

# Proposed Inyanda - Roodeplaat Wind Energy Facility

## Addendum to the Final Environmental Impact Assessment Report – Final

Report Prepared for

**Inyanda Energy Projects (Pty) Ltd**

Report Number 478867/5

**DEA Reference Number: 14/12/16/3/3/2/464**



Report Prepared by

 **srk** consulting

August 2017

# **Proposed Inyanda - Roodeplaat Wind Energy Facility**

## **Addendum to the Final Environmental Impact Assessment Report – Final**

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**August 2017**

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## List of Abbreviations

DEA	Department of Environmental Affairs (National)
DEDEAT	Department of Economic Development, Environmental Affairs and Tourism
DEIR	Draft Environmental Impact Report
DMR	Department of Mineral Resources
DWS	Department of Water and Sanitation
EAP	Environmental Assessment Practitioner
ECPTA	Eastern Cape Parks and Tourism Agency
EIA	Environmental Impact Assessment
EIR	Environmental Impact Report
EMPr	Environmental Management Programme
FEIR	Final Environmental Impact Report
FSR	Final Scoping Report
IAPs	Interested and Affected Parties

NEMA                                      National Environmental Management Act  
WEF                                         Wind Energy Facility

## Disclaimer

The opinions expressed in this Report have been based on the information supplied to SRK Consulting (South Africa) (Pty) Ltd. (SRK) by Inyanda Energy Projects (Pty) Ltd. SRK has exercised all due care in reviewing the supplied information. Whilst SRK has compared key supplied data with expected values, the accuracy of the results and conclusions drawn from the review are entirely reliant on the accuracy and completeness of the supplied data. SRK does not accept responsibility for any errors or omissions in the supplied information and does not accept any consequential liability arising from commercial decisions or actions resulting from them. Opinions presented in this report apply to the site conditions and features as they existed at the time of SRK's investigations, and those reasonably foreseeable. These opinions do not necessarily apply to conditions and features that may arise after the date of this Report, about which SRK had no prior knowledge nor had the opportunity to evaluate.

# 1 Background and Introduction

SRK Consulting (South Africa) (Pty) Ltd. (SRK) submitted the Final Environmental Impact Report (FEIR) for the proposed Inyanda - Roodeplaat Wind Energy Facility to the Department of Environmental Affairs (DEA) in November 2016. DEA subsequently rejected the FEIR (see Appendix A for a copy of the DEA letter) and required more detail and/or clarity on a number of items.

This Addendum to the FEIR addresses the concerns raised by DEA. Each comment in DEA's letter is reproduced herein and responses are provided per comment. Where relevant, supporting information is included in appendices. This Final Addendum Report also includes comments received from IAPs in response to the Draft Addendum Report, as well as the FEIR, and the responses from the specialists, Applicant and EAP.

An update to the avifaunal assessment report by Dr Steve Percival is also provided (Appendix K), incorporating the results of the additional August 2015 – July 2016 avifaunal monitoring site surveys. This report was regrettably not distributed with the Draft Addendum report but is now made available in the interests of transparency.

Dr Percival has confirmed that the findings and impact significance ratings of this report do not differ substantially from what was previously reported in the FEIR, however some minor changes to the mitigation recommendations are provided, and are listed in Section 2.1 below.

## 1.1 Public Participation

The draft Addendum was made available for comment, as depicted in Figure 1. The draft version of the Addendum (excluding Appendices) was distributed to all registered IAPs. A full version of the Addendum was accessible as an electronic copy on SRK's webpage via the 'Public Documents' link <http://www.srk.co.za/en/page/za-public-documents>

Printed copies of the Addendum were made available for public review at:

- Uitenhage Public Subscription Library (Caledon Street, Uitenhage); and
- Kirkwood Public Library (Jefferson Ave, Kirkwood).

All comments received have been included in the final version of the Addendum (this document), to be submitted to DEA for their consideration.

This document will also be distributed using the same methods as described above. The public are encouraged to inspect this Addendum. Written comment on this Addendum should be sent directly to the Competent Authority by **17h00 on 17 September 2017** to:

Ms Milicent Solomons / Muhammad Essop  
Department of Environmental Affairs  
Private Bag X447, Pretoria, 0001  
Environment House, 473 Steve Biko Road, Arcadia  
Email: [msolomons@environment.gov.za](mailto:msolomons@environment.gov.za) /  
[messop@environment.gov.za](mailto:messop@environment.gov.za)

Reference Number: 14/12/16/3/3/2/464

A copy of the comments must also be sent to:

Wanda Marais  
SRK Consulting  
PO Box 21842, Port Elizabeth, 6000  
Email: wmarais@srk.co.za  
Fax: (041) 509 4850

The competent authority that must consider and decide on the application for authorisation in respect of the activities listed in Table 1 is the Department of Environmental Affairs (DEA), as the Department has reached agreement with all Provinces that all electricity-related projects, including generation, transmission and distribution, are to be submitted to DEA, irrespective of the nature of the applicant. This decision was made in terms of Section 24(C) (3) of the National Environmental Management Act (Act No 107 of 1998).

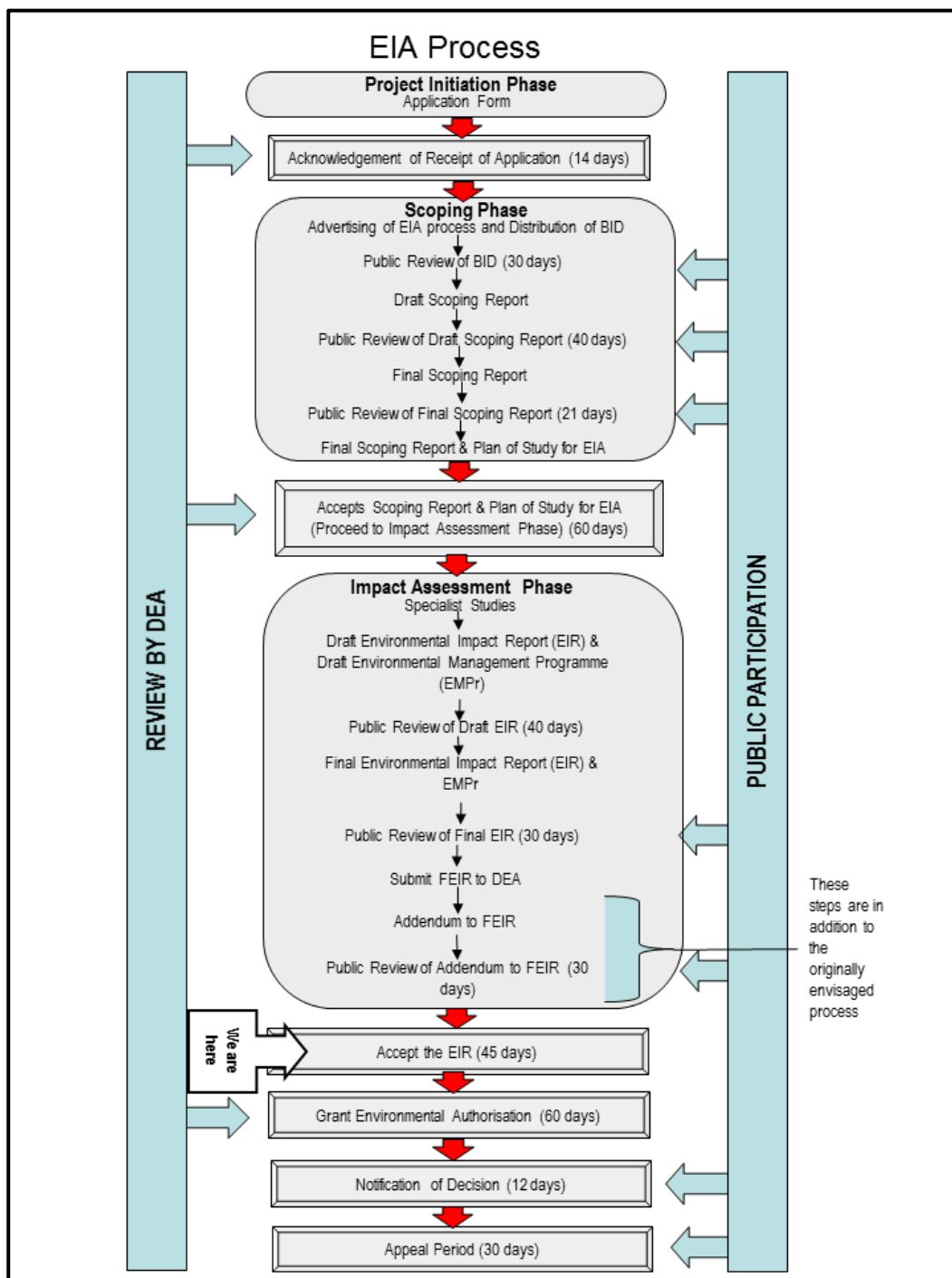


Figure 1: Amended EIA process under the NEMA 2010 EIA regulations

## 1.2 Listed Activities (according to the April 2017 amendment to the EIA Regulations)

The 2014 revision of the EIA regulations came into effect on 8 December 2014, and an amendment thereof was issued in April 2017. Although the project’s application for environmental authorisation was made under the 2010 EIA regulations, and therefore remains subject to the procedural requirements thereof, the assessment is also required to take into account all relevant equivalent or additional listed activities in terms of the 2014 EIA regulations, as amended in 2017.

The EIA Regulations lay out two alternative authorisation processes. Depending on the type of activity that is proposed, either a Basic Assessment (BA) process or a Scoping & Environmental



Impact Report (S&EIR) process is required in order to apply for an Environmental Authorisation. Listing Notice 1 (GNR 324) lists activities that require a BA process, while Listing Notice 2 (GNR 325) lists activities that require S&EIR. Listing Notice 3 (GNR 327) lists activities in certain sensitive geographic areas that require a BA process.

The activities triggered by the proposed Inyanda - Roodeplaat WEF are listed in Table 1 below and the latest DEA Application form has been amended to reflect these changes (Appendix B).

**Table 1: Listed activities potentially triggered by the proposed Inyanda - Roodeplaat WEF**

2010 Listed Activities	2014 listed Activities, as amended in 2017	Description of each listed activity as per project description
GNR 544 Item 10: (10) The construction of facilities or infrastructure for the transmission and distribution of electricity – (i) outside urban areas or industrial complexes with a capacity of more than 33 but less than 275 kilovolts;	GNR 327 Item 11: The development of facilities or infrastructure for the transmission and distribution of electricity – (i) outside urban areas or industrial complexes with a capacity of more than 33 but less than 275 kilovolts	A substation will be constructed on site which will collect power generated by the turbines, step up the voltage to 132 kV, and then transfer this power via an overhead power line to Eskom infrastructure (either a substation or a transmission line).
GNR 544 EIA (11) The construction of: (xi) infrastructure or structures covering 50 square metres or more Where such construction occurs within a watercourse or within 32 metres of a watercourse.	<del>GNR 327 Item 12: The development of (ii) infrastructure or structures with a physical footprint of 100 square metres or more; where such development occurs – (a) within a watercourse or; within (c) 32 metres of a watercourse, measured from the edge of the watercourse</del> Excluding – (cc) activities listed in activity 14 in LN 2 of 2014 or activity 14 in LN 3 of 2014, in which case that activity applies	The project will involve upgrades to roads and stormwater infrastructure at watercourse crossings or within 32 m thereof. However, activity 14 of Listing Notice 3 (GN 324) applies so authorisation of this activity is no longer required.
GNR 544 (18) The infilling or depositing of any material of more than 5 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock or more than 5 cubic metres from: (i) a watercourse.	GNR 327 Item 19: The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock or more than 10 cubic metres from: (i) a watercourse.	The construction of internal roads between the turbines will not cross any watercourses however the upgrading of culverts and bridges for existing (on-site) gravel roads will involve excavations of material exceeding 10 m <sup>3</sup> . Note that no upgrading of roads outside of the study areas is proposed.
GNR 545 (1) The construction of facilities or infrastructure for the generation of electricity where the electricity output is 20 megawatts or more	GNR 325 Item 1: The development of facilities or infrastructure for the generation of electricity from a renewable resource where the electricity output is 20 megawatts or more.	The proposed development would have a power output of up to 187.2 MW.
GNR 545 (15) Physical alteration of undeveloped, vacant or derelict land for commercial and industrial use where the total area to be transformed is 20 hectares or more.	GNR 325 Item 15: The clearance of an area of 20 hectares or more of indigenous vegetation.	The permanent footprint of the proposed development will be approximately 60 hectares, confirming the applicability of this listed activity.

2010 Listed Activities	2014 listed Activities, as amended in 2017	Description of each listed activity as per project description
<p>GNR 546 (2) The construction of reservoirs for bulk water supply with a capacity of more than 250 cubic metres</p> <p>(a) In the Eastern Cape (iii). Outside urban areas in:</p> <p>(aa) National Protected Areas Expansion Strategy Focus Areas</p> <p>(dd) Critical Biodiversity Areas as identified in systematic biodiversity plans</p>	<p>GNR 324 Item 2: The development of reservoirs excluding dams with a capacity of 250 cubic metres (a) In the Eastern Cape (ii) outside urban areas in (aa) National Protected Areas Expansion Strategy Focus Areas</p> <p>(dd)critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans</p>	<p>Temporary water storage capacity of approximately 300 m<sup>3</sup> will be required during the construction phase. This temporary storage is likely to be in multiple plastic tanks (as opposed to a single reservoir).</p> <p>Most of the site is identified as a National Protected Areas Expansion Strategy Focus Area.</p> <p>The majority of the site is identified as a critical biodiversity area in terms of at least one systematic biodiversity plan (the Eastern Cape Biodiversity Conservation Plan).</p>
<p>GNR 546 (4) The construction of a road wider than 4 m with a reserve less than 13.5 m.</p> <p>(a) In the Eastern Cape (ii). Outside urban areas in:</p> <p>(bb) National Protected Areas Expansion Strategy Focus Areas</p> <p>(ee) Critical Biodiversity Areas as identified in systematic biodiversity plans</p> <p>(gg) ... 5 km from any protected area identified in terms of NEMPAA.</p>	<p>GNR 324 Item 4: The development of a road wider than 4 metres with a reserve less than 13,5 metres (a) In the Eastern Cape (i)Outside urban areas, in:</p> <p>bb) National Protected Areas Expansion Strategy Focus Areas</p> <p>(ee)critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans</p>	<p>Roads will need to be constructed that will link the turbines and other infrastructure components.</p> <p>Most of the site is identified as a National Protected Areas Expansion Strategy Focus Area.</p> <p>The majority of the site is identified as a critical biodiversity area in terms of at least one systematic biodiversity plan (the Eastern Cape Biodiversity Conservation Plan)</p> <p>The site is within 5 km of the Groendal Wilderness Area.</p>
<p>GNR 546 (10) The construction of facilities or infrastructure for the storage, or storage and handling of a dangerous good, where such storage occurs in containers with a combined capacity of 30 but not exceeding 80 cubic metres</p> <p>(a) in the Eastern Cape (ii) outside urban areas, in:</p> <p>(bb) national protected area expansion strategy focus areas</p> <p>(ee) ... Critical Biodiversity Areas as identified in systematic biodiversity plans</p>	<p>GNR 324 Item 10: The development and related operation of facilities or infrastructure for the storage, or storage and handling of a dangerous good where such storage occurs in containers with a combined capacity of 30 but not exceeding 80 cubic metres. (a) in Eastern Cape: i Outside urban areas in:</p> <p>(bb) National Protected Areas Expansion Strategy focus areas;</p> <p>(ee) critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans</p>	<p>During construction the contractor is likely to require a temporary facility for the storage of fuel, probably at the Construction Plant Storage area. Storage of oils (e.g. for electrical transformers), would also be required, and it is likely that the combined storage capacity will be between 30 m<sup>3</sup> and 80 m<sup>3</sup>.</p> <p>Most of the site is identified as a National Protected Areas Expansion Strategy Focus Area.</p> <p>The majority of the site is identified as a critical biodiversity area in terms of at least one systematic biodiversity plan (the Eastern Cape Biodiversity Conservation Plan).</p>

