitted. The public is encouraged to comment on the assessment of alternatives which is detailed in section 6 of the BAR.</p>	<p>EAP in final BAR Vol III C&RR</p>

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
		the consultative process required to be engaged in the identification of Alternatives).		
		EIA Regulations 40(2) and 41(6)(a) find particular reference in so far as they require that all pertinent information be made available for review by I&APs. The DBAR and BA process fails to comply in this regard.	It is unknown what information AVDS is referring to that was not made available for review. All pertinent information in relation to the proposed development is contained in the BARs.	EAP in final BAR Vol III C&RR
		In summary, the DBAR is factually incorrect on numerous substantive aspects and that information has played a significant role in how the EAP arrived at her recommended approval of the Applicant's Preferred Alternative. Our clients accordingly object in the strongest manner to the poor quality, or total lack, of important and factually correct information, and its sustained use in the motivation of the application(s). The EAP is therefore advised to entirely reproduce the necessary DBARs based upon the true facts of the matter and to adopt an independent approach, as is required in law.	No details regarding which "substantive aspects" AVDS is referring to are given. None of the points raised so far change the outcome of the specialist's assessments. The BARs contain no factually incorrect information to the best of the EAPs knowledge. The EAP has acted independently and objectively throughout the process.	EAP in final BAR Vol III C&RR
		<p>Advanced stage of BA process and DBAR reached in the absence of required and genuine "consultative process" with I&APs.</p> <p>Under EIA Regulations Appendix 1 (2) it is stated that "(t)he objective of the basic assessment process is to, through a <u>consultative process</u>... (a) identify alternatives considered...; (c) describe the need and desirability of the proposed alternatives..." (Underlining supplied), amongst other important tasks in which the input of I&APs, such as our clients, is required to be meaningfully considered by the EAP.</p>	The consultative aspect of the Basic Assessment process is provided for as per Regulations as the public commenting period, which was extended beyond the required 30 days, during which time I&APs are encouraged to participate and provide their input on all aspects of the BAR including alternatives and the need & desirability of the proposed activity. The BAR identifies alternatives considered (Section 6) and describes the need & desirability of the proposed alternatives (Section 5 and 6). All comments made by I&APs during the consultative period have been considered by the EAP, responded to and addressed in the Final Basic Assessment report.	EAP in final BAR Vol III C&RR

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
		<p>However, the DBAR which is presented in the current Review opportunity is so well advanced by the EAP as to have settled already on the Preferred Alternative of the Applicant as the only one which was considered in the associated assessment of environmental impacts and the EAP goes so far as to even recommend the Preferred Alternative for approval at this juncture.</p> <p>The significance of this is weighed against the fact that many potential I&APs have not even been notified at this stage of the BA process, and which includes the occupiers of our clients' various properties. There is no substance in the DBAR to prove that any local community members, who will in all reasonable likelihood be adversely affected by the proposed developments, such as our clients and the staff employed on their respective properties, have been included in any meaningful consultative process towards identification of the alternatives and other required aspects of the proposal.</p>	<p>The EIA Regulations 2014, as amended, Appendix 1 state (2) Objectives of the basic assessment process are (e) (i) to - <i>identify and motivate a preferred site, activity and technology alternative</i>. Therefore the recommendation of a Preferred Alternative in the Basic Assessment report is not premature. I&APs are being consulted in the public commenting period.</p> <p>Many attempts were made by the EAP to contact the occupiers of the clients land parcels from the start of the initial notification period. However AVDS advised his clients to not engage in any way, and refused to assist in contacting the occupiers. See email (18/10/2018) in which AVDS states that they will not assist in any way (underlining supplied):</p> <p>"Dear Ms Albertyn</p> <p>My client, Fritz Walters, has advised me that you have been in contact with him without having the courtesy or ethical conscience to include myself. I imagine you have adopted such approach on the advice of Tony Barbour perhaps?</p> <p>It is noted that you have quickly responded in this manner after my email of yesterday to you in which <u>your request for "occupiers" details was refused</u>. The clients have now been properly advised of the real intentions of your unethical and scheming approach <u>and have been advised not to engage or assist you in any further manner</u>. I have also advised my clients of Arcus' similar unethical approach in the Umsinde Emoyeni Wind Farm application (Murraysburg) and where promises made to my clients there were ultimately not honoured in the consultation process and the affair was manipulated to serve the interests of the Applicant alone. I wish to place on record that I</p>	<p>EAP in final BAR Vol III C&RR</p>

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		<p>In fact, there is no evidence of any process to arrive at identified Alternatives (worse still, there are no Alternatives at all which have been subjected to the required impact assessment) or the presented need and desirability arguments contained within the DBAR.</p>	<p>have absolutely no trust in you or your Company on account of previous experiences (and now these) and <u>I have advised my clients to adopt the same attitude in order to protect their interests and legal rights.</u></p> <p>At the same time we recognise the legal and independent rights of "occupiers", as such are termed under NEMA.</p> <p>Relevant officials of the DEA are copied in here for their own record.</p> <p>Sincerely Andre van der Spuy"</p> <p>-----</p> <p>The Basic Assessment Report Section 6 details the assessment of alternatives. In addition specialists assessed alternative turbine layouts in an iterative manner, in which the initial proposed turbine layout (as described in Table 6:3) was developed from specialists sensitivity mapping, then assessed as "without mitigation", and the Final Mitigated Layout was assessed as "with mitigation" in their assessment tables. Alternative grid connection routes were assessed separately by all specialists in the impact assessment tables.</p>	
		<p>Consequently, in order to bring the applications into a state of compliance on these grounds, it is advised that the EAP return to the genuine consideration of Alternatives and engage with I&APs, including our clients and the "occupiers" resident upon their respective properties. Our clients stand ready to present their proposed Alternatives for proper consideration prior to any preferred Alternative of the Applicant being settled upon, and recommended by the EAP.</p>	<p>Many attempts were made throughout the process to engage with the clients of AVDS, including conducting interviews, site visits and focus group meetings.</p> <p>The EIA Regulations 2014, as amended, Appendix 1 state (2) Objectives of the basic assessment process are (e) (i) to - <i>identify and motivate a preferred site, activity and technology alternative.</i> Therefore the recommendation of a Preferred Alternative in the Basic Assessment report is not premature. I&APs</p>	<p>EAP in final BAR Vol III C&RR</p>

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			were encouraged to submit their comments during the public review period.	
		<p><u>Occupiers not yet notified despite recommended approval of the Preferred HWEF development by the EAP.</u></p> <p>Our clients employ a large number of persons in their various operations and who would be termed "occupiers" under the EIA Regulations.</p>	<p>Many attempts were made by the EAP to contact the occupiers of the clients land parcels from the start of the initial notification period (see below). However AVDS advised his clients to not engage in any way, and refused to assist in contacting the occupiers. Focus meetings with occupiers of project land parcels and other surrounding properties were held.</p>	EAP in final BAR Vol III C&RR
		<p>Our clients and their employees are involved on a day-to-day basis in their shared work, and their livelihoods and interests are directly linked one to the other. Added to this is the substantial support and socio-economic development directed to the employees of our clients by the clients themselves. The proposed HWEF will therefore have a material and unavoidable negative impact upon both our clients and their employees should it proceed in any form. That said, our clients respect and encourage the independent thought and Constitutional rights of their employees in this and all matters and therefore encourage their employees, as so-called "occupiers", to insist on their rights to participate in these applications to the full extent of their wishes. Our clients are also respectful of, and indeed wary of infringing on, the rights of their employees to participate in these applications and for this reason (and others) our clients have declined to participate in any tasks which are rightfully and legally allocated to the EAP in regard to the notification and engagement of "occupiers" on their properties. The EAP has been previously advised in this matter and was alerted also to our clients respect for the Protection of Privacy Act in the matter.</p>	<p>A request was made in the initial notification letter (14 June 2018) to landowners and surrounding landowners (see Appendix 2): "To assist Arcus in ensuring all I&APs have been informed of the proposed developments, we kindly request your assistance in obtaining contact details of labourers and occupiers on your properties. Arcus will include them on our database and ensure that they have been included as part of the EIA process."</p> <p>Failing a response a second request was sent to surrounding landowners and landowners on 25 September 2018: "In the initial notification that you received regarding the Highlands Wind Energy Facilities (attached), we requested that you assist us with contact details of any labourers and occupiers on your property so that they can be included in the public participation process. We have not received any response from you in this regard. Please could you confirm if there are any individuals residing or working on your properties adjacent to the proposed development site, and send us the names and any contact details of the individuals residing or working there."</p>	EAP in final BAR Vol III C&RR

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			<p>Failing further response, attempts to contact the remaining landowners via telephone were made. Records of this are presented in Appendix 8. In addition further emails were sent as presented in Appendix 8.</p> <p>Emails to Mr Fleming and Mr Badenhorst (to our knowledge at the time AVDS's only clients) were sent requesting: "Please could you send me a list of names and cell phone numbers of your staff (if they agree), so that we may contact them. We want to ensure they have been informed of the proposed Highlands Wind Energy facilities development and enable them to provide their comments. Alternatively please could you provide them with my phone number 076 265 8933 and advise them that they can send a "please call me", or a missed call, and they will be phoned back."</p> <p>Therefore no breach of the Protection of Privacy Act was requested.</p> <p>A series of Focus Group meetings was conducted on 19 October 2018 on several farms in the area with occupiers of affected and surrounding properties whose details Arcus was able to obtain through the above steps, and who agreed to a meeting Minutes, attendance registers and photographs are presented in Appendix 8.</p>	
		<p>Having established the above context it is now noted that occupiers of adjacent properties (at least those of our clients) have not yet been notified of the applications and current comment opportunity, as is required under EIA Regulations 41(2)(b)(ii). This is despite the facts that the EAP and Applicant have already settled on the Preferred Alternative as the only considered alternative</p>	<p>All reasonably possible attempts were made to contact the occupiers of surrounding land parcels as detailed above.</p> <p>It is factually incorrect that only the preferred alternative has been assessed. The Basic Assessment Report Section 6 details the assessment of alternatives. In addition specialists assessed alternative turbine layouts in an iterative manner, in</p>	<p>EAP in final BAR Vol III C&RR</p>

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		which has been assessed, and that the EAP has already recommended for approval.	which the initial proposed turbine layout (as described in Table 6:3) was developed from specialists sensitivity maps and then assessed as "without mitigation", and the Final Mitigated Layout was assessed as "with mitigation" in their assessment tables. Alternative grid connection routes were assessed separately in the impact assessment tables.	
		Occupiers have thus been excluded from any meaningful participation in the already advanced findings of the DBAR. The EAP would be well advised to return the BA process to the point of proper consideration of inter alia other reasonable and feasible alternatives but only once occupiers have been notified formally, as required, of the applications, and their rights to participate fully therein.	Focus group meetings with occupiers were held on 19 October 2018. All reasonable attempt were made to obtain the personal details of occupiers. This was only successful for properties that AVDS does not represent.	EAP in final BAR Vol III C&RR
		As matters stand, the findings of the DBAR can be said to very likely exclude the interests occupiers, who will be amongst those most negatively affected should the proposed development proceed.	The draft BAR was subjected to a 37 day public commenting period and the final BAR includes all comments from occupiers and I&APs that participated, as per Regulations.	EAP in final BAR Vol III C&RR
		The terms of reference, and assessments, of the specialist studies devoid of I&AP input. The specialist studies for the applications have already been finalized and their findings used in the preparation and recommendations of the DBAR. Accordingly, the current PPP is an "after the fact" effort of no real meaning and which appears to simply be an attempt create an impression of legitimacy of the DBAR and applications (in terms of local community and public input).	The public was given opportunity to comment on the specialist studies Terms of Reference, assessments and findings during the 37 day public review period as per Regulation 40.	EAP in final BAR Vol III C&RR
		It is a recognized fact that local familiarity with the receiving environment is significantly more advanced that that of outsiders, such as specialists. The NEMA takes cognizance of this important fact and requires that any	The public was given more than legally required opportunity to comment on the Draft BAR and specialist reports, and such comments were encouraged. AVDS's clients were encouraged to	EAP in final BAR Vol III C&RR

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		environmental processes thereunder be informed by local knowledge and which is why specific attention is given under EIA Regulations 40 and 41 for the inclusion of persons (owners and occupiers) associated with affected land.	participate in the process from the initial notification stage, during the social impact assessment interviews and during the public commenting period.	
		It can therefore safely be said that the suite of specialist studies which have informed the DBAR is lacking in important local input. This is especially concerning as regards, for instance, the social impact assessment, where the specialist is seen to make his own assumptions and associated impact ratings on behalf of the local community who have not even been engaged yet (or even notified of the applications in some instances).	All reasonable attempts were made to engage AVDS's clients throughout the process. It must be emphasized that the social specialist requested a meeting with AVDS' client Mr F Jensen and this request was denied. Furthermore access to the land by the avifaunal specialist was also denied by Mr Jensen.	EAP in final BAR Vol III C&RR
		The EAP is therefore advised to adjust the specialist terms of reference according to the input obtained from the local community (including our clients) via the legislated PPP and only thereafter the recommencement of proper and locally informed specialist studies should be initiated.	Input from the local community was indeed obtained from those occupiers that participated, and these comments are considered. All input obtained via the legislated PPP including input on the specialists Terms of Reference as received during public commenting period is included in the final BAR.	EAP in final BAR Vol III C&RR
		Wholesale failure to provide "a reasonable opportunity to comment", per EIA Regulation EIA Regulation 41(6)(b) states that, "a reasonable opportunity to comment to the comment o the application...": must be provided by the person conducting the PPP.	A reasonable opportunity to comment was given to I&APs in the form of an extended 37 day commenting period.	EAP in final BAR Vol III C&RR
		Regarding the current opportunity to comment the EAP originally provided a 30-day period upon which to comment upon the 6 applications and their associated 9 specialist impact assessments, and 1 "Comments and Responses Report", and which altogether constitute the literature informing the overall HWEF proposed development. The	The Regulations do not make provisions for prior notification of the comment period dates to I&APs. As surrounding landowners to the proposed development Mr. Hein Badenhorst, Mr. Fleming Jensen, received an initial notification of the proposed development in June 2018. No request for prior	EAP in final BAR Vol III C&RR

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		<p>comment period was initiated so as coincide with a public school holiday period and it was issued without any advanced notice (which would have enabled I&APs to prepare accordingly).</p>	<p>notification of the comment period was received from either Mr. Hein Badenhorst, Mr. Fleming Jensen.</p> <p>The Regulations do not make provision for school holidays to be taken into consideration in determining when the 30 day commenting period is held.</p> <p>The six Basic Assessment applications that require review are for one development: the Highlands Wind Energy Facilities of up to 150 MW, which was split in order to comply with REIPPP requirements. The six applications share an identical Volume II: Specialist Studies and Volume III: Comments & Response Report. These volumes therefore only require to be reviewed once. In addition, the six applications are Basic Assessments, and not full EIA reports. Therefore the amount of time required to review the documentation is standard for a wind energy facility of this size, and the legislated period of 30 days constitutes a reasonable opportunity to comment on the application.</p> <p>The Regulations make provisions for comment by registered Interested & Affected Parties, which includes any representatives they choose to engage, for a period of at least 30 days.</p> <p>As the process followed is that of a Basic Assessment Process, a Final Basic Assessment Report must be submitted to the Department within 90 days of receipt of the applications by the competent authorities. Any extension of the public review period will therefore impact directly and negatively on the time available to suitably address the comments received.</p> <p>Despite the above reasoning, and as a sign of good faith to ensure a thorough investigation of the contents of the applications is possible, the comment period for the six applications was extended by five (5) working days, or seven (7) calendar days to 25</p>	

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			October 2018. All registered I&APs received a notification of the extended comment period (attached).	
		The EAP was accordingly advised by AVDS Environmental Consultants that the comment opportunity was exceedingly unreasonable and various legitimate reasons were advanced. Accordingly a request to the EAP was also made for an extension to the comment period by at least 30 additional days	The EAP maintains that 37 days is a reasonable opportunity to comment for the above reasons.	EAP in final BAR Vol III C&RR
		The EAP rejected the request made and instead extended the comment period by a mere 5 working days. The reasons for the EAP's rejection of the requested extension were refuted by this author and the EAP was advised that she had ignored EIA Regulation 41(6)(b) and to which other regulations pertaining to PPP under a BA process must be subservient. Under the circumstances the EAP was then advised to expect a necessarily and unavoidably limited comment/ objection from AVDS Environmental Consultants on behalf of its clients. This document constitutes the severely limited review and associated comment delivered on behalf of our clients and which is forcibly limited by the management actions of the EAP which are considered unreasonable and non-compliant.	The EAP maintains that 37 days is a reasonable opportunity to comment.	EAP in final BAR Vol III C&RR
		Furthermore, it is our considered view that the EAP is limiting and inhibiting the full and proper expression of our clients, and their interests, in these applications in a manner that unfairly promotes the interests of the Applicant (as such is supported by the approach of the EAP in her preparation of the DBAR). The actions of the EAP in this regard are objected to and all rights reserved without limit.	All reasonable attempts were made to engage with the clients of AVDS from the initial notification stage.	EAP in final BAR Vol III C&RR

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		<p>No proper and legally-constituted EAP and Applicant- favoured bias of those involved in the management of the applications.</p> <p>Based on the reviewed evidence there exists no properly and legally defined EAP managing these applications. Furthermore, there are other parties involved in the management of the applications, and associated decisions, who have no legal mandate to do so and who have accordingly contaminated and compromised the applications and BA process.</p>	<p>The EAPs working on this project are qualified, experienced in this particular field, and independent. Please refer to BAR Vol I: Appendix A EAP CV & Declaration of Independence</p> <p>The EAP is legally defined as per Section 1.4 and Appendix A of the BAR, and the signed Application Form submitted to the Department.</p> <p>No details on what other parties AVDS is referring to is given.</p>	<p>EAP in final BAR Vol III C&RR</p>
		<p>The Applicant should be notified of the situation and the compromised nature of the applications and the DBAR which is currently out for review.</p>	<p>It is unknown why the applications are considered compromised.</p>	<p>EAP in final BAR Vol III C&RR</p>
		<p>Our clients insist on their right to participate in applications which are under the management of a legally constituted EAP who meets with all the necessary requirements and who is uncompromised. As this objection shows elsewhere, the requirements of objectivity and independence of the various parties managing and interfering in these applications is not met and our clients reserve their rights fully in regard to the consequences thereof.</p>	<p>The EAP has signed a Declaration of Independence and is acting objectively and independently in line with Regulation 13 of the EIA Regulations 2014, as amended.</p>	<p>EAP in final BAR Vol III C&RR</p>
		<p>As evidenced above and elsewhere in this objection, the EAP (or more correctly those parties involved in management of the application) have adopted a sustained and ingrained systematic approach of favouring the Applicant in all its actions, opinions and recommendations. Under the EIA Regulation 13 the EAP is required to be objective and independent and thus the applications are non-complaint and indeed fatally flawed.</p>	<p>No evidence is provided. The EAP has signed a Declaration of Independence and is acting objectively and independently in line with Regulation 13 of the EIA Regulations 2014, as amended.</p>	<p>EAP in final BAR Vol III C&RR</p>

