

APPENDIX J

COMMENTS AND RESPONSE REPORT (CRR)

PROPOSED ALTINA 120MW SOLAR PHOTOVOLTAIC &
40MW BATTERY ENERGY STORAGE SYSTEMS PROJECT
NEAR THE TOWN OF ORKNEY, FREE STATE PROVINCE

COMMENTS AND RESPONSES REPORT
DRAFT BASIC ASSESSMENT REPORT

NOVEMBER 2022



NEMAI GREEN
Environmental Solutions for a Sustainable Future

P.O. Box 1673
SUNNINGHILL
2157

147 Bram Fischer Drive
Ferndale
2194

Tel: (011) 781 1730
Fax: (011) 781 1731
Email: info@nemai.co.za

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1 INTRODUCTION

EnergyTEAM (Pty) Ltd (the Applicant) has proposed the development of the Altina 120 MW Solar PV Project and BESS near the town of Orkney, in the Free State Province (the “Project”). The electricity generated by the Project will be injected into the existing Eskom 132 kV distribution system.

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

2 BASIC ASSESSMENT REPORTING PROCESS

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

The process for seeking authorisation is being undertaken in accordance with Government Notice No. R. 982 of 4 December 2014 (as amended). Although the Project triggers activities listed in Listing Notices 1, 2 and 3, a Basic Assessment Process is being undertaken as the Project is located within the Klerksdorp Renewable Energy Development Zone REDZ, as published in Government Notice No. 142 of 26 February 2021.

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

3 COMMENTS AND RESPONSES REPORT

This Comments and Responses Report (CRR), which accompanies the draft Basic Assessment Report (BAR), serves to record the comments received from authorities and Interested and Affected Parties (I&APs) during the Announcement Phase (**Section 4**) and the draft BAR Review Phase (**Section 5**) of the Basic Assessment Process. This CRR also attempts to address these comments through responses and input provided by the Applicant, project team, EAP and environmental specialists (as relevant).

The CRR will be updated during the course of the Basic Assessment process, with the final CRR appended to the final BAR for submission to the DFFE.

4 COMMENTS AND RESPONSES – ANNOUNCEMENT PHASE

The Announcement Phase, which was undertaken from 31 March to 5 May 2022, served to obtain upfront comments from authorities and I&APs regarding the proposed Project to understand potential concerns and to guide the environmental assessment.

No.	COMMENT / QUERY / ISSUE	RAISED BY	SOURCE	RESPONSE BY	RESPONSE
1.	Thank you for contacting Airports Company South Africa Client and Passenger Services. Your Reference Number is QGEN31032022-194098. We will attend to your query in the next Business Day.	Client and Passenger Services (Airports Company South Africa)	Email (31-03-22)	Nemai Green	
2.	<p>DFFE Directorate: Biodiversity Conservation hereby acknowledge the receipt of the invitation to review and comment on the mentioned project. The directorate does not have any comments regarding the acceptance and acknowledgement of the applications. Kindly notify us as soon as the Basic Assessment report becomes available.</p> <p>DFFE Directorate: Biodiversity Conservation would like to register as the I&AP for the mentioned project. Kindly notify and email us the link containing the report as soon as it becomes available.</p> <p>Please note that all Public Participation Process documents related to Biodiversity EIA review and any other Biodiversity EIA queries must be submitted to the Directorate: Biodiversity Conservation at Email: BCAdmin@environment.gov.za for attention of Mr Seoka Lekota.</p>	BC Admin (Biodiversity Conservation, Mainstreaming EIA, DFFE)	Email (04-04-22)	Nemai Green	<p>We confirm that DFFE Directorate: Biodiversity Conservation has been added as a registered I&AP and that Mr. Seoka Lekota is included in the database of authorities.</p> <p>A copy of the draft Basic Assessment Report will be submitted to the DFFE Directorate: Biodiversity Conservation.</p>
3.	<p>For Consultation with the DWS Free State Regional Office Upper Orange and Middle Vaal kindly send the documents as follows:</p> <p>Dr T Ntili Provincial Head: Free State Department of Water and Sanitation Private Bag 528 Bloemfontein 9300</p> <p>For courier our physical address is as follows:</p> <p>Dr T Ntili Provincial Head: Free State</p>	S. Mdhuli (DWS Water Regulation)	Email (01-04-22)	Nemai Green	We acknowledge your response.

No.	COMMENT / QUERY / ISSUE	RAISED BY	SOURCE	RESPONSE BY	RESPONSE
	<p>Department of Water and Sanitation 2nd Floor Bloem Plaza Building Cnr Charlotte Maxeke and East Burger Street Bloemfontein 9300</p> <p>You may get clarity on all water use authorization and registration matters from Mr Vernon Blair</p> <p>Tel: +27(0) 51 405 9000 Cell: +27(0) 82 807 3552 E-mail: blairv@dwa.gov.za</p> <p>Kindly send both hardcopy and disc documents.</p>				
4.	<p>Please take note that we will be affected. But as there is no crossing of our track, a wayleave application is not required. And Transnet property will need to give feedback on where our boundaries are and what distances needs to be respected.</p> <p>Please take note that this area is a protected wetland area, and that any construction here needs the approval from the environmental act and those responsible. As we have previously not been able to do any major works next to our tracks at this location due to the protected wetland area.</p> <p>Hope all is in order.</p>	G. Ackermann (Transnet)	Email (04-04-22)	Nemai Green	<p>Your response is noted.</p> <p>The Project layout has been amended to avoid the wetland area as far as possible, and a Water Use Licence Application will be lodged with the Department of Water and Sanitation (DWS) for the Project components falling within the regulated area of a watercourse.</p> <p>An Aquatic Impact Assessment and Delineation will be undertaken due to the Vierfonteinspruit that flows near the proposed site. This study will also delineate the regulated area of the watercourse and identify mitigation measures.</p>
5.	Please submit to the relevant regional office as there may be a WUL required.	W. Roets (DWS)	Email (31-03-22)	Nemai Green	A Water Use License Application will be submitted via eWULAAS to the DWS.
6.	<p>Please find Attached Plan and Telkom Response Letter for your Ref : Altina 120MW Solar Photovoltaic.</p> <p>RE: PROPOSED ALTINA 120MW SOLAR PHOTOVOLTAIC (PV) PROJECT NEAR ORKNEY, FREE STATE PROVINCE - TELKOM/ OPENSERVE AFFECTED</p> <p>With reference to your above-mentioned application, I hereby inform you that the proposed services are approved in terms of section 22 of the Electronic Communications Act 36 of 2005.</p> <p>Underground crossing(s)/pipelines marked BLUE are important and require supervisions by this Company.</p> <p>Your attention is particularly directed to the marked paragraph(s).</p> <p>1. Approved on conditions that, should if later be found necessary to</p>	W. Goosen (Open Serve / Telkom SA SOC Ltd.)	Email and Letter (08-04-22)	Nemai Green	The Applicant will have to comply with the requirements of the custodians (Telkom SA) of the infrastructure highlighted in the letter received.