2010 Listed Activities	2014 listed Activities, as amended in 2017	Description of each listed activity as per project description
<p>GNR 546 (12) the clearance of an area of 300 square metres or more of vegetation where 75% of the vegetative cover constitutes indigenous vegetation (a) Within any critically endangered or endangered ecosystem listed in terms of Section 52 of the NEMBA (b) within critical biodiversity areas identified in bioregional plans</p>	<p>GNR 324 item 12: the clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan. (a) in Eastern Cape: (ii) within critical biodiversity areas identified in bioregional plans adopted by the competent authority or in bioregional plans</p>	<p>Clearance of indigenous vegetation will amount to more than 60 ha. A number of bioregional plans identify critical biodiversity areas coinciding with the proposed development footprint.</p>
<p>GNR 546 (13) The clearance of an area of 1 hectare or more of vegetation where 75% or more of the vegetative cover constitutes indigenous vegetation.</p> <p>(b) national protected area expansion strategy focus areas</p> <p>(c) In the eastern cape (ii) outside an urban area</p> <p>(bb) national protected area expansion strategy focus areas</p> <p>(ff) ... 5 km from any protected area identified in terms of NEMPAA.</p>		<p>Temporary and permanent clearing of indigenous vegetation in excess of 60 ha will be required.</p> <p>Parts of the site are identified as National Protected Areas Expansion Strategy Focus Areas</p> <p>Most of the site is identified as a National Protected Areas Expansion Strategy Focus Area.</p> <p>The site is within 5 km of the Groendal Wilderness Area.</p>
<p>GNR 546 (14) The clearance of an area of 5 hectares or more of vegetation where 75% or more of the vegetative cover constitutes indigenous vegetation.</p> <p>(a) In the Eastern Cape (i) All areas outside urban areas.</p>		<p>Temporary and permanent clearing of indigenous vegetation in excess of 60 hectares will be required.</p>
<p>GNR546 (16) The construction of: (iv) Infrastructure covering 10 square metres or more where such construction occurs within a watercourse or within 32 metres of a watercourse, measured from the edge of a watercourse.</p> <p>(a) In Eastern Cape: ii. Outside urban areas.</p> <p>(bb) National Protected Areas Expansion Strategy Focus Areas</p> <p>(ff) Critical Biodiversity Areas as identified in systematic biodiversity plans</p>	<p>GNR 324 Item 14: The development of (ii) infrastructure or structures with a physical footprint of 10 square metres or more; where such development occurs (a) within a watercourse; or (c) if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of the watercourse. (a) in Eastern Cape: (i) Outside urban areas in: (bb) National Protected Area Expansion Strategy Focus areas</p> <p>(ff) critical biodiversity areas identified in bioregional plans adopted by the competent authority or in bioregional plans</p>	<p>A number of internal roads and stormwater infrastructure (exceeding 10 m<sup>2</sup>) will require upgrading, and in many cases these cross or are within 32 m of watercourses.</p> <p>Most of the site is identified as a National Protected Areas Expansion Strategy Focus Area.</p> <p>The majority of the site is identified as a critical biodiversity area in terms of at least one systematic biodiversity plan (the Eastern Cape Biodiversity Conservation Plan).</p>

2010 Listed Activities	2014 listed Activities, as amended in 2017	Description of each listed activity as per project description
(hh) ... 5 km from any protected area identified in terms of NEMPAA.		The site is within 5 km of the Groendal Wilderness Area.
<p>GNR 546 (19) The widening of a road by more than 4 metres, or the lengthening of a road by more than 1 kilometre.</p> <p>(a) In the Eastern Cape: ii. Outside urban areas in:</p> <p>(bb) National Protected Areas Expansion Strategy Focus Areas</p> <p>(ee) Critical Biodiversity Areas as identified in systematic biodiversity plans</p> <p>(gg) ... 5 km from any protected area identified in terms of NEMPAA.</p>	<p>GNR 324 Item 18: The widening of a road by more than 4 metres, or the lengthening of a road by more than 1 kilometre (a) In the Eastern Cape (i) Outside urban areas in:</p> <p>(bb) National Protected Area Expansion Strategy Focus areas</p> <p>(ee) critical biodiversity areas identified in bioregional plans adopted by the competent authority or in bioregional plans</p>	<p>Existing farm roads may be widened as part of the development. Existing tracks are generally very narrow and widening thereof is likely to be by more than 4 m to meet the 6 m road width requirement for construction vehicles.</p> <p>Most of the site is identified as a National Protected Areas Expansion Strategy Focus Area.</p> <p>The majority of the site is identified as a critical biodiversity area in terms of at least one systematic biodiversity plan (the Eastern Cape Biodiversity Conservation Plan).</p> <p>The site is within 5 km of the Groendal Wilderness Area.</p>
N/A	<p><del>GNR 984 Item 21: Any activity including the operation of that activity associated with the primary processing of a mineral resource including winning, reduction, extraction, classifying, concentrating, crushing, screening and washing but excluding the smelting, beneficiation, refining, calcining or gasification of the mineral resource in which case activity 6 in this Notice applies.</del></p>	<p>It is proposed to crush the excavated material on each platform for use as layer works backfill on that platform.</p> <p>This activity has been removed in the 2017 amendment and replaced by Activity 17, which is limited to instances where a mining right is required. Based on the EAP's discussions with the Department of Mineral Resources (reported on in the EIR), no mining right or mining permit would be required for the crushing of material from the platforms, and consequently authorisation of this activity is no longer required.</p>

## 2 DEA Comments and Responses

### 2.1 Avifauna

a) This Department identified that two different avifaunal specialists conducted the avifaunal assessment. These two avifaunal specialists appointed by the Applicant concluded completely different results from the same avifauna pre-construction data analysis; hence resulted in different conclusions and recommendations.

The comment that “*the same avifauna pre-construction data analysis*” was used by both specialists is an apparent misunderstanding of the specialist studies.

The Smallie study based its findings on approximately 40 days of monitoring over a period of 12 months at three vantage points. The Percival study originally added approximately 51 days of monitoring over a six month period (August 2015 – February 2016) at six vantage points, to the monitoring conducted by Smallie, as was reported in the FEIR (page 4, of Percival's Bird Survey

Report, February 2016, distributed with the DEIR). Subsequent to this, and not recorded in the FEIR, was an additional 58 days of monitoring surveys covering the period up to July 2016. The updated report including this period is attached as Appendix K. This additional monitoring means that a total of 109 days of monitoring over a twelve-month period (August 2015 – July 2016) at six vantage points, and totalling 75 hours of surveys at each of the vantage points has been conducted. While it is recognised that the FEIR was based on only six months of this monitoring data, Dr Percival has confirmed that none of the significance rating recorded in the FEIR would change as a result of the additional monitoring.

A letter from the Applicant's attorney's (Rushmere Noach Incorporated), dated 03 August 2017, is attached in Appendix J03, with further views regarding the differences between the two studies.

The conclusions in the Smallie report are based on qualitative assessment of the risks (see p53 & p57 of Smallie's report), whereas the Percival report is based on quantitative assessment using the Scottish National Heritage Collision Risk Model. Smallie does make reference to this method (p53), and highlights some of the key assumptions that the Collision Risk Model must take into account, including the recommended avoidance rate "*based on multiple sources*" (p53). While Smallie expresses his doubts about the usefulness of Collision Risk Modelling, Percival has, with the exception of the Black Harrier, used a lower avoidance rate (i.e. higher incidence of collisions) than that recommended in the Scottish National Heritage Collision Risk Model when modelling the impacts (paragraph 79, page 24). This suggests that the method employed by Percival in this assessment is more robust than is usually the case for four of the species modelled.

It is of interest that Percival has performed collision risk modelling with both his data (the data on which his report is based) and the Smallie data and the outputs of the model predict a lower collision frequency if the Smallie data were to be used (see page 24 of Percival's main report, and Table 8 on page 15 of Percival's updated report), i.e. the additional monitoring conducted by Percival results in a higher predicted collision rate. Collision frequencies previously reported in Percival's main report were based on six months of monitoring data, which had been adjusted for a full year, whereas the additional data included in the updated report indicates slightly higher collision rates than previously predicted for all modelled species except for booted eagle.

The key findings of the updated report (where they differed from the previous report) are as follows:

- Breeding Verreaux's Eagle were active in most of the known ranges around the wind farm site, but all of these birds failed to breed successfully in 2015 (though they had bred successfully at many of these sites in 2013 and 2014, and several did so again in 2016). There was no evidence of any breeding Martial Eagles within the survey area in 2015 but a pair nested successfully 2.2km SW from the wind farm site in 2016. Use of the wind farm site by these species during August 2015-July 2016 was at a similar level to that recorded previously, and as a result the predicted collision risks were similar too.
- Breeding black harriers (classified as endangered) had not been previously noted in the survey area in the 2013-14 surveys, but at least two females were nesting within the wind farm site in 2015-16. They made extensive use of the wind farm site, being the most frequently recorded raptor species during the VP surveys.

The following additional mitigation measures are proposed (in addition to those proposed in the previous report):

- The data collected during 2015-16 has further supported the need for the on and off site habitat management measures to be implemented, as well as the programme of post – construction bird monitoring, as described in the previous report. Given the increased use of the site by Black Harriers in 2015, and the conservation status of this species (globally ‘Vulnerable’ and nationally ‘Endangered’), similar measures to those proposed for Verreaux’s Eagle in the previous report should be developed for this species as well.
- Post-construction bird monitoring should be undertaken as described in the previous report, with the addition of Black Harrier as a key species identified to be at risk.
- Black Harrier has also been included in the species for the recommended tagging programme as described previously (in addition to Verreaux’s Eagles)

With the above in mind, the method employed by Percival and the data on which the results are based, are arguably more robust than those employed by Smallie.

b) Based on the above, this Department requests that the Applicant appoint an independent avifaunal specialist to externally peer review all work undertaken by the two avifaunal specialists and make final conclusions and recommendations on the avifaunal impacts

On the basis that:

- The Department appears to have misunderstood the differences between the two avifaunal studies, as outlined in the previous response; and
- The Percival study was originally intended by the Applicant as a review of the Smallie report (A copy of the Percival review of the Smallie report is included as an appendix to Percival’s final report, which was previously presented in the Supplementary Volume of Specialist Studies, distributed with the DEIR);
- The view from the Applicant’s attorneys (Rushmere Noach Incorporated), dated 03 August 2017 (Appendix J03) that neither NEMA nor the EIA regulations empower the Minister (nor the Department) to require the Applicant to appoint a further specialist to review the work or either Dr Percival or Mr Smallie. It is further submitted in that letter that having regard for the contents of the reports and what is stated in that letter, that there is no need to do so;

the Applicant has instructed SRK not to obtain an external review of the avifaunal studies. A letter from the Applicant’s attorney’s (Rushmere Noach Incorporated), dated 03 August 2017, is attached in Appendix J03 with further views regarding the differences between the two studies.

c) The specialist appointed to externally peer review the work of the two specialists must comply with the requirements of Regulation 17 of the Environmental Impact Assessment Regulations, 2010.

Based on preceding comment, no response is required.

d) The Environmental Assessment Practitioner (EAP) must liaise with BirdLife SA in the appointment of the independent avifaunal specialist reviewer. BirdLife SA must also be consulted

on the Terms of Reference for the study.

Based on preceding comment, no response is required.

e) The abovementioned independent peer review report must be sent to BirdLife SA and the Department's Biodiversity and Conservation unit for review and comment.

Based on preceding comment, no response is required.

f) The EAP must ensure that the independent avifaunal specialist reviewer has access to all the monitoring data (i.e. from the start of the project to date).

Based on preceding comment, no response is required.

## 2.2 Status of the Road

g) Following a review of the EIAR, the issue concerning whether the road has been constructed illegally or not has been raised by numerous interested and affected parties (I&APs). As such, the applicant, must in consultation with the Eastern Cape Provincial Department of Finance, Economic Development, Environmental Affairs and Tourism, resolve the matter and proceed with any corrective measures if any, and written confirmation from the Eastern Cape must be included in the amended EIAR stating that the matter has been resolved prior to this Department receiving the report for decision-making.

The matter of the road is being dealt with outside of this EIA process and is currently being resolved between the landowner and the Eastern Cape Department of Economic Development, Environmental Affairs & Tourism. A copy of the letter from Rushmere Noach Attorneys, representing the landowner, to the Eastern Cape Department of Department of Economic Development, Environmental Affairs & Tourism (DEDEAT), to this effect is attached in Appendix D01, and correspondence from the DEA confirming that the matter falls within the mandate of the DEDEAT and not the DEA going forward is attached as Appendix D02.

h) It is noted that SRK states in the EIAR "that it is difficult to understand how the construction of the road, whether unlawful or not, influences SRK's objectivity. The road has been assessed as part of the broader road network associated with the project and has allowed the legal process to proceed independently of this assessment". As such, based on the assessment conducted, the responsible EAP must confirm whether the road was illegally commenced with or not, based on the assessment done.

This matter is currently being resolved between the landowner and the Eastern Cape Department of Economic Development, Environmental Affairs & Tourism, as per the letter attached as Appendix D02.

## 2.3 EAP and Specialists

i) The application form states that the EAP on the project is SRK Consulting (South Africa) (Pty) Ltd. Based on the definition of the EAP, as defined in Chapter 1 of NEMA, "when used in Chapter 5, means the individual responsible for the planning, management and coordination of environmental impact assessments, strategic environmental assessments, environmental management plans or any other appropriate environmental instruments introduced through regulations;". As such, the application form must be amended and submitted with the amended

EIAr to include the correct details of the EAP as per the definition above.

The original application form and EAP declaration give SRK Consulting as the EAP and Rob Gardiner as the contact person. The application form has been amended to list Rob Gardiner as the EAP rather than SRK (see Appendix B).

j) Further to the above, upon review of the EIAr, it states that the EAP is "Project Manager, Environmental Assessment Practitioner: Nicola Rump, MSc, EAPSA, Environmental Assessment Practitioner: Tanya Speyers, BSc Hons, and Project Director and Internal Reviewer: Rob Gardiner, MSc, MBA, Pr Sci Nat.". Based on the above, it is unclear who the actual EAP is based on the definition as described under point d above. As such, this must be clarified and included in the amended application form and EIAr.

The text in the FEIR acknowledges the roles of the different members of the assessment team. The overall accountability of the assessment lies with Rob Gardiner and the application form has been amended reflect this (see Appendix B).

k) The EAP must ensure that all specialists have the same development brief and must assess the entire development as well as its alternatives.

All specialists have assessed the same development brief and that any differences in project descriptions that might exist are not environmentally significant. Copies of statements from specialists confirming this are presented in Appendix C.

l) A proper assessment from all specialists, which fully assesses the entire development and its alternatives, must be provided for in the amended EIAr.

All specialists have confirmed that their assessments are appropriate to the scale and nature of environmental risks and have assessed the development footprint. It is recognised that specialist studies use a combination of desktop analysis and ground-truthing.

All specialists have confirmed that their studies covered the full development footprint and that sufficient fieldwork has been conducted on which to base conclusions, including alternatives. In instances where specialists have recommended additional studies, specialists have confirmed in all such instances that these studies are intended to occur after environmental authorisation (if granted), e.g. during the micro-siting of turbines or pylons. Copies of statements from specialists confirming this are presented in Appendix C.

m) The applicant must in the amended EIAr provide detailed reasons for the change in the EAP as well as the two specialists within the EIA process. The previous EAP and specialists must also provide written responses to the reasons provided by the applicant.

The reasons for the change in EAP were given in Item 4 of Rushmere Noach's letter that was included in Appendix E5(iii) in the FEIR, which is in the public domain. Notwithstanding this, the EIA regulations do not prohibit the changing of an EAP during the course of an EIA process.

In terms of the change in specialists, SRK approached the original ecological specialist to continue working on the project, and that specialist declined.



The Applicant commissioned an independent review of the first bird specialist's monitoring report and that review found that, amongst other items, that the first bird specialist did not meet the BirdLife SA monitoring requirements. The Applicant then opted to extend the appointment of the reviewer to conduct additional vantage point surveys and to then complete the impact assessment.

