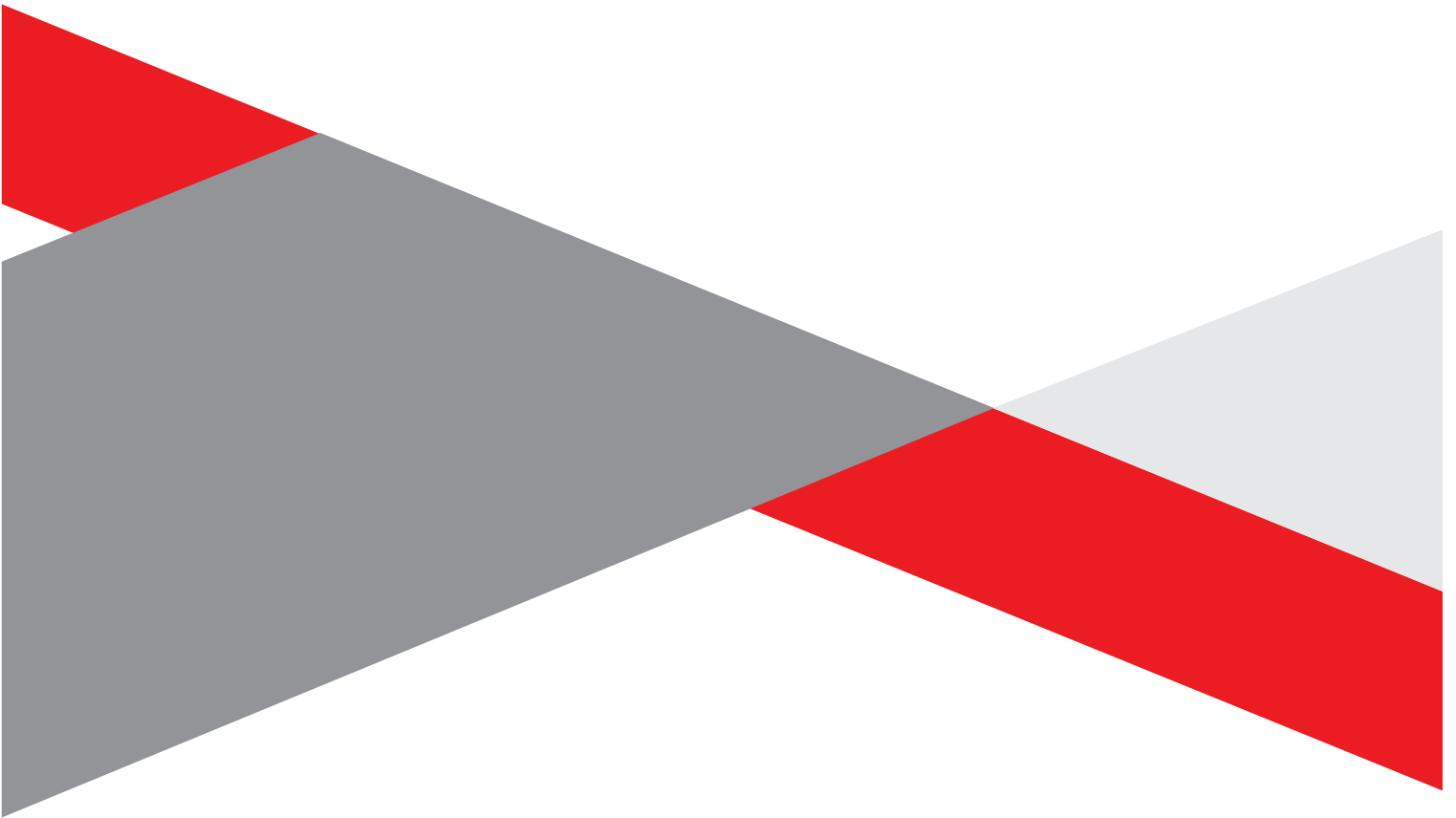


APPENDIX H6
COMMENTS AND RESPONSE REPORT



**PROPOSED CONSTRUCTION OF THE 55.5MW SPRINGBOK WIND POWER GENERATION FACILITY NEAR SPRINGBOK, NORTHERN CAPE PPROVINCE
(DFFE Ref. No.: 12/12/20/1721/AM9)**

COMMENTS AND RESPONSES REPORT

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The Amendment process for the 55.5MW Springbok Wind Power Generation Facility was initiated on **Thursday, 13 April 2023**. The advertisement published, and a notification letter served to invite Interested and Affected Parties (I&APs) to register their interest in the project and to submit any comments / queries that they might have.