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	<p>deviate the existing communication line due to existing noise interference, the cost of such remedial action shall be repayable.</p> <p>2. Crossing(s) marked BLUE do not meet these requirements, and the existing communication lines will have to be deviated to eliminate excessive noise interference and the cost will be for the power provider.</p> <p>3. Paragraph 2.4.1 of the Code of Practice stipulates the minimum acceptable horizontal separation between power and the communication lines and where this cannot be met, the design of the power line is also stipulated. This could apply between the attached plan and these requirements should strictly be adhered to.</p> <p>4. Calculations have shown that earth fault on the high voltage power lines will induce excessive low frequency induction into the communication line. As a result of this, the cost to deviate / alter the communication lines to prevent this induction will be for the power provider.</p> <p>5. At the points where this Company's existing or projected underground communication cable will be crossed by an underground cable, the latter should be laid at a depth of at least 300 mm below the communication cable - normally laid at depth of + 600 mm. If the power cables is not enclosed in a suitable pipe, protection in the form of a concrete slab should be provided immediately above the power cable for a minimum of 2 (two) meter on either side of the crossing.</p> <p>6. In case where an underground power cable will run parallel with an existing or projected underground communication cable, a separation as great as possible should be maintained with minimum separation of 600mm. Should the separation be less than 600mm and the power cable is not enclosed in a suitable pipe, a concrete slab must be provided immediately above the power cable for the length of parallelism. If the separation is less than 300mm, additional protection is required by placing concrete slabs between. The TELKOM cables / pipes and the power cables.</p> <p>7. The underground crossing(s) is/are important and require supervision by this Company. Please make arrangements for site visit 2(two) weeks prior to commencement of proposed work.</p> <p>8. On completion of this project, please certify that all requirements as stipulated in this letter, have been met. If any alterations have to be made to this Company's services because above mentioned stipulations have not been met, the costs of such alterations will be for the account of the power provider.</p> <p>9. Approval of the proposed route is valid for 6 months. If construction has not yet commenced within this time period the file must be resubmitted for approval. Any changes / deviations from the original</p>				

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	<p>planning during or prior to construction must be immediately communicated to this office.</p> <p>10. Repayable estimated cost would be provided within 21 days of notification to proceed with the proposed service.</p> <p>11. In order to minimize noise induction into the telecommunication System, the angle of crossing between the overhead power line and all communication lines, should be as near to a right angle as possible -the following deviation from the right angle as possible - the following deviation for the right angle being permitted at: Power voltage of 48 kV and higher - 30 degrees Power voltage of lower than 48 kV - 45 degrees</p> <p>12. Suitable protection as laid down in section 5 of the Code of Practice should be provided at all important crossings.</p> <p>13. At points of crossing, the overhead power lines should cross over the overhead communication lines with a minimum vertical separation of Meter(s).</p> <p>14. Any damage to Telkom infrastructure please contact Cable Network Services. Please acknowledge receipt of this letter and inform this Company in writing of the approximate date on which this work will commence and confirm on completion that this Company's requirements have been met. TELKOM/OPENSERVE INFRASTRUCTURE TO BE VERIFIED ON SITE PRIOR TO COMENCEMENT OF WORK. PLEASE CONTACT BELOW FOR KICK-OFF MEETINGS: Contact: (Cable Network Services, Operations Manager) Henry Van Jaarsveld, 012 381 3223 or 081 362 5606, HenryVJ@openserve.co.za (Cable Network Services Manager) Mark Langridge, 011 234 5552 or 081 317 5408 All Telkom SA SOC LTD rights remain reserved.</p>				
7.	<p>PV systems are regarded as sustainable sources of energy, however pollution potential during construction or installation and loss of fauna and flora, especially birds and other insects due to sunlight beam are few impacts one think must be looked at. It could have assisted to include the listing notice and activity number to be triggered by the development. Please consider involving Moqhaka Local Municipality, DESTEA (FS) and also the neighbouring farming and mining community in the vicinity of the area of development. This project seem to be close to or bordering North West Province. It may not be a requirement but you may like to consider involving he local and district closest to the development area.</p>	M. Mkhathswa (Fezile Dabi District Municipality)	Reply Form (10-05-22)	Nemai Green	<p>Your comments have been received. To note is that the Project is for Solar PV and BESS only, there will be no concentrating solar power (which refers to your comment on a 'sunlight beam') in operation. The listed activities applied for are included in the Application Form submitted, see Appendix B of the Report, and are included in the Report under Section 5.2. The stakeholders mentioned have been included in the Project, and all the affected local authorities with jurisdiction over the Project</p>

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					area, including local Authorities, have been informed of the Project. We confirm you have been added as a registered I&AP.
8.	<p>Please note that all development applications are processed via our online portal, the South African Heritage Resources Information System (SAHRIS) found at the following link: http://sahra.org.za/sahris/. We do not accept emailed, posted, hardcopy, faxed, website links or DropBox links as official submissions.</p> <p>Please create an application on SAHRIS and upload all documents pertaining to the Environmental Authorisation Application Process. As per section 24(4)b(iii) of NEMA and section 38(8) of the National Heritage Resources Act, Act 25 of 1999 (NHRA), an assessment of heritage resources must form part of the process and the assessment must comply with section 38(3) of the NHRA.</p> <p>Once all documents including all appendices are uploaded to the case application, please ensure that the status of the case is changed from DRAFT to SUBMITTED. Please ensure that all documents produced as part of the EA process are submitted as part of the application.</p>	N. Higgitt (SAHRA)	Email (01-04-22)	Nemai Green	The SAHRA requirements are noted and will be followed.
9.	I hope that this communique finds you in good health. Email below refers, in order for me to make an accurate assessment whether Transnet will be affected by this upcoming development. I will need you to kindly send me a google earth KMZ/KML file of the areas of concern.	S. Lehloma (Transnet)	Email (05-04-22)	Nemai Green	A KML file of the property boundary for the proposed Altina Solar PV site was shared.
10.	<p>Your wayleave application/background information document dated 31 March 2022 has reference.</p> <p>Transnet Pipelines, a division of Transnet SOC Limited, is not affected by the proposal.</p> <p>Your awareness of the existence of Transnet's pipeline servitudes and concern for their integrity is highly appreciated.</p> <p>This authorisation shall be valid for 48 months from the date - 01 April 2022.</p>	T. Hadebe (Transnet)	Email (01-04-22)	Nemai Green	It is noted that the Project does not impact on Transnet pipeline servitudes.

5 COMMENTS AND RESPONSES – DRAFT BAR REVIEW PHASE

The draft BAR Review Phase, which was undertaken from 16 September until 17 October 2022, served to obtain comments from authorities and I&APs regarding the proposed Project to understand potential concerns and to guide the environmental assessment. Responses to comments raised during a public meeting held on the 10 October 2022 are also included below.

No.	COMMENT / QUERY / ISSUE	RAISED BY	SOURCE	RESPONSE BY	RESPONSE
1.	<p>Our Farmer Association representatives have been BCC'd to take note of the EIA process that we encourage them to further distribute to directly affected farmers to actively participate in the Public Participation Process of this alternative energy project.</p> <p>Kindly keep FSA on your mailing list as interested party.</p>	J. Armour (Free State Agriculture)	Email (19/09/2022)	Nemai Green	Thank you for your correspondence and for having forwarded the notice and reply form to your members.
2.	<p>Please receive the attached wayleave as requested.</p> <p>RE: WAYLEAVE APPLICATION FOR PROPOSED ALTINA 120MW SOLAR PHOTOVOLTAIC (PV) PROJECT & 40MW BATTERY ENERGY STORAGE SYSTEM (BESS) PROJECT NEAR ORKNEY, FREE STATE PROVINCE</p> <p>Applicant/Client: Genesis Eco-Energy Developments (Pty) Ltd</p> <p>Your e-mail dated 8 September 2022 regarding above mentioned project hereby refers. Eskom Distribution (Dx) has no objection to the proposed project. Eskom services are affected as per the attached sketch. However, please adhere to Eskom's conditions and treat Eskom's powerlines as live at all times and keep a building restriction of 9 meters on either side of the power line for 11kV lines ,11 meters on either side of the power line for 88kV lines, 18 meters on either side of the power line for 132kV lines 27.5 meters on either side of the power line for 400kV lines and 40 meters on either side of the power line for 765kV lines</p> <ul style="list-style-type: none"> • 11 kV,88kV,132kV,400kV and 765kV lines are affected <p>Please find Eskom's conditions which must always be respected when working near or closer to our services:</p> <p>1. Eskom Dx shall at all times retain unobstructed access to and egress from its servitudes.</p>	D. Monatisa and R. de Bruin (Eskom)	Email and Letter (20/09/2022)	Nemai Green	<p>It is noted that Eskom has no objection to the proposed project. The Project layout takes into consideration Eskom's existing distribution lines.</p> <p>The Applicant is to adhere to Eskom's requirements and conditions when working near existing distribution lines.</p>