The previous EAP, original ecological specialist, and original bird specialist, are aware of this project but have not registered as IAPs, nor have they submitted comments on the various reports which are all freely available in the public domain.

n) All specialists must ensure that they provide reasons and effectiveness of each mitigation measure they propose and the EAP must provide proof that these recommendations by the specialist is adhered to in the EIAR. Should there be any deviations, then the EAP must justify and give adequate motivations for the deviation.

There does not seem to be any instance where the recommendations of specialists (who did the assessment of impact reports, as opposed to baseline assessments) have not been carried forward as specified here.

As a matter of course, consideration is given to the effectiveness of each mitigation measure during the EAPs review of each specialist study, particularly to understand whether proposed mitigation measures are likely to result in the specialist's predicted significance rating. An assessment of the reasons for, and the effectiveness of, mitigation measures is therefore inherent in the process of compiling the EIR.

The EAP is of the understanding that this comment is more pertinent to mitigation measures proposed by the second Avifaunal specialist (Percival), in particular habitat modification. Dr Percival has made extensive comments in support of his proposed mitigation measures, including in his statement attached in Appendix C04.

o) It is noted that the palaeontological specialist states that he faced difficulty to fully assess the entire proposed powerline route, due to lack of access to the site. It is unacceptable to provide a report, which has not fully assessed the site, as this may lead to gaps in information, inaccurate conclusions and recommendations.

Although direct access was not possible for the assessment of a section of a power line route crossing a game farm, the Palaeontologist explored an alternate transect across the plain along the Krompoort road in order to assess the nature of Kirkwood Formation strata crossing the plain (vlakke). The Palaeontologist was of the view that this was representative of the site, as is confirmed in his statement attached in Appendix C02.

p) The EAP must confirm with all the other specialists whether they experienced similar problems regarding access due to locked gates. All specialists must assess the entire development site, with all proposed alternatives, and the EAP is to ensure that access to the site is obtained.

Specialists have assessed the entire development site with all proposed alternatives through a combination of desktop assessment and direct inspection. All specialists have confirmed that sufficient fieldwork was conducted on which to base the conclusions in their respective reports and have made declarations regarding access to the site. Statements to this effect are presented in Appendix C.

## 2.4 Preferred Layout

q) The project description states that the WEF will consist of 52 turbines, but the technical details provided for the WEF states that the WEF would consist of between 46 to 52 turbines. No alternate layout was provided to indicate a 46-turbine project. As such, the amended EIAR must assess in detail the two proposed layouts, and each specialist must provide a detailed assessment as well as mitigation measures for each layout. Furthermore, the EAP as well as the specialists must provide recommendations on their preferred layout.

The EIA and the Application for Authorisation is for a wind farm of 52 turbines. At the time of writing the FEIR the applicant had the view that some of the turbines applied for might not be developed. However, the application for 52 turbines remains and DEA is requested to make a decision on the 52 turbine layout.

Recognising that the assessment of alternatives is a requirement of the EIA regulations, it is noted that the assessment of layout alternatives is not prescribed. Specialists have commented on the impacts associated with the proposed layout and in instances (e.g. bat specialist) have made recommendations that are dependent on layout.

## 2.5 Ecology

r) Following a review of the ecological report, the following limitations and recommendations are noted:

It is recognised that this comment quotes the assumptions and limitations recorded by the specialist. The text below highlights some important considerations for each of these.

- This assessment is an update of the existing ecological work on the site, rather than an exhaustive study;

The ecological specialist (Ms De Wet) has confirmed (see Appendix C06) that her assessment was additional work and built on the work already conducted by the previous ecological specialist (CES). The two reports together form a comprehensive assessment for the requirements of the EIA and provide adequate information to rate impacts for the proposed development. The specialist has included this limitation as a standard statement in order to indicate that the two reports are to be read together (eliminating the need to reproduce the entire CES report within the additional report) and to ensure that the report is not mistaken as a complex scientific study.

- Species of Conservation Concern are present on site, a full list of these species can only be generated through an assessment specifically designed to do so;

Both Ms De Wet's report and the CES include a version of this limitation, i.e., that all species of special concern can only be identified through monitoring over the whole seasonal cycle. The two specialists conducted site assessments at different times of the year (CES study included a site visit from 19-23 May 2014, and Ms De Wet's from 29 January 2016 to 3 February 2016). Importantly, Ms De Wet concludes that her study "*allowed for the production of a species list representative of the entire study area*" (p 8 of her specialist study report).

Ms De Wet has clarified (Appendix C06) that an additional study is needed to produce a comprehensive species list, and a comprehensive list of Conservation Important Species. Such an additional study would be conducted after the EIR is approved and prior to construction and be for the purposes of ensuring that all relevant permits are obtained before the removal, destruction or clipping of any protected species on any relevant lists including national and provincial lists. This approach is widely adopted.

Ms de Wet further clarified that additional studies are recommended only to add to the body of scientific knowledge on the impacts of wind energy facilities, or the general area (such as the case of the ghost frog). These recommended studies are not required for the EIR, nor for any further submissions to DEA, funders or stakeholders.

In the case of the power line assessment, recommendations for further studies relate to changes in the power line routes being assessed in the field. However, work currently done is sufficient to rate the impacts for the power line options presented in the EIR.

- Impacts are assessed based on the current (52) turbine layout, any changes to this layout will result in a need for an update to this assessment.

Both Ms De Wet's report and the CES report include a version of this limitation. This limitation does not imply that certain layouts or alternatives have been excluded from the assessment, but limits the conclusions to the layout in the specialist report. Ms De Wet has confirmed (Appendix C06) that she has evaluated the layout presented in the FEIR.

- Powerline impacts are assessed based on desktop information.

Ms De Wet's report includes a recommendation for an optional flora and fauna study of the three powerline routes. She has clarified (Appendix C06) that adequate fieldwork and site visits were conducted to be able to assess the impacts of the proposed WEF on the terrestrial biodiversity of the project area and surrounds.

- Whilst a list of possible mitigation measures are provided, the ecological assessment also recommends that a further assessment is required.

A number of optional additional studies are recommended in Ms De Wet's report. The recommendation of a ground-truthing site visit is consistent with similar studies prior to construction (and after environmental authorisation) to support a permit application to remove or destroy protected plants (comment addressed in more detail above).

As such, all these limitations must be addressed in the amended EIAr and all additional studies must be conducted prior to any decision on the application can be made. As such, the ecological assessment must assess all layouts and alternatives provided in the EIAr.

Commented on above.

s) The Department requests that the ecological specialist report be peer reviewed by an external ecological specialist.

It is noted that this a request and consequently it is assumed to not be the basis for rejection of the EIR.

t) Based on the recommendations of the current ecological specialist report, the applicant must enter into a Conservation Management Agreement with the relevant authority to allow for assurance of the conservation of the site. This agreement must be finalised and included in the amended EIAr. Should the applicant not be willing to enter into any agreement, then the mitigation hierarchy must be considered.

This was listed as an optional mitigation measure in the ecological report.

Please take note of the comment from ECPTA (Minutes of meeting with the ECPTA, 13 May 2016, in Appendix E3 of the FEIR) that it would not enter into any such negotiations or agreements prior to an Environmental Authorisation being issued.

## 2.6 Heritage and Archaeology

u) The archaeologist states that the possible upgrading, resurfacing, and/or rehabilitation of external gravel access roads and associated borrow pits is outside the scope of this Environmental Impact Assessment process and has not been assessed. This statement cannot be true as the EAP has applied for the construction and upgrading of existing roads. The specialist further stated that if the need to upgrade external roads or open a borrow pit is identified at a later stage, then a Phase 1 Archaeological Impact Assessment may be required in terms of the National Heritages Resources Act. This indicates that a proper assessment has not been conducted. The EAP needs to ensure that a proper assessment is conducted during the EIA process, as well as by all other specialists.

The archaeologist is correct that work on external roads is outside the scope of this EIA and associated application. However, the project includes the construction of a number of new roads, AND the upgrading of a number of existing roads, within the study area. The roads that form part of the application, and which have been assessed by the relevant specialists, are depicted in maps (Appendix F of the FEIR) and coordinates are provided (Appendix H of the FEIR).

The applicant has applied for permission, and obtained approval, from the Department of Roads and Public Works for upgrading of existing provincial roads within the study area (and as depicted on the maps in Appendix F of the FEIR).

v) The heritage specialist recommends that an archaeological walk-through must be conducted for the final powerline route chosen out of the three alternatives when the positions of the pylons are known. Based on the above, the Department recommends that the heritage assessment must assess the entire wind farm development, as well as the powerline route alternatives.

It is noted that this is a recommendation and consequently assumed this is not the basis for rejection of the EIR.

It may be useful to take into consideration that the footprint of a pylon is extremely small in comparison with that of a powerline corridor. It is both impractical and unnecessary (based on the environmental risk identified by the specialist) to assess the whole of the powerline route (and the alternatives). In addition, a walkthrough of the powerline route by an archaeologist has been a

condition of at least one other environmental authorisation and is a pragmatic way of managing effort and environmental risk.

The archaeologist has confirmed that her fieldwork is sufficiently representative of the site to be able to draw conclusions and recommendations in her report (see Appendix C01).

## 2.7 Powerline

w) The EAP states that the specialists prefer alternative powerline route 2 over the preferred as indicated in the EIAr. It is indicated that the preferred alternative is selected due to the cost to build alternative powerline route 2. Due to the limitations posed by the various specialists, the Department does not agree with the recommendation of the EAP, and the EAP and specialists in the amended EIAr must provide a proper assessment and recommendations on all alternatives.

The EIA report states that

“Although many specialists favour Option 2, it is noted that this preference is relatively marginal, and none of the specialists raised specific concerns relating to the “preferred” route (which was also preferred by the ecological specialist). It is therefore SRK’s conclusion that based on the information currently available development of Option 2 (the longest and therefore most costly route) would not be merited, over the “preferred” route.”

For clarity, “preferred route” in this extract refers to the technically preferred route, i.e. not the environmentally preferred route (as environmental preference in this instance is considered to be marginal, and none of the specialists highlighted any major concerns relating to the technically preferred route).

## 2.8 World Heritage Site

x) The EAP must obtain comments from the Directorate: World Heritage Management; Biodiversity and Conservation, and Protected Areas Management within the DEA as well as Birdlife South Africa. These comments must be included in the amended EIAr.

Comments from Birdlife South Africa on the FEIR and preceding reports have been obtained, and are included in Section 4.2.2 and Appendix E-1 of the FEIR, as well as the corresponding sections in the FSR.

The Directorate: World Heritage Management; Biodiversity and Conservation, and Protected Areas Management, are both departments within DEA and it was the EAP’s expectation that DEA would have either highlighted the requirement for direct engagement with these Directorates when accepting the scoping study, or to have asked for such comment internally in reviewing either of the Draft or Final EIRs. In the latter case, SRK would attempt to provide clarity on any comments from these Directorates during DEA’s decision making stage. It is the EAP’s understanding that DEA will request comments internally from these Directorates and submit these comments to SRK as part of the comment period on this Addendum.

An inherent assumption in the public participation process is that comments received are representative of stakeholders with similar interests who might not have commented, and by extension it is assumed that other government conservation bodies would have similar concerns/comments to those raised by ECPTA & DEDEAT. As is pointed out on page 54 (Table 3), and the letter from RNI (Appendix J03), it is recorded here that the EAP does not assume ECPTA’s comments to be on behalf of all government conservation bodies, but merely that other government bodies are likely to have similar concerns to those of the ECPTA.

y) Further to the above, the EAP must adequately assess, via the relevant specialist studies, the impact of the proposed development on the World Heritage Site as well as on the wilderness areas. The Department also requires comment from UNESCO, and must indicate how does the use of renewable energy in world heritage sites impact the site, and what types of renewable energy developments for what purpose is allowed.

The FEIR and specialist studies explicitly refer, where appropriate, to the World Heritage Site, including in the impact statement. Clarity is required on what specific elements DEA believe are not adequately addressed.

It is the EAP's understanding that the DEA Directorates listed above will respond on this topic.

## 2.9 Bats

z) The bat specialist states that all turbines must be positioned outside high sensitivity areas and their respective buffers. Based on the layout plan provided, this has not been done by the EAP. As such, the layout plan must be amended to include the recommendations made by all specialists.

The first of the bats specialist's assumptions & limitations is that *"Distribution maps of South African bat species still require further refinement such that the bat species proposed to occur on the site (that were not detected) are assumed accurate. If a species has a distribution marginal to the site it was assumed to occur in the area. The literature based table of species probability of occurrence may include a higher number of bat species than actually present."*

Numerous other limitations to the method are described, all pointing to the general acceptability of the method, and the difficulty of providing accurate data of the occurrence of bat species and their behaviour on the site. It has been confirmed that this approach is acceptable.

All but three bat species identified as potentially occurring on site have a conservation classification of "least concern". The three exceptions have a conservation classification of "near threatened" and two of these have a likely risk of impact of "low". Of these three, two have a conservation classification of "least concern" and one (*miniopterus natalensis*, natal long fingered bat) is classified as "near threatened". The buffer zones and bat sensitive areas don't differentiate between species or conservation status.

The sensitivity maps generated by the bat specialist (Animalia) are based on features or habitat for species that were identified, or are considered probable, on-site, and are based on the 2014 Guidelines<sup>1</sup> (the latest version at the time of the study). It has been confirmed by that the delineation of bat sensitive areas identified by the bat specialist are valid. It is however noted that in terms of the latest (2016) Guidelines<sup>2</sup> the 150 m buffer previously proposed around moderately bat sensitive areas should be increased to 200 m and buffer distance should apply to the rotor sweep area (as opposed to the location of the turbine tower). The 350 m buffers proposed for highly bat sensitive areas remain unchanged.

<sup>1</sup> South African Good Practice Guidelines for Surveying Bats at Wind Energy Facility Developments - Pre-construction 3<sup>rd</sup> Edition (Sowler & Stoffberg, 2014).

<sup>2</sup> South African Good Practice Guidelines for Surveying Bats at Wind Energy Facility Developments - Pre-construction 4<sup>th</sup> Edition (Sowler *et al.*, 2016).

The FEIR has recorded the findings of the bat specialist (Animalia), including recommendations regarding the placement of turbines, however the Applicant has opted not to amend the turbine layout accordingly as recorded in the FEIR. The Applicant's reasoning is presented in the Comment & Response table (see page 41 in Table 3).

As such, the predicted significance of the negative impact on bats due to collisions and barotrauma during operation of the proposed WEF would remain high in the absence of the mitigation measures recommended by the specialists.

## 2.10 Socio-economic

aa) The socio-economic impacts on surrounding property value and land-use, which was raised, must be adequately assessed in the amended EIAr by a suitably qualified specialist.

The scope of work outlined in the final scoping report, and the letter of acceptance of the final scoping report, did not specify the need for an assessment of property value and consequently this is not addressed in the EIR.

## 2.11 Water Source

bb) The department must be provided with proof that the boreholes are licensed and that it has sufficient water for the construction phase of the development seeing that it is the major source of water on site.

The current boreholes are utilised for normal domestic and agricultural use and it is understood that the volumes currently abstracted are below the threshold requiring a water use license.

Licensing for the purposes of the construction of the windfarm would require a license for industrial use. DWS have not expressed concerns regarding the borehole licensing during the course of the EIA process and the preparation of a Water Use License is currently underway.

cc) The EAP must provide a copy of the approved Water Use License for the project to the Department.

As is typically the case for most environmental impact assessments, including renewable energy environmental impact assessments, Water Use Licensing for the project would only be obtained following receipt of an Environmental Authorisation.

## 2.12 Need and Purpose

dd) Written confirmation from the relevant off taker as well as comments from Eskom must be provided in the amended EIAr.

The Applicant has concluded Non-Disclosure Agreements with potential off-takers and is contractually prohibited from making this information available.

The need for renewable energy is well established and from an environmental perspective requires no motivation. The economic viability of the project is dependent on being able to sell the power and it is reasonable to assume that the project would only commence if investors are satisfied that an off-taker has been secured.

## 2.13 Activities

ee) Following a review of the application form and the EIAr, the following must be attended to:

- Item 2 of GNR 546 and Item 2 of GNR 985: the applicability of these activities are not clear. The amended EIAr must clearly indicate the applicability of these activities and a proper assessment must be conducted;
- Item 10 of GNR 546 and Item 10 of GNR 985: there are no proper specifications provided in the EIAr, and the amended EIAr must include a proper assessment of all impacts associated with these activities;
- Item 21 of GNR 984: clarification on why the DEA is considered to be the Competent Authority for this activity must be provided.