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
		<p>Failure properly to assess Alternatives, including the "No go" Option.</p> <p>The DBAR fails substantially and fatally to meet the rigorous criteria set under inter alia EIA Regulations, Appendix 1, for the identification and assessment of Alternatives to the proposed development alternative (the "Preferred Alternative"). Instead the DBAR moves directly to the Applicant's Preferred Alternative, which it, and the associated specialist studies have assessed ALONE. The process taken to arrive at the Preferred Alternative (that is considered alone in the DBAR and recommended for approval by the EAP) is exceptionally vague; unsupported by evidence; and, uninformed by required I&AP "consultative process" (EIA Regulations, Appendix 1(2)(b) refers). The vagueness and limited nature of this information is dealt with as identified elsewhere in this objection and examples from the DBAR of the intentional vagueness and limited information are provided.</p>	<p>Section 6: Assessment of Alternatives which gives a detailed process flow of how the Preferred Alternative was identified. It is factually incorrect that the specialists have only assessed the Preferred Alternative. The specialists assessed alternative turbine layouts in an iterative manner, in which the initial proposed turbine layout (as described in Table 6:3) was developed from their specialist sensitivity maps, and then assessed as "without mitigation", and the revised Final Mitigated Layout was assessed as "with mitigation" in their assessment tables. Alternative grid connection routes were assessed separately in the impact assessment tables.</p>	<p>EAP in final BAR Vol III C&RR</p>
		<p>The EAP is advised that the 2014 EIA Regulations define "alternatives" as follows:</p> <p><i>"alternatives", in relation to a proposed activity, means different means of meeting the general purpose and requirements of the activity, ... and includes the option of not implementing the activity;"</i> (Underlining supplied)</p> <p>The HWEF applications fail to assess entirely, or even realistically consider, the "option of not implementing the activity" (i.e. the "No go" Alternative) despite such being an explicitly stated requirement in the reading and interpretation of the term "alternatives" under 2014 EIA Regulations. This failure on the part of the applications constitutes a fatal flaw on the part of the applications and DBAR itself.</p>	<p>The No Go Alternative is assessed in the BAR Section 6.1 - The No Development Alternative.</p>	<p>EAP in final BAR Vol III C&RR</p>

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
		<p>It is recorded here that our clients favour the “No go” option as it will have the least impact upon themselves as well as the greater local community and the environment in general. It also represents the “best practical environmental option” despite and contrary to the flawed and Applicant-biased nature and motivations of the EAP in the DBAR. Should any other form of so-called renewable energy facility be considered then our clients would consider the development of a solar energy facility subject to strict conditions of theirs which would be designed to protect the environment and all sectors of the local community.</p>	<p>It is recorded that the clients of AVDS favour the No Go Alternative.</p> <p>The assessment of the No Go Alternative (Section 6.1) found that the No Go Alternative has the following advantages:</p> <ul style="list-style-type: none"> • No change in current landscape or environmental baseline • No risk of negative environmental and social impacts • No impacts on local hunting tourism industry <p>It was found to have the following disadvantages:</p> <ul style="list-style-type: none"> • Land use remains low agricultural, without benefits from complimentary land use • No additional electricity will be generated through renewable resources • No opportunity for additional employment (permanent or temporary) in an area where job creation is identified as a key priority • No socio-economic benefits for the community associated with the establishment of a Community Trust • The government will not be assisted in addressing climate change, energy security and economic development • No development in an area earmarked and suitable for such specific development (REDZ) <p>The EAP found the No Go alternative to have a lost opportunity cost based on the above. Based on this the No Go Alternative was not selected as the preferred Alternative.</p>	<p>EAP in final BAR Vol III C&RR</p>

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			<p>Solar energy was assessed as a technology alternative and the BAR states the following: "The site topography is less suited to the construction of large scale ground mounted solar facilities. Solar electricity generation would also require a much greater infrastructure footprint and water consumption (for cleaning panels) to generate the equivalent energy of the proposed WEFs. Wind farms are less land intensive and water intensive than solar projects." Table 6.4 lists advantages and disadvantages of solar facilities in the preferred location.</p>	
		<p>The EAP is advised that in order for the applications to be complaint it will be necessary for the Applicant and EAP to abandon the current applications totally and engage properly with I&APs through a legally complaint "consultative process" in which alternatives are identified, and thereafter assessed in a comparative and equal manner (and which must include the "no go" option as a realistic and viable alternative).</p>	<p>I&APs were engaged with throughout the process from the initial notification stage. The Basic Assessment report was subjected to a 37 day public commenting period and all comments received are addressed in the final BAR. The No Go Alternative was included in Section 6.1. The No- Go Alternative was assessed and was deemed to be reasonable, but not feasible in terms of meeting the country's need for renewable energy.</p>	<p>EAP in final BAR Vol III C&RR</p>
		<p>Cumulative impacts of the proposed HWEF not properly assessed. The brief review of the DBAR reveals that it bases its cumulative impact assessment upon a substantial misinterpretation of the definition and meaning of "cumulative impact" as such is defined under NEMA (and presumably also the cumulative assessments of the various specialists studies are also similarly at fault). It also severely limits the range (to a radius of 35km from the proposed HWEF) under which cumulative impact factors are considered. Given the AVDS Environmental Consultants familiarity with the general area and specifically the area encompassed by the environmentally sensitive Cookhouse</p>	<p>Section 18 Cumulative Impacts The cumulative impact assessment goes beyond the Departments request to include cumulative impacts in a 30 km radius The Avifaunal Specialist assessed impacts within a 50 km radius to include the existing wind energy facilities Nojoli WEF, Cookhouse WEF and Amakhala Emoyeni WEF and proposed Cookhouse II, Middleton and Golden Valley 1 and 2 WEFs, in addition to solar farms within a 50 km radius. It was found that with mitigation the potential impact is of medium negative significance. The bat specialist assessed cumulative impacts within a 250 km radius and found that that the potential impact is of medium negative</p>	<p>EAP in final BAR Vol III C&RR</p>

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		<p>REDZ, combined with the evidenced favouring of the Applicant's interests by the EAP, it is a very viable proposition to suggest that the limited interpretation and application of the critical aspect of cumulative impact assessment is a calculated one by the EAP and which is designed to avoid the vey possible impact findings of High negative potential cumulative environmental impacts which are beyond mitigation (and which would thus constitute fatal flaws under NEMA's principles for sustainable development).</p>	<p>significance with mitigation. All other specialists assessed cumulative impacts within a 35 km radius.</p>	
		<p>The EAP is advised that our clients will not accept such a flawed cumulative impact assessment as is contained in the DBAR and the EAP will be well advised to conduct a proper cumulative impact assessment which incorporates the Cookhouse REDZ entirely, including those operating wind farms which are known to be destroying Endangered Cape Vulture (such as Cookhouse and Amakhala Wind Farms) and other threatened bird and animal species. It will also need to include all other known wind farm projects (such as the neighbouring Watson/ Siemens wind farm initiative) and any other activities which could contribute to the cumulative impact of the proposed HWEF.</p>	<p>The conducted cumulative impact assessment is in line with the Regulations and goes beyond the 30 km requirement by the Competent Authority.</p> <p>The Avifaunal Specialist assessed impacts within a 50 km radius to include the existing wind energy facilities Nojoli WEF, Cookhouse WEF and Amakhala Emoyeni WEF and proposed Cookhouse II, Middleton and Golden Valley 1 and 2 WEFs, in addition to solar farms within a 50 km radius. It was found that with mitigation the potential impact is of medium negative significance. The bat specialist assessed cumulative impacts within a 250 km radius and found that that the potential impact is of medium negative significance with mitigation. All other specialists assessed cumulative impacts within a 35 km radius.</p> <p>The "neighbouring Watson/Siemens wind farm initiative" is not on the latest DEA database for renewable energy applications (2018 Q3). No other publically available information for this "initiative" could be found.</p>	<p>EAP in final BAR Vol III C&RR</p>
		<p>Substantive Issues <u>Lack of "consultative process" against which to assess proclaimed need and desirability.</u></p>	<p>The BAR was subjected to a public consultation period of 37 days which goes beyond the legislative requirement of 30 days.</p>	<p>EAP in final BAR Vol III C&RR</p>

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		<p>EIA Regulations, Appendix 1, point 2, states that; <i>"The objective of the basic assessment process is to, through a consultative process...</i> <i>(a) determine the policy and legislative context within which the activity is located and document how the proposed activity complies with and responds to the policy and legislative context;</i> <i>(b) describe the need and desirability of the proposed activity, including the need and desirability of the activity in the context of the preferred location;"</i>. (Bold text added)</p>	<p>The BAR was subjected to a public consultation period of 37 days which goes beyond the legislative requirement of 30 days.</p> <p>The BAR addresses the policy and legislative context in Section 2 and the Need & Desirability in Section 5 and I&APs had the opportunity to comment on these.</p>	EAP in final BAR Vol III C&RR
		<p>It is therefore a fundamental requirement that aspects of need and desirability regarding the proposed activity and its preferred location be informed by a "<i>consultative process</i>." This objection has however already revealed the substantial failings of the BA process to engage in a credible PPP with local and affected I&APs and it is therefore impossible for the real and complete need and desirability requirements to be properly ascertained by the "EAP".</p>	<p>The BAR was subjected to a public consultation period of 37 days which goes beyond the legislative requirement of 30 days.</p> <p>The BAR addresses the Need & desirability in Section 5 and all comments received during the public commenting period are addressed and included in the final BAR. The Need & Desirability assessment is based on current DEA guidelines.</p>	EAP in final BAR Vol III C&RR
		<p>As a consequence, the DBAR's approval of the need and desirability of the HWEF are unfounded and lack credibility.</p>	<p>The BAR addresses the Need & Desirability in Section 5 and all comments received during the 37 day public commenting period are addressed and included in the final BAR.</p>	EAP in final BAR Vol III C&RR
		<p>Also, given the views of unconditional objection of our clients, the HWEF, and the considerable local community representation encompassed directly and indirectly in their</p>	<p>It is recorded that the clients of AVDS do not view the proposed development as needed or desirable in the preferred location. It is however noted that the clients only speak for themselves, and do not have a</p>	EAP in final BAR Vol III C&RR

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
		views, it is clear that the proposed HWEF is neither needed nor desirable " <i>in the context of the preferred location</i> ".	<p>mandate to speak for the local community. The results of the focus group meetings held with occupiers did not record any negative comments towards the proposed development.</p> <p>The social study concluded:</p> <p>"The findings of the SIA indicate that the development of the proposed Highlands WF will create employment and business opportunities for locals during both the construction and operational phase of the project. The establishment of a Community Trust will also benefit the local community. The proposed development also represents an investment in clean, renewable energy infrastructure, which, given the negative environmental and socio-economic impacts associated with a coal based energy economy and the challenges created by climate change, represents a significant positive social benefit for society as a whole. The findings of the SIA also indicate that the Renewable Energy Independent Power Producers Procurement Programme (REIPPPP) has resulted in significant socio-economic benefits, both at a national level and at a local, community level. These benefits are linked to foreign Direct Investment, local employment and procurement and investment in local community initiatives.</p> <p>The Highlands WF site is also located within a REDZ. The area has therefore been identified as suitable for the establishment of renewable energy facilities. However, a key concern identified during the SIA relates to the visual impacts associated with the wind turbines and the potential impact on existing, established game farming and hunting operations in the area, specifically the area to the north, east and south of the site. The majority of these operations</p>	

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			<p>cater for up-market overseas visitors and the existing "African veld" sense of place represents a key component of their marketing strategy. The establishment of a wind farm on their western boundary would impact on the areas current sense of place, which in turn, may negatively impact on their operations and property values. The potential impacts will be largely be confined to four to five existing game farming operations. The potential localised impact would therefore need to be considered within the context of the location of the Highlands WF within the Cookhouse Wind REDZ and the significant socio-economic benefits associated with the establishment of renewable energy facilities.</p> <p>The Need & Desirability assessment concluded that the technology is the preferred technology in a REDZ, that the current land use of the site would be improved, that the local community would benefit.</p>	
		<p>The EAP engages in an extensive approach of motivation of the proposed HWEF based largely and significantly upon factual inaccuracies which are designed to show the proposal in a favourable light. This objection was earlier presented, as examples, of but a very few of the extensive mistruths perpetuated by the EAP in the DBAR, in the interests of the Applicant. The total number of mistruths perpetuated and stated by the EAP in the DBAR are too numerous to record in this very limited record of objection but they are easily detected by a suitably and properly qualified and experienced reader (such as would be expected from within the offices of the Competent Authority who will ultimately administer these applications). Therefore the EAP has acted contrary to the requirements for an appointed EAP as such are set out under EIA</p>	<p>Any reference of factual inaccuracies that AVDS claims are in the report have been responded to and indeed shown to be correct as stated in the DBARs.</p> <p>All information contained in the DBARs are verifiable and done with the collaboration of independent specialists. The information contained in the need and desirability is true and correct at the time of writing the report and done according to the DEA guidelines.</p>	<p>EAP in final BAR Vol III C&RR</p>

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
		Regulation 13, but, more importantly, in so doing, the EAP has also discredited the resultant proclaimed need and desirability of the proposed HWEF.		
		The need and desirability of the proposed HWEF has been used extensively by the EAP to arrive at her prematurely recommended approval of the Applicant's Preferred Alternative yet the DBAR and BA process are almost entirely uninformed by locals community input (land owners and "occupiers"), including that of our clients.	The Final BAR includes all comments received from occupiers, landowners and I&APs. The Draft BAR contains information from the local community including a series of interviews with landowners conducted by the social specialist for his assessments (see Page 136 Social Impact Assessment)	EAP in final BAR Vol III C&RR
		It is recommended that the EAP abandon the current DBAR and BA process and instead revert, from outset, to a legally compliant, factually correct and independent approach in which the real need and desirability of the proposed HWEF can be honestly tested against the facts and the views of the affected local community, through the required "consultative process".	This Basic Assessment process is legally compliant, factually correct and independent. The BAR has been subjected to a public consultation period of 37 days. as per the Regulations. The need and desirability of the WEF was informed by the social assessment which took into consideration local community needs. The Social Impact Assessment states: "The findings of the review indicated that renewable energy is strongly supported at a national, provincial and local level. The development of and investment in renewable energy is supported by the National Development Plan (NDP), New Growth Path Framework and National Infrastructure Plan, which all make reference to renewable energy. At a provincial level the development of renewable energy is supported by the Eastern Cape Provincial Growth and Development Plan (ECPGDP), the Sarah Baartman District Municipality Integrated Development Plan (IDP) and the Blue Crane Route Local Municipality Integrated Development Plan (IDP). The proposed Highlands WF is also located in the Cookhouse Wind REDZ. The area has therefore been identified as suitable for the establishment of wind energy facilities. However, there is a need to ensure that the siting of renewable	EAP in final BAR Vol III C&RR

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			energy facilities (including wind farms) does not impact on the areas tourism potential. In this regard the area to north of the site and the R63 is identified as Tourist Focus Area in the SBDM SDF."	
		It is observed that the EAP has relied upon the Cookhouse REDZ as a supporting directive for the proposed HWEF but the EAP would instead be well advised to properly consider the now well documented significant negative environmental impacts associated with the wind farms already operating in this Cookhouse REDZ and to which the proposed HWEF will simply add further negative impacts to an already significant negative cumulative impact (such as that upon the Endangered Cape Vulture population).	No evidence with regards to any significant negative environmental impacts that were not considered in the assessments have been provided by AVDS. The avifaunal impact assessment included cumulative impacts from the existing wind farms within a 50 km radius, and those to Cape Vulture. The significance of cumulative impacts on avifauna is rated as of medium significance with mitigation. 12 months of pre-construction monitoring found low abundance and activity of Cape Vulture on site. Birdlife SA has commented: "The site(s) for the proposed wind farm(s) are arguably less sensitive than the more easterly parts of the Renewable Energy Development Zone (where BirdLife South Africa has serious concerns about potential impacts on Cape Vulture and other threatened species)..."	EAP in final BAR Vol III C&RR
		<p>Social impact assessment inadequate (Economic impacts not properly assessed)</p> <p>The SIA was undertaken by Tony Barbour. AVDS Environmental Consultants is familiar with the work of this consultant on other wind farm environmental applications and the very brief review of his SIA has found the expected approach of this consultant to, on its own, and without regard to I&AP input, identify and select (the same) potential social impacts which are designed to deliver overall impact ratings which are favourable (i.e. positive, or Medium negative to Low negative) to the Applicant.</p>	Mr van der Spuy makes no specific reference to any of the impacts identified during the Construction and or Operational Phase of the project. In the absence of any specific reference to and or comment on the impacts identified and discussed in the SIA it is not possible to respond to this statement, specifically the statement that the economic impacts are not properly assessed. The study does however provide an overview of a number of relevant documents pertaining to the social and economic opportunities and benefits associated with the renewable energy sector, specifically within the South African Context, including the overview of the Independent Power Producers Procurement Programme (IPPPP)	Social Specialist final BAR Vol III C&RR

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			undertaken by the Department of Energy, National Treasury and DBSA (30 June 2017).	
			The social specialist did include I&AP input in his report by conducting interviews with surrounding landowners and landowners.	EAP in final BAR Vol III C&RR
		The impact descriptions of Mr. Barbour are also carefully worded to deliver only favourable results to the Applicant. For instance, under SIA Table 2 the " <i>Creation of employment and business opportunities</i> " is listed as a potential impact associated with the proposed HWEF. It is therefore almost impossible for any rating other than a positive impact rating to be attributed to the tailored description of the subject impact, irrespective of what development type, is being considered since the description deliberately excludes any option for recording of a negative impact rating around employment dynamics. A proper, unbiased impact description would rather read as follows: <i>"Impact on employment and business opportunities."</i> Such proper description would then permit the recording of the very real likelihood of a negative impact finding (i.e. net job losses) associated with the proposed HWEF, on account of its negative impact on potentially affected and already-existing tourism and nature-based operations that are in existence in the area.	The impact descriptions simply reflect the potential impacts (positive and negative) that are likely to be associated with the proposed WF. As indicated in the SIA both positive and negative impacts are identified and assessed. They are not "carefully worded" to deliver only favourable results.	Social Specialist final BAR Vol III C&RR
		The EAP is advised that the SIA by Mr. Barbour is biased towards the interests of the Applicant and has also exaggerated the positive potential impacts associated with the proposed HWEF and under-declared the potential negative ones. The findings of the Barbour SIA are significantly uninformed by a large sector of the local community, which includes our clients, and the findings are	Mr van der Spuy makes no specific reference to the positive impacts that have allegedly been "exaggerated" and no evidence has been provided by Mr van der Spuy to substantiate his statement that the positive impacts have been "exaggerated". It is also unclear what Mr van der Spuy defines and or means by the wording "a large sector of the local	Social Specialist final BAR Vol III C&RR

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		unrepresentative of the real social impacts that could arise from the proposed HWEF. We, and our clients, do not recognize the SIA nor its author as being credible.	community". In addition, in the absence of any detailed comment on and discussion of what Mr van der Spuy believes are the "real social impacts" this statement cannot be substantiated.	
			The EAP does not have any evidence to support AVDS's claim that the SIA is biased. All specialists conducting the specialist studies are independent and have signed the declaration of independence in this regard. The social specialist interviewed affected landowners, surrounding landowners (including a client of AVDS), occupiers and a guest house owner for the social impact assessment (see page 136 of SIA for detailed list). Other clients of AVDS (Mr Jensen) declined to participate.	EAP in final BAR Vol III C&RR
		The Barbour SIA makes a token effort to assess the potential impacts of the proposed HWEF upon property values and adjacent operations but Mr. Barbour is not sufficiently qualified or experienced to deal with the important matters of an economic (as such are specifically referred to in the EIA Regulations) and property value nature.	The SIA confirms that the potential impact of the proposed WEF on property values and current operations was raised as a concern, specifically by game farmers located to the east of the site. A literature review was undertaken as part of the SIA. However, the SIA clearly notes that "the review does not constitute a property evaluation study and merely seeks to comment on the potential impact of wind farms on property values based on the findings of studies undertaken overseas. The assessment rating is based on the findings of the review".	Social Specialist final BAR Vol III C&RR
				EAP in final BAR Vol III C&RR
		Accordingly, our clients have commissioned the services of a professional who is well skilled and experienced in the issues which the Barbour SIA has attempted to assess. Our	See above comment regarding literature view and comment that the review does not constitute a property evaluation.	Social Specialist in final BAR Vol III C&RR