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	<p>2. Eskom Dx's consent does not relieve the applicant from obtaining the necessary statutory, land owner or municipal approvals.</p> <p>3. The applicant will adhere to all relevant environmental legislation. Any cost incurred by Eskom Dx as a result of non-compliance will be charged to the applicant.</p> <p>4. No drilling shall take place within 11 metres from any Eskom Dx power line structure,</p> <p>5. All work within Eskom Dx's servitude areas shall comply with the relevant Eskom earthing standards in force at the time.</p> <p>6. If Eskom Dx has to incur any expenditure in order to comply with statutory clearances or other regulations as a result of the applicant's activities or because of the presence of his equipment or installation within the servitude area, the applicant shall pay such costs to Eskom Dx on demand.</p> <p>7. The use of explosives of any type within 500metres of Eskom Dx's services shall only occur with Eskom Dx's prior written permission. If such permission is granted the applicant must give at least fourteen working days prior notice of the commencement of blasting. This allows time for arrangements to be made for supervision and/or precautionary instructions to be issued in terms of the blasting process. If blasting becomes necessary, application in this regard should be made separately.</p> <p>8. Changes in ground level may not infringe statutory ground to conductor clearances or statutory visibility clearances. After any changes in ground level, the surface shall be rehabilitated and stabilised so as to prevent erosion. The measures taken shall be to Eskom Dx's requirements.</p> <p>9. Eskom Dx shall not be liable for the death of or injury to any person or for the loss of or damage to any property whether as a result of the encroachment or of the use of the servitude area by the applicant, his/her agent, contractors, employees, successors in title, and assigns. The applicant indemnifies Eskom Dx against loss, claims or damages including claims pertaining to consequential damages by third parties and whether as a result of damage to or interruption of or interference with Eskom Dx's services or apparatus or otherwise. Eskom Dx will not be held responsible for damage to the applicant's equipment.</p> <p>10. No mechanical equipment, including mechanical excavators or high lifting machinery, shall be used in the vicinity of Eskom Dx's apparatus and/or services, without prior written permission having been granted by Eskom. If such permission is granted the applicant must give at least seven working days prior notice of the commencement of work. This allows time for arrangements to be</p>				

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	<p>made for supervision and/or precautionary instructions to be issued by the relevant Technical Service Centre.</p> <p>11. No work shall commence unless Eskom Dx has received the applicant's written acceptance of the conditions specified in the letter of consent and/or permit.</p> <p>12. Eskom Dx's rights and duties in the servitude shall be accepted as having prior right at all times and shall not be obstructed or interfered with. Note: Where an electrical outage is required, at least fourteen work days are required to arrange same.</p> <p>13. Under no circumstances shall rubble, earth or other material be dumped within the servitude area. The applicant shall maintain the area concerned to Eskom Dx's satisfaction. The applicant shall be liable to Eskom Dx for the cost of any remedial action which has to be carried out by Eskom Dx.</p> <p>14. The clearances between Eskom Dx's live electrical equipment and the proposed construction work shall be observed as stipulated by Regulation 15 of the Electrical Machinery Regulations of the Occupational Health and Safety Act, 1993 (Act 85 of 1993).</p> <p>15. Eskom shall be regarded electrically live and therefore dangerous at all times.</p> <p>16. In spite of the restrictions stipulated by Regulation 15 of the Electrical Machinery Regulations of the Occupational Health and Safety Act, 1993 (Act 85 of 1993), as additional safety precaution, Eskom Dx will not approve the erection of houses or structures occupied or frequented by human beings under the power lines or within the servitude area.</p> <p>17. Eskom Dx may stipulate any additional requirements to illuminate any possible exposure to Customers or Public to coming into contact or be exposed to any dangers to Eskom plant.</p> <p>18. It is required of the applicant to familiarise him/herself with all safety hazards related to Electrical plant.</p> <p>Should the applicant or his/her contractor damage any of Eskom's services during execution of any work whatsoever, the incident must be reported to Eskom's Technical service centre, Solly Molefi @056-515 3557 and 082 5683306 immediately. The same person must be contacted before commencement of the project as well.</p> <p>For the re-location of any Eskom's services, our customer service centre should be contacted on 051-404 2211.</p> <p>The above conditions should be accepted in writing before any work within Eskom Services commences and the technical service centre must be informed of the future activities.</p>				

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	For any further information please contact the writer at the above-mentioned telephone number.				
3.	<p>DFFE Directorate: Biodiversity Conservation hereby acknowledge receipt of the invitation to review and comment on the project mentioned on the subject line. Kindly note that the project has been allocated to Mrs M Rabothata and K Mathetja (Both copied on this email).</p> <p>Please note: All Public Participation Process documents related to Biodiversity EIA review and any other Biodiversity EIA queries will be submitted to the Directorate: Biodiversity Conservation at Email: BCAdmin@environment.gov.za for attention of Mr Seoka Lekota</p>	Mashudu (DFFE Directorate: Biodiversity Conservation)	Email (23/09/2022)	Nemai Green	Mr. Seoka Lekota and the officers included in the email correspondence are included in the database of authorities. A copy of the draft Basic Assessment Report was submitted to the DFFE Directorate: Biodiversity Conservation for his attention.
4.	<p>DRAFT BASIC ASSESSMENT REPORT REVIEW: PROPOSED ALTINA 120MW SOLAR PV PROJECT AND 40MW BATTERY STORAGE SYSTEM (BESS) PROJECT NEAR ORKNEY, FREE STATE</p> <ol style="list-style-type: none"> 1. Your email dated 16 September 2022 pertaining to the above-mentioned project near Orkney refers. 2. The following provincial roads are affected by the above-mentioned project (refer to the enclosed plan): <ol style="list-style-type: none"> 2.1. Batsfontein 290 and Altona 50: Primary Road P15/2 with a statutory road reserve width of 32 meters); and 2.2. Rietvlei 539: Primary Road P15/2 and primary link road A80, with statutory road reserve widths of 32 meters). 3. This Department supports the above-mentioned solar PV project subject to the following conditions: <ol style="list-style-type: none"> 3.1. No structures must be erected within 95.0 metres measured from the centre line of the provincial road listed in the above-mentioned paragraph 2 without the written approval issued by this Department for the relaxation of the building line (structures include any overhead power line that will be erected parallel with or across the alignment of the provincial road). The building line is imposed in terms of the provisions of sections 9 and 9A of the Advertising on Roads and Ribbon Development Act, 1940 (Act no. 1 of 1940). 3.2. Due to the vague information that is currently available, this Department will only be able to consider and approve any specific access/es on receipt of a completed application and drawing that shows the geometric layout and exact locality of the access/es. An application form for the above- 	H. Maree (Department of Police, Roads and Transport)	Letter (23/09/2022)	Nemai Green	<ol style="list-style-type: none"> 1) Reference to communication, no response required. 2) The two provincial roads affected by the proposed Project, as outlined, are noted. 3) It is noted that the Department supports the Project subject to the conditions listed. <p>3.1) Based on the current layout contemplated in the Report, the fence and some structures fall within 95 m of the two provincial roads. The Applicant will submit the necessary application to your Department in order to seek written approval for the relaxation of the building line.</p> <p>3.2) The Applicant will submit the required drawings and access information to your Department for consideration and approval.</p> <p>3.3) Borrow pits are not envisioned at this stage, but should this change, the Applicant will undertake all necessary approval processes with the various Departments, including your own.</p> <p>3.4) The necessary applications will be compiled and submitted by the Applicant to seek approval for access form the provincial</p>