The Motivation Report was made available for a 30-day review and comment period from **Thursday, 13 April 2023** to **Tuesday, 16 May 2023**, and all written comments have been included in the table below and included in Appendix **H6** of the EIA Report.

LIST OF ABBREVIATIONS / ACRONYMS

| | | | |
|------|---|------|---------------------------------|
| CRR | Comments and Response Report | I&AP | Interested and Affected Parties |
| DFFE | Department of Forestry, Fisheries and the Environment | MW | Megawatt |

1. COMMENTS SUBMITTED DURING THE AMENDMENT PROCESS (30-DAY REVIEW PERIOD)

1.1. Organs of State

| No. | Comment | Raised by | Response |
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| 1 | <p>The Environmental Authorisation (EA) for the above-mentioned project dated 27 July 2011, the amendments dated 24 October 2011, 27 June 2014, 2 July 2015, 18 May 2016, 25 June 2018, 03 August, 08 July 2019, 28 June 2021, the application for amendment of the EA and the amended draft amendment report received by the Department on 13 April 2023, refer.</p> <p><u>The Department has the following comments on the abovementioned amendment application:</u></p> <p>(a) Public participation</p> <p>(i) Please ensure that comments from all relevant stakeholders are submitted to the Department with the final report.</p> <p>(ii) A Comments and Response trail report (C&R) must be submitted with the final report. The C&R report must incorporate all comments for this application. The C&R report must be a separate document from the main report and the format must be in the table format. Please refrain from summarising comments made by I&APs. All comments from I&APs must be copied verbatim and responded to clearly. Please note that a response such as "noted" is not regarded as an adequate response to I&AP's comments.</p> <p>(iii) Please ensure that all issues raised, and comments received during the circulation of the draft report from registered I&APs and organs of state which have jurisdiction in respect of the proposed activity are adequately addressed in the final report. Proof of correspondence with the various stakeholders must be included in the final report. Should you be unable to obtain comments, proof should be submitted to the Department of the attempts that were made to obtain comments. The Public Participation Process must</p> | <p>Sabelo Malaza</p> <p>Chief Director: Integrated Environmental Authorisations Department of Forestry, Fisheries and the Environment</p> | <p>Savannah Environmental</p> <p>(a) Public participation</p> <p>A public participation process has been conducted in support of the Application to amend the Environmental Authorisation (Ref: 12/12/20/1721) issued for the proposed construction of the 55.5MW Springbok Wind Power Generation Facility and Associated Infrastructure. The Public Participation has been undertaken in accordance with the requirement of Chapter 6 of the EIA Regulations of December 2014, as amended. The following key public participation tasks have been undertaken:</p> <ul style="list-style-type: none"> » The database/register of I&APs has been updated and maintained. » Placement of site notices at the site during March 2023 (refer to Appendix H2 of final Amendment Motivation Report). » Written notifications to registered I&APs as well as Organs of State regarding the availability of the draft Motivation Report were distributed on 13 April 2023 (refer to Appendix H4 and Appendix H5). » Placement of an advertisement in the Gemsbok newspaper on Friday 14th April 2023 announcing the availability of the |

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| | <p>be conducted in terms of Regulation 39, 40, 41, 42, 43 & 44 of the EIA Regulations 2014 as amended.</p> <p>(iv) The final report must also indicate that this draft report has been subjected to a public participation process.</p> <p>(b) Specialist assessments</p> <p>(i) Please make sure that all the specialist studies undertaken have:</p> <ul style="list-style-type: none"> - A review of all specialist studies undertaken, and a detailed assessment, including a site verification report providing an indication of the status of the receiving environment (by the relative specialist, if applicable). - The terms of reference for the specialist reports and declaration of interest of each specialist must be provided. <p>(c) General</p> <p>(i) Please ensure that all mitigation recommendations are in line with applicable and most recent guidelines.</p> | | <p>Motivation Report for a 30-day review and comment period.</p> <p>» The Motivation Report has been made available for the 30-day review and comment period from Thursday 13 April 2023 to Monday 15 May 2023.</p> <p>Comments received during the 30-day review and comment period are included as Appendix H6 in the final submission of the Motivation Report to the DFFE for consideration in the decision-making process. Comments are included and responded to in a Comments and Responses Report, to be included as Appendix H5 of the Final Motivation Report. Proof of attempts made to obtain comments from relevant Organs of State and key stakeholders are also be included in Appendix H6 of the Final Motivation Report.</p> <p>(b) Specialist Assessments</p> <p>The following specialist studies have been completed as part of this EA amendment process:</p> <p>Appendix A: Ecological Specialist Appendix B: Bat Specialist Appendix C: Heritage Specialist Appendix D: Visual Specialist Appendix E: Noise Specialist Appendix F: Avifauna Specialist Appendix G: Socio-Economic Specialist</p> |