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		clients' specialist will properly assess the true impacts associated with the proposed HWEF and the results may be delivered to the EAP and Applicant (and/ or Competent Authority) in due course.	To date there is no industry recognised property valuation report which states that wind farms negatively affect property prices in South Africa.	
		Since the Barbour SIA has failed to quantify the potential negative impacts of the proposed HWEF upon our clients properties and interests, and associated due mitigation thereof, our clients have appointed another qualified professional whose task it is to ascertain the potential impact of the proposed HWEF upon our clients properties and interests as a basis upon which to proceed with mitigation efforts (such as quantification of damages required to calculate compensation due by the Applicant and those others associated with, and who stand to benefit from, the proposed HWEF).	In terms of the EIA legislation Mr van der Spuy and his clients are entitled to appoint a professional of their choices to undertake and or review specialist studies. However, as indicated above, Mr van der Spuy does not specifically identify and or discuss the negative impacts that would impact on his client's properties. There is also no indication of where his client's properties are located relative to the proposed WF and the activities on these properties that would potentially be impacted.	Social Specialist in final BAR Vol III C&RR
		<p>In its motivation of the proposed HWEF the DBAR relies heavily upon a proclaimed creation of employment associated with renewable energy and wind farms generally but it noticeably fails to specify how many permanent jobs would be created by specifically the proposed HWEF and what the associated specific job descriptions would be. The SIA likewise fails to clearly specify this critical information but nonetheless proceeds, on flimsy and unsubstantiated grounds, to make a positive impact assessment of the proposed HWEF in this regard. Should the EAP not totally withdraw such fallacious grounds of motivation for the proposed HWEF she must then be prepared to specify the following exactly and unambiguously:</p> <ul style="list-style-type: none"> — How many jobs, directly and permanently linked to the HWEF, will be created by the proposed HWEF? What is the exact job description of each permanent job? 	<p>The SIA indicates that, based on experience from previous projects, in the region of 200-250 temporary employment opportunities will be created during the construction phase. The SIA notes that it is anticipated that approximately 55% (136) of the employment opportunities will be available to low skilled workers, 30% (76) to semi-skilled workers and 15% (38) for skilled personnel. During the operational phase the SIA notes that ~ 20 jobs will be created. While a detailed description of each job is not provided the SIA does note that of this total ~ 12 are low skilled workers, 6 semi-skilled and 2 skilled.</p> <p>The SIA does therefore provide information on the number of employment opportunities that will be provided, for both the Construction and Operational Phase, and the type of jobs in terms of skills levels.</p> <p>The SIA also provides information on the overall number of employment opportunities created by the</p>	Social Specialist in final BAR Vol III C&RR

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			Independent Power Producers Procurement Programme (IPPPP) based in the review by the Department of Energy, National Treasury and DBSA (30 June 2017).	
		It is pointed out that job creation is a national priority under the National Development Plan yet unbiased evidence shows that wind farms such as the proposed HWEF do not create any meaningful jobs. Instead it is expected that where wind farms are proposed to be established within existing rural areas where ecotourism activities abound, a significant net job loss could be expected due to the wind farm induced failures of ecotourism businesses (the latter being entirely incompatible with wind farms). Impacts on jobs in the coal mining also refer. Thus, the proposed HWEF is fundamentally at odds with the National priorities pertaining to job creation.	Mr van der Spuy makes no reference to the source that he basis his statement that "unbiased evidence shows that wind farms such as the proposed HWEF do not create any meaningful jobs". As noted in the SIA, the review of the Independent Power Producers Procurement Programme (IPPPP) by the Department of Energy, National Treasury and DBSA (30 June 2017) highlights and quantifies the employment opportunities created by the renewable energy programme in South Africa. The statement by Mr van der Spuy that the proposed HWEF is fundamentally at odds with the National priorities pertaining to job creation and is therefore incorrect and misleading.	Social Specialist in final BAR Vol III C&RR
		Findings of the Visual Impact Assessment are disputed. Our clients strongly dispute the findings of the VIA and which are significantly understated.	It is recorded that the visual impact assessment findings are disputed by AVDS.	Visual Specialists in final BAR Vol III C&RR
		The VIA is essentially a desktop survey which has not been ground-truthed according to the significant areas and operations (of our clients) which are likely to be the most severely affected by the proposed HWEF. This is viewed as a fundamental flaw in the VIA's credibility yet the EAP has anyway swiftly advanced the DBAR to the point of her recommending that the Preferred Alternative be approved. The EAP is advised that the proposed VIA will have a devastating visual impact (both directly and indirectly) upon all of our clients and their operations, as well as the	The VIA was both a desktop study and ground-truthed during field work, taking the most important landscape features and affected visual receptors into account. The VIA authors used the best information that was available at the time, although it is recognized that the database on game farms is not always complete or up to date. Viewpoints were, however, selected based on worst-case scenarios, i.e. generally those where the proposed WEF would be the most visible to receptors	Visual Specialists in final BAR Vol III C&RR

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		<p>general area and its "sense of place". A proper verification of the VIA findings would reveal such findings.</p>	<p>in the area. Photo-montages were prepared for the most severe cases in the opinion of the VIA authors. It follows that any other receptors, not included in the selected viewpoints, would be affected to a lesser degree.</p> <p>ADVS does not specify in detail which of his clients would be adversely affected by the proposed WEF, nor where they are located, and therefore it is difficult to respond to the generalized comments.</p> <p>The VIA authors prefer to use 5 categories of visual impact ranging from low to high. The EAP specified that only 3 categories (low, medium, high) were to be used. This did not however affect the overall findings of the VIA, or whether there was a fatal flaw or not.</p>	
		<p>It is noted that while the VIA (Table 19) has identified a potential Medium-High negative impact (Operational phase; with mitigation) for the "Visual impact significance" of the North HWEF the EAP has allocated instead the lower impact significance of only Medium negative (DBAR, Table in Executive Summary) and which is contrary to the application of the precautionary principle which should have been applied in such instance.</p>	<p>The assessment methodology used in the assessment tables uses three categories for significance, which are calculated based on intensity, duration, extent and probability of the impacts. The visual specialists own category for visual intensity was medium-high, however the significance rating was medium with the assessment methodology utilised, as is evidenced in the corresponding impact table.</p>	<p>EAP in final BAR Vol III C&RR</p>
		<p>The EAP (and/ or Competent Authority) may accordingly be served with the results of a separate visual impact study undertaken by a suitably qualified and independent specialist appointed by our clients. Unlike the VIA for the HWEF, our client's VIA will proceed further so as to significantly verify its results on the ground.</p>	<p>A separate visual study would require that the specialist is independent and not answerable to the landowners if the verification of the VIA is to be considered unbiased. The VIA authors, who were independent of the Applicant, are of the view that a separate visual study, using similar accepted visual criteria, should come up with similar findings. An independent review of the VIA would be welcomed.</p>	<p>Visual Specialists in final BAR Vol III C&RR</p>
			<p>The visual specialists Quinton Lawson and Bernard Oberholzer have a combined 30 years of experience</p>	<p>EAP in final BAR Vol III C&RR</p>

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
			<p>in undertaking visual impact assessments. Oberholzer is the author of the best practice guidelines for visual and aesthetic specialists in EIA processes, and both authored the Landscape Assessment for the National Wind and Solar PV SEA. They are acting independently and have signed a Declaration of Interest.</p>	
		<p>Findings of the Avifaunal Impact Assessment are disputed. Our clients strongly dispute the findings of the avifaunal impact assessment and which appear to be significantly understated in order to favour the Preferred Alternative of the Applicant.</p>	<p>Based on the specialist's experience of having assessed a number of proposed wind farms across South Africa, and having worked extensively on three operational sites, it is not agreed that the findings have been significantly understated. The various construction phase impacts (for either of the three WEFs separately) were rated as medium prior to mitigation. Due to the various, well established and easily implementable mitigations available during construction, these can be reduced to low with mitigation. The operational phase impact of turbine collision (for each WEF separately) was rated as medium prior to and after mitigation (even though the probability was reduced with mitigation), while power line collisions and electrocutions were also rated as medium, but can be reduced to low (as well established mitigations exist for these impacts). As we understood that should the project/s proceed, realistically only one phase would not be built, but rather a number of turbines (up to 140 MW) across more than one of the WEF phases. We therefore assessed this scenario (Table 19). This shows one of the most important impacts (turbine collisions) to be rated as High prior to mitigation. We strongly believe that implementation of the mitigations will reduce this to medium. This includes mitigation primarily in the form of reducing the constructed number of turbines and advising the turbine layout and avoiding sensitive</p>	<p>Avifaunal Specialist in final BAR Vol III C&RR</p>

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
			<p>areas (identified based on rigorous long-term monitoring including bird flight path analysis.</p> <p>The phrase "preferred alternative" does not appear in the avifaunal impact assessment.</p> <p>There was no "preferred alternative" for the WEF assessment. All turbine locations were considered. The turbine positions in the assessed layout (as shown in Figure 10) and the final mitigated layout avoid all avifaunal no-go areas and high sensitivity buffers.</p> <p>Regarding the grid connections for each phase, no alternative was preferred. Considering the Grid Connections and Associated Infrastructure (e.g. substations), the report concluded:</p> <ul style="list-style-type: none"> • The potential impacts of Alternative 1 and Alternative 2 for Phase 1 (North) were found to be the same. Either alternative is acceptable with mitigation. • The potential impacts of Alternative 1 and Alternative 2 for Phase 2 (Central) were found to be the same. Either alternative is acceptable with mitigation. • The potential impacts of Alternative 1 and Alternative 2 for Phase 3 (South) were found to be the same. Either alternative is acceptable with mitigation. • Due to their much longer lengths, either alternative (1 or 2) for Phase 3 (South) are likely to have higher impacts on birds than the grid connection alternatives proposed for Phase1 or Phase 2. Therefore, it is strongly recommended that the substation locations (and associated grid connection options) for either Phase 1 or 2 are used to connect the final project/s to the grid. 	

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			<ul style="list-style-type: none"> All substation locations are acceptable, subject to mitigations, (however, those proposed for Phases 1 and 2 are preferred as they result in shorter grid connection). <p>Regarding the No-go Alternative, the report stated the following: "Should the proposed development not be constructed (i.e. the no-go alternative is realised), the status quo with regards to the current land use is likely to persist in the medium to long term. The bird baseline as described in the report is unlikely to change significantly, apart from changes caused by natural environmental fluctuations (e.g. dry vs wet years). There will be no negative impact on the avifauna of the proposed development site if the no-go alternative is realised."</p>	
		<p>The assessment of the cumulative impact of the proposed HWEF is flawed on account of the very limited extent of range considered (35 km although) and the failure to consider the impending Watson/ Siemens wind farm which will be a neighbour to the east of the proposed HWEF.</p>	<p>The cumulative bird impact assessment considered all operational, proposed (i.e. undergoing an EIA/BA process) or approved wind and solar developments within 50 km. Lapsed projects previously proposed were not considered.</p> <p>This information was obtained from the South African Renewable Energy EIA Application Data for SA, 2018, SECOND QUARTER data release, available for download from the DEA website.</p> <p>The following, operational, proposed or approved developments within 50 km were identified for consideration in the cumulative assessments:</p> <ul style="list-style-type: none"> Operational 140 MW Cookhouse Wind Farm Operational 88 MW Nojoli Wind Farm Operational 134 MW Amakhala Emoyeni Wind Farm 	<p>Avifauna Specialist in final BAR Vol III C&RR</p>

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
			<ul style="list-style-type: none"> · Potential 140 MW Msenge Emoyeni Wind Farm (under same EA as Amakhala) · Proposed 140 MW Middleton Wind Energy Project · Proposed Golden Valley 1 & Golden Valley 2 Wind farms · 10mw Photovoltaic (PVv) Solar Farm In Pearston · 10 Mw Photovoltaic Solar Farm In Pearston on Erf 468-Portion Of The Pearson Municipal Commonage. · A 55MW PV Solar Farm And Associated Infrastructure On Portion 2 Of The Farm Kraan Vogel Kuil No.50, Pearston <p>Any publically available specialist, EIA or BA reports were obtained and reviewed in terms of avifaunal impacts, and included in the cumulative assessment.</p> <p>It is unclear what project is referred to by the "Watson/Siemens wind farm" as this name did not appear on the DEA database of applications. It is possible that some of the above projects and/or other lapsed projects may have changed names/ownership and are being pursued under a different name.</p>	
		<p>It is of significant concern to note that the possibility of "<i>unacceptable impacts</i>" (however such may be defined) is not a discounted scenario by Mr. Pearson in the avifaunal study. Proper sustainable development, as determined in terms of NEMA, would require that such a situation, even if remotely possible, would render the proposed development as unsustainable and thus fatally flawed (application of the required "<i>risk averse and cautious approach</i>" advocated under NEMA finds relevance).</p>	<p>The phrase "unacceptable impacts" was used in the following context when reviewing operational monitoring results: "If unacceptable impacts are observed (in the opinion of the bird specialist after consultation with BLSA, relevant stakeholders and an independent review), the specialist should conduct a literature review specific to the impact (e.g. collision and/or electrocution) and provide updated and relevant mitigation options to be implemented. Mitigations that may need to be implemented (and should be considered in the project's financial planning) include", and it went on to possible</p>	<p>Avifauna Specialist in final BAR Vol III C&RR</p>

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
			<p>mitigations that can be implemented should this very unlikely situation arise.</p> <p>The possibility of unacceptable impacts is very unlikely. Furthermore it is very difficult to quantify and determine what constitutes an "unacceptable impacts". Thorough operational monitoring and reporting to all relevant stakeholders is recommended, so actual impacts can be quantified. If there is agreement that these constitute "unacceptable impacts" then additional mitigations are proposed to bring the levels of mortality down, including shut down of turbines. Following the implementation of these additional measures correctly and thoroughly, it is predicted that the impact will no longer be unacceptable.</p> <p>A risk averse approach has been followed by designating extensive no-go areas for placement and by recommending that no more than 40 turbines be constructed across all three projects combined. The report concludes "the construction of a medium sized WEF of less than 40 turbines would be acceptable, if all turbine positions are outside of all the identified avifaunal No-Go areas and all other mitigations and recommendations in this report are implemented"</p>	
		<p>The avifaunal study does not pay heed to the precautionary principle. It is non-complaint with NEMA and the EIA regulations on various grounds.</p>	<p>The study adheres to the precautionary principle as discussed in the previous point. The study adheres to the requirements of the EIA regulations, for specialist studies, Appendix 6, as detailed on page 2 of the Bird Impact Assessment Report – Contents of Specialist Reports – Checklist.</p>	<p>Avifauna Specialist in final BAR Vol III C&RR</p>
		<p>Given concerns over the quality and credibility of the findings of the Arcus Avifaunal study our clients have</p>	<p>The avifaunal impact assessment report was peer reviewed by an independent specialist, Mr Jon Smallie, and this review was attached to the avifaunal</p>	<p>Avifauna Specialist in final BAR Vol III C&RR</p>

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
		<p>appointed their own specialist to undertake a review of the Arcus (Andrew Pearson) avifaunal study.</p>	<p>impact assessment report. Some of Mr Smallie's findings include the following:</p> <ul style="list-style-type: none"> · "The avifaunal specialist (Andrew Pearson) is certainly qualified and sufficiently experienced to conduct this assessment". · "The report is in line with the applicable guidelines". · "Overall, the survey scope is suitable and adequate". · "We confirm that we agree with the methodology and presentation of findings." · "Overall, the impact ratings and findings are acceptable in our view." · "Our impression is that the work was conducted both fairly and independently." 	
			<p>Birdlife SA has commented that the avifaunal study is in line with BirdLife's guidelines that effort was sufficient and recommended buffers were adhered to. No fatal flaws were identified and BirdLife SA is not objecting to the results or the proposed development if mitigations measures are implemented as recommended.</p>	<p>EAP in final BAR Vol III C&RR</p>
		<p>Flora and Fauna Impact Assessment inadequate and findings disputed.</p> <p>The author is familiar with the work of Simon Todd who has undertaken the flora and faunal specialist report. Mr. Todd, we have been reliably informed is not a general ecologist but is rather a vegetation specialist.</p>	<p>I am not sure where AVDS obtained his information from, but I don't think "reliably informed" is a valid manner of obtaining information that can be easily objectively verified. The Ecological Report contains a short CV and summary of experience as per the EIA Regulations. Simon Todd is an ecologist with extensive experience in the impacts of land use on biodiversity, including both fauna and flora. He has contributed to the recent SANBI/EWT mammal red listing and has extensive experience in dealing with fauna of conservation concern. In addition, his experience as an ecologist dealing with both fauna</p>	<p>Ecology specialist in final BAR Vol III C&RR</p>

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
			<p>and flora is also exemplified by his contributions to both the REDZ SEA and the Shale Gas SEA as lead ecologist on both these projects. Simon has specific long-term experience in that part of the Eastern Cape, having lived and grown up in that area, apart from the large number of specialist studies that he has done in the area as a specialist.</p>	
		<p>The specialist study was very briefly reviewed and from which it was clearly evident that it fails to meet with the requirements of NEMA and is wholly deficient on various grounds. Furthermore, the impact ratings appear to be manipulated in order to suite the purposes of the Applicant. In some instances proposed mitigation (which has been used to lower particular unmitigated impact findings) is entirely unrelated to the impact in question.</p>	<p>The comment is not specific and does not provide detail on how requirements are not met. It is stated that the report "was very briefly reviewed" but then go so far as to say that the report is "wholly deficient". It is clear that the report has not been adequately reviewed and understood by AVDS.</p> <p>The impact ratings are in no way manipulated. By not reading the report AVDS fails to recognize the process whereby the developer has arrived at the final layout. The study was preceded by a field assessment aimed at identifying sensitive features that should be avoided by the development. The sensitivity mapping was provided to the developer at an early stage of the process and this has been used to inform the final layout and ensure that impact on sensitive features was minimized. It is this planning and avoidance that has been critical in resulting in the final low impact ratings.</p> <p>Again the final contention that mitigation is not related to the impact is false and perhaps AVDS is not familiar with the impact pathway that was being mitigated, by not reading and understanding the entire Ecological Report.</p>	<p>Ecology specialist in final BAR Vol III C&RR</p>
		<p>The study is little more than a very general desktop survey and it liberally employs grossly unscientific methods and rationale to arrive at its findings (which are</p>	<p>This comment is not supported by facts. The site was visited numerous times across several seasons and detailed fieldwork was conducted across the site. The</p>	<p>Ecology specialist in final BAR Vol III C&RR</p>

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
		<p>essentially the Applicant-favoured opinions of Mr. Todd). An example of this is provided by Figure 10, a photograph, in which 2 springbok are noted to be grazing in the vicinity of a wind turbine and which is then taken by Mr. Todd support his grossly generalised view that <i>"Most antelope appear to quickly become habituated to turbines..."</i>. Using then the same rationale as Mr. Todd, a photograph of running springbok in the vicinity of wind turbines would be sufficient evidence to support the alternative view that most antelope do not become habituated to turbines!</p>	<p>study is in no way equivalent to a desktop study and is very well supported by information collected on-site.</p> <p>The image referred to is not provided as evidence of the contention per se but is rather provided as an illustration of an existing wind farm with typical game clearly comfortable with the wind turbines. The opposite rationale does not follow in the manner as suggested by AVDS. An animal grazing calmly beneath a turning wind turbine can with a fair degree of certainty be assumed to be comfortable with the turbine assuming that it has the ability and space to move away from it as was the illustrated case. An animal running away beneath a wind turbine says nothing at all on it's own, about either the animal or the wind turbine. The animal could be running away from anything and there is no link between cause and effect with regards to the potential role of the wind turbine. The causal relationship is clearly maintained and holds in the former case but not the latter case. Wind turbines are stationary and do not sneak up on animals with the intention of chasing them away. Animals will on the other hand become habituated to machines even when these make a noise. An alternative example that can be provided are vehicles in game reserves. Most animals will become habituated to the presence of cars and will come in very close proximity to cars of their own volition.</p>	
		<p>Mr. Todd is dismissive in his attention to the very important potential impacts of operational phase noise on animals. Turbines are well known to emit infrasound and which can have serious health impacts on particular persons who are prone to such effects. It would therefore be reasonably speculated that particular animal species would likewise be prone to noise and</p>	<p>This impact is not ignored the report states "some fauna may be negatively affected due to noise or other reason and may avoid the proximity of the turbines and would therefore experience greater long-term habitat loss." It can also be deduced which species are likely to be most affected by turbine noise. Species which rely heavily on hearing to find</p>	<p>Ecology specialist in final BAR Vol III C&RR</p>