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	<p>mentioned purpose is attached hereto. The application for the access/es will thus be considered once the formal application for an access/es is submitted to this Department.</p> <p>3.3. No provincial borrow pits may be utilized for construction of the development of the facilities. This Department must therefore be contacted to indicate the positions of the provincial borrow pits.</p> <p>3.4. Applications for way leave for any other operations, such as power lines, within the 95.0m measured from the centre line of the provincial roads, must be submitted to this Department on the similar application form that is referred to in paragraph 3.2 of this letter.</p> <p>Any enquiries pertaining to the contents of this letter can be addressed to this Department's Mr. J.P.W. Maree at Cell. No. 0820599725 or e-mail fsroadplanning@gmail.com.</p>				<p>road network for the Project, wayleaves, as well as building lines relaxation.</p> <p>The contact person for the Department, as provided, is noted for further engagement by the Applicant.</p>
5.	<p>RE the EIA your firm is conducting for an energy project that you contacted Free State Agriculture about;</p> <p>Kindly register Free State Agriculture (FSA) as an interested party and send all EIA correspondence to us by email please to jack@vslandbou.co.za and CC elize@vslandbou.co.za</p> <p>Please note that by informing us as an Agricultural Members Association that you have not automatically engaged all affected land owners through us, as not all agricultural land owners are members of FSA.</p> <p>If you are engaged in any other business that affects agricultural land in the Free State we will be sure to pass it on to the local Farmers Association who will take note and pass it onto the affected parties they may know of through membership and other means. But this is also not guaranteed.</p> <p>We encourage our Interested and Affected Party members to actively participate in the EIA process and to see the EIA consultant more as a helpful resource than the "enemy" coming to impact upon their land as the EIA consultants compile impartial peer reviewed reports used to guide the applicable state departments involved in approving applications, with the Environmental Management Plan being the land owners protection and hence NB to make inputs to.</p> <p>We look forward to engaging with you / passing on your information</p>	J. Armour (Free State Agriculture)	Email (05/10/2022)	Nemai Green	<p>Thank you for your correspondence and for having forwarded the notice to your members.</p> <p>The Free State Agriculture has been added as a registered I&AP.</p> <p>All affected landowners have been engaged with directly through written communication and were provided with an opportunity to attend a public meeting.</p>

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	<p>through our structures.</p> <p>PS I will not be able to attend the meeting on 10 October, but trust our local affected framers will be there to hear the scope of the proposed project and air their concerns.</p>				
6.	<p>Morning, could you please add these to people to your list regarding the above proposed project.</p> <p>Herman Nel Betsie Grobler</p> <p>Please send them all relevant information regarding the project as they are direct neighbour's to this project.</p> <p>I cc then in this mail.</p> <p>Thanking you in advance.</p>	D. Britz (Farm Jersey)	Email (11/10/2022)	Nemai Green	<p>Thank you for your email.</p> <p>I will most certainly add Herman Nel and Betsie Grobler to the I&AP Database. We do have a list of adjacent landowners, please see extract below.</p> <p>If Herman and Betsie consent, please can you kindly share their farm name and portions so that I may know which adjacent properties they own?</p> <p>Both contacts have been added to the registered I&AP database.</p>
7.	<p>Email 1: As discussed telephonically, Kindly respond to this email with the DBAR for the above-mentioned project for review.</p> <p>Email 2: Thank you for the link. I successfully managed to download the report.</p>	K. Mathetja (DFFE Directorate: Biodiversity Conservation)	Emails (13/10/2022)	Nemai Green	<p>I understand from my colleague, Donovan, that you have had trouble downloading the Draft BAR from the Nemai website. We have tested the link, and it appears to be working. However, to ensure you have the opportunity to access the report, please follow the link below to WeTransfer, and click on 'download' which should show on the left of the screen once it has loaded.</p> <p>https://we.tl/t-EdJoReNtP2</p> <p>The report will then be downloaded to your 'downloads' folder on your computer. If you have any problems accessing the report through the link, please let me know and will be happy to assist.</p>
8.	<p>COMMENTS ON THE DRAFT BASIC ASSESSMENT REPORT AND ENVIRONMENTAL MANAGEMENT PROGRAMME REPORT ON THE PROPOSED ALTINA 120MW SOLAR PHOTOVOLTAIC & 10MW BATTERY ENERGY STORAGE SYSTEMS PROJECT NEAR THE TOWN OF ORKNEY, FREE STATE PROVINCE.</p> <p>The Directorate: Biodiversity Conservation reviewed and evaluated the</p>	S. Lekota (DFFE: Directorate Biodiversity Conservation)	Letter (17/10/2022)	Nemai Green	<p>Please refer to Section 13.5 for a summary of the Terrestrial Ecological Impact Assessment. Appendix E2 for a copy of the Terrestrial Ecological Impact Assessment.</p> <p>No environmental fatal flaws were identified in the detailed specialist studies conducted, and</p>

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	<p>aforementioned reports.</p> <p>Based on the information provided in the report, the Project falls within Critical Biodiversity Area (CBA1) and Other Natural Area (ONA). However, CBA 1 must remain in natural or near-natural ecological condition in order to meet biodiversity targets. No environmental fatal flaws were identified in the detailed specialist studies conducted, and no impacts of unacceptable or high significance are expected to occur with the implementation of the recommended mitigation measures.</p> <p>It should be highly noted that the Directorate does not support any development within a very highly sensitive area and that will result with significant negative residual impacts after mitigation.</p> <p>Notwithstanding the above, the following recommendations must be considered in the final report:</p> <ul style="list-style-type: none"> • Preconstruction walk-through of the approved development footprint must be conducted to ensure that sensitive habitats and species are avoided where possible. • Search and rescue plan to exercise the removal and relocation of any TOPs or species of conservation concern that have the likelihood of occurring in the study area must be developed and submitted as part of the final report. • Sensitive habitats in close proximity to the development footprint must be avoided or demarcated as No-Go area (i.e. Drainage lines and Wetlands). • Appropriate buffer must be established around medium sensitive habitats (i.e. Wetlands). • Suitable bird repelling structures and bird diverters must be considered to avoid collision of birds with the PV facility. • Alien invasive Plant Species Management Plan and Rehabilitation Plan must be developed and submitted as part of the final report to mitigate on habitat degradation due to erosion and alien plant invasion. • Alternative 2 must be the preferred layout alternative as it excludes more high sensitivity areas than alternative 1. <p>The final report must comply with all the requirements as outlined in the Environmental Impact Assessment (EIA) guideline for renewable energy projects and the Best Practice Guideline for Birds & Solar Energy for assessing and monitoring the impact of solar energy</p>				<p>no impacts of unacceptable or high significance are expected to occur with the implementation of the recommended mitigation measures.</p> <p>The recommendations listed will be considered in the final Basic Assessment Report.</p> <p>Mr. Seoka Lekota is included in the database of authorities. A copy of the amended draft Basic Assessment Report will be submitted to the DFFE Directorate: Biodiversity Conservation, for his attention.</p>

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	<p>facilities on birds in Southern Africa.</p> <p>In conclusion, please note that all Public Participation Process documents related to Biodiversity EIA review and any other Biodiversity EIA queries must be submitted to the Directorate: Biodiversity Conservation at Email: BCAdmin@environment.gov.za for attention Mr Seoka Lekota.</p>				
9.	<p>COMMENTS ON THE DRAFT BASIC ASSESSMENT REPORT FOR THE PROPOSED ALTINA 120MW SOLAR PHOTOVOLTAIC (PV) & 40MW BATTERY ENERGY STORAGE SYSTEMS (BESS) PROJECT NEAR THE TOWN OF ORKNEY, FREE STATE PROVINCE</p> <p>The application form and draft Basic Assessment Report (BAR) dated September 2022 and received by this Department on 21 July 2022 and 15 September 2022 respectively and acknowledged on the 20 September 2022, refers.</p> <p>This letter serves to inform you that the following information must be submitted:</p>	V. Skosana (DFFE Acting Chief Director: Integrated Environmental Authorisations)	Letter (07/10/2022)	Nemai Green	Introductory section of letter. No response required.
10.	<p>(a) Application form</p> <p>i. Competent Authority: this section must be amended to be specific to Section 24C of NEMA 107 of 1998, as amended. Include reference to a specific regulation or sub-regulation within the Act or relevant gazette as motivation.</p> <p>ii. Please ensure that the relevant listed activities are applied for, are specific and can be linked to the development activity or infrastructure as described in the project description. Ensure that you have checked all 3 listing notices and have included all the necessary activities. You are required to provide thresholds for each activity included. You must choose a sub activity and provide specific thresholds for the activity for e.g. Act 28 (ii) a mixed-use development to occur on agricultural land, outside urban areas and have a development footprint of 7Ha.</p> <p>iii. Please refer to the substation in the project description under Activity 11 LN1 and include the capacity of the proposed substation. The substation must also be included in the project's technical description.</p> <p>iv. Activities related to BESS and LN1 Activity 14; LN2 Activity 4 and LN3 Activity 10: Kindly note, that BESS' are not considered to trigger Listing Notice (LN) LN1 Activity (14) and Activity (51); LN2 Activity (4)</p>			Nemai Green	<p>(a) Application Form</p> <p>i. Please refer to the amended Application Form (included under Appendix B of the amended draft BAR).</p> <p>ii. Table 5 in the amended draft BAR reflects the triggered activities and their associated sub-activities. The relevant thresholds have also been included.</p> <p>iii. Table 5 in amended draft BAR has been updated to indicate that the capacity of proposed on-site substation is 132 kV/22kV (134MW) in relation to Activity 11 LN1. Please refer to Table 8 for the substation capacity under the Project Description.</p> <p>iv. Activities related to BESS and the storage of dangerous goods have been removed from the Application Form and Listed Activities applied for. Please see the amended Application Form and Table 5 in the BAR.</p>