Table 1-2 of the FEIR lists all relevant listed activities applied for, and includes an explanation on the applicability of each listed activity to the project and where in the report the impacts and mitigation measures relating to each listed activity are addressed. Below are some further considerations:

- Item 2 of GNR 546 and Item 2 of GNR 985 (relating to storage of water in reservoirs): the main impacts associated with this activity relate to clearing of vegetation and associated ecological impacts for placement of water storage tanks. This area is included in the construction footprint area that has been assessed.
- Item 10 of GNR 546 and Item 10 of GNR 985 (relating to storage and handling of dangerous goods): Specifications of the specific storage containers that will be used by the contractors are not known at this stage, and the design criteria for storage of dangerous goods are already regulated, so further description of these has been considered superfluous. Management measures to address potential leaks, spills and waste management are included in the FEIR.
- Item 21 of GNR 984 (relating to the processing of minerals): The outcome of the discussion held with DMR relating to this activity was presented in the FEIR in Table 1-2 and in Appendix E3. The DMR explained that they were not the competent authority as the Roodeplaat WEF development is not part of a mining operation, and DMR authorisation would therefore not be necessary in respect of the on-site crushing and screening of material for the use as fill during the construction phase.

Subsequently to the issuing of the FEIR, this listed activity has been removed and re-worded in the 2017 amendment to the EIA regulations, with the result that it (or any similar listed activity) is no longer triggered by the proposed development. It is therefore assumed that further liaison with DMR on this issue is no longer required.

ff) The following information must form part of the EIAr as well as a separate document for ease of reference:

- An amended application form with an indication of all the 2010 listed activities that are still listed and this must specify the relevant sub listed activities;
- An indication of all the similarly listed 2014 activities and this must specify the relevant sub listed activities;
- An indication if there are any new 2014 activities that are listed;
- An indication where in the report all the 2014 activities have been assessed and mitigated for; and,
- A letter/affidavit from the EAP indicating that the above is true and correct.



Both the 2010 and 2014 (similar and new) listed activities were included in Table 1-2 the FEIR, which also indicates where in the report the impacts relating to each listed activity are addressed and mitigation measures provided. This table has subsequently been updated to reflect the 2017 changes to the 2014 EIA regulations and is provided as Table 1 of this Addendum, a copy of which is also provided in an amended application form, a copy of which is attached as Appendix B.

gg) Please note that the Department's application form template has been amended and can be downloaded from the following link <https://www.environment.gov.za/documents/forms>.

The latest template has been used for the amended application form.

## 2.14 Public Participation Process

hh) The EAP must ensure that all concerns raised in the EIA process have been adequately addressed in the amended report.

It is the EAP's view that the requirements of the regulations and best practice have been adhered to in the recording of, and responding to, IAP comments in the FEIR.

ii) The amended EIAR must include a comments and response report as per the requirements of the Regulations. For ease of reference, please see Annexure 1.

The format of a comments & response report is not specified in the EIA regulations. Recognising that the EIA process can only address issues, and not positions (e.g. statements such as "I object"), emphasis in the comments and response table is on issues. Notwithstanding this, all submissions are included in their entirety in appendices to the relevant reports (FEIR, DEIR, FSR and DSR).

The format of the comments and response report has already once been amended (for the FEIR) as per the department's instruction to not group authority comments according to issues but rather per commentator. Considerable time and effort was previously spent in amending this to the requested format. The EAP is unsure if the Department's most recent comment (ii) refers to the comments and responses by other IAPs and if so what difference an alternative format will make to the reading of this section and whether this applies to comments on the DEIR or previous reports.

jj) The EAP must provide the exact comment provided by a specific interested and affected party in the comments and response report and address the respective comment before moving to the next comment. The EAP is not to break down and categorise the comments raised by various individuals.

Due to the volume of comments received and the repetitive nature of the comments, the manner in which comments have been recorded and summarised was deemed by the EAP to be the most reasonable way to present the issues. To break down the table would simply duplicate many comments and responses. Notwithstanding this, all submissions are included in their entirety in appendices to the relevant reports (FEIR, DEIR, FSR and DSR).

kk) The amended EIAR must include all responses made by the EAP to the representations, comments and views raised by registered interested and affected parties (I&APs).

It is confirmed that all responses by the EAP to IAPs are recorded in the various comments & response tables.

## 2.15 Cumulative Impacts

II) Should there be any other similar projects within a 30 km radius of the proposed development site, the cumulative impact assessment must be refined to indicate the following:

- Assessment of cumulative impacts of all identified impacts.
- Identified cumulative impacts must be clearly defined, and where possible the size of the identified impact must be quantified and indicated, i.e. hectares of cumulatively transformed land.
- Detailed process flow and proof must be provided, to indicate how the specialist's recommendations, mitigation measures and conclusions from the various similar developments in the area were taken into consideration in the assessment of cumulative impacts and when the conclusion and mitigation measures were drafted for this project.
- The cumulative impacts significance rating must also inform the need and desirability of the proposed development.
- A cumulative impact environmental statement on whether the proposed development must proceed.

SRK has consulted the latest available version of the Renewable Energy EIA applications map<sup>3</sup>, and it is the EAP's understanding that no authorised or proposed Wind Energy Facilities occur within 30 km of the wind turbines assessed associated with the Inyanda-Roodeplaat WEF (measured from the proposed turbine locations). An updated map showing the locations of these facilities relative to the proposed development is provided as Appendix H.

Comment provided by relevant specialists relating to cumulative impacts is provided in the FEIR.

## 2.16 General

mm) The assessment of impacts, the environmental impact assessment process and the requirements of the public participation process (PPP) must be in accordance with Regulations 54 to 57 of GN R. 543 of the EIA Regulations, 2010.

All relevant requirements of the EIA regulations, 2010, have been followed.

nn) The EIAR must meet the requirements of the acceptance of the SR letter, this rejection letter and the requirements of Regulation 31 of the EIA Regulations, 2010.

Detail of how the requirements of the acceptance of the SR letter have been addressed were provided in the cover letter to DEA accompanying the DEIR, attached as Appendix G. This Addendum outlines how the requirements stipulated in the rejection letter of the FEIR have been addressed.

<sup>3</sup> Available for download from:

<https://dea.maps.arcgis.com/apps/webappviewer/index.html?id=b8452ef22aeb4522953f1fb10e6dc79e>

### 3 Public Participation

This section presents the comments received and responses thereto on both the FEIR and on the draft Addendum to the FEIR. Original comments are attached in Appendix J01 (comments on FEIR) and Appendix J02 (comments on the Draft Addendum to the FEIR). In some instances formal written responses have been prepared as an aid to preparing these tables and these are attached in Appendix J03.

Each item of correspondence in the Appendices is numbered and that number is quoted in parentheses behind the commentator's name, in the tables below.

**Table 2: Comments from IAPs on the FEIR and Responses**

Raised by:	Date	Issue, concern, comment	Response
<b>Comments received from Eastern Cape Parks &amp; Tourism Agency (ECPTA) (Comment No. 1)</b>			
V Dayimani	Email 09/12/16	The ECPTA remains opposed to the proposed facility and believe that environmental authorisation should not be granted.	[SRK] Noted.
		The area is exceptionally important for birds, and features a high diversity of raptors and other large birds. The area has exceptionally high densities of raptors. The site features many species of special concerns, including threatened and endemic species. The significance of this area for birds has been understated in the report and this could potentially lead the decision-maker to not appreciate this fact.	[Dr Percival] I stand by my baseline assessment and have responded to all of the points raised regarding particular species' statuses. As stated previously it is simply incorrect to claim that the importance of the bird populations in the area has been understated. The status of all the species that were recorded during any of the baseline surveys has been considered and is set out in Table 9 of the Avifaunal Impact Assessment (March 2016) (see Appendix D of the Supplementary Volume of Specialist studies accompanying the DEIR). I refer back also to my response letter of 7 July 2016 to the ECPTA comments on the draft EIA (see Appendix E5(i) of the FEIR).
		The FEIR makes reference to the area being outside of an Important Bird Area further creating the impression that the area is of low importance to birds.	[Dr Percival] It is simply a fact that this site was not included within the IBA when its boundaries were delineated. The process of identification of IBAs has specifically included the Kouga-Baviaanskloof IBA but excluded the area within and around the wind farm site.  [SRK] Section 3.6.2 of the FEIR indicates the locations of IBAs in the area, to provide context from a planning perspective. Nowhere is it stated that the area is of low importance to birds.
		The Groendal region is exceptionally important for avifauna conservation and features the same values as those occurring in the Kouga-Baviaanskloof IBA.	[Dr Percival] The importance of the site's bird populations has been fully and transparently evaluated and assessed on the basis of the baseline data. It is, though, as stated above, a fact that it does not lie within any IBA.

Raised by:	Date	Issue, concern, comment	Response
		<p>Many of the species occurring on the proposed site are particularly vulnerable to the impact of wind energy facilities.</p>	<p>[Dr Percival] This is acknowledged in the assessment. Where such species have been shown to be using the wind farm site and where any effect is potentially significant, appropriate mitigation measures have been proposed to avoid any significant impacts.</p>
		<p>Concerns regarding the potential impact on birds are shared by a number of experts (consult the comments and responses section of the DEIR). These concerns have not been given due consideration and largely dismissed on the stated strength of the assessment contained within the avifaunal specialist study. It is our contention that this assessment is insufficiently conservative and that it understates the likelihood of impact to bird species and overstates the confidence of predicting impacts.</p>	<p>[Dr Percival] The collision risks have been evaluated using a robust methodology and are as presented. In a worst case precautionary analysis, they could be significant and therefore mitigation measures are proposed to ensure that significant impacts do not occur.</p>
		<p>Collision risked modelling has been employed as a tool to predict the impact on only a subset of the species that could be affected.</p>	<p>[Dr Percival] Collision risk modelling has been undertaken for all of the species for which the risk could possibly be significant.</p>
		<p>The utility of collision risk modelling needs to be understood and several studies caution against the overreliance on such models. The model outputs are very sensitive to the validity of assumptions made regarding the input data, most notably the regarding avoidance rates. No data are available on the avoidance rates of the species present on site and generic avoidance rates from analogous species on different continent have been used. As a consequence, the confidence in the impact rating must be reduced.</p>	<p>[Dr Percival] The collision risks have been evaluated using a robust methodology and are as presented. In a worst case precautionary analysis, they could be significant and therefore mitigation measures are proposed to ensure that significant impacts do not occur.</p>
		<p>In the avifaunal impact assessment it is stated: "Quantitative collision risk assessment and new survey data have reduced the uncertainty of the assessment, but there still remains the potential for a significant collision risk to this species [Verreaux's Eagle], and on the basis on the new 2015-16 data, to Black Harrier as well".</p>	<p>[Dr Percival] The collision risks have been evaluated using a robust methodology and are as presented. In a worst case precautionary analysis, they could be significant and therefore mitigation measures are proposed to ensure that significant impacts do not occur.</p>

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		<p>The comments of Lucia Rodriguez in the DEIR relating to Verreux's Eagle mortality due to wind energy facilities are particularly alarming (a total of six recorded mortalities, with four at a single facility).</p>	<p>[Dr Percival] It is a fact that raptors can collide with wind turbines. That is why we have stipulated that a mitigation package is required at this site to ensure that such risks are reduced and managed, and are not significant.</p>
		<p>The comments on Dr Alan Lee regarding the potential extirpation of black harriers from the site, if the outputs of the model are accepted, are equally alarming.</p>	<p>[Dr Percival] The model output has identified that potentially significant effects could occur, hence the need for the implementation of the mitigation package.</p>
		<p>In order to reduce impacts to an acceptable level, the specialist has to recommend essential mitigation measures that are not feasible or ecological appropriate.</p>	<p>[Dr Percival] This is simply not the case. Habitat enhancement to benefit birds of prey is a widespread tool, as is the shutdown on demand that would form a backup measure to avoid any significant effects.</p>
		<p>In a number of responses to ECPTA's and other IAP's concerns, the avifauna specialists frequently highlight the reliance on mitigation measures that are not feasible or ecologically appropriate. Extensive examples are provided of instances where the concept of implementing mitigation measures are used to respond to ECPTA concerns.</p>	<p>[Dr Percival] Habitat enhancement to benefit birds of prey is a widespread tool, as is the shutdown on demand that would form a backup measure to avoid any significant effects.</p>
		<p>The details of 'off-site habitat management' are not described and it is unclear what exactly is proposed. The FEIR states 'the operational detail of how and where off-site habitat management measures recommended below will best be implemented have not yet been determined.'. This level of vagueness is not acceptable considering that this has been used to justify reduction of significance of impacts of avifauna.</p> <p>The details of the proposed off-site habitat management program include only vague statements such as:</p> <p>'Implement a management programme within the Verreux's Eagles nest buffers to enhance the food resources away from the wind farm;</p> <p>'...management includes ...measures to improve ecological resources for key species outside of the wind farm'; and</p>	<p>[Dr Percival] The habitat management plan that is being proposed for Inyanda-Roodeplaat is not a novel approach but rather one that is now commonplace at wind farm developments. Such schemes have already been delivered successfully at many sites globally, including in proximity to internationally-important protected areas and including with similar key species and similar mountainous topography to the Inyanda-Roodeplaat site. I provided numerous examples that have been successfully implemented in my previous response. ECPTA states in 3 (e) that it considers the proposed off-site measures to be too vague. As I have previously set out, the detail of the implementation would be developed post-consent as they are required (informed by the results of the post-construction monitoring) and through consultation with appropriate stakeholders. They are, however, based on measures that have been successfully developed for other sites.</p>

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		<p>“...enhance the food resources away for the wind farm, and hence reduce eagle flight activity within the wind farm.”</p>	
		<p>It is ecologically inappropriate to interfere with natural processes in the manner suggested by the avifauna specialist, especially within a wilderness setting. Altering distribution of food resources is likely to have substantial impact not only on individual species, but also on the functioning of the ecosystem.</p>	<p>[SRK] Please refer to Dr Percival’s response above regarding the habitat management measures proposed. It is noted that supplementary feeding and removal of existing hyrax shelters from the site are no longer proposed.</p>
		<p>There is no evidence to support that the simplistic predicted outcome of hyraxes merely moving from one area to another, and that this will result in the desired outcome of raptors following and thus avoiding collisions.</p>	<p>[Dr Percival] ECPTA appears not to have fully understood the main aims of the habitat management. This is not to deliver wide-scale distribution change in the rock hyrax, but rather to ensure two outcomes; (a) that the hyrax populations local to the wind farm site do not increase as a result of the construction of the wind farm, and (b) to enhance hyrax populations off-site. If a population increase on the wind farm site did occur, it could attract more raptors into the survey area and hence increase the collision risk. The proposed measures will ensure that this scenario does not occur. The off-site measures set out to enhance feeding opportunities for raptors away from the wind farm sites (and with regard to the key species of Verreaux’s Eagle, closer to their nesting sites). This would include measures to enhance rock hyrax population but also a range of other enhancements to the habitat within the birds’ ranges but outside the wind farm.</p>
		<p>How will hyrax density be manipulated across the landscape? Is this even desirable? How will changes in distribution and abundance of hyraxes impact on other trophic levels? If hyraxes become more abundant through this scheme, what will the impacts be on their habitat? How will this influence the distribution and abundance of other hyrax predators? What impacts will the corresponding increase in mesopredators have on the ecosystem and on human activity? What would stop hyraxes from recolonizing areas around turbines once abundance is elevated in off-site areas?</p>	<p>[SRK] Please refer to the responses above from the avifaunal specialist regarding the habitat management measures proposed. Impacts of changes in hyrax populations that may result from these measures have not been assessed as part of this EIA, however it is noted that the main aim of the management measures will be to prevent an increase in hyrax populations on site, and improve attractiveness of habitat for them off site. The details of how this will be achieved have not yet been determined.</p>
		<p>Proposed ‘on-site habitat management’ measure are likely</p>	<p>[Dr Percival] What is being proposed are widely used techniques to improved</p>