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
		<p>infrasound negative impacts, especially given the naturally very quiet character of the area and in which suitably adapted (noise- and vibration- sensitive) fauna will occur. The impact of sound on fauna and species is rapidly being recognized as a significant and growing threat around the world and it is not acceptable, nor legal under NEMA, to dismiss it in the manner that Mr. Todd has done. The EAP is advised to appoint a suitable noise specialist to undertake a noise and infrasound study specific to the potential impacts of such on fauna.</p>	<p>their food or avoid predators are likely to be most negatively affected. This is likely to include species such as Bat-eared Foxes which use hearing to detect their prey beneath the soil. Golden Moles use vibrations in the soil to detect their prey and it is reasonable to assume that they would be affected by wind turbines. However, the majority of the site is not suitable for golden moles such the locally occurring species, the Hottentot Golden Mole which is likely to be present in the forest patches of the area, but the soils across most of the site are too hard and compacted for golden moles.</p> <p>There are no published studies in reputable journals that provide support for the negative impacts of infrasound on health of animals or humans. The negative impacts of infrasound appear to be supported largely by pseudoscience and this is not a widely accepted scientific fact.</p> <p>AVDS is also ignoring the fact that background noise levels in remote areas are not always low in space or time. The site is windy and this generates significant noise itself and also significantly changes the ability of fauna to hear the environmental noises around them. This has a similar impact to the noise generated by turbines.</p> <p>It is doubted that appointing a noise specialist would greatly inform the impacts of noise on fauna. The noise profiles of turbines are well known and generated for each turbine model. But in the field, detectable noise is affected by landscape topography, vegetation density, wind direction, air moisture content and a variety of other factors. Studies that have been conducted to date have found that some species favour the inside of wind farms while other species avoid the inside of the wind farm and prefer</p>	

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
			the margins where there is less turbine influence. As such, the ultimate result of the development is likely to be a shift in fauna community structure within the wind farm.	
		<p>All potential impacts of the HWEF not assessed, including "off site" impacts.</p> <p>EIA Regulations, Appendix 1, 3(1)(h)(vii), states that: "A basic assessment report must contain the information that is necessary for the competent authority to consider and come to a decision on the application, <i>and must include...a full description of the process followed to reach the proposed preferred alternative within the site, including...positive and negative impacts that the proposed activity and alternatives will have on the environment and the community that may be affected...".</i></p> <p>Therefore all potential impacts that the proposed HWEF and its alternatives (of which there are none in the case of the proposed HWEF applications) will have on the environment must be assessed and described in the DBAR.</p>	Potential positive and negative impacts of the proposed activity and alternatives on the environment and community that may be affected focussing on the geographical, physical, biological, social, economic, heritage and cultural aspects have been identified by the specialists and assessed in their specialist reports. Alternative turbine layouts (The Proposed Layout and the Final Mitigated Layout, Table 6.3) were assessed through an iterative process which resulted in the Final Mitigated Turbine Layout being developed as the best practicable environmental option.	EAP in final BAR Vol III C&RR
		The proposed HWEF will definitely have impacts on the environment beyond the preferred site but such environmental impacts have not been fully identified, acknowledged or assessed in the DBAR.	Impacts on the environment including beyond the preferred site have been identified and assessed by the specialist team.	EAP in final BAR Vol III C&RR
		<p>Such off-site impacts of the proposed HWEF would include those upon the environment in and around:</p> <p>(i) the borrow-pits that will serve the needs of the HWEF during construction (Under Section 1.6 of the DBAR it is acknowledged that "<i>This study does not analyse the impact of borrow pits.</i>").</p>	<p>Already licensed borrow pits will be used to source material. Should new borrow pits be required a separate impact assessment process will be required for authorisation thereof.</p> <p>A Traffic Assessment was conducted by a specialist that assesses the traffic impact of the construction, operations and decommissioning of the proposed</p>	EAP in final BAR Vol III C&RR

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
		(ii) the road and traffic changes that will be incurred during the transportation program for the proposed HWEF (as such are briefly alluded to in the DBAR).	development. It concluded "that the development of the Highlands WEF and grids and associated infrastructure will not have undue detrimental impact on traffic and that identified impacts can be suitable mitigated."	
		The EAP is advised to ensure that the off site potential impacts are properly identified and assessed.	Impacts on the environment including beyond the preferred site have been identified and assessed by the specialist team. No impacts that have not been considered have been identified by AVDS.	EAP in final BAR Vol III C&RR
		<p>Conclusion</p> <p>Our necessarily brief review of the proposed HWEF and DBAR has found them to be fundamentally, and indeed fatally, flawed on several counts. The DBAR has: failed to properly address the critical issue of reasonable and feasible alternatives to the proposed activity; failed to consider the "no go" alternative as a legitimate alternative (or anything more than a "baseline" scenario); failed to properly address the cumulative impacts that could result from the proposed activity; failed to properly establish the need and desirability for the proposed activity; failed to assess all of the potential impacts associated with activity proposed; and, it has been prepared and managed in the absence of a single clearly defined and legally-constituted "EAP".</p>	A comprehensive assessment of alternative locations, technologies and layouts including the no go alternative was conducted (Section 6 – Assessment of Alternatives). Cumulative impacts within a minimum radius of 35 km (and 50 km for birds and 250 km for bats) were assessed by all specialists and are presented in Section 18 – Cumulative impacts. The Need & Desirability of the proposed development is discussed according to government guidelines in Section 5 – Need & Desirability. All impacts identified by the specialists were assessed, and AVDS does not detail which impacts were not assessed. The EAP signing off on the report is clearly defined in Section 1.4 - The Environmental Assessment Practitioner, on the submitted Application form, and in Appendix A - EAP CV & Declaration of Independence.	EAP in final BAR Vol III C&RR
		The review also reveals that the DBAR suffers from a critical lack of local community input (landowners and "occupiers") and it cannot therefore be considered to represent the wishes and desires of the local community who will be the most affected by the proposed activity. It therefore also fails the test of environmental justice. It is	The final BAR includes all comments submitted by occupiers, landowners, surrounding landowners, stakeholders, organ of state and other I&APs, throughout the process, including focus group meetings and the public commenting period, as well as comments submitted after the close of the public commenting period.	EAP in final BAR Vol III C&RR

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
		known that "occupiers" who are required to be notified of the applications have not yet even been notified.	All reasonably possible attempts were made to notify occupiers of surrounding land portions and this was successful for properties not owned by the clients of AVDS. A series of focus group meetings was held and comments received from the occupiers are included in the final BAR.	
		Notwithstanding the above plethora of fundamental flaws the EAP has proceeded to anyway advance the DBAR to a final state in which the EAP prematurely recommends that the Applicant's Preferred Alternative be approved by the Competent Authority. Under the circumstances the EAP's recommendation can in no manner be taken to amount to a reasoned and rational one.	The EIA Regulations 2014, as amended, Appendix 1 state (2) Objectives of the basic assessment process are (e) (i) to - <i>identify and motivate a preferred site, activity and technology alternative</i> . Therefore the recommendation of a Preferred Alternative in the Basic Assessment report is not premature. I&APs were consulted during the 37 day public commenting period.	EAP in final BAR Vol III C&RR
		The review also finds that the significance of the potential impacts presented are understated and suspicious and therefore effectively favour the interests of the Applicant. The overt bias of the EAP is pointed out via various examples where the unsubstantiated opinion of the EAP is presented as being fact in the motivation of the Applicant's proposed activity.	The assessments of the significance of impacts were conducted by a team of independent specialists and summarised without modification by the EAP in the basic assessment report. The EAP has acted independently and objective throughout the process. All specialists used the same methodology for their assessments to maintain consistency and independence.	EAP in final BAR Vol III C&RR
		Despite the fundamental failings and omissions of the DBAR there already exists sufficient evidence and reason to establish that the proposed HWEF will amount to harmful and unsustainable development and that it should accordingly be abandoned. Under the circumstances the "no go" option clearly constitutes the <i>"best practical environmental option"</i> .	The specialist studies concluded that no impacts of high negative significance that cannot be mitigated to a low or medium significance are likely to occur. Therefore the statement that the development of the WEF will amount to harmful and unsustainable impacts is unfounded. None of the specialists found that the proposed development should not proceed. All specialists confirmed that the Final Mitigated Layout is acceptable.	EAP in final BAR Vol III C&RR

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		Finally, on the basis of this review the EAP is advised to properly and ethically advise the Applicant of the high risk involved in pursuing these applications any further (given the unsustainable nature of the proposed developments) and to accordingly abandon the current applications. Should a different approach however be held by the Applicant then it will be necessary to redo the associated BA process from the beginning.	<p>The specialist studies concluded that no impacts of high negative significance that cannot be mitigated to a low or medium significance are likely to occur. Therefore the statement that the development of the WEF is unsustainable is unfounded. None of the specialists found that the proposed development should not proceed. All specialists confirmed that the Final Mitigated Layout is acceptable.</p> <p>The EAP does not see the need to redo the application from the beginning, as the applications and the BA process complies with NEMA and the EIA Regulations.</p>	EAP in final BAR Vol III C&RR																												
		<p>This objection and comment is submitted by: Andre van der Spuy AVDS Environmental Consultants Date: 25 October 2018</p> <p>Appendix 1: List of clients</p> <table border="1"> <tr> <td>1</td> <td>Hein Badenhorst</td> <td>Kamala Private Game Reserve</td> <td>sillery@iafrica.co</td> </tr> <tr> <td>2</td> <td>Flemming Jensen</td> <td>Side by Side Safaris</td> <td>info@sidebysides.com</td> </tr> <tr> <td>3</td> <td>Grant Abrahamson</td> <td>East Cape Safaris</td> <td>grant@eastcapes.co.za</td> </tr> <tr> <td>4</td> <td>Kevin McCaughey</td> <td>Boskam</td> <td>kevin@bosberg.co</td> </tr> <tr> <td>5</td> <td>Francois Pieters</td> <td>Driefontein Safaris</td> <td>pietersf@xinergis.com</td> </tr> <tr> <td>6</td> <td>Mornay Shafer</td> <td>De Brill</td> <td>verbal</td> </tr> <tr> <td>7</td> <td>Poul Brondum</td> <td>Malpepo Safaris</td> <td>mail@malpepo.co</td> </tr> </table>	1	Hein Badenhorst	Kamala Private Game Reserve	sillery@iafrica.co	2	Flemming Jensen	Side by Side Safaris	info@sidebysides.com	3	Grant Abrahamson	East Cape Safaris	grant@eastcapes.co.za	4	Kevin McCaughey	Boskam	kevin@bosberg.co	5	Francois Pieters	Driefontein Safaris	pietersf@xinergis.com	6	Mornay Shafer	De Brill	verbal	7	Poul Brondum	Malpepo Safaris	mail@malpepo.co	<p>The list of clients has been added to the I&AP database. Of these 11 landowners the location of three is unknown: Mornay Schafer – De Brill, Michael Puren, Gonakraal and Jannie Geyer – Skietfontein. An internet search shows Gonakraal to be 9.6 km south west of the closest turbine (T49).</p>	EAP in final BAR Vol III C&RR
1	Hein Badenhorst	Kamala Private Game Reserve	sillery@iafrica.co																													
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		8	Bjorn Jensen	Klipplaatberg; Diana Taxidermy	info@sidebysidesafari s.com		
		9	Michael Puren	Gonakraal	julitap@jabama.co.za		
		10	Jannie Geyer	Skietfontein	jwgeyer@eastcape.net		
		11	Fritz Walter	Die Drei	fritz@woodline.co.za		
Additional comments after end of public review period							
34	Africa Maxongo Fishile Eastern Cape Province Heritage Resources Authority nmaxongo@ecphra.org.za					<p>Dear Africa Maxongo Fishile,</p> <p>We have not received comment from the Eastern Cape Provincial Heritage Resources Authority on the above mentioned draft BA Reports. The reports are uploaded on SAHRIS.</p> <p>The Department of Environmental Affairs has commented on these reports as follows:</p> <p>"...should an application for Environmental Authorisation be subject to the provisions of Chapter II, section 38 of the National heritage Resources Act, Act 25 of 1999, then this Department will not be able to make nor issue a decision in terms of your application for Environmental Authorisation pending a letter from the pertinent heritage authority categorically stating that the application fulfils the requirements of the relevant heritage resources authority as described in Chapter II, section 38(8) of the National Heritage Resources Act, Act 25 of 1999.</p> <p>Comments from SAHRA and/or provincial department of heritage must be provide in the BAR."</p> <p>Please could you indicate when we can expect your comment for inclusion in the final BAR, to be submitted in December 2018.</p>	Anja Albertyn 07/11/2018 by email

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
			Kind Regards,	
35	Aphiwe Fayindlala aphiwe.fayindlala@drdlr.gov.za		<p>Good day,</p> <p>I would like to follow up with regards to your comment on the below developments. The comment period closed on 25 October 2018 and we have not received comment from your Department. Please could you let us know if we can expect your comment in the next few days as we are in the process of finalising the reports. You will be notified of the availability of the report once finalised and you will be able to submit your comment on the final report directly to the Department of Environmental Affairs. Thank you and kind regards,</p> <p>Attachments: Highlands_WEFs_Draft BAR_Notification_IAPs_AFR.pdf Highlands_WEFs_Draft BAR_Notification_IAPs.pdf</p>	Anja Albertyn 12/11/2018 by email
36	Lindiwe Ndeu Chief Directorate: protected Area Planning Legislation Compliance and Monitoring Department of Environmental Affairs 473 Steve Biko, Arcadia, Pretoria, 0083		<p>Dear Lindiwe,</p> <p>Please find attached a request for your comment on the proposed Highlands Wind Energy Facilities applications for EA.</p> <p>The Directorate: Biodiversity and Conservation has requested your comment on the above applications. The public review period ended on 25 October 2018, and we are aiming to submit the Final Report before 15 December 2018. We would therefore appreciate it greatly if you could submit your comment as soon as possible, but no later than 30 November, so that we have time to respond and address your comments in the limited timeframe available.</p>	Anja Albertyn 12/11/2018 by email

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
			<p>You can download the reports here: https://arcusconsulting.co.za/projects/highlands-wind-energy-facilities-basic-assessment-reports-for-public-review/</p> <p>Please could you let me know if you require anything else in order to provide comment, and when is the earliest you will be able to provide comment by.</p> <p>Thank you very much.</p> <p>Kind Regards,</p> <p>Attachment: 2780_DEA letter Notification of DBAR_PAPLCM.pdf</p> <hr/> <p>ATT: Lindiwe Ndeu Chief Directorate: Protected Area Planning Legislation Compliance and Monitoring Department of Environmental Affairs Environment House, 473 Steve Biko, Arcadia, Pretoria, 0083</p> <p>DEA Reference Numbers: 14-12-16-3-3-1-1955 14-12-16-3-3-1-1956 14-12-16-3-3-1-1957 14-12-16-3-3-1-1958 14-12-16-3-3-1-1959 14-12-16-3-3-1-1960 31 October 2018</p> <p>To whom it may concern,</p> <p>RE: REQUEST FOR COMMENT ON THE DRAFT BASIC ASSESSMENT REPORTS FOR THE</p>	

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
			<p>PROPOSED HIGHLANDS WIND ENERGY FACILITIES AND ASSOCIATED INFRASTRUCTURE IN THE EASTERN CAPE PROVINCE</p> <p>WKN Windcurrent South Africa (Ltd) Pty are applying for environmental authorisation to construct the up to 150 MW Highlands Wind Energy Facilities (WEFs), and associated infrastructure including grid connection infrastructure (the Proposed Development), located near the town of Somerset East in the Eastern Cape Province. Arcus Consultancy Services South Africa (Ltd) Pty ('Arcus') has been appointed to act as the independent environmental impact assessment practitioner (EAP) to undertake the environmental impact assessment (EIA) process for Environmental Authorisation under Chapter 5 of the National Environmental Management Act, 1998 (Act 107 of 1998 – NEMA) as amended, for the Proposed Development. The Proposed Development Site is situated within the Cookhouse Renewable Energy Development Zone (REDZ).</p> <p>For the purpose of obtaining Environmental Authorisation, and bidding requirements in the Department of Energy's Renewable Energy Independent Power Producers Procurement Programme (REIPPPP), the project has been split into three phases: North, Central and South. A Special Purpose Vehicle (SPV) has been set up for each of the three phases. Each phase consists of two applications: one for the wind energy facility and one for the respective grid connection. The Proposed Development therefore consists of six applications:</p> <ul style="list-style-type: none"> • Highlands North Wind Energy Facility (RF) (Pty) Ltd: 	

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
			<ul style="list-style-type: none"> • Highlands North WEF Phase 1 consisting of up to 17 turbines with a generating capacity of up to 5 MW each, • Electrical Grid Connection and Associated Infrastructure for Highlands North WEF Phase 1; • Highlands Central Wind Energy Facility (RF) (Pty) Ltd: • Highlands Central WEF Phase 2: up to 14 turbines with a generating capacity of up to 5 MW each • Electrical Grid Connection and Associated Infrastructure for Highlands Central WEF Phase 2; • Highlands South Wind Energy Facility (RF) (Pty) Ltd: • Highlands South WEF Phase 3: up to 18 turbines with a generating capacity of up to 5 MW each; • Electrical Grid Connection and Associated Infrastructure for Highlands South WEF Phase 3. <p>The Directorate: Biodiversity and Conservation has made the following comment: "The area has been identified as a potential target for the protected area expansion (NPAES), please ensure that comments from the Directorate: Protected Area Planning Legislation, Compliance and Monitoring comments are incorporated in the Final BAR".</p> <p>The Draft Basic Assessment reports for the above six applications is available for download from the Arcus website: https://arcusconsulting.co.za/projects/highlands-wind-energy-facilities-basic-assessment-reports-for-public-review/</p> <p>Please send your comments on the Draft Basic Assessment Reports in writing By 30 November 2018 to the address below:</p>	

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
			<p>Contact : Anja Albertyn Telephone : +27 21 412 1529 Email : highlands@arcusconsulting.co.za Fax : +27 86 762 2885</p> <p>Postal address: Office 220 Cube Workspace, Cnr Long Street and Hans Strijdom Road, Cape Town, 8001</p> <p>Please feel free to contact the undersigned should you have any queries.</p> <p>Kind Regards, Ashlin Bodasing</p>	
37	<p>'Bongani.gxilishe@deaet.ecape.gov.za' 'Thobela.Mahijana@otpeprov.gov.za'; 'ayabulela.ngoxo@agr.ecprov.gov.za'; 'Nomvuyo.Mputamputa@otpeprov.gov.za'; 'lungelo.madlingozi@gmail.com'; 'Matsidiso.oliphant@otpeprov.gov.za'; 'Siyabulela.onceya@ectreasury.gov.za'; 'lumkile.ngada@agr.ecprov.gov.za'; 'Nokukhanya.Dlamini@otpeprov.gov.za'; 'nokuzola.ndlela@otpeprov.gov.za'; 'zukiswa.ngwane@dpw.ecape.gov.za'</p>		<p>Good day,</p> <p>We have not received comment from the Eastern Cape Provincial Government on the below basic Assessment reports for the Highlands Wind Energy Facilities sent to you on 17 September 2018 . Please could advise if you will be commenting. The comment period ended on 25 October 2018 but we can include your comment in the final report if it arrives by 30 November 2018. After that your comment will be sent directly to the Department of Environmental Affairs for their consideration.</p> <p>Thank you</p> <p>Kind Regards</p> <p>Attachments: Highlands_WEFs_Draft BAR_Notification_IAPs_AFR.pdf Highlands_WEFs_Draft BAR_Notification_IAPs.pdf</p>	<p>Anja Albertyn 14/11/2018 by email</p>
38	Gerry Pienaar		<p>Good day,</p>	<p>Anja Albertyn 14/11/2018</p>