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	<p>and; LN3 Activity (10) and Activity (22) as the batteries are not considered to be containers. Their intrinsic purpose is not to store a dangerous good – but rather to store energy. This applies when the battery/BESS is already assembled, regardless of its type. However, if unassembled and the substance/ substances making up the reactants/ electrolytes are stored in containers on site, and such storage meets or exceeds the threshold indicated in the relevant listed or specified activity (AND meets the definition of “dangerous goods” as per the 3 Listing Notices under the EIA Regulations, 2014, as amended), then such identified activity may still be triggered. This would also apply with respect to maintenance- if any dangerous goods is stored on site in a container/ containers where the capacity meets or exceeds the thresholds in any of the listed or specified activities related to the storage or storage and handling of a dangerous goods, then such would be triggered, requiring environmental authorisation.</p> <p>v. All 3 Listing Notices must be carefully considered to identify any other listed or specified activity, which may be triggered by the proposed development of a BESS.</p> <p>vi. If the activities applied for in the application form differ from those mentioned in the final BAR, an amended application form must be submitted. Please note that the most recent Department’s application form template can be downloaded from the following link https://www.environment.gov.za/documents/forms.</p>				<p>v. Listing Notice 3 Activities 12 and 14 are applicable, but these are already included and specified for overall project components.</p> <p>vi. Although not the final BAR, given that Listed Activities have been amended, and the Applicant details have changed, an updated Application Form is being submitted with the amended draft BAR.</p>
11.	<p>(b) Layout & Sensitivity Maps</p> <p>i. Please provide a layout map which indicates the following:</p> <ul style="list-style-type: none"> • All supporting onsite infrastructure that will support the proposed development, e.g., roads (existing and proposed) etc. • The proposed location of the PV array and associated infrastructure of the proposed Altina Photovoltaic Solar Energy Facility. • The proposed grid infrastructure connecting the PV facility to the existing Substation, overlain by the sensitivity map; • The location of sensitive environmental features on site where applicable e.g., Critical Biodiversity Areas (CBAs), heritage sites, wetlands, drainage lines, anticipated erosion, farming activities, etc, that will be affected. • Buffer areas; and all “no-go” areas. • The above map must be overlain with a sensitivity map and a 			Nemai Green	<p>i. The layout of the proposed development footprint in relation to the factors listed can be found under Appendix A of the amended draft BAR. Where not possible to display all the requirements on one single map (which would impact legibility) separate maps have been provided.</p> <p>A sensitivity map is included under Appendix A of the amended draft BAR. Where not possible to display all the requirements on one single map (which would impact legibility) separate maps have been provided.</p> <p>Cumulative sensitivity maps have been included under Appendix A which show the neighbouring developments. To note is that no structures will</p>

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	cumulative map which shows neighbouring developments and all existing infrastructure that will be affected by the proposed project.				be impacted on by the Project.
12.	<p>(c) Project Description:</p> <p>i. The technical details of the facility must include a total development footprint area in hectares.</p> <p>ii. The technical details (table 8) must refer to the 'new 132kV power lines between the on-site substation and grid connection point'. Ideally, the components of the proposed solar PV plant should correlate with the technical details table, where possible.</p> <p>iii. Include a separate appendix with technical information of the proposed development i.e. farm names, SG codes, coordinates of all relevant infrastructure.</p>			Nemai Green	<p>i. Please refer to Table 8 in the amended draft BAR under Section 8.4.1, where the total development footprint area in hectares is provided.</p> <p>ii. Please refer to the updated Table 8 under Section 8.4.1 of the amended draft BAR.</p> <p>iii. Please refer to Section 4.2 of the Amended BAR that provides the property details and project coordinates. Kindly note that although a layout is provided, the application is for a development footprint, the coordinates of which are provided.</p>
13.	<p>(d) Need and Desirability:</p> <p>i. Section 10 of the draft BAR must be amended to include a project specific motivation in terms of need and desirability.</p>			Nemai Green	A Project Motivation can be found under Section 3 of the Report.
14.	<p>(e) Alternatives</p> <p>Please ensure that you provide a full description of the process followed to reach the proposed preferred alternative within the site, in terms of Appendix 1(3)(1)(h) of the EIA Regulations 2014, as amended, including the following content:</p> <p>(a) details of all the alternatives considered;</p> <p>(b) details of the public participation process undertaken in terms of regulation 41 of the Regulations, including copies of the supporting documents and inputs;</p> <p>(c) a summary of the issues raised by interested and affected parties, and an indication of the way the issues were incorporated, or the reasons for not including them;</p> <p>(d) the environmental attributes associated with the alternatives focusing on the geographical, physical, biological, social, economic, heritage and cultural aspects;</p> <p>(e) the impacts and risks identified for each alternative, including the nature, significance, consequence, extent, duration and probability of the impacts, including the degree to which these impacts—</p> <p>(aa) can be reversed;</p>			Nemai Green	<p>(a) Details of the alternatives considered are included under Section 9 of the BAR.</p> <p>(b) Details of the public participation process followed are include under Section 16 of the BAR; and copies of all supporting documents are included under Appendices F and G of the BAR.</p> <p>(c) A Comments and Response Report (CRR) is included under Appendix J of the BAR.</p> <p>(d) An analysis of alternatives can be found under Section 15 of the BAR.</p> <p>(e) Please refer to the Impact Assessment under Section 14 of the BAR.</p> <p>(f) Please refer to Section 14.7 for a summary of the impact assessment method.</p>