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		to be ineffectual and appear to be merely a justification for reducing the impact rating rather than a set of feasible solutions.	habitat quality such as better grazing management. These are standard and proven nature conservation tools, not something novel, the detail of which would be agreed with relevant stakeholders. There is additionally shutdown on demand as a further backup measure to ensure a lack of significant effect.
		The suggestion for a 'carrion removal programme based on post-construction monitoring results' is bizarre. Carrion is not a significant reason for high raptor density in the area. Mountain fynbos systems do not support high densities of large mammals and as a result there is very little carrion available to scavengers. In addition, carrion does not form a large proportion of diet of raptors present – they are all active hunters.	[Dr Percival] Some raptors do feed on carrion and it can be a major attractant for such birds into an area when it is available. However, at this particular site, it was noted in the avifaunal assessment that <i>"As none of key species are predominantly carrion-feeders it is not considered necessary to have a programme of carrion removal from the wind farm site, though this should be reviewed in light of the results of the post-construction monitoring programme."</i>
		The proposal 'avoiding increasing attractive habitat for Rock Hyrax by removing all mounds of aggregate or rock created during construction' does not address the fact there is already abundant habitat for hyraxes in the vicinity of the site.	[Dr Percival] This measure does not seek to eliminate rock hyraxes, rather just to ensure that they do not increase in abundance within the site as a result of the wind farm construction. As above, this is another precautionary measure to avoid more birds being attracted into the site.
		The case study cited by the avifaunal specialist relates to restoration of natural habitat through clearing of conifer plantations and other activities. This is not comparable to the habitat management programme proposed for Inyanda WEF.	[Dr Percival] The case mentioned is an example of how habitat management can successfully manage similar issues of eagle collisions with wind turbines. Whilst the habitats are obviously different the basic principle is the same, a principle that has been successfully implemented.
		The avifauna specialist states that "...any lost foraging areas resulting from displacement would be more than offset by the enhanced habitat quality over the rest of the range." How will this be achieved? How will the already pristine habitat be 'improved' for raptors and what are the ecological consequences of this? There is nothing to substantiate this claim.	[Dr Percival] As stated previously, what is being proposed are widely used techniques to improved habitat quality such as better grazing management. These are standard and proven nature conservation tools, not something novel, the detail of which would be agreed with relevant stakeholders.
		The EAPs themselves have expressed reservations about the proposed habitat management programme (see page 173 of FEIR) yet have made provision for implementation of these mitigation measures to reduce the	[SRK] On p173 of the FEIR it is stated that the ecological specialist has expressed reservations regarding the proposed habitat management programme. The detail of the programme proposed by the avifauna specialist has subsequently changed somewhat in that

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		significance of impacts to avifauna.	supplementary feeding and removal of existing rocky shelters are no longer proposed. The ecological specialist (L D Biodiversity) has agreed that removal of any additional rocks or additional shelters created on site during construction would be acceptable.
		The proposed habitat management mitigation measures are inappropriate, unacceptable and should not be implemented. Consequently, all of the 'with-mitigation' impact ratings that rely on habitat management should be disregarded.	[Dr Percival] See comment above
		"Management of the remaining part of the site for conservation, in terms of a stewardship agreement and management plan integrating the ecological requirements of the raptors on the site". It is not clear how this would mitigate the impacts of the turbines considering that the site already represents optimal, untransformed habitat for raptors.	<p>[Dr Percival] The area is not 'optimal untransformed' habitat and has potential for considerable improvement through enhanced grazing management.</p> <p>[SRK] At the time of writing the DEIR SRK was of the understanding that a stewardship agreement between ECPTA and the developer were under discussion. ECPTA has since indicated that any such agreement would fall outside the EIA process and should not affect decision making.</p>
		Turbine shutdown-on-demand is recommended 'as a back-up response should the number of collision actually approach the worst-case predictions'. The ECPTA has no confidence that this will be implemented.	<p>[Dr Percival] The operational mitigation measures would need to be guaranteed though an appropriate legally-binding agreement that would be enforceable. This is an important point as the deliverability of these measures is critically important.</p> <p>[SRK] The EAP has included a response to the more recent comment by ECPTA on this topic, made in response to the Addendum Report (Table 3).</p>
		The visual impact, including impacts on the wilderness character and on sense of place, will be unacceptable. The significance rating of visual intrusion on sense of place during operation was rated very high in the assessment. This represents a fatal flaw and environmental authorisation should not be granted on this basis alone (notwithstanding the impacts on avifauna, which should also be regarded as fatal flaws).	<p>[SRK] The Visual specialist has rated the significance of the potential visual impact as very high, partly because of the proximity of the site to the Groendal Nature Reserve (and its role in conserving wilderness/natural landscapes with scenic views), affecting sense of place. The specialist added that the heights and location of wind turbines on elevated ground make it very difficult or impossible to effectively mitigate their visual impact, however he did not specify this to present a fatal flaw to the development.</p> <p>SRK has recorded the high significance of visual impacts as a key factor for the DEA when making a decision (see Section 6.1</p>



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		<p>In response to an ECPTA comment it is stated "Specific reference is made in Section 6.2 of both the Draft and Final versions of the EIR to the conflict between the Groendal Wilderness Area and visual impacts. Attempts by the Applicant to resolve the conflict through a stewardship agreement with ECPTA have not been successful, as evidence by this comment." It is unclear how a biodiversity stewardship agreement with the ECPTA would resolve visual impact of the WEF.</p> <p>It is stated in the FEIR that the possibility of a biodiversity stewardship agreement is contingent on environmental authorisation being granted. This represents a fundamental misunderstanding of the nature of the Eastern Cape Biodiversity Stewardship Program.</p>	<p>of the FEIR).</p> <p>[SRK] The intention of a biodiversity stewardship agreement would be to reach an agreement with the ECPTA regarding management of the site in a sustainable way to ensure conservation of biodiversity. For clarity, the EAP's response quoted here is not intended to suggest that a stewardship agreement would resolve visual impacts, although it is recognised that a stewardship agreement could be viewed as an attempt to offset the inherent visual impacts with improved land management (i.e. ecological) practices.</p> <p>[SRK] Comment noted. At the time of writing the DEIR the EAP was of the understanding that a stewardship agreement between ECPTA and the developer was under discussion. ECPTA has since indicated that any such agreement would fall outside the EIA process and should not affect decision making.</p>
<b>Comments received from A Lee (Comment No. 2)</b>			
A Lee	Email 07/12/16	<p>The impacts and risks of the development are higher than any benefits and is unacceptable.</p> <p>I pledge my support to ECPTA for their ongoing opposition to the development.</p> <p>SRK did not pay attention to report which I previously submitted and I am attaching it again.</p>	<p>[SRK] The impact summary table included in Section 6 of the FEIR provides an overview of the various potential positive and negative impacts of the project</p> <p>[SRK] Comment noted.</p> <p>[SRK] The commenters submission was previously reflected and addressed in detail in the Comments &amp; Responses Table included in the FEIR (Table 4-2).</p>
<b>Comments received from Zungah Safaris (Comment No. 3)</b>			
C Bolton	Email 08/12/16	<p>The FEIR states that written notices were sent to owners and/or occupants of land immediately surrounding site..." Can you elaborate on how we were notified?</p> <p>It is understood that DRPW gave the proponent permission to use these minor roads as they are</p>	<p>[SRK] Notice of the EIA process was forwarded to The CW Bolton Trust as adjacent landowner by the original EAP, Coastal &amp; Environmental Services per electronic mail to <a href="mailto:charlie@eagleteam.co.za">charlie@eagleteam.co.za</a> on 27 September 2013. SRK Consulting forwarded the notification of the change in EAP on 7 November 2014. This email facility was used for all IAP notifications throughout the process. Proof of these notifications have been included in previous reports.</p> <p>[Newcombe Wind Developments] With respect to Mr Bolton, his consent is not required as the road is not private</p>

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		proclaimed. However, in terms of access to our private property, no discussion or agreements have been conducted with us.	property. The road in question is a minor public road in the Uitenhage District which was approved and proclaimed as such by the Administrator in terms of section 124(4) of the Divisional Council Ordinance, 1952.
		Should any agreement on access to this property be reached, who will take responsibility for loss of wildlife should gates be left open etc.? Who will impose penalties to the contractors and compensate me for any loss?	[Newcombe Wind Developments] Mr Bolton could claim for any loss from the offending party in the normal course. The suggestion of imposing penalties on contractors is not understood and no basis would exist for doing so.
		No public meeting was held to discuss the DEIR. Is this correct? If a public meeting was held, why were we not notified?	[SRK] That is correct – a public meeting on the DEIR was not held, however the report was made available to all registered IAPs for comment. The EIA regulations do not specify the requirement for a meeting.
		The EAP did not assess site alternatives and the response to not doing this has been stated in the FEIR as 'No other site alternatives were considered as part of this EIA. Typically site alternatives would need to be included in the scoping phase of an EIA, however the DEA's acceptance of the Final Scoping Report (without site alternatives) seems to suggest that the competent authority did not consider assessment of additional site alternatives to be essential in this case.' Do you as competent authority and as SRK deem this appropriate?	[SRK] No other site or layout alternatives were considered as part of this EIA. Typically site alternatives would need to be included in the scoping phase of an EIA, however the DEA's acceptance of the Final Scoping report (without site alternatives) seems to suggest that the competent authority did not consider assessment of additional site alternatives to be essential in this case.
		There is degraded land better suited for such a development. Why has this not been considered?	[SRK] The scope of this EIA was limited to the development site that was assessed. SRK was not provided with any other site alternatives and therefore cannot comment on their relative suitability.
		Please can the EAP refer us to the applicable sections where our comments relating to the progress of other related authorisations are addressed?	[SRK] The commenter's specific comment was reflected and addressed in Table 4-1 of the FEIR. SRK's response was noted as "These permits are usually obtained subsequent to the environmental authorisation of a project. The WUL application has been submitted and proof is included in Appendix I6."
<b>Comments received from Elands River Conservancy (ERC)(Comment No. 4)</b>			
L Dodd	Email 07/12/17	It is alarming that no public meetings were arranged with IAPs by SRK Consulting since 2013.	[SRK] The EIA reports were made available to all registered IAPs for comment. The EIA regulations do not specify the requirement for a public meeting.

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		The ERC considers itself a key stakeholder as it represents 33 landowners, covering an area of 11,600 hectares bordering the proposed windfarm. In the FEIR it is mentioned that a key stakeholder meeting (to which ERC was not invited) was arranged at the ECPTA offices in Newton Park.	[SRK] This meeting was limited to commenting authorities only. Invitations were sent to the DWS as well as ECPTA, however no DWS representatives attended the meeting (nor did they request an alternative meeting date).
		At the key stakeholder meeting Brian Reeves (ECPTA) requested that the fire management plan should allow for a natural fire regime and that no active burning should be allowed.	[SRK] This requirement has been included in the fire management plan included in Section 7.7 of the FEIR.
		The Elands River Valley has an active and well operating Fire Protection Association (FPA). Members abide by the rules of the FPA and the National Fire Act. Included is a copy of an email from the ERC to SRK regarding our concerns regarding Mr Watson's attitude towards fire management. In summary, the letter details 3 incidents of fire on Mr Watson's property and requests SRK to investigate the matter.	[SRK] SRK does not have the authority to investigate this matter, however the applicant was provided with a copy of the ERC's letter.
		We are also concerned about the erection of high structures (like wind turbines) in an area prone to fires caused by lightning.	[SRK] Recommendations for management of fires are provided in Section 7.5.5. and 7.7 of the FEIR. The ECPTA has recommended that the area be allowed to burn naturally, as is required periodically in fynbos vegetation. The area around each turbine will remain cleared and as such will function as a fire break between the turbine and surrounding vegetation.
		Powerlines: The erection of transmission lines from the proposed wind farm runs through an entirely different area as the wind farm itself and should be registered as a separate EIA. This was not done and we therefore regard it as a fatal flaw.	[SRK] Three powerline route alignment alternatives were assessed as part of the EIA, as described in Section 2.3.2 of the FEIR. A comparison of the specialists' findings relating to these alternatives is provided in Section 6.1.1 of the FEIR.
		In an article on the proposed wind farm appearing in The Herald on 21 June 2016, the ERC stated that 'we need wind farms in this country, but they should be built in the right places.'. Mr Watson's reaction that '...everywhere you go you will find lunatics that are opposed	[Newcombe Wind Developments] The IAPs have a right to comment on the environmental aspects of the Project.  This comment addresses the alleged comments of an individual, who is not the landowner or the developer of the Wind Energy Facility.  The comment does not address environmental aspects and no response is

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		to a wind farm.' Indicates that he is not concerned about the position of the wind farm. His Project Manager never returned The Herald's phone calls.	necessary.
		The South African climate lends itself to the utilization of alternative energy sources, but it cannot be done to the detriment of the environment.	[SRK] The importance of sustainable development is not disputed by the EAP. The aim of the EIA process is to identify and assess the positive and negative environmental and social impacts of a development proposal in this context, and inform decision making.
		We need to protect as much as possible of our natural, pristine areas as possible.	
<b>Comments received from Birdlife SA (BLSA) (Comment No. 5)</b>			
S Ralston-Paton & S Gear	Email 09/12/16	We do not support the proposed development.	[SRK] Comment noted.
		The careful location of wind farms is of the utmost importance if impacts on birds are to be minimised, and minimising impacts is critical if significant cumulative effects on biodiversity are to avoided in the face of the large-scale roll-out of renewable energy.	[Dr Percival] The assessment has identified potentially significant impacts and detailed mitigation measures that will ensure that they do not occur.
		The proposed location is undesirable from a planning perspective. The proximity to protected areas, critical biodiversity areas, and location within an area designated as part of the Protected Areas Expansion Strategy are of particular concern. The avifaunal impact assessment confirms that there is significant risk to birds without mitigation.	[SRK] Spatial planning tools and land use management objectives relevant to the area are discussed in Section 3.7 of the FEIR. Furthermore, Section 6.2 of both the Draft and Final versions of the EIR specifically comment on the conflict between certain key impacts of the proposed development and the neighbouring wilderness areas.
		Regarding the avifaunal assessment, the site was poorly covered by vantage point surveys, leaving a significant part of the site unstudied (27 proposed turbines were outside the area covered by vantage point monitoring).	[Dr Percival] This was true of the initial surveys undertaken by Jon Smallie but not of the further year's baseline collected during 2014-15 which had much improved coverage and improved survey methodology.
		The collision-risk model was based on inadequate data (i.e. collected for a short period of time, with limited coverage – it has not been demonstrated that it is a representative sample of bird movements on site).	[Dr Percival] Again the initial data were limited but the further year's surveys have provided a robust baseline that has enabled improved assessment to be undertaken.
We understand that additional bird surveys have been conducted (were due to be complete in July 2016), but	[Dr Percival] That report has now been issued. It does not, though, materially change the conclusions reached.		