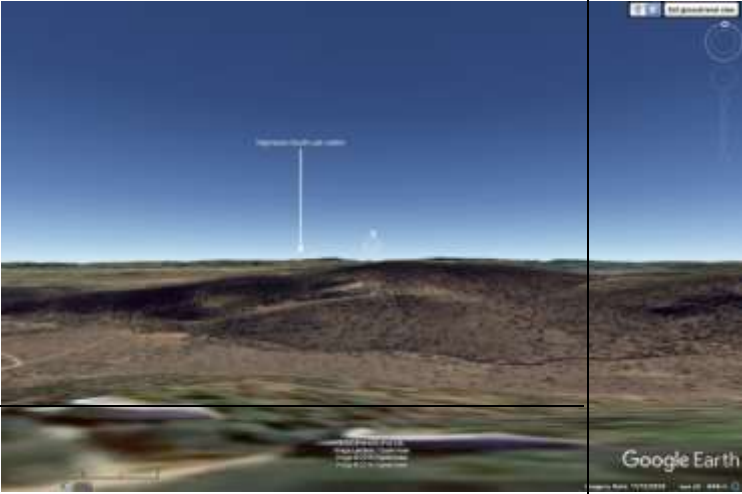
Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
	Director Environmental Impact Management DEDEAT Gerry.Pienaar@dedea.gov.za		We have not received comment from your Department on the below Basic Assessment reports for the proposed Highlands Wind Energy Facilities near Somerset East, sent to you on 17 September 2018 . Please could advise if you will be commenting. The comment period ended on 25 October 2018 but we can include your comment in the final report if it arrives by 30 November 2018. After that your comment will be sent directly to the Department of Environmental Affairs for their consideration. Thank you Kind Regards, Attachments: Highlands_WEFs_Draft BAR_Notification_IAPs_AFR.pdf Highlands_WEFs_Draft BAR_Notification_IAPs.pdf	by email
	14/11/2018 by email	Dear Anja, Unfortunately we were unable to access the documents you referred to in September, in spite of requesting assistance from our IT people. Some EAP's do supply us with hard copies on CD's and we are then able to comment properly. We should have notified you earlier than now, but you must understand that we receive very large numbers of documents for comment in addition to our own EIA applications and sometimes lose track of some, especially if we have failed to access the documents. Kind regards	Dear Gerry, We regret to hear that this is the case, as we did not have anyone else have problems downloading the files, which are still available for download on our website. In our letter to you we did say that CDs are available upon request (see below). I can courier a CD to you immediately. Please can you supply me with the correct physical address and I will do this right away. Kind Regards,	Anja Albertyn 14/11/2018 by email
		Dear Anja, This is an internal problem on our side, so it is not your fault at all. We definitely do need to comment, so It will be	Dear Gerry, I have sent CD's to the below addresses by courier. They should arrive tomorrow. Please can you ensure that we receive comment by latest 30 November 2018 for inclusion in the Final BA Reports, or the comment	Anja Albertyn 14/11/2018 by email

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
		<p>highly appreciated if you could send CD's to both our Head Office and our Regional Office in Port Elizabeth, as follows:</p> <p>Department of Economic Development Environmental Affairs and Tourism Corner of Belmont Terrace and Castle Hill Central, Port Elizabeth 6000 Attention Mr Andries Struwig Department of Economic Development Environmental Affairs and Tourism Beacon Hill Hockley Close King Williams Town 5600 Attention Ms Ncumisa Manyonga</p> <p>Kind regards, I will coordinate comments from our side so you can liaise with me</p>	<p>will be sent directly to the Department for their consideration without us being able to respond or address any issues.</p> <p>Please could you kindly confirm receipt of the CDs.</p> <p>Thanks very much,</p>	
	15/11/2018 by email	<p>Dear Anja,</p> <p>CD's were received, we will comment by 30 November as requested.</p> <p>Regards</p>		
	30/11/2018 By Email	<p>Dear Arcus,</p> <p>Please find attached.</p> <p>Kind regards</p> <p>Attachment: Highlands Draft BAR Comments 30 Nov 18.pdf</p>	<p>Dear Gerry,</p> <p>We have been trying to contact you regarding your comment on the Highlands Wind Energy facilities. Please could you call the lead EAP Ashlin Bodasing when you have a moment for a quick discussion as soon as possible? The number is 021 412 1529.</p> <p>Thank you,</p> <p>Dear Anja,</p>	<p>Anja Albertyn 19/12/2018 by email</p>

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
		<p>ARCUS Consulting Attention: Ms Anja Albertyn per email highlands@arcusconsulting.co.za 30 November 2018</p> <p>Dear Ms Albertyn,</p> <p>COMMENTS FROM THE EASTERN CAPE DEPARTMENT OF ECONOMIC DEVELOPMENT, ENVIRONMENTAL AFFAIRS AND TOURISM [HEREAFTER REFERRED TO AS DEDEAT] ON THE DRAFT BASIC ASSESSMENT REPORTS FOR THE PROPOSED HIGHLANDS WIND ENERGY FACILITIES AND ASSOCIATED GRID CONNECTIONS, EASTERN CAPE PROVINCE</p> <p>Thank you for making available the abovementioned reports on CD's and allowing the Department the time to comment. The time afforded also allowed a senior official to visit the area in order to assess some of the key issues. Our inputs are as follows:</p>	<p>Apologies. I have been on leave due to illness of family member. Can Mr Bodasing perhaps just send a short list of issues that he would like to discuss, so that I can think about them before we discuss?</p> <p>Regards</p> <hr/> <p>Dear Gerry,</p> <p>Thank you for getting back to us. We would like to discuss / clarify the following points in order to compile our response for the Issues Trail:</p> <ul style="list-style-type: none"> • Location of the site visit you made • Compensation for surrounding game farmers not possible at this stage, or as part of this process, cannot be quantified or included as a mitigation measure as part of the EIA process; in addition the Applicant met with the surrounding game farmers before the start of this process, and they rejected the notion of compensation; • Cost benefit analysis was not possible due to eg financial information from game farms, SED spend by them etc. <p>We are available for a call tomorrow before lunchtime. Please let us know when is a suitable time for you?</p> <p>Thanks very much!</p> <p>Kind Regards,</p> <hr/> <p>Dear Anja,</p> <p>I will just respond to the issues you raised below, I do not think we need to discuss further:</p> <ul style="list-style-type: none"> - The site visit was mainly to assess visual impact from the Suurberg Mountains looking 	<p>Gerry Pienaar 19/10/2018 by email</p> <hr/> <p>Anja Albertyn 19/12/2018 by email</p> <hr/> <p>Gerry Pienaar 19/10/2018 by email</p>

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			<p>towards Somerset East, as it is that part of the view-shed that was our main concern.</p> <ul style="list-style-type: none"> - If the game farmers themselves rejected compensation and there is proof of that, your response is noted and accepted. - The point you make about cost benefit analysis is accepted. One has the same challenge when trying to objectively assess potential adverse economic impacts of WEF's on tourism in coastal areas. <p>Kind regards</p> <p>-----</p> <p>Dear Gerry,</p> <p>The visual specialist has assessed the visibility of the Highlands wind energy facilities from Kuzuko Lodge in response to this comment received:</p> <p>"It would be very helpful if you could assist my client by showing what the proposed wind farms would look like from Kuzuko Lodge, which is at GPS coordinates 33deg 12'51.10" S ; 25deg 29'43.15" E (you can google Kazuko Lodge on Google Maps. What my client is looking for is a map to show the position of the wind farms relative to his lodge, and a visual image (perhaps a photo montage) of what the wind turbines would look like from his lodge."</p> <p>The visual specialists reponse was:</p> <p>"I have checked the visibility using our 3D models and the Google earth terrain and no WTGs would be visible at all from this location - it is much too far way (45.7 km from the closest WTG) and intervening terrain would definitely screen any view of the proposed wind farm."</p>	<p>Anja Albertyn 19/12/2018 by email</p>

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			<p>Kuzuko Lodge commissioned their own visual viewshed assessment by S3 technologies which states:</p> <p>'The farm is between 35 and 45 km from the proposed windfarm. During the day, unless it is very clear day, a viewer will not readily see the turbines due to the distance unless looking specifically for them. I have based this on the approximately 40 km viewing distance of the Cookhouse windfarms from farms such as Kamala, Side By Side Safaris, Eastern Cape Safaris and Boskam. These turbines are visible fairly faintly during the day. However, these become far more visible at night with the red flashing aviation warning lights that are positioned at the top of the turbines. These contrast significantly against a relative un-lit night landscape.'</p> <p>The visual specialist has responded:</p> <p>The original geographic co-ordinates provided by Peter Kantor are for the 2nd green block on the viewshed analysis by S3 Technologies and confirms my original observation that the WEF would not be visible from this location (33°12'51.10" S 25°29'43.15" E at 593m above mean sea level) due to intervening terrain.</p> <p>However, I see that there is an additional location indicated on the viewshed (33°11'51.08" S 25°27'49.71" E at 647m amsl) - since this location is on a high point in the terrain the WEF will <u>indeed</u> be visible from here - although at 42.75km distance they would be hardly discernible.</p> <p>I have attached a Google Earth screen shot from this location which shows the wind turbines modelled and placed correctly in the terrain (the WTGs are shown with the <u>entire</u> swept diameter of the rotor modelled</p>	

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			<p>as a flat disc, so the visual effect is more than one would see with an actual rotor).</p> <p>The lights from these WTGs would potentially be visible at night but, again, distance and climatic conditions would be mitigating factors. I really can't comment about the visibility of lights from the existing wind farms as we don't have any data for these (turbine positions, heights etc.). As I have pointed out in my previous email however, some of the proposed wind farms in the area are <u>much</u> closer than Highlands to the Kazulo Lodge."</p> <p>Kind Regards,</p>  <p>Dear Anja,</p>	

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			Response accepted, thank you for looking into it. Regards	Gerry Pienaar 19/10/2018 by email
		<p>1. Back-ground</p> <p>1.1. The game farming industry and associated tourism activities is of significant economic importance to the Eastern Cape Province, not only as a foreign exchange earner but also with respect to job creation in rural areas. It must also be noted that this form of land-use to a significant extent allows land-owners to retain natural biodiversity on their properties, so these farms also play an important role in biodiversity conservation in the Province.</p>	<p>The social impact assessment acknowledges that "game farming, hunting and tourism related to game farms is a growing sector in the area. The SBDM IDP notes that game reserves are now a major industry within the district and contribute to the other prominent economic sector of the area, namely tourism."</p> <p>It must also be noted that a wind energy facility only requires a very small proportion of land to be transformed, with a minimum of 98% of the land being able to retain its current status, and even be positively rehabilitated to a more natural condition.</p>	EAP in final BAR Vol III C&RR
		<p>1.2. Following from 1.1. above the Department strongly concurs with the following statements made in the Social Impact specialist report submitted by the applicant:</p> <p><i>"Adjacent landowners involved in game farming raised significant concerns about the visual impacts associated with wind farms and the potential impact on their operations. The concerns were not only linked to day time impacts, but also night time impacts associated with aviation lights and the impact on the dark, undisturbed night time sky. Based on the findings of the VIA all three Phases would impact on the current, established game farming operations located from the north-east to the south-west. Kamala Game Reserve would be most significantly affected by the North and Central Phases, East Cape Safaris by the Central and South Phases, and Side by</i></p>	<p>The Department's agreement with the social specialist study is recorded.</p> <p>This study also states: "there is limited evidence to suggest that the proposed Highlands WF would impact on the tourism in the SBDM and BCLM. The findings also indicate that wind farms do not impact on tourist routes. At a regional level the impact is rated Low Negative. However, the proposed WF may have a localised impact on the game farming operations in the immediate vicinity of the site. The significance of this impact is rated Moderate Negative. The potential localised impact would however need to be considered within the context of the Highlands WF location within the Cookhouse Wind REDZ and the significant socio-economic benefits associated with the establishment of renewable energy facilities."</p>	EAP in final BAR Vol III C&RR

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		<i>Side Safaris by the South Phase. However, the potential impact of wind energy facilities on the landscape is an issue that does need to be considered, specifically given South African's strong attachment to the land and the growing number of wind facility applications. The Environmental Authorities should therefore be aware of the potential cumulative impacts when evaluating applications and the potential implications for other land uses, specifically game farming and associated tourist activities"</i>	The visual impact assessment assessed the visual impact of the operational phases of the Highlands WEFs to be of medium significance with mitigation and the cumulative impact to be of low significance.	
		1.3. It is accepted that the proposed Highlands WEF's are located in a gazetted Renewable Energy Development Zone, i.e. in an area that Government has determined to be generally suitable for WEF development. It nevertheless remains important to make every reasonable effort to minimize adverse impacts on other land-uses within an REDZ.	The same specialist studies that would have been conducted outside of a REDZ (in a full Scoping & EIA process) were conducted for the Highlands wind energy facilities applications. The Terms of reference for these studies were not influenced by the REDZ and a full impact assessment was conducted for each discipline.	EAP in final BAR Vol III C&RR
		1.4. The overall Need and Desirability for renewable energy development in South Africa and the Eastern Cape Province is not disputed, nor is the importance of WEF's in capital investment into the Province. The local socio-economic benefits of WEF's are also not disputed.	The Department's agreement with the Need & Desirability of the project in South Africa and the Eastern Cape Province, and the associated local socio-economic benefits is recorded.	EAP in final BAR Vol III C&RR
		1.5. Following from the above DEDEAT is also highly aware of the complexity of attempting to reconcile different land- uses that may not be compatible. The same applies to situations where the .over-all benefit of a development might be strongly positive, but with significant negative consequences for small numbers of IAP's.	The social specialist's literature review on the impact of wind farms of tourism found no evidence that demonstrates that surrounding tourism operations will be negatively affected by the proposed development, and to which degree this can be expected. A potential impact has however been taken into consideration and assessed for the region (low negative) and for adjacent properties (medium negative). It is unknown how and if the already existing wind farms which are	EAP in final BAR Vol III C&RR

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			slightly visible from the adjacent properties during the day, but much more so at night, are already affecting these operations.	
		<p>2. Comments specifically related to visual impact on game farming activities in the area</p> <p>2.1. On a site visit to the area DEDEAT looked at the area of interest from the Copper Moon Game Farm adjacent to Kuzuko and Addo Elephant National Park. The African veld views from the upmarket lodge were awesome and featured prominently on advertising brochures. Guests, almost without exception, commented on the unspoilt karoo landscape and stunning night skies. The lodge faces Somerset East.</p>	The proposed Highlands WEF is more than 42km away from the Copper Moon Game Farm and is not visible from the Lodge due to intervening terrain. It is only when one is north of the R400, and then only on higher points in the terrain that it becomes visible but, at this distance, will be barely discernible. The other proposed Wind farms in the area are much closer.. Please also see Map 14-16 from the Visual Impact Assessment (inserted again below as Comments & Response Report Figure B: Viewshed)	Visual Specialist in final BAR Vol III C&RR
		2.2. The visual impact assessment seems to have concentrated on the immediate surroundings and we could not determine to what extent it considered the view shed as seen from the Suurberg Mountains to the south i.e. where AENP and Kuzuko Lodge is or any other high lying areas in between for that matter. We think that it would have been prudent to look at the view shed from this perspective.	The proposed Highlands WEF is more than 45 km away from the Kuzuko Lodge and is not visible from the Lodge due to intervening terrain. It is only when one is on higher points in the terrain that it becomes visible but, at this distance, will be barely discernible. The other proposed and existing Wind farms in the area are much closer.	Visual Specialist in final BAR Vol III C&RR
		2.3. It is our opinion that the game farms that will be affected economically because of the visual pollution require financial compensation. It is unfair that farmers who agree to have the turbines erected on their properties are paid handsomely, yet they affect the livelihood of others who do not receive similar financial benefits from the wind farm companies.	The Applicant met with surrounding game farmers on 8 August 2018 to discuss the proposed project. However the landowners did not suggest compensation as an option, but rather rejected the proposed development completely.	EAP in final BAR Vol III C&RR
		3. Observations regarding biodiversity aspects, including cumulative impacts	The visit was conducted in an area approximately 50 km from the proposed development site, therefore observations of bird species in that area may not be	EAP in final BAR Vol III C&RR

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		<p>3.1. During our visit we came across 4 flocks of blue crane, two pairs of Secretary birds and a Ludwig's bustard with 2 chicks. All these birds are vulnerable to the blades of wind turbines. Ludwig's populations are declining to highly endangered.</p>	<p>applicable to the proposed development site. However, 12 months of pre-construction bird monitoring was conducted in line with Birdlife SA's guidelines at the proposed development site and did record Blue Crane (<i>Near-threatened</i>), Secretarybird (<i>Vulnerable</i>) and Ludwig's Bustard (<i>Endangered</i>) and were included in the impact assessment. These three species are also in the list of ten species considered as being key for the assessment of impacts and potential impacts on them are discussed in detail (Vol II: Bird impact Assessment: Section 5.7.7). Birdlife SA has commented that their guidelines have been used by the avifaunal specialist with regards to the recommended scope of the data collection and mitigation measures, and that the applicant has opted to adopt the recommended nest buffers and to avoid areas associated with high collision risk, as identified by the avifaunal specialist.</p>	
		<p>3.2. We have noted that the avifauna specialist study indicated a high diversity of avifauna with a relatively high number of priority and Red Data species within the study area compared to other proposed WEF's that the specialists have worked with. One did not however pick up that his made any difference to the rating of the impacts and the overall impact statement. We are of the opinion that this should have been linked to a cumulative study of the WEF's in this area.</p>	<p>The bird impact assessment was informed by the results of the 12 months of pre-construction monitoring as well as a desktop study. Impacts were rated accordingly, as is demonstrated in Vol II: Bird Impact Assessment: Section 3.6 Impact Assessment Methodology. While a relatively high number of priority (26) and Red Data species (13) was recorded, of these only four (Blue Crane, Ludwig's Bustard, Verreaux's Eagle and African Rock Pipit) were recorded regularly, while generally there were only occasional sightings of the others (Vol II: Bird Impact Assessment, page 31). A site sensitivity map was created from observations of areas of high activity of sensitive species as well as their nests. The development layout avoids these identified areas of high and very high avifaunal sensitivity.</p>	<p>EAP in final BAR Vol III C&RR</p>

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			<p>A cumulative bird impact study considering existing and proposed developments in a 50 km radius was conducted (Vol II: Bird impact Assessment: Section 7.15 Cumulative impacts). This included the existing operational Cookhouse, Nojoli and Amakhala Emoyeni WEFs, as well as a further five proposed wind farms and three solar farms.</p>	
		<p>3.3. Further to 3.2 above one would have thought that it would have been prudent to consider e.g. the avifaunal cumulative impacts in association with all the WEF's that already exist in this area as well as WEF's authorised but not yet constructed. The avifaunal specialist study only seems to concentrate on the development site and does not consider cumulative loss of habitat in the area especially as most of the other WEF's in this area is also located within Bedford Dry Grassland. The issue of cumulative impact is of course not only limited to avifauna but should be considered generally across the board.</p>	<p>A cumulative bird impact study considering existing and proposed developments in a 50 km radius was conducted (Vol II: Bird impact Assessment: Section 7.15 Cumulative impacts). This included the existing operational Cookhouse, Nojoli and Amakhala Emoyeni WEFs, as well as a further five proposed wind farms and three solar farms. The assessment did include the cumulative habitat destruction impact which was rated as of medium significance (Section 7.15.1)</p>	<p>EAP in final BAR Vol III C&RR</p>
		<p>3.4. It must again be noted that game farms play a significant role in biodiversity conservation outside formal protected areas in the Eastern Cape. If these farms should no longer be able to operate successfully, biodiversity conservation will be detrimentally affected.</p>	<p>No evidence has been provided that neighbouring tourism operations will no longer be able to operate successfully, however it is acknowledged that results from overseas studies may not be applicable to the South African context, and that no study on the effect of wind farms on trophy hunting operations in South Africa has been conducted to date.</p> <p>It must also be noted that a wind energy facility only requires a very small proportion of land to be transformed, with a minimum of 98% of the land being able to retain its current status, and even be positively rehabilitated to a more natural condition. Wind energy facilities are therefore also able to contribute towards the conservation of biodiversity.</p>	<p>EAP in final BAR Vol III C&RR</p>