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	<p>(bb) may cause irreplaceable loss of resources; and (cc) can be avoided, managed or mitigated;</p> <p>(f) the methodology used in determining and ranking the nature, significance, consequences, extent, duration and probability of potential environmental impacts and risks associated with the alternatives;</p> <p>(g) positive and negative impacts that the proposed activity and alternatives will have on the environment and on the community that may be affected focusing on the geographical, physical, biological, social, economic, heritage and cultural aspects;</p> <p>(h) the possible mitigation measures that could be applied and level of residual risk;</p> <p>(i) the outcome of the site selection matrix;</p> <p>(j) if no alternatives, including alternative locations for the activity were investigated, the motivation for not considering such; and</p> <p>(k) a concluding statement indicating the preferred alternatives, including preferred location of the activity.</p>				<p>(g) Please refer to the Impact Assessment under Section 14 of the BAR.</p> <p>(h) Please refer to the Impact Assessment under Section 14 of the BAR.</p> <p>(i) One site alternative is included in the assessment, and a site selection matrix was not available, however, the reasons for the site selection are provided under Section 9.2 of the BAR.</p> <p>(j) Two layout alternatives were included in the application (Section 9.3 of the BAR), which were assessed. Technology alternatives were discussed, however preferred choices were provided with motivation by the Application (Section 9.4 of the BAR).</p> <p>(k) An analysis of alternatives can be found under Section 15 of the BAR, and a concluding Environmental Impact Statement is included under Section 17.3 of the BAR.</p>
15.	<p>(f) Specialist Assessments</p> <p>i. It is brought to your attention that Procedures for the Assessment and Minimum Criteria for Reporting on identified Environmental Themes in terms of Sections 24(5)(a) and (h) and 44 of the National Environmental Management Act, 1998, when applying for Environmental Authorisation, which were promulgated in Government Notice No. 320 of 20 March 2020 (i.e. "the Protocols"), and in Government Notice No. 1150 of 30 October 2020 (i.e. protocols for terrestrial plant and animal species), have come into effect. Please note that specialist assessments must be conducted in accordance with these protocols.</p> <p>ii. The screening tool output: a) The screening tool and the gazetted protocols (GN R320 of 20 March 2020 and GN R 1150 of 30 October 2020) require a site sensitivity verification to be completed to either confirm or dispute the findings and sensitivity ratings of the screening tool. b) The Aquatic Biodiversity theme; Landscape (solar) theme;</p>			Nemai Green	<p>i. The Procedures for the Assessment and Minimum Criteria for Reporting on identified Environmental Themes in terms of Sections 24(5)(a) and (h) and 44 of the National Environmental Management Act, 1998 were included in the Terms of Reference for the appointed Specialists. The Specialist Studies were conducted in accordance with these protocols.</p> <p>ii. Screening Tool Output a) Site sensitivity verifications were undertaken by the appointed Specialists and are included as a chapter within their Assessment Reports (refer to Appendix E for copies of the Specialist Reports). b) These sensitivities are noted in the Screening Report attached to the Application</p>

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	<p>Paleontology theme and Terrestrial Biodiversity theme are classified as 'very high sensitivity', with the Agricultural and Avian theme being classified as 'high sensitivity'. Animal species and civil aviation theme falls in the 'medium sensitivity' and Archaeological and Cultural Heritage theme; Defense theme; Plant species theme and RFI theme fall under 'low sensitivity'.</p> <p>c) The screening tool (Appendix B) identifies thirteen (13) Specialist reports. It is the responsibility of the EAP to confirm this list and to motivate in the assessment report, the reason for not including any of the identified specialist study including the provision of photographic evidence of the site situation. You have not provided motivation in this regard for any of the specialist studies. Section 14.2 of the BAR is insufficient. The site sensitivity verification for each of the recommended studies, as per the protocols, have not been compiled and attached.</p> <p>iii. 'An applicant intending to undertake an activity identified in the scope of this protocol, on a site identified on the screening tool as being of "very high sensitivity" for terrestrial biodiversity, must submit a Terrestrial Biodiversity Specialist Assessment.' If the findings of the site verification differed from the screening tool and was found to be of a different sensitivity level, then a compliance statement would have been accepted.</p> <p>iv. Site sensitivity verifications for all the identified specialist studies (according to the screening tool) must be provided.</p> <p>v. Additionally, the protocols specify that an assessment must be prepared by a specialist who is an expert in the field and is SACNASP registered for e.g.an aquatic assessment must be prepared by a specialist registered with SACNASP, with expertise in the field of aquatics sciences.</p> <p>vi. Should the appointed specialists specify contradicting recommendations, the EAP must clearly indicate the most reasonable recommendation and substantiate this with defensible reasons; and were necessary, include further expertise advice.</p> <p>vii. Section 13 of the draft BAR identifies several sensitive environmental features and possible impacts. The specialist reports and their findings are not included in this section. Furthermore, confirmation or verification of the screening tool sensitivity ratings are not included here, as referred to above.</p>				<p>Form (refer to Appendix B of the BAR). Each specialist verified the sensitivities and confirmed sensitivities are provided in the BAR and the Specialist Reports.</p> <p>c) Refer to Section 13.2 for a tabulated list of specialist studies that were identified in the Screening Report, but which were not deemed to be necessary. A more detailed motivation is provided.</p> <p>iii. A Terrestrial Ecological Impact Assessment Report, inclusive of a site sensitivity verification have been included under Appendix E2 of the draft BAR.</p> <p>iv. See response provided in ii. a) above.</p> <p>v. Specialists are SACNASP registered for the studies requiring such in the Protocols.</p> <p>vi. Contradicting recommendations by specialists will be investigated and resolved by the EAP, in consultation with the relevant specialists.</p> <p>vii. Section 12 outlines the profile of the receiving environment and is largely desktop based, with reference to specialist inputs or where those inputs are found in the BAR included. Section 13 provides a summary of the specialist studies.</p> <p>viii. The percentages provided in the Wetland Delineation study are based on the broader property boundary and not only the development footprint itself. The Applicant committed to re-look at the BPEO layout (Alternative 2) in an attempt to further minimise or avoid impacts to high sensitive wetlands. Consequently, the following was changed:</p> <ul style="list-style-type: none"> The hardstanding infrastructure was moved

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	<p>viii. Wetland Delineation study: the study highlights that the “wetlands occupy a large proportion (55% or 479.64 ha) of the total project area, and when considering their prescribed buffers this increases to (63.62% or 554.07 ha).” Furthermore, the report goes on to state that: ‘Decisions regarding the development of wetland areas and the required compensation lies beyond the scope of this study and would need to be addressed in the preliminary stages of an offset strategy (separate study to be commissioned if the developers wish to proceed with the development in wetland areas).’</p> <p>Furthermore, whilst it is understood that the applicant intends for the layout to overlap onto some seepage areas, there is no mention of whether the recommended buffers contained in this report for the different hydrogeomorphic units (HGMs) have been incorporated into the layout (section 8 of report). As such, the specialist recommends that a wetland offset strategy be implemented, however, none is provided with the draft BAR. The EAP and applicant have not provided a response and instead adds this requirement for future recommendation. Clarify the applicant’s intentions with regards to the offset strategy and expand on the reason for an offset strategy/plan not being included with this report.</p> <p>ix. Avifaunal Study: The study notes that for Alternative 2: ‘the proposed infrastructure does not overlap any areas of High avifaunal sensitivity but instead only roughly equal amounts of Moderate and Low sensitivity areas’. Please confirm whether the floodplain and valley-bottom wetland habitat buffers have been included as the specialist states: This habitat has been excluded from the development footprint and adherence to the prescribed wetland buffers on floodplains and valley-bottom wetlands important for roosting seed-eaters is assumed based on infrastructure Alternative 2 (preferred).</p>				<p>to low sensitivity wetland and terrestrial areas;</p> <ul style="list-style-type: none"> • Internal site roads follow existing farm roads as far as possible; and • PV module support structure dimensions were clarified in order to determine the expected footprint of the PV modules within high sensitive wetland seeps. It was determined that PV module structure actual footprints would be 0.35% of the dimensions of the module. • Areas under the PV modules would remain natural vegetation. <p>Based on the revisions, the Wetland Specialist proposed that an on-site Rehabilitation Strategy would suffice as the offset Strategy, and a draft was compiled for inclusion in the amended draft BAR. The Rehabilitation Strategy draft is included under Appendix E10 of the BAR. It is recommended that the Rehabilitation Strategy be finalized prior to construction once detailed design is complete.</p> <p>ix. It is confirmed that the floodplain very high sensitive wetland buffer has been taken in to account for layout Alternative 2, and as such the floodplain wetland and buffer are excluded from Alternative 2 layout footprint.</p>
16.	<p>(g) Public Participation Process</p> <p>i. The following information must be submitted with the final BAR:</p> <p>a) The Public Participation Process (PPP) must be conducted in terms of Regulation 39, 40, 41, 42, 43 & 44 of the EIA Regulations 2014, as amended and be current</p> <p>b) A list of registered interested and affected parties as per Regulation 42 of the NEMA EIA Regulations, 2014, as amended;</p>			Nemai Green	<p>i. To note is that the final BAR has not yet been submitted. However, the amended draft BAR and the final BAR will comply with the listed requirements.</p> <p>a) The public participation process was conducted in terms of the EIA Regulations and is current.</p> <p>b) A list of registered I&APs are included under</p>