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		<p>although requested from the EAP, this information has not been made available for review. This data could substantially affect impact predictions and recommended mitigation measures.</p>	<p>[SRK] This report had not yet been made available to SRK at the time of publication of the FEIR and draft addendum thereof, and therefore we were not in a position to distribute it. The report has subsequently been made available to SRK and is provided as Appendix K. IAPs are encouraged to review this report and submit any additional comments (see details in Section 4). SRK is of the opinion however (based on the specialists' statement) that a decision on whether to authorise the project could be made in the absence of this additional information.</p>
		<p>The impact assessment relies heavily on mitigation measures to reduce the significance on impacts and Percival goes so far to suggest that there will be a net benefit to birds. It is not clear how this conclusion was reached, what assumptions were made, or what metrics were used.</p>	<p>[Dr Percival] The mitigation would ensure that significant collision risk is avoided (through shutdown on demand, if necessary) and will also deliver widespread benefits through habitat enhancement.</p> <p>[SRK] Any anticipated benefits resulting from habitat enhancement as referred to by the avifaunal specialist have not been assessed and therefore SRK is not in a position to confirm this conclusion.</p>
		<p>We are concerned that the recommended mitigation measures largely comprise of management in the operational phase of the wind farm - ignoring the mitigation hierarchy.</p> <p>To quote the avifaunal assessment: "It is usual practice when designing a wind farm to use the baseline ornithological data to inform that design to minimize any ornithological impacts. However, for the Inyanda Roodeplaat WEF, the limited coverage of the vantage point surveys of bird flight activity within / around the wind farms makes that task currently very difficult." It appears that the only attempt to minimize impact through amending the layout was through implementing generic buffers around Martial Eagle and Verreaux's Eagle nest. No layout mitigation was suggested for Black Harrier.</p>	<p>[Dr Percival] No layout design mitigation was suggested for black harrier as this species is highly variable between years. The fact that it used that particular area for nesting in one year does not necessarily mean that it would use that area in any future years, in which case design mitigation for this species would not be effective. In contrast eagles tend to be rather more faithful to particular nests sites, and as acknowledged, these have been avoided in the design process.</p>
		<p>BLSA recommends generic buffers of 3 km around Verreaux's Eagle nests. This distance is the radius of the mean 90% utilization distributions, based on data from eagles tracked using GPS during</p>	<p>[Dr Percival] The buffers are not to exclude all eagle flight activity from the development site but rather to avoid key higher use flight areas in proximity to nest sites. Previous studies of Verreaux's eagle flight activity in proximity to nest</p>

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		<p>the pre-breeding season in the Cederberg and Sandveld. It is also roughly half the mean inter-nest distance averaged across site in South Africa.</p>	<p>sites (Percival 2013) has shown that flight densities are higher in closer proximity to nests but that activity levels stabilise (at a comparatively low level) beyond 1.5km. Locating the turbines more than 1.5km from any eagle nest will therefore avoid areas of higher flight activity and will consequently reduce collision risk in comparison with locations within 1.5km of an eagle nest.</p>
		<p>Buffers must be considered to be of high sensitivity and development of turbines should be avoided unless there is sufficient data to confirm there is a low risk to birds. No such data has been presented.</p>	<p>[Dr Percival] See previous comment. A robust baseline data set has now been collected to enable the risk to be assessed.</p>
		<p>Recommend that other areas associated with high risk (e.g. topographical features and other areas regularly used by eagles) are also avoided. This has not been addressed in the assessment.</p>	<p>[Dr Percival] Given the patterns of flight activity observed of the different species, the extent of the wind farm and the site topography, it was considered that buffering the eagle nests would be the best way to reduce the risk.</p>
		<p>On-site habitat management would ensure the risk to birds is not increased further, but will not necessarily reduce the risk below the current predicted levels.</p>	<p>[Dr Percival] Agree, which is why off-site management is proposed to improve the relative attractiveness of areas away from the wind farm. Primary aim of on-site management is to avoid any possibility of enhanced raptor feeding opportunities in those areas.</p>
		<p>According to avifaunal specialist regarding off-site habitat management: "The mitigation is based on proven measures that have been shown to be effective in similar situations elsewhere. These are measures that have been implemented successfully at many wind farm sites, and include specific measures that have been developed for Verreux's Eagle in South Africa." The only reference provided to support this claim (Walker et al. 2005) involves a wind farm in Scotland where a plantation was felled with the aim of mitigating the potential loss of foraging habitat to the wind farm and drawing eagles away from the wind farm. This is a very different situation which involved the restoration of habitat previously not available. Its effectiveness has not been proved.</p>	<p>[Dr Percival] What is being proposed are widely used techniques to improved habitat quality such as better grazing management. These are standard and proven nature conservation tools, not something novel, the detail of which would be agreed with relevant stakeholders. There would also be the shutdown on demand</p>
		<p>We question the appropriateness of supplementary feeding of hyrax</p>	<p>[Dr Percival] Supplementary feeding for rock hyraxes is not being proposed for</p>

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		<p>and this may have knock-on ecological impacts. The Ecological specialist has also expressed reservations about this approach.</p>	<p>this scheme. It was originally suggested as a possible measure (as it was part of an agreed scheme for the Witberg wind farm) but has not been put forward following consultation.</p> <p>[SRK] At the time of publication of the FEIR supplementary feeding was proposed as a possible measure for off-site habitat management. As per the above the specialist has subsequently confirmed that this is no longer the case, but that the impact significance ratings previously provided remain unchanged.</p>
		<p>Stewardship and improved management of the remaining farm is welcomed, but no indication is given of its current ecological condition and present use by raptors, or to what extent it is anticipated to change with improved management (are there existing eagle territories?).</p>	<p>[Dr Percival] Much of the eagles' ranges are currently artificially stocked with game animals, for example, and often at an unnaturally high density (with a resultant impact of high grazing pressure on vegetation communities). These benefits would be delivered to several of the same eagle ranges that could be affected by the wind farm.</p>
		<p>Since there is no evidence that wind farms displace Verreaux's Eagle and Martial Eagle, it is unclear to what extent and under what circumstances the eagle would be drawn away from the wind farm to the stewardship site.</p>	<p>[Dr Percival] The intention would be to manage this area away from the wind farm to improve the birds' food supply, so that they would choose to spend more time foraging in these areas with better food supply.</p>
		<p>BLSA encourages shutdown-on-demand where there are unanticipated negative impacts, but we (and our Birdlife International partners) are of the opinion that the best way to avoid impacts is to appropriately locate and design wind farms where the risk to birds are minimal. Shutdown-on-demand should not replace careful planning and design and does not provide a perfect remedy to collision-related mortality.</p>	<p>[Dr Percival] Shutdown on demand can be effective. It is not being proposed as the main source of mitigation but rather as a back-up measure that can be implemented if necessary to ensure that significant collision impacts can be avoided.</p>
		<p>We encourage marking of powerlines as mitigation measure to reduce the risk of collision, but it is not a perfect solution. Bird flight diverters may not be effective in reducing mortalities of Ludwigs Bustard (although this is implied to be effective in the EIR).</p>	<p>[Dr Percival] Noted - the current proposed powerline route along the existing road should reduce collision risk further.</p>
		<p>We would like to clarify that our involvement with the proposed Witberg Wind Farm was as an IAP. We did not collaborate with Dr Percival any more than we</p>	<p>[Dr Percival] Noted</p>

Raised by:	Date	Issue, concern, comment	Response
		engage with specialists working on other proposed wind farms. Furthermore, the circumstances around our engagement with Witberg was quite different – the project was approved in 2012 based on what we would now consider to be a scoping study and Dr Percival's involvement was after the environmental authorisation was issued. BLSA has expressed our concerns about Witberg in subsequent amendment applications.	
<b>Comments received from L Rodrigues (Comment No. 6)</b>			
L Rodrigues	Email 09/12/16	Dr Percival states that field surveys were set to continue until July 2016 in order to complete the full 12 months. No such report has been made available therefore all predicted ecological effects and assumptions or mortality are based on data collected over the period Aug 2015 – January 2016. This is significant because it only covers one complete stage of the Verreaux's eagle breeding cycle and that is of a chick on the nest with both adults provisioning it. The chick would have fledged at the end of the year, but it takes several weeks before it gains enough confidence to fly freely, therefore that data has not been made available, neither had the data on territorial displays before egg laying, nor the adult flights during incubation.	[Dr Percival] An updated report covering the surveys to July 2016 has been produced - no material differences to the previous conclusions were found.  [SRK] A revised report, completed after the submission of the FEIR, that includes the full 12 months of monitoring by Dr Percival's team, is attached to this Final Addendum Report as Appendix K. This report was regrettably not distributed with the Draft Addendum report but is now made available in the interests of transparency. IAPs are encouraged to review this report and submit any additional comments (see details in Section 4 of this report)
		It is stated that there are many examples at 'wind farms in the UK, with similar large raptor flight densities to Inyanda Roodeplaat, where collision rates have generally been very low and not considered to be significant.' One cannot accept a statement like this without comparing topographical and other environmental features between the Inyanda Roodeplaat site and those alluded to in the UK. These are factors that influence flight behaviour.	[Dr Percival] Such studies have been undertaken at site that are topographically similar to those at Inyanda Roodeplaat. See, for example, Fielding and Howarth 2013.
		There are no Golden Eagles left in England, therefore I assume when the report states that there are 'no Golden Eagle collision at	[Dr Percival] Yes



Raised by:	Date	Issue, concern, comment	Response
		all reported to date in the UK, despite their presence at several operations sites', these are found in Scotland.	
		Regarding the case study cited by Dr Percival, how close to Golden Eagle territories are these WEFs? How many pairs within 10 km of these WEFs? How do the topographical and other environmental factors compare to Inyanda Roodeplaat?	[Dr Percival] Nearest nest is 3 km, single pairs within 10 km
		It is incorrect (page 23 para 78) to draw parallels between different species of large eagles and regard the data comparative to such an extent that one can extrapolate cause and effect across continents and vastly contrasting biomes.	[Dr Percival] Disagree, it is valid to draw parallels with ecologically similar species, particularly in topographically similar areas.
		To draw parallels between density of White-tailed Eagles in Smola and Verreaux's Eagle population at Inyanda Roodeplaat is misleading. White-tailed Eagles are gregarious, roost together in winter months and have a high tolerance of other eagles' proximity when breeding. Verreaux's Eagles are highly territorial, occur in pairs or as singletons, do not tolerate close proximity of own or other eagle species and breed further apart than White-tailed Eagles.	[Dr Percival] Agree that these are behaviourally different species in many respects, and these highlight why the collision risk to Verreaux's Eagle would not be expected to be as high as that found for White-tailed Eagle at this site in Norway.
		The mitigation measure suggested in the final Avifaunal Assessment fall far short of what is required to ensure the continued presence of a healthy Verreaux's Eagle population in the area.	[Dr Percival] The proposed mitigation measures will ensure that significant impacts are avoided. [SRK] It is noted that the mitigation measures proposed by Dr Percival have been amended in the updated report (Appendix K), as is described in Section 2.1 of this Report. Dr Percival has confirmed that these changes in the mitigation measures do no result in a change in the significance ratings originally presented.
		Proposed buffer of 1.5 km around nests falls far short of recommended 3 km in Birdlife SA's 'Guidelines for Verreaux's Eagle and Wind Energy Facilities'.	[Dr Percival] The 1.5 km recommended here was in light of a quantitative analysis of Verreaux's Eagle flight behaviour that I undertook for the Witberg wind farm.
		Birdlife SA's 'Guidelines for Verreaux's Eagle and Wind Energy Facilities' states that 'any turbines placed within an area regularly used by Verreaux's	[Dr Percival] The buffers are not to exclude all eagle flight activity from the development site but rather to avoid key higher use flight areas in proximity to nest sites. Previous studies of Verreaux's

Raised by:	Date	Issue, concern, comment	Response
		Eagles should be deemed significant risk.”	eagle flight activity in proximity to nest sites (Percival 2013) has shown that flight densities are higher in closer proximity to nests but that activity levels stabilise (at a comparatively low level) beyond 1.5 km. Locating the turbines more than 1.5 km from any eagle nest will therefore avoid areas of higher flight activity and will consequently reduce collision risk in comparison with locations within 1.5 km of an eagle nest.
		Predator control; does that mean killing predators that would compete for the same food source as the eagles and thereby increasing the food availability?	[Dr Percival] This usually entails killings of common species that adversely impact on species of higher conservation concern, through reduction of breeding success by predated nests or direct predation of adults, e.g. in the UK is often undertaken for crows and foxes. It is not though proposed here.
		Supplementary feeding; does that entail maintaining feeding stations of vegetable material for rock hyrax or a feeding station with the carcasses of dead animals for the eagle to scavenge?	[Dr Percival] Supplementary feeding for rock hyraxes is not being proposed for this scheme. It was originally suggested as a possible measure (as it was part of an agreed scheme for the Witberg wind farm) but has not been put forward following consultation. [SRK] It is noted that the mitigation measures proposed by Dr Percival have been amended in the updated report (Appendix K), as is described in Section 2.1 of this Report. Dr Percival has confirmed that these changes in the mitigation measures do not result in a change in the significance ratings originally presented.
		Suggestions that predator control and supplementary feeding have been successfully implemented in UK needs to be supported by data included as part of the Avifaunal Assessment.	[Dr Percival] Neither measures are being proposed for this site.
		FEIR Executive Summary states ‘the topography of the site constrains positioning of infrastructure and turbines and repositioning may not be technically feasible’. The conclusion must be that this site is not suitable for the development on a WEF.	[SRK] The steep topography of the site is cited in the FEIR as a key constraint to the positioning of infrastructure. AfriCoast Engineers (see Appendix E5(iv) of the FEIR) are however of the view that it is possible to design and construct all required infrastructure on the site.
		Juxtaposed to the significant risk of collision for all raptor species at the site, is the inescapable truth that ‘space and appropriate sites for wind farms is not a limiting factor in South Africa and that more suitable sites can be	[SRK] The need and desirability of the proposed project is discussed in Section 2.1 of the FEIR and should be taken into account by the authorities in their decision making on the application.

Raised by:	Date	Issue, concern, comment	Response
		developed to meet the country's energy need at less risk to avifuana".	
<b>Comments received from S Campbell (Comment No. 7)</b>			
S Campbell	Email 09/12/17	The issues relating to unlawful commencement have not been addressed, despite that the fact that the unlawful commencement relates to the project under consideration.	[RNI] The road upgrade (which was not undertaken by the Applicant) was in any event not unlawful.  That notwithstanding, the party which undertook the upgrade has reached a compromise arrangement with the designated representatives of the HOD of DEDEAT in terms of which it will rehabilitate those sections of the road which it is contended departed from the route of the proclaimed road.
		The criminal case relating to the unlawful commencement has not yet been finalised.	[RNI] The criminal case against the party responsible for the improvements to the road (which is not the project developer) has been stayed pending the conclusion of the aforementioned compromise arrangement.
		In the absence of an explanation why the applicant changed consultants, it raises questions regarding the objectivity of the EAP and the Department is requested to ensure that the FEIR is submitted to an independent EAP for peer review.	[RNI] It became apparent from discussions between the applicant's representatives and those of the erstwhile Environmental Assessment Practitioner (the "EAP") that the EAP propagated the opinion that the Project was "doomed from the start" and had lost his objectivity. The EAP nevertheless continued to provide services and accept payment from the applicant notwithstanding its predetermined and unwavering opinion.  The EAP suggested that the Project advisors were attempting to "sugar coat" reports and threatened that if they continued to do so it would "pull the plug" on the Project. Not only were those contentions rejected by the applicant but they also at the very least demonstrated a perception of bias on the part of the EAP towards the applicant and the Project. Such conduct was viewed by the applicant as unprofessional and inconsistent with the impartiality required of an EAP.  It was further clear that there was a breakdown in trust between the applicant, the Project company and the EAP. An effort by the Project company to resurrect the relationship was unsuccessful. The applicant accordingly proposed to the consulting company to which the EAP belonged that the EAP be removed from the Project. The EAP was not prepared to agree. It was apparent that he and his firm viewed the role played by the Project advisors as being unduly coercive and an

Raised by:	Date	Issue, concern, comment	Response
			<p>attempt by the applicant to influence the EAP's objectivity and independence and to create a bias in favour of the Project. Such contention was and is denied.</p> <p>The applicant was of the firm view that a corporate bias had been formed against the Project and that the EAP and his firm had lost their objectivity and their continued appointment was accordingly untenable. The EAP and his firm were replaced by SRK Consulting and the current EAP.</p> <p>[SRK] Replacement of the EAP and avifaunal specialist is at the Applicant's discretion. SRK played no part in either of these decisions and would welcome peer review by another EAP should the Department deem this to be necessary.</p> <p>The previous EAP has been sent the letter from RNI explaining the reasons for the change in the EAP (see Appendix J03) and has confirmed that <i>"As the applicant's attorneys note in the attached document there was a difference in opinion between myself as the EAP, and their clients as the project developer/applicant/landowner, over what I deemed to be an acceptable level of influence they may have in the EIA process considerations and reporting outputs - we clearly agreed to disagree. The fact that I expressed early on in the process a professional opinion as to what I perceived to be the observable demerits of the application (as I am obliged to in terms of the pertinent Regulations, as well as the professional code of conduct I believe I subscribe to), was not acceptable to the applicant - as is demonstrated by their Attorney's statements to this effect"</i>.</p> <p>Presumably this comment is intended to (incorrectly) suggest that SRK would provide a more favourable conclusion than any other EAP, in which case such insinuation is rejected. We believe we have recorded our views accurately and independently in both the Draft and the Final versions of the EIR.</p>
		<p>The Department is requested to establish from the previous EAP why they were replaced by the applicant and the previous EAP should be consulted about the unlawful commencement of the road.</p>	<p>[RNI] We refer to what is stated above. No point will be served in referring the matter to the previous EAP for comment.</p>
		<p>The Department is requested to</p>	<p>[RNI] A dispute arose between the person</p>