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		<p>4. Comments on proposed mitigation measures</p> <p>4.1. One of the mitigatory measures proposed for instance relates to vulture mortalities and it is stated that if such is unacceptably high then the turbines should not be allowed to operate during the time that the vultures would fly. Similarly if bat mortalities turns out to be unacceptably high then the turbines should not be allowed to operate during the hours that the bats would fly around. The question is whether the business model for the specific facility takes into account a worst case scenario such as this. Would the WEF for instance still be an economically viable business if it is restricted to certain hours of operation as a mitigation measure to prevent mortalities of vultures or any other priority or red data bird species such as blue cranes or bustards – bearing in mind that this may actually coincide with favourable wind conditions. The put another angle on this – does the business case model take into account the implications if the WEF may only operate during the night time when these birds generally don't fly around bearing in mind that in most instances the wind tends to die down at night.</p>	<p>The bird impact assessment lists mitigation measures that "should be considered in the project's financial planning". These mitigations include habitat management, carcass management, using bird deterrent devices, temporary curtailment and possible offset programmes, which are all included in the EMP. Therefore, if these measures should become necessary, the Operator would be in contravention of their Environmental Authorisation if financial provisions are not in place to implement these. The Applicant has made the following statement:</p> <p>"The Applicant acknowledges the recommended requirements for the operational phase monitoring. Costs of this work will be accounted for in the future planning and financial modelling of the project. Mitigation requirements will be discussed with appointed specialists and official recommendations incorporated into contractual agreements for the construction, operation and decommissioning phases of the project"</p>	<p>EAP in final BAR Vol III C&RR</p>

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		<p>4.2. We think the issue here is the practicality of implementing the mitigatory measures that are being proposed in a case where it turns out that it would be necessary to do so. If the economic model does not consider this, then it is meaningless to even have these mitigatory measures. Put differently, the economic implications of implementing these mitigatory measures should be factored into the business case or economic model at the outset. In our view it is highly unlikely that a WEF will be closed down as a result of operational monitoring showing that mortality of priority or red data species is unacceptably high. Hence these need to be addressed up front prior the facility being constructed.</p>	<p>The Applicant acknowledges the recommended requirements for the operational phase monitoring. Costs of this work will be accounted for in the future planning and financial modelling of the project. Mitigation requirements will be discussed with appointed specialists and official recommendations incorporated into contractual agreements for the construction, operation and decommissioning phases of the project</p>	<p>Applicant in final BAR Vol III C&RR</p>
		<p>4.3. Generally we would have liked to see a section in the Draft BAR that deals with mitigation measures applied at existing WEF's with an analysis of the effectiveness thereof. Furthermore it would also have been informative to consider monitoring results (operational that is) from existing WEF's with some extrapolation to the site under consideration. With regard to the operational monitoring that is to take place we think that at some stage one would have to ask what are we actually trying to achieve with this, especially if such monitoring is not used to do a cumulative assessment of impacts. Furthermore, if such monitoring shows for example that Cape Vulture mortalities at a WEF is unacceptably high (provided of course that one can quantify how to define unacceptably high mortalities) what implications will that have for the WEF. Taken into account the investment that went into the construction of such a facility it is highly unlikely that the WEF operations will be halted.</p>	<p>Operational monitoring reports for the existing WEFs in the area have in fact been considered. Available reports were obtained from Birdlife SA and were reviewed to inform the cumulative impact assessment (Section 7.15). A study of the effectiveness of mitigation measures at existing wind farms in South Africa has not been published to date, and is beyond the scope of an avifaunal impact study for a Basic Assessment. Information published by Birdlife SA on impacts of wind farms on birds in 2017 was included in the assessment.</p> <p>The list of mitigation measures does not include halting operation of the wind farm, but it does include a range of realistic options such as habitat and carcass management, using deterrent devices and shutdown on demand system, temporary curtailment of individual turbines and possible offset programmes, which can be costed for.</p>	<p>EAP in final BAR Vol III C&RR</p>

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		<p>4.4. With regard to economic and aesthetic impacts, there has to be more effort made to disguise turbines, even to the extent of considering different coloured paint and a change in the flashing red light system that mars the African night sky. An Aircraft Lighting Detection System (ALDS) has been developed and is now widespread in the USA to reduce night time light pollution.</p>	<p>The Applicant is required to comply with the requirements of the Civil Aviation Authority with regards to flashing lights on turbines and the colour of the blades.</p> <p>The Applicant has liaised with the Civil Aviation Authority to determine what measures may be put in place to reduce the impact of lighting. The one measure that has been approved for other proposed projects in South Africa is a layout where only the perimeter turbines of the Wind Energy Facility have the flashing red light system, to reduce the overall night time light impact.</p>	<p>EAP in final BAR Vol III C&RR</p>
		<p>4.5. There are also guidelines and voluntary compliance in the USA and Europe to switch off or “feather” turbines below a certain wind speed, especially at night. This reduces bat mortality by up to 90% The rapid decrease in air pressure around turbines causes bleeding in bats’ lungs. Wind turbines are the greatest cause of large-scale bat mortality (a massive cost to the agriculture sector and therefore to food security). But bats mainly fly at night and at low wind speed! We need to adopt these guidelines if they are proven best practice.</p>	<p>12 months of bat monitoring according to current best practice guidelines was conducted to inform the impact of the proposed development on bats. The study suggests that the proposed development can be achieved without unacceptable risks to bats. The significance of impacts on bats is predicted to be of low significance with mitigation.</p> <p>The bat specialist has recommended: “If mortality does occur, the level of mortality should be considered by a bat specialist to determine if this is at a level where further mitigation needs to be considered. Mitigation options may include using ultrasonic deterrents, raising the cut-in speeds of turbines and turbine blade feathering. Any operational minimization strategy (i.e. curtailment) should be targeted during specific seasons and time periods for specific turbines coincident with periods of increased bat activity”</p>	<p>EAP in final BAR Vol III C&RR</p>

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		<p>5. Comments on the conclusions of the Draft BAR The crux of this matter is to be found in the excerpt from the conclusions of the Draft BAR submitted by the applicant:</p> <p><i>"The Proposed Development Site is also located within a REDZ. The area has therefore been identified as suitable for the establishment of renewable energy facilities. However, a key concern identified during the SIA relates to the visual impacts associated with the wind turbines and the potential impact on existing, established game farming and hunting operations in the area, specifically the area to the north, east and south of the site. The majority of these operations cater for up-market overseas visitors and the existing "African veld" sense of place represents a key component of their marketing strategy. The establishment of a wind farm on their western boundary would impact on the areas current sense of place, which in turn, may negatively impact on their operations and property values. The potential impacts will be largely be confined to four to five existing game farming operations. The potential localised impact would therefore need to be considered within the context of the location of the Highlands WEFs within the Cookhouse Wind REDZ and the significant socio-economic benefits associated with the establishment of renewable energy facilities."</i></p>	<p>This is the conclusion of the Social impact assessment. The conclusion of the Draft BAR reads: "The proposed Highlands North WEF and its associated infrastructure, as part of the proposed Highlands Wind Energy Facilities, including grid connection infrastructure, has the potential to provide much needed renewable energy to the country's grid. The use of renewable energy to provide power to South Africa is supported at International, National, Provincial and Local Government Levels. Further, given South Africa's need for additional electricity generation and the need to decrease the country's dependency on coal-based power, renewable energy has been identified as a national priority, with wind energy identified as one of the most readily available, technically viable and commercially cost-effective sources of renewable energy.</p> <p>The proposed development area has been identified by the Council of Scientific and Industrial Research (CSIR) as a Renewable Energy Development Zone (REDZ) Focus Area, which has been so earmarked by the Department of Environmental Affairs (DEA) under the developing wind energy Strategic Environmental Assessment (SEA) process. The latter aims to identify geographical areas best suited for the rollout of wind energy projects and the supporting electricity grid network. The Highlands North WEF is located within the Cookhouse REDZ, and is ideally placed to achieve the above.</p> <p>The potential positive impacts associated with the proposed project are further recognised through the creation of jobs for the local community, and the positive contributions to the socio-economic development of the surrounding areas and local communities.</p>	<p>EAP in final BAR Vol III C&RR</p>

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			<p>Should the Highlands North WEF be developed, the actual physical footprint of the wind turbines and associated on-site infrastructure will occupy an area of land equivalent to less than 1% of the total Proposed Development Site. Small livestock grazing and other agricultural activities can continue in parallel with the operation of the turbines. The project will have no significant impact in terms of loss of agricultural productivity. Should the mitigation measures identified by specialists and the recommendations of the EMPr be effectively implemented the negative impacts associated with the proposed project will be significantly reduced. The study has concluded that there are no negative high residual impacts, including potential cumulative impacts associated with the proposed development.</p> <p>Taking into consideration the findings of the BA process for the proposed project and the fact that recommended mitigation measures have been used to inform the project layout design, it is the opinion of the Environmental Assessment Practitioner (EAP) that the majority of negative impacts associated with the implementation of the proposed project have been mitigated to acceptable levels. While the residual impacts of the project will have an impact on the local environment, and potentially on four to five existing game and hunting tourism operations, the extent of the benefits associated with the implementation of the projects will benefit a much larger group of people, in terms of renewable energy supply and positive local and regional economic impact. In addition, the area has been designated a Renewable Energy Development Zone for wind energy in particular, through a Strategic Environmental Impact Assessment by National Government.</p>	

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		<p>5.1. The dilemma is of course to weigh up the overall benefits, both broadly and locally, against potential and actual adverse impacts. In this regard the methodology used to assess cost/benefit is important, as is what data is considered to arrive at a conclusion. Has it e.g. been taken into account what the impact may be if the game farms have to close down? In such a case it may not only be a socio-economic impact but also an impact on biodiversity. Furthermore, in a Karoo environment visual impact does not only affect the immediate vicinity of a WEF, but in this instance stretches all the way to the Suurberg Mountains to the south. We think that it would be appropriate to interrogate this matter in more details.</p>	<p>A Cost benefit analysis was not possible due to financial information from game farms, SED spend by them etc. not being available. The Provincial Department has accepted this response (see email trail above and original emails in Appendix 10.)</p> <p>The viewshed of the proposed development from the Suurberg mountains (Kuzuko Lodge) was assessed by the visual specialist and the turbines will be not visible or hardly discernible in good conditions during the day. The red flashing lights will be more visible at night during good conditions, however there are already existing wind farms closer to the Suurberg mountains than the Highlands WEFs.</p>	EAP in final BAR Vol III C&RR
		<p>5.2. We recognise the fact that this proposed development is within a gazetted REDZ but are of the opinion that that in itself cannot guarantee a positive decision. If the negative impacts are unacceptably high it stands to reason that a decision can be negative. In this regard the SEA that was done to determine the REDZ was done at a certain scale and specific local circumstances may apply in local areas within the REDZ.</p>	<p>This was never disputed and the same comprehensive specialist's impact assessments were conducted for the proposed development as for any WEF outside of the REDZ. No high post mitigation negative impacts were identified by the specialist's assessments.</p>	EAP in final BAR Vol III C&RR
39	<p>Mare Hougaard FAO Eastern Cape Provincial Treasury Private Bag X0029, Bhisho, 5605 Tyamzashe Building, Phalo Avenue, Bhisho, 5605</p>		<p>Subject: FW: Notification of Availability of Draft Basic Assessment Reports for Highlands Wind Energy Facilities for Public Comment</p> <p>Good day,</p> <p>We have not received comment from the Eastern Cape Provincial Government on the below Basic Assessment reports for the Highlands Wind Energy Facilities sent to you on 17 September 2018. Please could advise if you will be commenting. The comment</p>	<p>Anja Albertyn 14/11/2018 by email</p>

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
	mare.hougaard@ectreasury.co.za		<p>period ended on 25 October 2018 but we can include your comment in the final report if it arrives by 30 November 2018. After that your comment will be sent directly to the Department of Environmental Affairs for their consideration.</p> <p>Thank you Kind Regards,</p> <p>Attachments: Highlands_WEFs_Draft BAR_Notification_IAPs_AFR.pdf Highlands_WEFs_Draft BAR_Notification_IAPs.pdf</p>	
40	<p>Department of Agriculture, Forestry and Fisheries 'MashuduMa@daff.gov.za' 'MmaphakaT@daff.gov.za'; 'SteveGAL@daff.gov.za'; 'RebeccaT@daff.gov.za'; 'Mvusiwekhaya@gmail.com' ThokoB@daff.gov.za</p>		<p>Good day, We have not received comment from your Department on the below Basic Assessment reports for the proposed Highlands Wind Energy Facilities near Somerset East, sent to you on 17 September 2018 . Please could advise if you will be commenting. The comment period ended on 25 October 2018 but we can include your comment in the final report if it arrives by 30 November 2018. After that your comment will be sent directly to the Department of Environmental Affairs for their consideration.</p> <p>Thank you Kind Regards,</p> <p>Attachments: Highlands_WEFs_Draft BAR_Notification_IAPs_AFR.pdf Highlands_WEFs_Draft BAR_Notification_IAPs.pdf</p>	<p>Anja Albertyn 15/11/2018 by email</p>

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
41	Department of Rural Development and Land Reform 'Ntombholanga.miso@drdlr.gov.za' 'Mathemba.Gcasamba@drdlr.gov.za' 'Nosiphiwo.jekwa@drdlr.gov.za'		Good day, Please see our query below to which we have not received a response. The Department of Environmental Affairs has requested comment on the attached applications from the provincial Department of Agriculture. Please could you let me know if your Department intends to comment? Thank you, Attachments: Highlands_WEFs_Draft BAR_Notification_IAPs_AFR.pdf Highlands_WEFs_Draft BAR_Notification_IAPs.pdf	Anja Albertyn 15/11/2018 by email
42	Lizell Stroh Obstacle Inspector PANS-OPS Section Air Navigation Services Department Tel: 011 545 1232 083 461 6660 / Email: strohl@caa.co.za www.caa.co.za		Dear Lizelle, I would like to follow up with regards to your comment on the below developments. The comment period closed on 25 October 2018 and we have not received comment from the SACAA. Please could advise if you will be commenting. The comment period ended on 25 October 2018 but we can include your comment in the final report if it arrives by 30 November 2018. After that your comment will be sent directly to the Department of Environmental Affairs for their consideration. Thank you and kind regards, Attachments: Highlands_WEFs_Draft BAR_Notification_IAPs_AFR.pdf Highlands_WEFs_Draft BAR_Notification_IAPs.pdf	Anja Albertyn 15/11/2018 by email
	16/11/2018 by email	The S. A. Civil Aviation Authority has taken note of your intention to develop a wind farm and requires the following	Dear Lizelle,	Anja Albertyn 20/11/2018

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
		<p>information in order to assess the possible impact on aviation.</p> <p>An formal application via Form CA139-26 – Wind Farm application, available electronically from the SACAA website(www.caa.co.za), follow link “Information for the industry” – drop down list – Obstacles- Forms.</p> <p>Completion of the attached Excel spread sheet – Property boundaries co –ordinates.</p> <p>Completion of the attached Pylon geographic co-ordinates. Should these co-ordinates not be available at this stage, an indication of the planned route of the power evacuation lines to the point of connection with the national grid.</p> <p>A live .kmz file(Google Earth or similar) indicating proposed planned turbine layout.</p> <p>Kindly provide a .kml (Google Earth) file reflecting the footprint of the proposed development site including the proposed overhead electric power line route that will evacuate the generated power to the national grid.</p> <p>Also indicate the highest structure of the project & the Overhead electric power transmission line.</p> <p>In order to assist with the DEA process, the SACAA will, subject to the proposed wind farm not presenting a hazard, issue a “in principle” conditional approval on the receipt of the planned turbine layout which will be subjected to an in depth assessment accordance with the Civil Aviation Technical Standards. Should the turbine layout change from that which has been provided initially, a new assessment would be required to be conducted. Kindly note, that the conditional approval will be valid for a period of 5 years from date of issue. On completion of the project and receipt of “as built” detail and a statement of compliance to specified conditions, the SACAA will provide a final approval.</p>	<p>The Applicant has confirmed that an application was already lodged. Please see the attached email evidence. I have also attached the filled in table with property coordinates, and a kml of the proposed activities as requested. The highest structure for the wind farm is 200 m and the highest structure for the OHL is approximately 30 m.</p> <p>Please let me know if you require any additional information.</p> <p>Kind Regards,</p> <hr/> <p>Attachments: Wind farm applications: WKN-Windcurrent – Highlands Wind Energy Facility – Eastern Cape Highlands WEFs_20180829.kmz 20181120_Highlands_development Area Boundary Co-ordinates.klm</p>	<p>by email</p>

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
		<p>As the proposed site may be adjacent to areas of military interest, the SAAF will be included in the request for review, once the proposed site and wind farm information is made available for assessment. The SACAA refrains from commenting on a proposal, but will either conditionally support or disapprove the project; from an aviation perspective should the project create a hazard or obstacle to aviation in the area of the project.</p> <p>Following the receipt of the information, an invoice to cover the assessment will be generated and becomes payable before the assessment results will be released.</p> <p>Please follow the procedure for this Authority to grant approval to the proposal.</p> <p>Kind regards</p>		
43	Department of Transport 'info@dot.gov.za'; customercare@dot.ecprov.gov.za		<p>Good day,</p> <p>I would like to follow up with regards to your comment on the below developments. The comment period closed on 25 October 2018 and we have not received comment from the DOT. Please could advise if you will be commenting. The comment period ended on 25 October 2018 but we can include your comment in the final report if it arrives by 30 November 2018. After that your comment will be sent directly to the Department of Environmental Affairs for their consideration.</p> <p>Kind Regards,</p> <hr/> <p>Attachments: Highlands_WEFs_Draft BAR_Notification_IAPs_AFR.pdf Highlands_WEFs_Draft BAR_Notification_IAPs.pdf</p>	Anja Albertyn 15/11/2018 by email

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
	<p>No-reply-info@dot.gov.za 16/11/2018 by email</p>	<p>Hi Highlands Highlands, Incident# 107421 has been resolved: Incident # 107421 Summary: FW: Notification of Availability of Draft Basic Assessment Reports for Highlands Wind Energy Facilities for Public Comment Customer Name: Highlands Highlands Location: Priority: 3 Status: Resolved Category: Resolved On: Technician Name: 2018-11-16 09:35:09 AM (UTC 02:00) - Africa/Johannesburg MakwelaM Description Good day, I would like to follow up with regards to your comment on the below developments. The comment period closed on 25 October 2018 and we have not received comment from the DOT. Please could advise if you will be commenting. The comment period ended on 25 October 2018 but we can include your comment in the final report if it arrives by 30 November 2018. After that your comment will be sent directly to the Department of Environmental Affairs for their consideration. Kind Regards, Anja Albertyn Environmental Practitioner Tel: +27 (0) 21 412 1529</p>		