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	<p>c) Proof of written notice to all I&AP's for the circulation of the BAR.</p> <p>d) Copies of all comments received during the draft BAR comment period; and</p> <p>e) A comment and response report which contains all comments received and responses provided to all comments and issues raised during the PPP for the draft BAR. Please note that comments received from this Department must also form part of the comment and response report. The comments must be in chronological order.</p> <p>f) Please ensure that all issues raised and comments received during the circulation of the draft BAR from registered I&APs and organs of state which have jurisdiction (including this Department's Biodiversity and Conservation Section in respect of the proposed activity are adequately addressed in the final BAR.</p> <p>g) 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.</p>				<p>Appendix H of the BAR.</p> <p>c) Proof of written notice to all I&APs are included under Appendices F1 and G1 of the BAR.</p> <p>d) Copies of comments received are included under Appendices I1 and I2 of the BAR.</p> <p>e) A Comments and Response Report (CRR) is included under Appendix J of the BAR.</p> <p>f) Please refer to the CRR within Appendix J of the BAR.</p> <p>g) See responses provided under c) and e) above.</p>
17.	<p>(h) Environmental Management Programme</p> <p>i. The EMPr must include mitigation and monitoring measures to all the environmental impacts identified and assessed for the above-mentioned proposed activity. Furthermore, the EMPr must include all recommendations and mitigation measures from specialists in the final BAR.</p> <p>ii. It is drawn to your attention that for overhead electricity transmission and distribution infrastructure and substation infrastructure, and any other listed and specified activities necessary for the realisation of such activities, the generic Environmental Management Programme, contemplated in Regulations 19(4) must be used and submitted with the final report.</p> <p>iii. You are required to comply with the content of the EMPr in terms of Appendix 4 of the Environmental Impact Assessment Regulations, 2014, as amended. Include a section in the EMPr which illustrates Appendix 4 and refer to where such information is presented in the EMPr e.g., page numbers/table numbers.</p>			Nemai Green	<p>i. Three EMPrs are submitted with the application. Two generic EMPrs and one PV facility EMPr. The EMPrs include mitigation and monitoring measures to all assessed environmental impacts identified for the Project, and include mitigation measures provided by the various specialists and the EAP in the BAR.</p> <p>ii. A generic Environmental Management Programme, contemplated in Regulations 19(4) has been used and submitted with the draft BAR for both the powerline and on-site substation.</p> <p>iii. A document roadmap under Section/Chapter 2 of the PV facility EMPr outlines the compliance to the EIA Regulations.</p> <p>iv. See response i. above.</p> <p>v. The EMPrs are included separately under</p>

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	<p>iv. The EMPr must include mitigation and monitoring measures to all the environmental impacts identified and assessed for the above-mentioned proposed activity. Furthermore, the EMPr must include all recommendations and mitigation measures recorded in the final BAR.</p> <p>v. Ensure that all EMPr's i.e. the generic EMPr's for the substation and powerline and the facility EMPr are in a singular document, or individual documents named successively for efficient review for e.g. Appendix E1; E2, E3.</p> <p>vi. Please make note of Part B Section 2 of the generic EMPR requirement which states that: "This section must be submitted to the CA together with the final BAR or EIAR. The information submitted to the CA will be considered to be incomplete should a signed copy of Part B: Section 2 not be submitted. Once approved, this Section forms part of the EMPr for the development and is legally binding." Ensure that signed versions of the generic EMPr's for the substation and powerline are submitted with the final BAR.</p> <p>vii. The stormwater management plan included under appendix D, must form part of the facility EMPr.</p>				<p>Appendix K:</p> <ul style="list-style-type: none"> • APPENDIX K1 – EMPr for the Solar PV Park. • APPENDIX K2 – Generic EMPr: overhead electricity transmission and distribution infrastructure. • APPENDIX K3 - Generic EMPr: substation infrastructure for transmission and distribution of electricity. <p>vi. The signed copy of Part B Section 2 for both generic EMPr's will be submitted with the Final BAR.</p> <p>viii. The stormwater management plan under Appendix D has been incorporated into the facility EMPr.</p>
18.	<p>(i) Undertaking of an Oath</p> <p>i. Please ensure that the final BAR includes an undertaking under oath/ affirmation by the EAP.</p> <p>ii. Based on the above, you are therefore required to include an undertaking under oath or affirmation by the EAP (administered by a Commissioner of Oaths) as per Appendix 1(3)(r) of the NEMA EIA Regulations, 2014, as amended, which states that the BAR must include: "an undertaking under oath or affirmation by the EAP in relation to: a) the correctness of the information provided in the reports; b) the inclusion of comments and inputs from stakeholders and I&APs; c) the inclusion of inputs and recommendations from the specialist reports where relevant; and d) any information provided by the EAP to interested and affected parties and any responses by the EAP to comments or inputs made by interested and affected parties".</p>			Nemai Green	<p>i. the final BAR will include an undertaking/oath by the EAP. The amended draft BAR includes an undertaking/oath by the EAP under Appendix L.</p> <p>ii. See response to i. above.</p>
19.	<p>(j) General</p> <p>i. The content of the final BAR must comply with Appendix 1 of the EIA Regulations 2014, as amended. It is noted that you have used a</p>			Nemai Green	<p>i. Section 12 has been incorporated into Section 8.13 and Section 12 has been deleted.</p>

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	<p>template for the BAR for e.g. Section 12. Note, that this Department does not make use of templates for BARs any longer. You are advised to remove the template from the BAR content.</p> <p>You are further reminded to comply with Regulation 19(1)(a) of the NEMA EIA Regulations, 2014, as amended, which states that: "Where basic assessment must be applied to an application, the applicant must, within 90 days of receipt of the application by the competent authority, submit to the competent authority -</p> <p>(a) a basic assessment report, inclusive of specialist reports, an EMPr, and where applicable a closure plan, which have been subjected to a public participation process of at least 30 days and which reflects the incorporation of comments received, including any comments of the competent authority."</p> <p>Should there be significant changes or new information that has been added to the BAR or EMPr which changes or information was not contained in the reports or plans consulted on during the initial public participation process, you are required to comply with Regulation 19(b) of the NEMA EIA Regulations, 2014, as amended, which states: "the applicant must, within 90 days of receipt of the application by the competent authority, submit to the competent authority – (b) a notification in writing that the basic assessment report, inclusive of specialist reports an EMPr, and where applicable, a closure plan, will be submitted within 140 days of receipt of the application by the competent authority, as significant changes have been made or significant new information has been added to the basic assessment report or EMPr or, where applicable, a closure plan, which changes or information was not contained in the reports or plans consulted on during the initial public participation process contemplated in sub-regulation (1)(a) and that the revised reports or, EMPr or, where applicable, a closure plan will be subjected to another public participation process of at least 30 days".</p> <p>Should you fail to meet any of the timeframes stipulated in Regulation 19 of the NEMA EIA Regulations, 2014, as amended, your application will lapse.</p> <p>You are hereby reminded of Section 24F of the National Environmental Management Act, Act No. 107 of 1998, as amended, that no activity may commence prior to an Environmental Authorisation being granted by the Department.</p>				<p>New information has been included in the BAR to address DFFE comment (f) viii. An extension of timeframes in terms of Regulation 19(1)(b) was submitted to the DFFE and therefore, the final BAR inclusive of public participation will be submitted to the DFFE in 140 days from the receipt of the application by the competent authority.</p>