Raised by:	Date	Issue, concern, comment	Response
		<p>refuse the environmental authorisation until such time as the unlawful commencement has been dealt with in terms of section 24G of NEMA and until such time as the criminal proceeding have been finalised.</p>	<p>who rehabilitated the road (who is not the developer) and DEDEAT as to whether an authorisation was required.</p> <p>The history of the matter is that during August 2015 Mr R Watson received a notice of intention to issue a compliance notice in terms of Section 31(l) of NEMA in respect of the alleged unlawful construction of roads on certain of the cadastral properties forming part of the larger package of properties in respect of which the EA is sought. At that point, the Minister of Environmental Affairs initially refused to consider the scoping report in respect of the Project and closed its file in the matter.</p> <p>The road in dispute is a proclaimed minor road and not a public road. The road has existed as a minor road in the Uitenhage Division for many years and was approved by the Administrator and proclaimed and promulgated as such on 11 December 1964 in terms of Section 124(4) of the Divisional Council Ordinance, 1952.</p> <p>The land owner utilises the road regularly for the purposes of transporting game on the property and for the transportation of farm workers. The land owner affected certain repairs to the road on the advice of its engineers and with the approval of the Provincial Roads Engineer. In terms of the Cape Province Ordinance, 1956 the statutory width of a minor road was fixed at 20 meters.</p> <p>Although the Ordinance was repealed by the Eastern Cape Roads Act, 2003, the statutory width of minor roads was not altered. The widening of a road within the statutorily declared width is specifically excluded from the activities identified in the listing notices as work which may not be commenced without an authorisation.</p> <p>In summary, the road is a minor provincial road and the land owner has the approval of the Provincial Road Engineers to maintain and make improvements thereto.</p> <p>The work undertaken thus far has all been within the statutory width of a minor road and consequently did not require the approval of the Department or the Minister of Environmental Affairs. The activity did not fall within the scope of the activities identified in the listing notices dealing with roads and was not undertaken by the Project company</p> <p>The Project company accordingly launched an application to Court to</p>

Raised by:	Date	Issue, concern, comment	Response
			<p>require the Minister of Environmental Affairs to withdraw the decision to close the file and to proceed to consider the scoping report.</p> <p>The litigation between the parties was settled on the basis that the Department would reopen the file in respect of the application for an environmental authorisation and continue with the processing of that application in accordance with the provisions of the EIA Regulations of 2010.</p> <p>However as is apparent from the Revegetation and Habitat Rehabilitation Plan commissioned by the EAP, the road in question will be rehabilitated completely by the developer (to the extent that it does not form part of the approved access road system).</p> <p>In any event, the dispute with DEDEAT in respect of the lawfulness of the road upgrade, with the party responsible for the upgrade, without admitting that it acted unlawfully, having undertaken to rehabilitate defined portions of the road.</p> <p>There is accordingly no basis to act in accordance with the request of this IAP.</p>
		Comments to the DEIR submitted in May 2016 are included below.	The commenters submission was previously reflected and addressed in detail in the Comments & Responses Table included in the FEIR (Table 4-2).

**Table 3: Comments from IAPs on the Draft FEIR Addendum Report**

Raised by:	Date	Issue, concern, comment	Response
<b>Comments received from Eskom (Comment No. 8)</b>			
J Geeringh	Email 14/06/17	No further comments regarding development. Once final layouts are available, please submit kmz file indicating all the development footprints and power line connections route, etc.	[SRK] Noted. The applicant has been informed of Eskom's requirements regarding submission of final layouts.
<b>Comments received from A Lee (Comment No. 9)</b>			
A Lee	Email 26/06/17	Perceived lack of willingness by applicant to cooperate with DEA's recommendation for further review of the avifauna reports.	<p>[Newcombe Wind Developments] The Department interpreted the reports of the avifaunal specialists incorrectly. The two specialists did not conduct the same pre-construction data analysis. Dr Percival conducted a peer review on Mr Smallie's work.</p> <p>The resultant difference in the conclusions and recommendations by Dr Percival is as a consequence of a further 12 months of monthly monitoring of the</p>

Raised by:	Date	Issue, concern, comment	Response
			<p>Project site conducted by him and the implementation by him of a much more robust methodology as part of that peer review.</p> <p>The reports are plainly very different both as to the portions of the Project site which were studied and the length of the periods during which such studies were undertaken, with Dr Percival's efforts being much more extensive.</p> <p>Section 24L of NEMA authorises the Minister, in instances where the technical knowledge required for the review of any aspect of an assessment is not readily available within the resources of the Department, to appoint an external specialist to review the reports. Neither the Act nor the Regulations empower the Minister (nor of course the Department) to require the Applicant to appoint a further specialist to review the work of either Dr Percival or Mr Smallie. In any event, the Applicant submits that having regard to the content of the reports and what is stated herein above, there is no need to do so.</p> <p>Bird Life SA is registered as an interested and affected party for this Project. It has consistently raised opposition to the Project and made it plain that it does not approve of it and does not wish it to proceed. It was for this reason that the Applicant searched for and appointed an independent, bird specialist with international standing and experience (and in particular independent of and uninfluenced by Bird Life SA) to review Mr Smallie's work and to continue with further monitoring and reporting.</p> <p>The Applicant believes that Bird Life SA has established a firm position in opposition to the Project and in the circumstances it would not be possible for it to assume an objective role in facilitating a further review of the avifaunal reports in any way (which in any event is not necessary, given what we say above, save to the extent that the Minister may seek to augment the Department's internal capacity).</p> <p>[SRK] The applicant has taken a position regarding an independent review, as outlined above. The EAP's view is that for a review of the Smallie and Percival reports to be useful, the reviewer should have a working knowledge of both Collision Risk Modelling and the SA Bird Monitoring Guidelines. Furthermore, the</p>

Raised by:	Date	Issue, concern, comment	Response
			point made above that BLSA has taken a position on the development is an important consideration given that specialists should have no conflicting interests in undertaking a review and many, if not all, recognised South African specialists would be members of BLSA.
		Page 7, 2 <sup>nd</sup> paragraph: "This suggests that the method employed by Percival in this assessment is more robust than is usually the case for four of the species modelled." Do the consultants therefore agree that the modelled collision rates of the raptors are very high?	<p>[SRK] The quoted text is not a comment on whether collision rates are high or not, but on the fact that the collision rates derived from the Percival monitoring data are higher than those derived from the Smallie data.</p> <p>[Dr Percival] The collision risks have been evaluated using a robust methodology and are as presented. In a worst case precautionary analysis, they could be significant and therefore mitigation measures are proposed to ensure that significant impacts do not occur.</p>
		Analysis of Smallie data shows lower impact rate, yet concludes that the impact on avifauna is too great to proceed, while Percival with higher impact rate on data suggests that it is okay to proceed. Contradictory conclusions warrant further investigation.	<p>[SRK] The term "impact rate" in this comment is understood to refer to "collision rate". It is important to understand that Smallie has based his views on a qualitative assessment, without the prediction of collision rates. It is therefore incorrect to draw a connection between Smallie's findings and Percival's prediction of collision rates.</p> <p>[Dr Percival] All data sets show potential for significant effect. The key difference here between Smallie's work and my own is that he did not fully consider available mitigation options.</p>
		With collision rates for Endangered Black Harrier ranging from 0.7 to 7 per year (Table 12), how is the recommendation to proceed justifiable?	[Dr Percival] The proposed mitigation measures will ensure that significant impacts are avoided.
		Even if it is argued that the Percival data is 'better', the conclusion resulting from this analysis does not match the hazard presented to the population of raptors presented by the windfarm.	[Dr Percival] The baseline data that we collected clearly do not suffer the same limitations as those collected by Jon Smallie, as set out in my review of Smallie's work. The conclusion throughout is that there could be a significant impact - however in our work we have gone on to develop a mitigation package that will ensure that significant impacts are avoided.
		On Page 7 it is stated "The Percival study was originally intended by the Applicant as a review of the Smallie report". Why would the review of the Smallie	[Newcombe Wind Developments] This aspect has been addressed fully. We point out that the reports comprise the following and are included in Appendix D of the Supplementary Volume of



Raised by:	Date	Issue, concern, comment	Response
		report be submitted as the actual report?	<p>Specialist studies accompanying the DEIR:</p> <ul style="list-style-type: none"> <li>• Final pre-construction report from Jon Smallie – which was reviewed</li> <li>• Ornithological Review and Assessment Update – from Steve Percival</li> <li>• Six month monitoring report from Steve Percival</li> <li>• Species List – provided by Steve Percival</li> <li>• Avifaunal Impact Assessment from Steve Percival.</li> </ul>
		It can be argued that the Percival report was externally reviewed by myself. I highlight the information in the report that expose great risk of the development to avifauna and have been misinterpreted in the executive summary. There was no response to concerns from the review and consultants have persisted with ‘no serious impact on avifauna’ despite evidence to the contrary.	<p>[Dr Percival] The assessment has identified potentially significant impacts and detailed mitigation measures that will ensure that they do not occur.</p> <p>[SRK] SRK welcomes the input of IAPs including experts in their own right with an interest in the project, and view this as an essential motivation for the public participation process. Scrutiny of specialist reports by those who have the technical training to understand the detail therein adds tremendous value to the EIA process as a whole. As important as these comments are, the EAP will not present these as the independent review requested by the DEA.</p>
		Growing body of data to show that South Africa’s avifauna, especially raptors, are extremely prone to mortalities resulting from collision with wind-turbines. This information is still in the process of being peer reviewed and published.	[Dr Percival] BirdLife South Africa <sup>4</sup> has recently concluded with regard to collision risk to birds in South Africa that it is “within the range of fatality rates that have been reported for North America and Europe” indicating that the available evidence does not concur with Dr Lee’s point here.
		Even conservative avoidance rates based on Scottish raptors used by Percival may be inadequate to explain vulnerability of South Africa’s unique set of raptors to turbines through inadequate avoidance rates used in collision risk modelling.	[Dr Percival] Again, there is not any evidence that I am aware of that suggests that there are circumstances that would make South African raptors more vulnerable, and see BirdLife South Africa position in response to previous comment.

<sup>4</sup> Ralston Paton, S., Smallie J., Pearson A., and Ramalho R. 2017. Wind energy’s impacts on birds in South Africa: A preliminary review of the results of operational monitoring at the first wind farms of the Renewable Energy Independent Power Producer Procurement Programme in South Africa. BirdLife South Africa Occasional Report Series. No. 2. BirdLife South Africa, Johannesburg, South Africa.

Raised by:	Date	Issue, concern, comment	Response
<b>Comments received from Zungah Safaris (Comment No. 10)</b>			
C Bolton	Email 17/07/17	<p>Section 2.4 (Preferred Layout), page 11: 'Recognising that the assessment of alternatives is a requirement of the EIA Regulations, it is noted that the assessment of layout alternatives is not prescribed'.</p> <p>The EIA Regulations defines 'alternatives' as: '...different means of meeting the general purpose and requirements of the activity, which may include alternatives to-</p> <ul style="list-style-type: none"> <li>• The property on which or location where it is proposed to undertake the activity;</li> <li>• The type of activity to be undertaken;</li> <li>• The design or layout of the activity;</li> <li>• The operational aspects of the activity; and</li> <li>• The option of not implementing the activity." <p>Please clarify.</p> </li></ul>	<p>[SRK] No other site or layout alternatives were considered as part of this EIA. Typically site alternatives would need to be included in the scoping phase of an EIA, however the DEA's acceptance of the Final Scoping report (without site alternatives) seems to suggest that the competent authority did not consider assessment of additional site alternatives to be essential in this case.</p>
		<p>Were no public meetings held other than on the 23<sup>rd</sup> of October 2013? Suggests that a public meeting should have been held to discuss the finding of the DEIR with IAPs.</p>	<p>[SRK] No public meetings were held to present the findings of the DEIR. Public meetings are an option that the EAP can consider depending on factors such as the complexity of the project and on the literacy levels of the IAPs.</p> <p>The proposed development is not particularly complex in this instance and the registered IAPs show a relatively high degree of literacy. It is the EAPs view that providing access to all reports, as has been the case in this process, is sufficient to inform IAPs and obtain comment.</p>
		<p>"These permits are usually obtained subsequent to the environmental authorisation of a project"</p> <p>Response to request for progress regarding other applicable licences / permits is inadequate.</p>	<p>[SRK] The EAP believes that the response provided is adequate. Water Use License authorisations that have been received so far are included in Appendix F of the FEIR Addendum, and additional applications are in progress.</p>
		<p>"The WUL application has been submitted and proof is included in Appendix I6"</p> <p>I have not approved any access to my property. Please confirm how the WULA process is going to be concluded without my</p>	<p>[Newcombe Wind Developments] With respect to Mr Bolton, his consent is not required. The road in question is a minor public road in the Uitenhage District which was approved and proclaimed as such by the Administrator in terms of section 124(4) of the Divisional Council</p>

Raised by:	Date	Issue, concern, comment	Response
		access consent.  Comments made on the FEIR on 8 December 2016 remain.	Ordinance, 1952.  [SRK] These comments were sent directly to the DEA at the time, and for completeness have been recorded and responded to in Table 2.
<b>Comments received from Elands River Conservancy (ERC)(Comment no. 11)</b>			
L Dodd	Email 17/07/17	<p>Rushmere Noach Incorporated (RNI) letter to ERC dated 14 December 2016 (letter attached). On page 2 RNI states that the upgrading of the road occurred with the permission of the provincial road engineer, was completed during 2012 and complied with all relevant statutory requirements. It seems as if RNI was not properly informed by their client with the facts regarding the upgrading of the road as in a letter dated 22 February 2017 to DEDEAT.</p> <p>RNI letter to ERC dated 14 December 2016: In the letter RNI stated that the ERC suggests that the fires are linked to the upgrading of the road. The ERC suggests that RNI visit the area in which the mentioned fires occurred.</p> <p>RNI letter to ERC dated 14 December 2014: "The irresistible inference to be drawn from your mail is that (and the ERFPA, as you write in your representative capacity) are mischievously attempting to undermine the Proposed Wind Energy facility for some unidentified agenda without any rational basis for doing so." The Elands River Community are farmers, conservationists and job creators without time for 'mischievous' actions. The ERC is registered as IAP and executing the right to share information and comments relevant to the EIA.</p> <p>RNI letter to ERC dated 14 December 2016: "Our clients will not hesitate to pursue all legal remedies against you and the ERFPA, if you are indeed acting on its behalf, should you unnecessarily interfere (as you are now doing) in the environmental process underway. Their rights in this regard are</p>	<p>[RNI] The IAP raises no facts at odds with those with which the Applicant's attorneys were briefed and no comment is necessary in response to the bald assertion of the IAP.</p> <p>[RNI] The purpose of the suggested visit by legal representatives of the landowner is not understood. This suggestion does not have any rational connection to the issue raised.</p> <p>[RNI] No further comment is necessary.</p> <p>[RNI] The IAPs have a right to comment on the environmental aspects of the Project. L Dodd presented no facts or tangible evidence to link upgrading of the road (in 2012) to fires which occurred in 2015/2016. The suggestion of a threatening tone is misplaced and denied.</p> <p>[SRK] The EAP welcomes all comments</p>