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
		<p>Email: highlands@arcusconsulting.co.za Arcus Office 220 Cube Workspace Cnr Long Street and Hans Strijdom Road Cape Town 8001 www.arcusconsulting.co.za [cid:image008.png@01D47CF6.CD6081C0] From: Highlands Sent: 17 September 2018 16:25 Subject: Notification of Availability of Draft Basic Assessment Reports for Highlands Wind Energy Facilities for Public Comment</p> <p>Dear Interested & Affected Party,</p> <p>RE: NOTIFICATION OF AVAILABILITY OF DRAFT BASIC ASSESSMENT REPORTS FOR THE PROPOSED HIGHLANDS WIND ENERGY FACILITIES AND ASSOCIATED GRID CONNECTIONS, EASTERN CAPE PROVINCE</p> <p>You are receiving this notification regarding the availability of the Draft Basic Assessment Reports for the proposed Highlands Wind Energy Facilities and associated grid connections, as you have been identified as an Interested and Affected Party (I&AP). We invite you to review and comment on these reports.</p> <p>Please find the attached letter for your interest, in English and Afrikaans:</p> <p>1.) NOTIFICATION OF AVAILABILITY OF THE DRAFT BASIC ASSESSMENT REPORTS FOR THE PROPOSED HIGHLANDS WIND ENERGY FACILITIES AND ASSOCIATED INFRASTRUCTURE IN THE EASTERN CAPE PROVINCE</p> <p>2.) KENNISGEWING VAN BESKIKBAARHEID VAN DIE KONSEP BASIESE ASSESSESRINGSVERSLAE VIR DIE</p>		

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
		<p>VOORGESTELDE HIGHLANDS-WINDKRAGANLEGG EN GEPAAARDGAANDE INFRASTRUKTUUR IN DIE OOS-KAAP</p> <p>The Basic Assessment reports are available for public review and comment from 18 September 2018 to 18 October 2018 (both days inclusive) at the following locations:</p> <ul style="list-style-type: none"> * Langenhoven Library, Somerset East; * Ernst van Heerden Library, Pearston; * Website https://arcusconsulting.co.za/projects/highlands-wind-energy-facilities-basic-assessment-reports-for-public-review/ <p>Electronic copies on CD-ROM are available on request.</p> <p>With reference to the proposed development, please send your comments on the Draft Basic Assessment Reports in writing by the 18 October 2018 to:</p> <p>Anja Albertyn; highlands@arcusconsulting.co.za<mailto:highlands@arcusconsulting.co.za></p> <p>Phone: 021 412 1529 or Fax: 086 762 2885;</p> <p>Postal: Office 220, Cube Workspace, Cnr Long Street and Hans Strijdom Avenue, Cape Town 8001</p> <p>Please feel free to contact me should you have any further queries, or should you no longer wish to receive notifications regarding the above projects.</p> <p>Kind Regards, Anja Albertyn Environmental Practitioner Tel: +27 (0) 21 412 1529 Email: highlands@arcusconsulting.co.za<mailto:highlands@arcusconsulting.co.za></p>		

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
		<p>Arcus Office 220 Cube Workspace Cnr Long Street and Hans Strijdom Road Cape Town 8001 www.arcusconsulting.co.za<http://www.arcusconsulting.co.za> [cid:image002.png@01D44EA2.DA89A7F0]</p>		
	<p>No-reply-info@dot.gov.za 20/11/2018 by email</p>	<p>Hi Highlands Highlands, Incident# 107421 has been closed: Incident # 107421 Summary: FW: Notification of Availability of Draft Basic Assessment Reports for Highlands Wind Energy Facilities for Public Comment Customer Name: Highlands Highlands Location: Priority: 3 Status: Closed Category: Closed On: 2018-11-20 09:35:13 AM (UTC 02:00) - Africa/Johannesburg Description Good day, I would like to follow up with regards to your comment on the below developments. The comment period closed on 25 October 2018 and we have not received comment from the DOT. Please could advise if you will be commenting.</p>		

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
		<p>The comment period ended on 25 October 2018 but we can include your comment in the final report if it arrives by 30 November 2018. After that your comment will be sent directly to the Department of Environmental Affairs for their consideration.</p> <p>Kind Regards, Anja Albertyn Environmental Practitioner Tel: +27 (0) 21 412 1529 Email: highlands@arcusconsulting.co.za Arcus Office 220 Cube Workspace Cnr Long Street and Hans Strijdom Road Cape Town 8001 www.arcusconsulting.co.za [cid:image008.png@01D47CF6.CD6081C0] From: Highlands Sent: 17 September 2018 16:25 Subject: Notification of Availability of Draft Basic Assessment Reports for Highlands Wind Energy Facilities for Public Comment</p> <p>Dear Interested & Affected Party, RE: NOTIFICATION OF AVAILABILITY OF DRAFT BASIC ASSESSMENT REPORTS FOR THE PROPOSED HIGHLANDS WIND ENERGY FACILITIES AND ASSOCIATED GRID CONNECTIONS, EASTERN CAPE PROVINCE</p> <p>You are receiving this notification regarding the availability of the Draft Basic Assessment Reports for the proposed Highlands Wind Energy Facilities and associated grid connections, as you have been identified as an Interested</p>		

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
		<p>and Affected Party (I&AP). We invite you to review and comment on these reports.</p> <p>Please find the attached letter for your interest, in English and Afrikaans:</p> <p>1.) NOTIFICATION OF AVAILABILITY OF THE DRAFT BASIC ASSESSMENT REPORTS FOR THE PROPOSED HIGHLANDS WIND ENERGY FACILITIES AND ASSOCIATED INFRASTRUCTURE IN THE EASTERN CAPE PROVINCE</p> <p>2.) KENNISGEWING VAN BESIKKBAARHEID VAN DIE KONSEP BASIESE ASSESSESRINGSVERSLAE VIR DIE VOORGESTELDE HIGHLANDS-WINDKRAGANLEG EN GEPAAARDGAANDE INFRASTRUKTUUR IN DIE OOS-KAAP</p> <p>The Basic Assessment reports are available for public review and comment from 18 September 2018 to 18 October 2018 (both days inclusive) at the following locations:</p> <ul style="list-style-type: none"> * Langenhoven Library, Somerset East; * Ernst van Heerden Library, Pearston; * Website <p>https://arcusconsulting.co.za/projects/highlands-wind-energy-facilities-basic-assessment-reports-for-public-review/</p> <p>Electronic copies on CD-ROM are available on request.</p> <p>With reference to the proposed development, please send your comments on the Draft Basic Assessment Reports in writing by the 18 October 2018 to:</p> <p>Anja Albertyn; highlands@arcusconsulting.co.za<mailto:highlands@arcusconsulting.co.za></p> <p>Phone: 021 412 1529 or Fax: 086 762 2885;</p> <p>Postal: Office 220, Cube Workspace, Cnr Long Street and Hans Strijdom Avenue, Cape Town 8001</p>		

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
		<p>Please feel free to contact me should you have any further queries, or should you no longer wish to receive notifications regarding the above projects.</p> <p>Kind Regards, Anja Albertyn Environmental Practitioner Tel: +27 (0) 21 412 1529 Email: highlands@arcusconsulting.co.za<mailto:highlands@arcusconsulting.co.za> Arcus Office 220 Cube Workspace Cnr Long Street and Hans Strijdom Road Cape Town 8001 www.arcusconsulting.co.za<http://www.arcusconsulting.co.za> [cid:image002.png@01D44EA2.DA89A7F0] (AutoClosed)</p>		
44	Department of Water Affairs 'MakhanyaP@dwa.gov.za'		<p>Good day, I would like to follow up with regards to your comment on the below developments. The comment period closed on 25 October 2018 and we have not received comment from the Department of Water and Sanitation. Please could advise if you will be commenting. The comment period ended on 25 October 2018 but we can include your comment in the final report if it arrives by 30 November 2018. After that your comment will be sent directly to the Department of Environmental Affairs for their consideration.</p> <p>Thank you and kind regards,</p>	Anja Albertyn 15/11/2018 by email

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
			<p>Attachments: Highlands_WEFs_Draft BAR_Notification_IAPs_AFR.pdf Highlands_WEFs_Draft BAR_Notification_IAPs.pdf</p>	
45	<p>SANRAL 'runkelc@nra.co.za'; 'Kleinhansm@nra.co.za'; 'Abrahamsn@nra.co.za'; 'Dekockr@nra.co.za'</p>		<p>Good day I would like to follow up with regards to your comment on the below developments. The comment period closed on 25 October 2018 and we have not received comment from SANRAL. Please could advise if you will be commenting. The comment period ended on 25 October 2018 but we can include your comment in the final report if it arrives by 30 November 2018. After that your comment will be sent directly to the Department of Environmental Affairs for their consideration. Thank you and kind regards,</p> <p>Attachments: Highlands_WEFs_Draft BAR_Notification_IAPs_AFR.pdf Highlands_WEFs_Draft BAR_Notification_IAPs.pdf</p>	<p>Anja Albertyn 15/11/2018 by email</p>
	<p>Chumisa Njingana (SR) Statutory Control Administrator SANRAL 13/12/2018 By email</p>	<p>Good day Mr. / Ms. Anja Hope that this email finds you well. Please find the attachment for your attention. The original will be sent via Post Office. Have a blessed day. Kind regards Chumisa</p> <p>Dear Sir / Madam</p>	<p>No turbines are proposed within 200 m from the National Road Reserve Boundary.</p>	<p>EAP in final BAR Vol III C&RR</p>

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
		<p>THE SOUTH AFRICAN NATIONAL ROADS AGENCY LIMITED AND NATIONAL ROADS ACT, 1998 (ACT 7 OF 1998): NATIONAL ROAD R63 SECTION 10 - PROPOSED HIGHLANDSWIND ENERGY FACILITIES AND ASSOCIATED GRID CONNECTIONS, EASTERN CAPE PROVINCE</p> <p>The South African National Roads Agency (SOC) Limited (SANRAL) have the following comments with regards to the proposed Highlands Wind Energy Facilities and associated Grid connections:</p> <p>The wind turbines must be erected at least 200 metres from the National Road Reserve boundary. If this requirement cannot be met, then a good motivation has to be submitted to SANRAL as to why the wind turbines should be erected closer.</p>		
		All other buildings / structures should be erected at least 60 metres from the National Road Reserve boundary and / or 500 metres from any intersection.	No buildings / structures will be erected with 60 metres from the National Road Reserve boundary and / or 500 metres from any intersection	EAP in final BAR Vol III C&RR
		If access is required from the national Road R63, an approval from SANRAL is required, otherwise access can be obtained from the nearest numbered route.	Access will be required from the R63 and authorisation from SANRAL will be sought should the project achieve preferred bidder status and proceed.	EAP in final BAR Vol III C&RR
		A formal application together with the plans of the proposed wind farm must be submitted to SANRAL for approval	Should the project proceed to preferred bidder status a formal application will be lodged with SANRAL.	EAP in final BAR Vol III C&RR
		No installation of any infrastructure inside the Road Reserve	No infrastructure will be installed inside the Road Reserve	EAP in final BAR Vol III C&RR
		Construction of all work may only commence after written approval has been obtained from SANRAL.	Should the project proceed to preferred bidder status a formal application will be lodged with SANRAL.	EAP in final BAR Vol III C&RR

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
46	Endangered Wildlife Trust Lourens Leeuwner Wildlife & Energy Programme lourendl@ewt.org.za		<p>Dear Lourens,</p> <p>I would like to follow up with regards to your comment on the below developments. The comment period closed on 25 October 2018 and we have not received comment from the EWT. Please could advise if you will be commenting? The comment period ended on 25 October 2018 but we can include your comment in the final report if it arrives by 30 November 2018. After that your comment will be sent directly to the Department of Environmental Affairs for their consideration.</p> <p>Thank you and kind regards,</p> <hr/> <p>Attachments: Highlands_WEFs_Draft BAR_Notification_IAPs_AFR.pdf Highlands_WEFs_Draft BAR_Notification_IAPs.pdf</p>	Anja Albertyn 15/11/2018 by email
47	Department of Mineral Resources 'Azwihangwisi.Mulaudzi@dmr.gov.za'; 'samradonline@dmr.gov.za'		<p>Good day</p> <p>I would like to follow up with regards to your comment on the below developments. The comment period closed on 25 October 2018 and we have not received comment from the DMR. Please could advise if you will be commenting? We can include your comment in the final report if it arrives by 30 November 2018. After that your comment will be sent directly to the Department of Environmental Affairs for their consideration.</p> <p>Thank you and kind regards,</p> <hr/> <p>Attachments: Highlands_WEFs_Draft BAR_Notification_IAPs_AFR.pdf</p>	Anja Albertyn 15/11/2018 by email

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
			Highlands_WEFs_Draft BAR_Notification_IAPs.pdf	
48	C.J. Bertie Director, Kuzuko Lodge Pty Ltd cbertie@acland.co.za 22/11/2018 by email	<p>Dear Ms Albertyn</p> <p>I am a director of Kuzuko Lodge (Pty) Ltd, a hospitality business that operates in the Kommdagga Area of the Eastern Cape some 90 km's from Somerset East.</p> <p>I have just been advised about the possibility of a windfarm being built in the area in which we operate and as we understand what is being planned it will in all likelihood have a disastrous impact on our business.</p> <p>We are a major employer in the Somerset East Area and we are dismayed that we were not advised/consulted on a project that would seriously negatively impact our business</p> <p>The positioning of the windfarm and the lights on the turbines will totally spoil the views from our property during the day and even more so at night and potentially put 65 permanent and some 20 part time jobs at risk in a society where unemployment is in excess of 50%. If our business suffers there will be many businesses in Somerset East that we support that will also suffer and that the Somerset East area cannot afford.</p> <p>Please contact me as a matter of urgency so that we can interact with Arcus and formally object to the project.</p> <p>Regards Chris.</p>	<p>Dear Mr Bertie,</p> <p>Thank you for your interest in the project and getting in touch regarding your concerns. Your email will be included in the Comments & Response Report, and you are now registered as an I&AP and will be updated about the progress of the process. You are welcome to view the Draft Basic Assessment reports for the proposed developments at this link: https://arcusconsulting.co.za/projects/highlands-wind-energy-facilities-basic-assessment-reports-for-public-review/</p> <p>I specifically refer you to Volume II – 8 - Visual Impact Assessment which assesses the visual impact on the surrounding environment. https://arcusconsulting.co.za/wp-content/uploads/sites/2/2018/09/8-Visual-Impact-Assessment.pdf</p> <p>While the official commenting period has closed you can still submit your comments on the proposed developments to us for consideration by the Department of Environmental Affairs.</p> <p>It appears that your property lies very far (more than 50 km) from the proposed development and was therefore not considered a potentially affected party.</p> <p>I look forward to receiving your comment.</p> <p>Kind Regards,</p>	Anja Albertyn 22/11/2018 by email
	Kantor Legal Services cc Tel 021 686 1194 Cell 083 265 3313	<p>Dear Anja</p> <p>I am assisting Chris Bertie in this matter. It would be very helpful if you could assist my client by showing what the</p>	<p>Dear Peter,</p> <p>Thank you for your comment which I have forwarded on to the visual specialists for their response. I have</p>	Anja Albertyn 11/12/2018 by email

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
	Fax 086 672 3395 kantorcc@iafrica.com 26/11/2018 by email	proposed wind farms would look like from Kuzuko Lodge, which is at GPS coordinates 33deg 12'51.10" S ; 25deg 29'43.15" E (you can google Kazuko Lodge on Google Maps. What my client is looking for is a map to show the position of the wind farms relative to his lodge, and a visual image (perhaps a photo montage) of what the wind turbines would look like from his lodge. I look forward to your response. Kind regards Peter Kantor Kantor Legal Services cc Tel 021 686 1194 Cell 083 265 3313 Fax 086 672 3395	also added you to the I&AP database for the project so that you will be kept informed of the progress of the process. Kind Regards,	
	11/12/2018 by email	Dear Anja Thank you for your response. Would you please also ask the visual specialists whether any of the towers will appear on the skyline from Kazuko Lodge. Kind regards Peter	Dear Peter, The visual specialist has responded to your query as follows: <i>I have checked the visibility using our 3D models and the Google earth terrain and no WTGs would be visible at all from this location - it is much too far way (45.7 km from the closest WTG) and intervening terrain would definitely screen any view of the proposed wind farm.</i> This will be included in the Comments & Responses Report. Please let me know should you have any further queries. Kind regards,	Anja Albertyn 11/12/2018 by email
		Dear Anja My client has obtained the attached viewshed map from a specialist, which indicates that the towers are indeed on the viewshed from Kuzuko Lodge and certainly from my	The original geographic co-ordinates provided by Peter Kantor are for the 2nd green block on the viewshed analysis by S3 Technologies and confirms my original observation that the WEF would not be	Visual Specialist 11/12/2018 by email

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
		<p>client's farm. The consultant's comments are in the email attached, which make it clear that the turbines are visible fairly faintly during the day (more so on very clear days) but more visible at night with the red flashing aviation warning lights on top of the turbines. The relative un-lit night landscape emphasises the contrast at night.</p> <p>My client is of the view that if the turbines appear on the skyline the visual impact will be more noticeable during the day and also at night. Please find attached a photograph from Kazuko Lodge in the direction of the proposed wind farm, which my client says is 600 m above the elevation of the Lodge.</p> <p>Hence my client's request that you indicate whether any of the towers will appear on the skyline from Kuzuko Lodge.</p> <p>I await your response.</p> <p>Thanking you,</p> <p>Kind regards Peter</p> <hr/> <p>From: menno Klapwijk menno@bcksa.co.za Sent: Monday, December 10, 2018 10:17 PM To: Chris Bertie <cbertie@acland.co.za>; 'Andre van der Spuy' <avdspuy@iafrica.com> Cc: 'Flemming Jensen' <info@sidebysidesafaris.com>; 'Hein Badenhorst' <sillery@iafrica.com> Subject: RE: Highlands WEF: VIA review Dear Chris</p>	<p>visible from this location (33°12'51.10" S 25°29' 43.15" E at 593m above mean sea level) due to intervening terrain.</p> <p>However, I see that there is an additional location indicated on the viewshed (33°11'51.08" S 25°27'49.71" E at 647m amsl) - since this location is on a high point in the terrain the WEF will <u>indeed</u> be visible from here - although at 42.75km distance they would be hardly discernible.</p> <p>I have attached a Google Earth screen shot from this location which shows the wind turbines modelled and placed correctly in the terrain (the WTGs are shown with the <u>entire</u> swept diameter of the rotor modelled as a flat disc, so the visual effect is more than one would see with an actual rotor).</p> <p>The lights from these WTGs would potentially be visible at night but, again, distance and climatic conditions would be mitigating factors. I really can't comment about the visibility of lights from the existing wind farms as we don't have any data for these (turbine positions, heights etc.). As I have pointed out in my previous email however, some of the proposed wind farms in the area are <u>much</u> closer than Highlands to the Kazulo Lodge.</p> <p>Google Earth Screenshot: see Appendix 9</p>	

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
		<p>We have developed a Viewshed map of the proposed windfarm in relation to Kuzuko. From it you can see that a large portion of the farm will be in direct line of sight.</p> <p>We used the positions of the Phase 3 turbines as these were the most southern and closed to Kuzuko. However, for completeness we can generate the viewshed for all phases at short notice.</p> <p>The farm is between 35 and 45 km from the proposed windfarm. During the day, unless it is very clear day, a viewer will not readily see the turbines due to the distance unless looking specifically for them. I have based this on the approximately 40 km viewing distance of the Cookhouse windfarms from farms such as Kamala, Side By Side Safaris, Eastern Cape Safaris and Boskam. These turbines are visible fairly faintly during the day. However, these become far more visible at night with the red flashing aviation warning lights that are positioned at the top of the turbines. These contrast significantly against a relative un-lit night landscape</p> <p>I hope this gives you a better understanding of what to expect</p> <p>Kind regards Menno</p> <p>Attachments: 10122018_BCK_WEF_Highlands_VIA_A4_portrait_General_Southern_phase_turbines.jpg PHOTO-2018-12-07-10-36-35.jpg (see Appendix 10 for attachments)</p>		
49	<p>Mariette Liefferink CEO: FEDERATION FOR A SUSTAINABLE ENVIRONMENT TEL. (+27) 11 465 6910</p>	<p>Dear Ms Albertyn</p> <p>I write on behalf of the Federation for a Sustainable Environment (FSE). The FSE is a federation of community based civil society organisations committed to the</p>	<p>Mariette Liefferink, CEO of the Federation for a sustainable environment was registered as an I&AP.</p>	<p>Ashlin Bodasing 28/11/2018 by phone</p>