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20.	David Britz indicated that Nemaï Consulting need to include representatives from Free State Agriculture and SAAI in their database.	D. Britz	Public Meeting (10/10/2022)	Nemaï Green	Donavan Henning mentioned that representatives from Free State Agriculture are already included in the database of Interested and Affected Parties (I&APs). He asked that the details of these representatives be provided by David Britz to confirm if they are not already reflected in the database. An email was received from David Britz on 11/10/2022 providing two further contact details.
21.	David Britz contested the findings from the Agricultural Specialist that the land does not have high agricultural potential. He stated that the land has high value from a wetland pastures perspective.	D. Britz	Public Meeting (10/10/2022)	Agricultural Specialist	Refer to Section 5 in the Agricultural report. National policy on the protection of high potential and unique agricultural land (HPUAL) published by Department of Agriculture in 2006 defines high potential land. In terms of legislation high potential land includes: <input type="checkbox"/> Land capability Classes i to iii; <input type="checkbox"/> Unique agricultural land; <input type="checkbox"/> Irrigated land; and <input type="checkbox"/> Land suitable for irrigation. Grazing land is not a criterion in determining is land is high potential land and was classified as low sensitivity land. The channelled wetlands (river and riparian zone) have been excluded from the development.
22.	David Britz queried the findings from Ecologists that no protected species are present. He mentioned that previous studies done in the area found a protected frog species ("rooibekpadda").	D. Britz	Public Meeting (10/10/2022)	Terrestrial Ecological Specialist	The field survey was undertaken the 23rd to the 24th of May 2022, the winter period. The lack of species was likely due to the inclement weather during the survey, with likely contributions due to the inherent secretive nature of herpetofauna and limited time available for fieldwork. Any information pertaining to this species should be provided for consideration for the report update, and if relevant, suitable recommendations and management measures will be provided.
23.	Tiaan Jonker asked how the development can take place on high potential agricultural land in the south-eastern part of the site.	T. Jonker	Public Meeting (10/10/2022)	Agricultural Specialist	Refer to Section 5 for the process of assigning land capability. There are portions within the south eastern corner that has high/medium potential soil.

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					However, it also contains portions that are waterlogged (as indicated by land that the combine harvester could not access) or it is underlain by shallow hard plinthite. The finding is that the soil is only moderately sensitive. This portion is shallow and moderately deep soils and are moderately sensitive and consists of Clovelly, Avalon, Longlands or Dresden soils.
24.	David Britz asked how the PV development will influence local weather conditions and impact on the adjacent cultivated land. He mentioned, as examples, that the PV panels may create extra heat and change rainfall patterns.	D. Britz	Public Meeting (10/10/2022)	Applicant	Although some literature, globally, makes reference to these, the literature also references, that, PV panels has a positive impact in the evening with regards to creating cooler conditions. Current global experience with operating solar PV plants do not have an adverse effect on weather patterns nor any change in rainfall patterns over a total day and night. The only known and accepted phenomena in the world to date is the greenhouse gas emissions that is the primary cause of global warming. Hence, solar PV technology, utilising a renewable energy source, namely the Sun, has a positive impact on the environment when compared to fossil fuels and nuclear power plants.
25.	Tiaan Jonker asked how water will be obtained for the operation of the PV development, including the cleaning of the panels. He indicated that groundwater is limited in the area and noted the poor yields from local boreholes. He asked whether groundwater resources have been confirmed by a geohydrologist.	T. Jonker	Public Meeting (10/10/2022)	Applicant	<p>Water could potentially be sourced from the Municipality or Landowners with registered boreholes. Other options may be explored as the project progresses in its development stage. The required agreements and/or permits will be concluded and/or applied for as the project progresses.</p> <p>The Project site Landowner indicated to the Applicant that water could be provided by the landowner to the Project via boreholes. The Landowner said the Applicant would need to test the water, but that there was a good yield. The Landowner has 2 boreholes on site which overflow, and he also has 2 water points from the water pipeline running through the property. The boreholes are registered, so the Project could investigate buying water from the</p>

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					Landowner.
26.	Tiaan Jonker asked whether the Ecologist found shrews during the specialist study.	T. Jonker	Public Meeting (10/10/2022)	Terrestrial Ecological Specialist	Ten (10) mammals were observed during the survey, none of these included shrews.
27.	David Britz indicated that cumulative impacts will be caused by the various solar PV developments in the region.	D. Britz	Public Meeting (10/10/2022)	Nemai Green	Refer to Section 14.27 of the BAR for the discussion on cumulative impacts.
28.	Tiaan Jonker asked about the area required to still render the project financially viable, considering that the area with high agricultural potential in the south-eastern part of the site may need to be excluded. He explained the factors that are considered by the Department of Agriculture, Land Reform and Rural Development (DALRRD) for viable agricultural practices.	T. Jonker	Public Meeting (10/10/2022)	Agricultural Specialist	Refer to Section 5.3 for the definition of highly sensitive land. This was also addressed in the previous two sections. The sensitivity analysis is based on the guidelines of DALRRD. HPUAL has as one of its clauses that the property must remain a viable farming unit. The PV project will be placed mostly on poor quality grazing and the sand mine. It is our view that the cultivated portion on the remaining part of the property once the PV project is implemented is and will remain a viable farming unit. It will have close to 350 hectares of high potential arable land with the potential of generating more than R3,3million per year, and even more if cattle is included. The project, will, therefore, not lead to creation of an unproductive unit.
29.	Tiaan Jonker noted that the Applicant previously mentioned that the panels will be lifted to allow grazing to take place underneath. He asked whether the increased height of the panels were taken into consideration by the Visual Specialist.	T. Jonker	Public Meeting (10/10/2022)	Applicant and Agricultural Specialist	The raising of the PV panels to allow for large livestock to graze beneath is not an option with regards to the technology and a maximum height of the solar PV panels from the ground level has been stipulated as 2m in height. The Agricultural Specialist provided the following response: Research found the opposite regarding heat impact under panels: Research at the University of Minnesota has shown that sheep were able to rest beneath solar panels and had an internal temperature a half-degree lower than those who grazed in the sun all day. As indicated in Section 3.5 and 5.3, the

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					<p>grazing is poor due to invading plants (bankrotbos). It is estimated that the loss of income is around R102 000 per year from livestock. This loss is not significant when considered the dire condition of the county's electricity supply.</p>				
30.	Tiaan Jonker requested a consolidated sensitivity map, in order to identify areas where the site is not sensitive.	T. Jonker	Public Meeting (10/10/2022)	Nemai Green	Consolidated sensitivity maps for Alternative 1 and 2 can be found under Appendix A of the BAR.				
31.	Deon van Biljon asked how the mining licence for the sand mining, which is takings place on the north-western part of the site, influences the project.	D. van Biljon	Public Meeting (10/10/2022)	Nemai Green and the Applicant	<p>Nemai Green indicated that the Applicant will need to consider Section 53 of the Minerals and Petroleum Resources Development Act (Act No. 28 of 2002) (MPRDA), and further noted that this area will need to be rehabilitated to allow for the solar PV development to take place.</p> <p>The Applicant has discussed the mining licence/permit with the Landowner, and consent has been given through the Option To Lease agreement with the Landowner. An application to the DMRE will be made as per standard project development practices when the project progresses in its development. This is a mandatory requirement as per the REIPPPP tender requirements.</p>				
32.	The ward councillor enquired about the Labour influx and the number of people that would be required for the project.	Councillor Jackson	R. Public Meeting (10/10/2022)	Applicant	<p>The exact number of job opportunities is not yet known at this stage. However, the preliminary job creation figures available (which may be subject to change) include:</p> <table border="1" data-bbox="1592 1225 2107 1422"> <tbody> <tr> <td data-bbox="1592 1225 1845 1315">Duration of the construction period (in months / years)</td> <td data-bbox="1845 1225 2107 1315">12 - 18 Months</td> </tr> <tr> <td data-bbox="1592 1315 1845 1422">Breakdown of number of people employed in terms of low skilled, semi-</td> <td data-bbox="1845 1315 2107 1422">60% low skilled, 25% semi-skilled and 15% skilled</td> </tr> </tbody> </table>	Duration of the construction period (in months / years)	12 - 18 Months	Breakdown of number of people employed in terms of low skilled, semi-	60% low skilled, 25% semi-skilled and 15% skilled
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					skilled and skilled	
					Length of operation phase (in months / years)	Minimum 20 years
					Breakdown of number of people employed during operation	70% low skilled, 25% semi-skilled and 5% skilled
					Breakdown in terms of skills levels (i.e. low skilled, semi-skilled and skilled)	70% low skilled, 25% semi-skilled and 5% skilled