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| | | | <p>The above studies all include the terms of reference for the specialist reports and declaration of interest of each specialist.</p> <p>(c) General All mitigation measures recommended in specialist reports are in line with applicable and most recent guidelines and will be included within the final EMP for the project.</p> |

1.2. Key Stakeholders and I&APs

| No. | Comment | Raised by | Response |
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| 1. | I hereby inform you that Openserve approves the proposed work indicated on your drawing in principle. This approval is valid for 06 MONTHS ONLY, after which reapplication must be made if the work has not been completed. | Stefan Geldenhuys General Manager Openserve | This correspondence has been shared with Holder of the EA - Mulilo Springbok Wind Power (Pty) Ltd, who have acknowledged receipt and have stated that they will meet all necessary requirements. |
| 2. | Any changes or deviations from the original planning during or prior to construction must immediately be communicated to this office | Date 02/05/2023 | |
| 3. | <p>Approval is granted, subject to the following conditions.</p> <p>As per the drawing supplied, Openserve infrastructure WILL BE AFFECTED, consequently the conditions below and on the attached legend will apply. At points of crossing, the overhead power lines should cross above the overhead communication lines in accordance with, and clearances stipulated in the Occupational Health and Safety Act no 85 of 1993, Electrical Machinery Regulations 20 - Crossings, and Electrical Machinery Regulations 15 – Clearances of Power Lines. If the specifications could not be met, all deviation costs will be for the applicant's account.</p> <p>We also refer to Section 25 of the Electronic Communication Act 36 of 2005.</p> | | Mulilo Springbok Wind Power (Pty) Ltd have stated that they will meet all necessary requirements. |

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| | <p>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 a minimum separation of 600mm. Should the separation be less than 600mm and the power cable are not enclosed in a suitable pipe, a concrete slab must be provided immediately above the power cable for the length of the parallelism. If the separation is less than 300mm, additional protection is required by placing concrete slabs between the Openserve cables/pipes and the power cables.</p> <p>At points where this Company's existing or proposed underground communications cable will be crossed by an underground cable, the latter should be laid at a depth of at least 300mm below the communication cable – normally laid at a depth of 600mm. If the power cable 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) meters on either side of the crossing.</p> <p>Please notify this office within 21 working days from this letter of acceptance and if any alternative proposal is available or if a recoverable work should commence.</p> <p>It would be appreciated if this office can be notified within 30 days of completion of the construction work. Confirmation is required on completion of construction as per agreed requirements.</p> <p>Should Openserve infrastructure be damaged while work is undertaken, kindly contact our representative immediately.</p> <p>All Openserve rights remain reserved.</p> <p>This wayleave, Reference Number WWIP-WSKN1507_23 valid for 06 months from date here of and is subjected to the following condition:</p> | | |

| No. | Comment | Raised by | Response |
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| | <ol style="list-style-type: none"> 1. No mechanical plant or vibrator type compactors may be used within three metres of any Openserve plant (I.E. any Telecommunication equipment above or below ground level) 2. The position of our plant affected by the proposal is indicated as approximate and Marius Makier /021 981 3399/ 081 348 2317/ Mariusm1@openserve.co.za must be contacted at least 48hours prior to commencement of the work, upon which the actual location of Openserve Plant will be indicated on site. 3. A written request must be submitted to Openserve for consideration should the applicant require our plant to be relocated. The cost of such relocation will be recoverable from the applicant. 4. It is the responsibility of the applicant to verify the existence of the indicated plant and to notify Openserve immediately should the applicant locate any Openserve plant which is not indicated on the plans. 5. Should the applicant expose any Openserve plant, the safeguard thereof will be the applicant's full responsibility. 6. Failing to comply with the above conditions or any special conditions addendum hereto will be regarded as gross negligence and the applicant will be held responsible for the damage or loss as a result thereof. | | |
| 1. | <p>Wilderness Foundation Africa (WFA), through its Northern Cape Land Project, is focussed on the continued and improved protection of ecosystems at a landscape level. With the support of the Leslie Hill Succulent Karoo Trust and WWF South Africa, WFA assists both National and Provincial conservation bodies with the implementation of the National Protected Area Expansion Strategy (NPAES) in the Succulent Karoo. To ensure the continued persistence of ecosystems and that national conservation targets in the Northern Cape will be achieved, it is essential that impacts on sensitive and highly localised habitats are minimized or avoided altogether.</p> | <p>Kerry Purnell Northern Cape Land Project Wilderness Foundation Africa</p> <p>15 May 2023</p> | <p>Background to Wilderness Foundation Africa is acknowledged. In accordance with Regulation 12 of the 2014 EIA Regulations (GNR 326), the applicant, Mulilo Springbok Wind Power (Pty) Ltd has appointed Savannah Environmental (Pty) Ltd as the independent environmental consultant responsible for managing the Application for Amendment; inclusive of the required independent specialist studies and public participation process as required by the Department of Forestry, Fisheries and the Environment.</p> |