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
	(+27) 73 231 4893 Postnet Suite #113, Private Bag X153, Bryanston, 2021 E-MAIL: mariette@pea.org.za 23/11/2018 by email	realisation of the constitutional right to an environment that is not harmful to health or well-being, and to having the environment sustainably managed and protected for future generations. I refer to the above-mentioned Application and my telephonic discussion with Ms Ashlin Bodasing of Arcus Consultancy Services this morning. I, on behalf of the FSE, hereby kindly request to be registered as an Interested and Affected Party and to be supplied with the Final BAR when it becomes available.		
	by phone	Mrs Liefferink phoned to enquire which mountain range the project is located on. Anja Albertyn responded that she will send a kml with the proposed development layout to her.	Hi Mariette, Please find the Highlands kml attached for Google Earth. This should answer your queries about the exact project location. The project is currently applying for Environmental Authorisation (EA). Should the Department of Environmental Affairs grant the EA, then the developer is able to bid the project to ESKOM in the REIPPP Programme's next bidding round. In each bidding round Eskom allocates a certain amount of MW to wind energy projects, and selects the preferred bidders based on a point system from all nationwide projects that are being bid. We do not know when the next bidding round will take place. We have heard conflicting reports that it can happen as early as March, or as late as 2023. Please do let me know if the above does not answer all your queries. Kind Regards,	Anja Albertyn 03/12/2018 by email
	03/12/2018 by email	Dear Anja Receipt acknowledged, with sincere thanks!	None required	

Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
		Best Regards		
	03/12/2018 by email	<p>Dear Anja</p> <p>I apologise for the fragmented requests. I also thank you for the Google map. It was helpful.</p> <p>However, in order for us to ascertain with certainty whether or not we should object to the proposed project, can you please confirm on exactly which mountain range the windfarm is to be built. It is assumed that you as the EAP will be very familiar with the area and the mountain range where the proposed wind farm is to be established.</p>	<p>Dear Mariette,</p> <p>The proposed Highlands Wind Energy Facilities are not located on top of a mountain range. The lower reaches of the Groot Bruintjieshoogte mountain range are located approximately 2- km to the north of the proposed development site. The land parcels that constitute the development site are located on the lower lying areas (foothills) south of the Groot Bruintjieshoogte mountain range. Please see the attached map which shows the mountain range in the north (dark brown 1500 – 1750 m above mean sea level) and the turbine locations at an elevation of between 750 and 1250 m above mean sea level to the south of the mountain range.</p> <p>Please let me know should this not fully answer your query.</p> <p>Kind Regards, Anja</p> <p>Attachment: North WEF Fig 15.1 Physiography with 50 m Contours, Fieldwork and Viewpoints.pdf</p>	Anja Albertyn 06/12/2018 by email
50	<p>Hylton Newcombe Director – technical Wind Relic (Pty) Ltd 54 Thomas Road, Walmer, 6070 Port Elizabeth 08339581079 hylton@windrelic.net 10/12/2018 by email</p>	<p>Dear Anja Albertyn</p> <p>Please would you register me as an IAP for the above project</p> <p>Kind regards</p>	<p>Dear Hylton,</p> <p>You have been registered as an I&AP and will receive notifications regarding the progress of the Highlands wind energy facilities project. The final Basic Assessment Reports will be submitted to the Department of Environmental Affairs by 9 January 2019.</p> <p>Kind Regards,</p>	Anja Albertyn 10/12/2018 by email
		<p>Dear Anja,</p> <p>Thank you for your prompt response.</p>	<p>Dear Hylton,</p> <p>That is correct. The National Department of Environmental Affairs is the Competent Authority for</p>	Anja Albertyn 10/12/2018

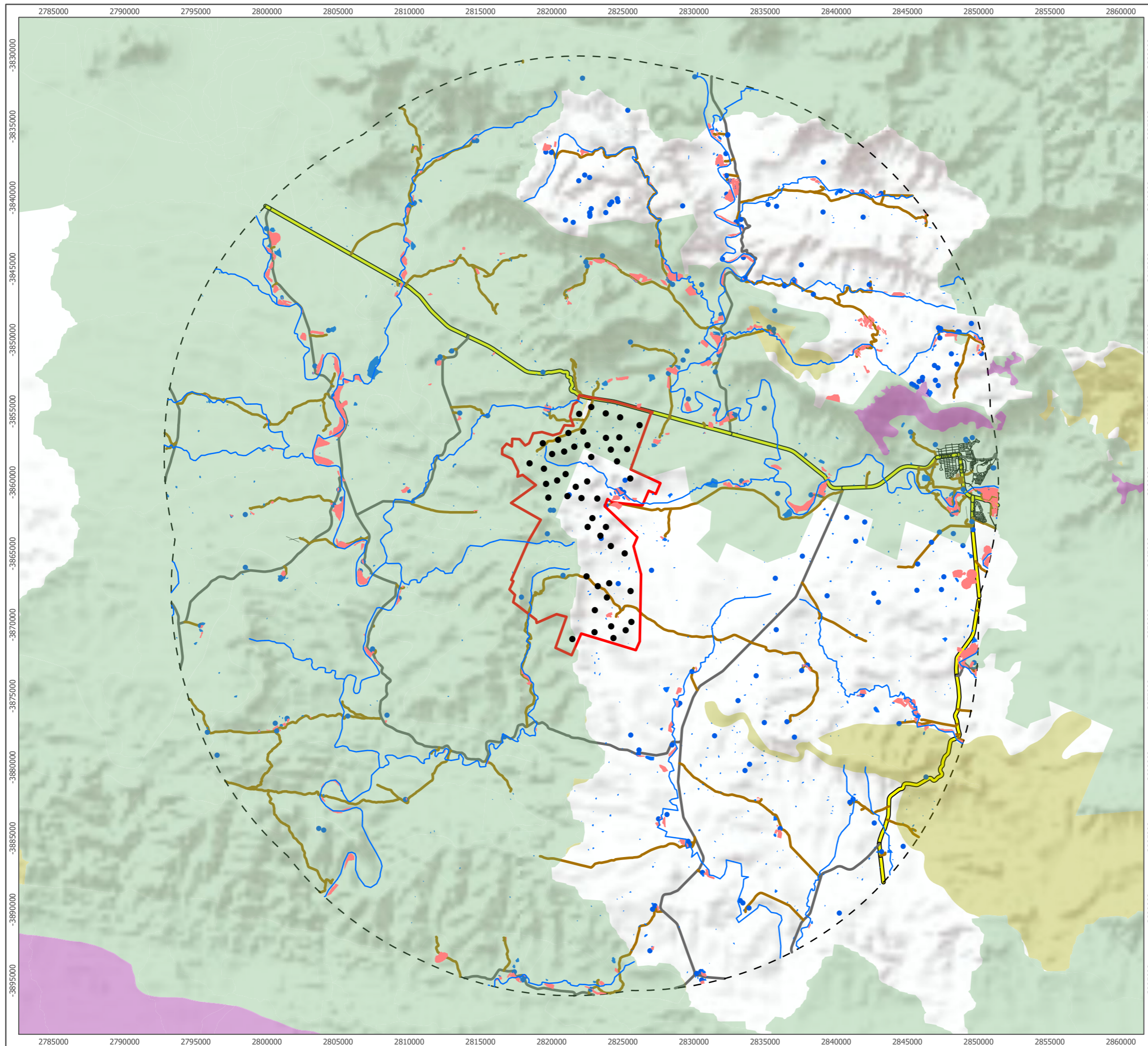
Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
		Regarding process, with the WEF being in a Gazetted REDZ area, therefore undertaking a BAR, is the application still submitted to DEAT due to it being an RE development, and therefore DEDEAT is not the responsible authority? As by norm DEDEAT is the responsible authority for BAR applications. Kind regards	RE Developments. Comment from the provincial DEDEAT is however required as well. Please let me know if you have any further queries. Kind Regards,	by email
51	Veronique Fyfe Project Manager G7 Renewable Energies (Pty) Ltd 5th Floor, 125 Buitengracht Street Cape Town 8001, South Africa +27 82 825 6069 (Mobile) eia@g7energies.com 13/12/2018 by email	Hi Anja Albertyn; Please could you register myself as an I&AP on the Highlands WEF and grid connection project. Please register me with the email address eia@g7energies.com . Thank you in anticipation.	Hi Veronique You have been added to the I&AP database and will receive notifications regarding the project progress. Regards,	Anja Albertyn 10/12/2018 by email
52	Bill Brown Glen Avon Farm B&B 042 243 3628 28 December 2018 By email	IN SUPPORT OF HIGHLANDS WIND FARM 1. The agricultural specialists report indicates that the land in question is only suitable for low-intensity grazing or wind farm development. When Mr Andre van der Spuy, (who legally represents those who object to the wind farm) questions why the land has not been considered for game related farming, he interprets low-intensity grazing as applying to domestic livestock and evidently not to game. Low intensity grazing (and, to a lesser extent, browsing) would apply to both domestic as well as wild animals. The agricultural specialist report does, therefore,	This comment was submitted in response to Comment 33 by AVDS.	EAP in final BAR Vol III C&RR

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		<p>include game farming as a viable enterprise for the area.</p> <p>2. Mr Van der Spuy's question regarding game farming can be interpreted as suggesting that, by farming game, landowners would be making 'better' use of the land, and would not be enticed by the financial gains of wind farming. To begin with, there are a number of financial reasons, why landowners may not farm game:</p> <p>(i) Some of the land is government owned. Emerging farmers assigned to this land do not have title to this land, and, as such, cannot use the land as co-lateral, nor do they have the capital or expertise to go into such a venture.</p> <p>(ii) Some are dedicated livestock owners who do not wish to farm game.</p> <p>(iii) Some game farmers entered the industry many years ago and are well established. It is inevitably more difficult for farmers who are not in the industry to enter the industry successfully.</p> <p>(iv) I am personally aware of a farmer who, having returned home to farm some 5 years ago, decided to increase the farms viability by dedicating part of the farm to high-value game. The colour variant of the species in question was initially valued at R480 000 per unit. Now, 5 years later, this colour variant is valued at about R10 000 per unit. Such collapses in the market value are obviously a deterrent to many who have entertained the idea of some form of game farming. Needless to say, I am one of these.</p> <p>3. There are also ecological reasons why a landowner may not farm game:</p> <p>(i) In the past, game would move over vast areas as they followed the change of season and rainfall</p>		

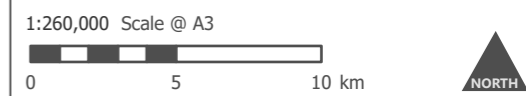
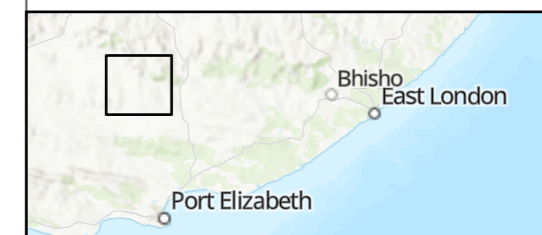
Ref	Name, Date and Method	Comment	Response	Respondent & Date of Response
		<p>patterns. Today, it is acknowledged that completely intact ecological systems are basically non-existent. At 2 million hectares, even the Kruger National Park has its problems, and the concept of trans-boarder parks was initiated to help with this. So what of the average game farm of, say, 5000ha? It is widely acknowledged that the long-term viability of a farm is dependent on the integrity of the soil and vegetation, and that animals need to be managed in such a way as to minimise negative impact through poor grazing practices such as under, over and selective grazing. Domestic livestock can be easily rotated from one camp to another allowing for adequate recovery of the vegetation. In some areas, this, coupled with the use of fire and the adaptive use of supplementary feeding where needed, can allow for the integrity of the land to be preserved in the long-term. Game, on the other hand, cannot be rotated and controlled to the same degree. The impact of long-term selective grazing by game is often very visible in areas where such farming adjoins livestock farming. The game farming areas often show a marked scarcity of grass, with a dominance of less palatable 'increaser' species (pictures available).</p> <p>(ii) Where the game is intensively managed, the degradation within the small camped areas can be extreme and is self-evident. This is common with particularly valuable animals.</p> <p>(iii) Arid and semi-arid areas are particularly susceptible to degradation. This includes the Highlands region.</p> <p>4. Inevitably, a landowner's interest in the land-use of an area is heavily determined by financial values. I must point out that I had initially tried to farm sheep on my property but had to give up because of excessive</p>		

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		<p>losses to predators that were either not controlled on some properties in the vicinity, or controlled to a minor extent. I had no recourse to this problem but to switch to farming cattle, which is far less profitable. While I have not objected to land owners getting on with their respective enterprises even though some of their enterprises have had a negative financial effect on me, the point is that some land owners do object to the wind farm. It would seem that they feel that the wind farm would negatively affect their clientele who want an aesthetically pleasing African experience.</p> <p>5. If wind farms are an aesthetic problem, then I would suggest that such a land owner starts in his/her back yard. Animals and plants that are foreign to that area are invariably held as a deviation from authenticity and aesthetics by many who are in the know. While most properties have exotic species, it is the conscious planting of exotics – some even prohibited – that I point to. If the clientele on a game farm do not object to the presence of out-of-range South African species, completely foreign species, or an avenue of exotic conifers, why should the landowner or the clientele be concerned about wind turbines which are arguably less intrusive than large pylons? I am also aware that visiting hunters very frequently do not hunt in what would be termed zxcan aesthetically pleasing manner – certainly, the purist would decry any hunting that does not involve 'fair chase'. Why would such hunting clientele – and land owners who provide such hunting - be concerned about wind turbines?</p> <p>6. The security of the supply of electricity is crucial to our economy, and we surely have an interest in our local economy. The proposed wind farm would be a major contributor to the security of electricity. Such wind turbines are found in many parts of the world and are</p>		

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		<p>an attempt to be environmentally sound through lowered carbon emissions.</p> <p>7. The security of food is also crucial to our economy. Wind farming is compatible with livestock farming, as is evident in the Cookhouse area. While it may be that the erection of the wind turbines may lower the overall carrying capacity of the areas slightly due to access roads and the space at the base of the turbines, I make the point that game farming is a minor contributor to food security.</p> <p>8. While some who object to the wind farm may be established farmers who run significant enterprises, others may have 'lifestyle' farms of little or no productivity. These people may not even be around in the long-term. Their decision may have significant effect on commercial farmers who are making good use of their land. In what way is their 'vote' justified?</p> <p>9. Should foreigners who own land object to the local land owners adding to the power supply of the country?</p> <p>In other areas I am told that game farmers have not objected to wind farms. An Environmental Impact Assessment on the Highlands site has already determined that, due to environmental reasons, the turbines should not be erected at the higher elevation, but that they be erected lower down where their visibility would be less obvious. I feel that the points detailed above show very clearly that the wind farm is a positive initiative.</p> <p>Bill Brown</p>		



- 20km Site Boundary
- Site Boundary
- Turbines
- NFEPA Rivers
- Railways
- Landing Strips
- Cultivated Land
- NFEPA Wetlands and other water bodies
- CBA 1
- CBA 2
- CBA 3
- Roads**
- Arterial Road
- Main Road
- Other Road
- Secondary Road
- Street
- Track

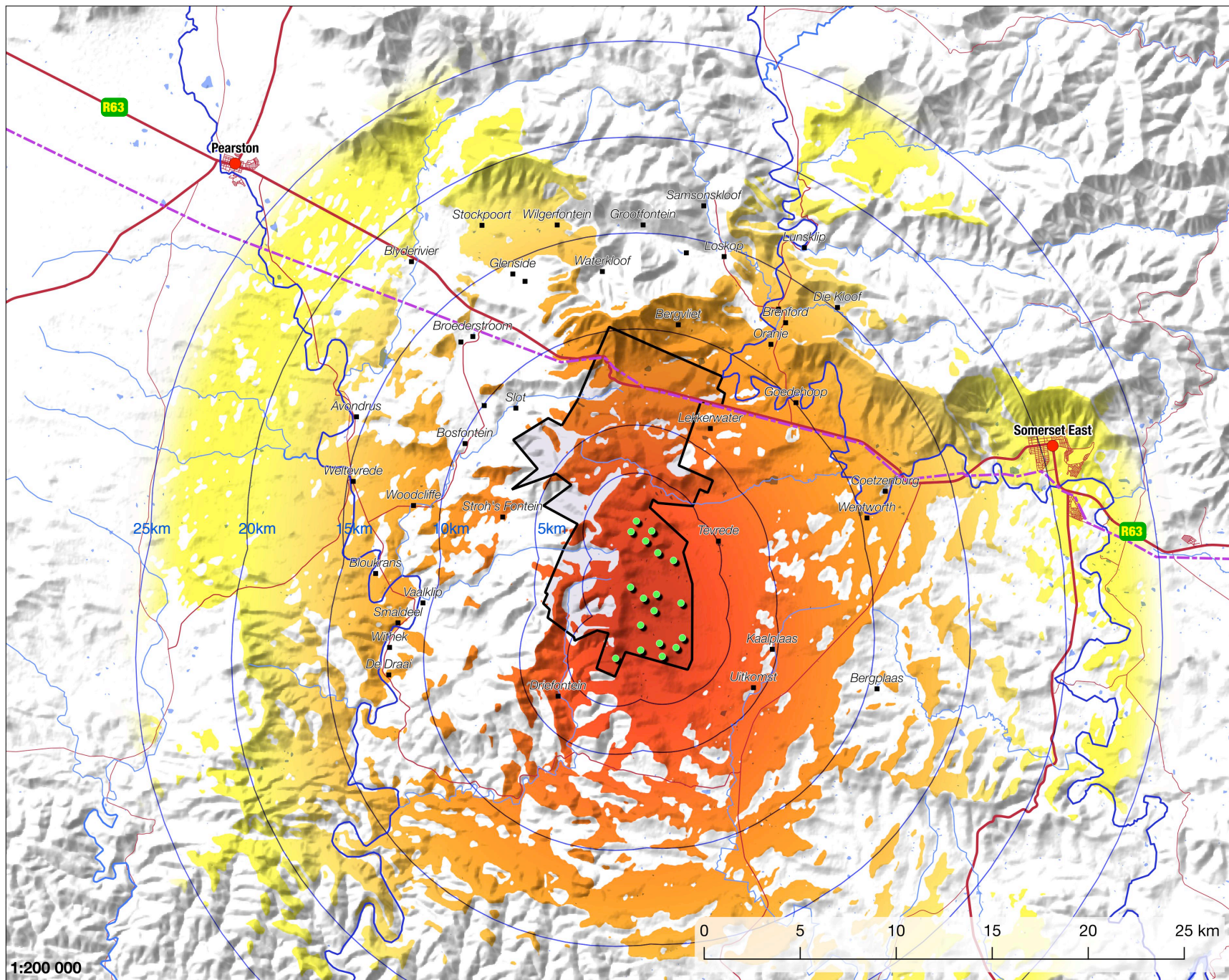
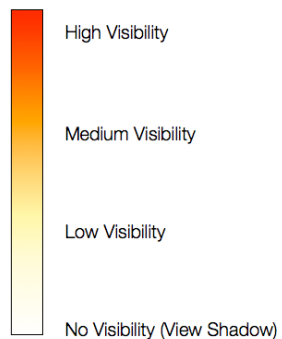


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Checked By: AA	Date: 07/12/2018

Regional Map
Figure A

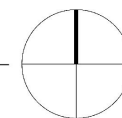
**Highlands Wind Energy Facilities
Comments & Response Report**

Viewshed Legend :



Base Map Source : SRTM 1arcSEC DEM 2014, GIS Data ; Various Sources

Map 16 • Viewshed South WEF



Appendices 1 - 9