| No. | Comment | Raised by | Response |
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| 2. | WFA as an Interested and Affected Party (I&AP) hereby formally raises its concerns with the proposed amendment of the Environmental Authorisation (EA) for the Springbok Wind Power Generation Facility. | | WFA's concerns and comments are noted and have been responded to below. |
| 3. | <p>The above request is informed and supported by the following key pieces of legislation:</p> <ul style="list-style-type: none"> • Constitution of the Republic of South Africa Act, 1996 (Act No. 108 of 1996). • National Environmental Management Act, 1998 (Act No. 107 of 1998) (as amended). • NEMA Environmental Impact Assessment Regulations, 2014 (as amended) • The Minerals and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002) (as amended). • Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000) • Promotion of Access to Information Act, 2000 (Act No. 2 Of 2000) | | The comment is notes. Specific responses are provided below. |
| 4. | Wilderness Foundation Africa hereby wishes, as a registered Interested and Affected Party (IAP) to object to the amendment of the Environmental Authorisation (EA) application for the Springbok Wind Power Generation Facility and Associated Infrastructure (DFFE Reference: 12/12/20/1721) based on (but not limited to) the following | | WFA's objection to the amendment application has been noted. Specific comments have been responded to below. |
| 5. | <p><u>Environmental Reports and Conditions of Authorisation no longer applicable</u></p> <p>Environmental reports submitted in terms of this application can by no means be seen as relevant anymore as numerous factors have changed in the landscape over a twelve-year period. Since 2010, tenure and land use has changed across the area while information and understanding of the ecology and biodiversity of the region has since improved which would almost certainly affect the contents of any environmental reports and subsequent conditions of authorisation. While specialist assessments were done during the initial application in 2010, the specialist inputs included as part of the EA amendment application do not justify or fulfil the need for complete review of the Basic Assessment Process. Since initial completion of the Basic Assessment Report, and accompanying specialist studies, numerous conservation planning and biodiversity baseline data sets have either been revised or become available in addition to amendments in relevant legislation. This includes among others: -</p> | | In terms of the EIA Regulations, an applicant can request an amendment of an existing Environmental Authorisation (EA), including extension of the validity of that EA. As detailed in the Motivation Report, an application for amendment in this regard for the Springbok Wind Power Generation Facility and Associated Infrastructure was submitted to the Department of Forestry, Fisheries and the Environment (DFFE). Additional information was requested (in terms of Regulation 30(1)(a) of the EIA Regulations, 2014 as amended) for the Department to be able to process the application for amendment. This included specialist confirmation that the environment within which the project is proposed has not changed and that the |

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| | <p>Northern Cape Critical Biodiversity Areas (2016) - South African National Vegetation Types (2018) - National Biodiversity Assessment (2018) - Northern Cape Protected Area Expansion Strategy (2017) - National Environmental Management Act, 1998 (Act No. 107 of 1998) (as amended since 2014) - EIA Regulations (as amended) - EIA Screening Tool Regulations GN 960 of 2019 Any motivation for the amendment of EA should thus be supported by the most recent ecological data available. The current 2010 Basic Assessment Report should be seen as inapplicable as it has been twelve years since the EA was issued and some information on which these applications were based are now outdated and extraneous.</p> | | <p>potential impacts associated with the project remain as predicted in the EIA Report.</p> <p>Specialist studies undertaken as part of the amendment application process included site verification and the compilation of motivation reports to inform the conclusion and recommendations (refer to Appendix A to G of Final Motivation report).</p> <p>According to the 9 specialist studies conducted for the amendment application – the environment and impacts associated with the development have not changed, all specialists have concluded that there is no objection to the approval of the proposed amendment.</p> <p><u>Ecological Specialist Response:</u> The updated ecological datasets are acknowledged; however the Part 1 (Ecological) Amendment does make reference to the Environmental Screening Tool which has assigned the associated sensitivity should some of these datasets be relevant. The Project Area was identified with the Environmental Screening Tool as possessing a Very High sensitivity within a Terrestrial Biodiversity Theme. This is due to overlap with Critical Biodiversity Areas, Ecological Support Areas and Protected Areas Expansion Strategy Focus Areas. The Site Ecological Importance (SEI) as provided by the Species Environmental Assessment Guidelines (SANBI, 2020) was determined for the Project Area, with a mosaic of Very Low to Very High habitats.</p> |

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| | | | <p>The respective specialists conducted site visits during April 2023 and confirmed the current conditions on site.</p> <p>It is the opinion of the specialist that based on the observations made during the field survey, the ecological importance of the site has not decreased considerably, although there is evidence of degradation through livestock.</p> |
| 6. | <p>Site turbine and other infrastructure placement impacts sensitive ecological areas. In addition to the above, the site layout plan differs between specialist inputs and the Basic Assessment Report. This is likely the result of the various amendments already requested since 2010, while it remains clear that the current layout will still impact on areas with a high ecological sensitivity. This is also reflected in the Ecological Specialist Input (The Biodiversity Company) dated 05 April 2023, where the presence of important ecological areas classified 'High' and 'Very High' is confirmed. WFA is of the opinion that the mitigation measures listed in the Ecological Specialist Input is insufficient, and in certain instances completely irrelevant and impractical. Mitigation measures that are listed in the report are poorly explained while the rehabilitation strategy is generic and in no way adapted to suit the area within which the application is situated. For example, there is minimal evidence or research that supports the notion that activities such as "revegetation" will be successful an arid vegetation type such as the Namaqualand Klipkoppe Shrubland, while it is widely known that such activities are generally only successful in regions with a high annual rainfall. Furthermore, the development will impact on species of special conservation concern, many of which are already subject to increased pressures from the illegal succulent plant trade. Further pressures on these populations are unacceptable and the proposed mitigation strategies in these reports such as "ensure relocation and destruction permits for protected species" are not deemed adequate at all. Localities with species of special conservation concern should completely be avoided.</p> | | <p>Turbine locations have not been finalised. A final layout design considering all identified sensitivities and no-go areas is still to be drafted and submitted for approval. It is likely that only 13 turbines will be constructed.</p> <p>In addition to the EA amendment process, processes are underway to finalise the EMPr. The processes require a number of tasks, including, for example, site visits and site walk-through surveys with certain specialists (including micro-siting), and plant search and rescue. Additional bird and bat monitoring is also underway and has been undertaken to ensure the facility layout minimises impacts on birds and bats.</p> <p>All mitigation measures recommended in the EIA have been included in the project EMPr. Any additional mitigation measures recommended through the amendment application process and the additional specialist work referred to above will be included within the final EMPr for the project. These measures as well as all no-go areas are clearly documented in the respective specialist reports. The final layout of the development will be designed taking highlighted sensitive areas into consideration.</p> |

| No. | Comment | Raised by | Response |
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| 7. | <p>CONCLUSION In view of the concerns and conclusions provided above, WFA is of the opinion that the information provided the BAR and accompanying specialist inputs is insufficient to determine significant impacts on, and risks to biodiversity and/ or ecosystem services associated with the proposed activity. WFA thus requests that that an updated and revised Basic Assessment Report be submitted along with in depth ecological specialist reports considering all relevant and most recent conservation, ecological and biodiversity data sets</p> <p>It is furthermore requested that the above be implemented before the extension of Environmental Authorization is granted.</p> <p>We duly request concise and detailed responses to the concerns we raised and request to information. WFA is willing to engage in open discussions with both the Consultant and Applicant to have our concerns adequately understood.</p> | | <p>The specialist studies undertaken as part of the amendment application process conducted during 2023 have been completed in accordance with the requirements of the DFFE and included site verification. These specialist studies concluded that the environment and impacts associated with the development have not changed considerably since 2010. All specialists have concluded that the conditions on site have not changed and that there are no fatal flaws associated with the project. All respective specialists support the amendment.</p> |