Raised by:	Date	Issue, concern, comment	Response
		<p>reserved.”</p> <p>This comment undermines the right of an IAP and the threatening tone might indicate unnecessary interference on their part in the EIA process.</p>	<p>from IAPs and SRK actively continues to encourage all registered IAPs to submit their comments and concerns. We do note the letter referred to in this comment was dated after the Final Environmental Impact Report was submitted to DEA.</p>
		<p>The ERC stated its concern about the erection of high structures, like wind turbines, in an area known for fires that have been caused by lightning. This issues has not been addressed.</p>	<p>[SRK] Recommendations regarding fire management and control, taking into account ecological considerations and input from the ECPTA, are included in Section 7 of the FEIR.</p>
		<p>The 2017 statistics for fires in the area caused by lightning are as follows:</p> <ul style="list-style-type: none"> <li>• 24 Feb – 6 March 2017: fire originated in Groendal, burned to Kwa-Zunga;</li> <li>• 21 – 23 March 2017: Fire originated in Kwa-Zunga’s northern side, burned to Weltevreden;</li> <li>• 26 – 29 April 2017: fire originated at Sand River, burned towards Mountain-to-Ocean’s plantation.</li> </ul>	<p>[SRK] The fact that the area is prone to natural fires is recognised in the EIR, and has been addressed through recommendations regarding fire management and control, as included in Section 7 of the FEIR.</p>
		<p>Impact of fire on a sensitive, biodiverse area is immense.</p>	<p>[SRK] Recommendations regarding fire management and control, taking into account ecological considerations and input from the ECPTA, are included in Section 7 of the FEIR.</p>
		<p>Under Water Amendment Act, no 27 of 2014, environmental assessment in terms of the Nature Conservation Act, 1989, can be taken into account by the responsible authority when issuing a water license. Area is currently experiencing severe drought with the lowest average annual rainfall recorded in 25 years.</p>	<p>[SRK] The relevant Water Use Licenses (WULs) for stream crossings have been received (see Appendix F) and the additional WULAs required for abstraction of borehole water for the development are in progress. The decision-maker for WULAs is the DWS.</p>
		<p>The pollution of water during and after construction of industrial developments in a pristine area (such as the study area) is a threat to an environment already under pressure.</p>	<p>[SRK] Potential impacts on water quality have been addressed in Section 5.9 of the FEIR, based on the findings of the aquatic specialist (see specialist report in Appendix G of the supplementary volume of specialist studies included with the DEIR).</p>
		<p>ERC maintains opinion that this pristine area is not appropriate for the proposed facility.</p>	<p>[SRK] The EAP’s findings in this regard, based on the assessment conducted, are summarised in Section 6.2 of the Draft and Final EIR.</p>
<b>Comments received from L Rodrigues (Comment No. 12)</b>			
L Rodrigues	Email	Re-positioning of Percival report from specialist avifaunal	[Newcombe Wind Developments] This aspect has been addressed fully. We

Raised by:	Date	Issue, concern, comment	Response
	17/07/17	assessment to review seems an attempt to justify disregarding DEA's request for appointment of independent avifaunal specialist to review all work undertaken.	<p>point out that the reports comprise the following and are included in Appendix D of the Supplementary Volume of Specialist studies accompanying the DEIR:</p> <ul style="list-style-type: none"> <li>• Final pre-construction report from Jon Smallie – which was reviewed</li> <li>• Ornithological Review and Assessment Update – from Steve Percival</li> <li>• Six month monitoring report from Steve Percival</li> <li>• Species List – provided by Steve Percival</li> <li>• Avifaunal Impact Assessment from Steve Percival.</li> </ul>
		Percival admits that Smallie's collision risk assessment, which predict a significant impact of Verreaux's Eagle population cannot be ruled out. In his own assessment, a predicted 98% avoidance rate shows increase of between 1.80 and 1.85% over baseline mortality rate for Verreaux's Eagle, which he admits requires careful consideration to whether a significant effect on Verreaux's Eagles can be ruled out.	[Dr Percival] All data sets, both ours and Smallie's show potential for significant impact. Hence the need for the proposed mitigation measures to ensure that significant impacts are avoided.
		Percival's 98% avoidance rate is not based on any empirical data. Information currently available indicates that Verreaux's Eagles (along with Black Harriers) are vulnerable to collisions with wind turbines. BLSA's recent report (attached) provides a preliminary review of the results of operational monitoring at specific wind farms in South Africa and reflects a far lower avoidance rate than 98%. The same report calls Percival's avoidance rate for Black Harriers of 99% into question.	[Dr Percival] The results are presented for a range of avoidance rates but most weight has been given to the values that represent a reasonable worst case (i.e. something that could possibly happen). 98% avoidance was identified by Scottish Natural Heritage as an appropriate precautionary worst case to use for most species, and that is based on studies of bird (including raptor) behaviour at existing wind farms. It is most definitely not 'pure guesswork' as Rodrigues has stated in her email. There is no quantitative assessment relating to collision risk to flight activity in the BLSA report. Under the 'Passage rates and collision risk' section it is specifically stated that "It was not possible to assess whether high passage rates correlated with an increase in fatalities (both between sites and between species), as the data were presented in such a way that made comparisons difficult. A more detailed analysis of flight activity and collision risk is required." Variability in black harrier numbers at a site between years is something well-known and

Raised by:	Date	Issue, concern, comment	Response
			something that was part of the baseline at this site.
		The attached BLSA report finds that the risk of collision may be related to particular characteristics of the species present, or topography. This suggests that it is also important to study the effects of wind energy in a particular area or region.	[Dr Percival] The BLSA report does not identify any circumstances that would suggest that South African raptors are significantly more vulnerable to collision than any others. Assessments should look at the detailed site characteristics, as this one has done using a comprehensive baseline data set.
		Percival mentioned spending time in the field during April 2015 and confidently compares the height he saw Verreaux's Eagles fly at, to data acquired by Smallie who spent over a year in the field.	[Dr Percival] The flight height assessment is not based on just my own observations but a comprehensive data set that was collected during all of the baseline surveys.
		Percival concedes that his field surveys did not continue after January 2016 and assumptions needed to be made on flight activity between January and July 2016.	[Dr Percival] The surveys have now been completed through to July 2016. [SRK] A revised report, completed after the submission of the FEIR, that includes the full 12 months of monitoring by Dr Percival's team, is attached to this Final Addendum Report. This report was regrettably not distributed with the Draft Addendum report but is now made available in the interests of transparency. IAPs are encouraged to review this report and submit any additional comments (see details in Section 4 of this report)
		Percival paid no heed to legitimate concerns by specialists about the proposed wind farm's proximity to five Verreaux's Eagles nests and one suspected Martial Eagle nest. Experienced specialists (Smallie, Jenkins and Barkhuysen) are not confident that effective mitigation measures to protect against collision are possible at this site.	[Dr Percival] This is simply incorrect. My assessment has identified potentially significant impacts. What I have done though that is different from Smallie and Jenkins is that I have developed a mitigation package to address those risks and ensure that the residual impacts are not significant. I am puzzled by the reference to Adri Barkhuysen as he has undertaken all of the recent surveys for us and contributed to the mitigation plan. [SRK] SRK has obtained confirmation from Adri Barkhuysen that he was involved in the additional monitoring surveys (though not the reporting thereof), and has recommended that the following changes to the mitigation measures provided in the updated report in Appendix K are made: <ul style="list-style-type: none"> <li>• Turbine shut down must be implemented (essential, not optional), via an automated system (not manually operated), from the start of operation;</li> <li>• Fog detectors should be installed, to detect low visibility conditions during the day</li> </ul>

Raised by:	Date	Issue, concern, comment	Response
		<p>Percival references the Beinn an Tuirc wind farm Golden Eagle study in Scotland, which showed that post construction, the pair largely avoided the wind farm. He fails to mentioned that this concerned only one pair of Golden Eagles that had their nest over 6 km from the wind farm. Here we have multiple pairs of Verreaux's Eagles with wind turbines encroaching into their core areas.</p>	<p>[Dr Percival] Rodrigues is wrong here. The Beinn an Tuirc golden eagles nested about 3 km from that wind farm. It was a single edge of range pair (something that could actually make them more vulnerable) but the mitigation through habitat management has been highly successful.</p>
		<p>In Scotland Golden Eagles are afforded a minimum nest buffer of 2.5 km, however In South Africa Percival recommends a 1.5 km buffer.</p>	<p>[Dr Percival] This is not the case. There is not a formal minimum buffer but rather sites are assessed on a case by case basis. The 1.5 km recommended here was in light of a quantitative analysis of Verreaux's Eagle flight behaviour that I undertook for the Witberg wind farm.</p>
		<p>Percival persists in comparing raptors across continents, not taking into account that behaviour between species differ and is influenced by topography, weather and the raptor community the target species finds itself in.</p>	<p>[Dr Percival] Again, I note that the BLSA report that Rodrigues appended to her email has found no evidence of atypically high rates of collision in South Africa.</p>
		<p>In my view it is essential to have the work of the two specialists reviewed by an independent and highly regarded avifaunal specialist.</p>	<p>[Newcombe Wind Developments] Refer to the comment above in response to A Lee (see page 41 above, not repeated here due to length of response).</p>
<b>Comments received from Paul Martin (Comment No. 13)</b>			
<p>P Martin</p>	<p>Email 16/07/17</p>	<p>In rejecting the request for Peer Review, the Applicant is concerned that a reviewer will provide different recommendations than Percival.</p>	<p>[Newcombe Wind Developments] Refer to the comment above in response to A Lee (see page 41 above, not repeated here due to length of response).</p>
		<p>It appears that Percival was sourced directly by Applicant to replace Smallie who indicated that risks to avifauna were unacceptably high at this location.</p>	<p>[SRK] This is correct.</p>
		<p>Percival found high risks to avifauna but is relying on turbine shutdown on demand and habitat modification and supplementary feeding off-site to reduce presence of at-risk species on site. The details of the latter mitigation methodology have still not been provided and will be developed post-consent (see answer to original comment on p156 of the FEIR).</p>	<p>[Dr Percival] In a worst case, raptor collision risk could be significant and therefore mitigation measures are proposed to ensure that significant impacts do not occur.</p>
		<p>The development hierarchy is to</p>	<p>[Dr Percival] The proposed mitigation may</p>

Raised by:	Date	Issue, concern, comment	Response
		Avoid, Minimise and Mitigate impacts – it is clear that this site cannot avoid high risk to avifauna and substantial mitigation (largely untested in South Africa) will be required.	be relatively new in South Africa but has been widely applied elsewhere, including for similar species in similar environmental conditions.
		Section 2.2, Status of Road: The correspondence in Appendix D seems to indicate that the road was illegally commenced with and that a resolution has not yet been reached with DEDEAT.	[RNI] Refer to the comment above in response to L Dodd. The road upgrade (which was not undertaken by the Applicant) was in any event not unlawful. That notwithstanding, the party which undertook the upgrade has reached a compromise arrangement with the designated representatives of the HOD of DEDEAT in terms of which it will rehabilitate those sections of the road which it is contended departed from the route of the proclaimed road.
		Section 2.3(m): DEA should make sure they read this response (letter Noach to ECPTA dated 15 Aug 2016, item 4 pp5-6). The original EAP warned that the project was 'doomed from the start'.	[SRK] It is assumed that DEA will read all correspondence included in the report before making a decision.
		Section 2.9, Bats, Last Paragraph: DEA should note that the Applicant has opted not to amend the turbine layout to reduce impacts on bats.	[Newcombe Wind Developments] The methodology followed by Malouf and Marais in conducting their specialist study relating to bats was that recommended in the South African Good Practice Guidelines for Surveying Bats in Wind Farm Developments and the similarly named Guidelines for Pre-construction. The purpose of these Guidelines is not to produce data appropriate to model the spatial distribution of bats in relation to the landscape structure.  However, the report does record that three bat species are found on the project site. Two of those species are recorded as being of "least concern". One species is listed as "endangered", but that species was found only near the entrance of the Project site.  No bats were found in the high sensitivity areas or in the proposed high buffer regions.  The Applicant concluded that there was nothing in the FEIR, including the specialist reports, to suggest the necessity of amending the turbine layout. A requirement that it should do so would be unfair and not consequent upon the available evidence.
		Section 2.12, Need & Purpose: There are many WEFs with positive Environmental	[Newcombe Wind Developments] The identity of an off-taker is highly confidential. In any event, an off-taker is



Raised by:	Date	Issue, concern, comment	Response
		<p>Authorisations that have not yet been constructed, largely due to 'market demand' problems. Yet the Applicant refuses to divulge where the energy will be sold. The need for this facility, given those with existing authorisations in the region that are closer to main power distribution networks with lower negative impacts, has not been adequately demonstrated.</p>	<p>only likely to conclude a power purchase agreement once an EA has been received.</p> <p>The provision of the identity of an off-taker cannot be a requirement of an environmental assessment application and the Department is overreaching the powers afforded to it by NEMA and the Regulations.</p> <p>That detail can be provided to the Department in the future.</p> <p>[SRK] The need for wind farms in general is addressed under Section 2.1 of the EIR, including climate change benefits and socio-economic development. The scope of the EIA has not considered whether or not the Eastern Cape needs more wind farms.</p>
<b>Comments received from Eastern Cape Parks &amp; Tourism Agency (ECPTA) (Comment No. 14)</b>			
V Dayimani	Email 27/07/17	<p>The dismissal by the proponent of DEA's request for an external review of the avifaunal specialist studies shows disregard for the potential serious negative impacts that the proposed facility will have on avifauna. Given the significance of the area for avifauna, the precautionary principle should be applied and an independent review should be conducted and stakeholders should be afforded the opportunity to comment on this.</p> <p>The reluctance of the proponent to accede to DEA's request for external review is in itself an indication of the poor quality of the Percival study. If the study is truly robust, it should stand up to the scrutiny of an independent expert. The instruction by the proponent to the EAP is quite alarming as the EIA process should be independent and the developer should not have this level of influence over the process.</p>	<p>[RNI] Section 24(L) of NEMA authorises the Minister, in instances where the technical knowledge required for the review of any aspect of an assessment is not readily available within the resources of the Department, to appoint an external specialist to review the reports. Neither the Act nor the Regulations empower the Minister (nor the Department) to require Inyanda to appoint a further specialist to review the work of either Dr Percival or Mr Smallie. In any event, Inyanda submits that having regard to the content of the reports and what is stated herein above, there is no need to do so.</p> <p>It is therefore specifically denied that Inyanda merely and arbitrarily "dismissed" the Department's request for an external review and that it has shown a disregard for the impacts which the facility will allegedly have on avifauna. The Department's request is unlawful and has the effect of unfairly mulcting Inyanda with unnecessary further costs and time delays which would not benefit the project.</p> <p>As recorded above, neither the Act nor the Regulations empowers the Minister (nor the Department) to require Inyanda to appoint a further specialist to review the work of either Dr Percival or Mr Smallie. The Minister may of course appoint an external specialist to review the reports if she requires technical input pertaining to any aspect of the report, if such resources are not available within the Department. It was for that reason that Inyanda advised the EAP of its</p>

Raised by:	Date	Issue, concern, comment	Response
			<p>position on the matter. It is specifically denied that the EIA process was anything less than independent and that Inyanda exercises any level of influence over the process or the EAP.</p> <p>(see full response in Appendix J03)</p> <p>[SRK] The applicant has taken a position regarding an independent review, as outlined above. The EAP's view is that for a review of the Smallie and Percival reports to be useful, the reviewer should have a working knowledge of both Collision Risk Modelling and the SA Bird Monitoring Guidelines.</p>
		<p>Our concerns with regard to the Percival study relate to:</p> <p>The methodology employed and the associated assumptions;</p>	<p>[SRK] The method employed by Dr Percival appears to be consistent with that applied in the United Kingdom and is understood to be widely accepted in that jurisdiction. The basis on which the collision risk model has been used to determine significance is declared in the report.</p>
		<p>The interpretation of the data in a way that deliberately minimizes impacts;</p>	<p>[SRK] While it recognised that Dr Percival's report comes to a different conclusion to that of Mr Smallie, the EAP attributes the different conclusions reached to the method employed by Dr Percival in analysing the data rather than to a deliberate bias towards minimising impacts.</p>
		<p>The insufficiently conservative impact rating, especially considering the uncertainty associated with potential impacts; and</p>	<p>[SRK] The EAP understands this comment to refer to the correlation between mortality rates predicted by the collision risk model and impact significance. The basis for this is declared in the report and Dr Percival has responded to the specifics of this concern elsewhere in these comments and response tables.</p>
		<p>The lack of appropriate mitigation measures and the reliance on impractical and ecologically unsound mitigation options to reduce the significance of the impacts.</p>	<p>[SRK] It is noted that the mitigation measures proposed by Dr Percival have been amended in the updated report (Appendix K), as is described in Section 2.1 of this Report. Dr Percival has confirmed that these changes in the mitigation measures do no result in a change in the significance ratings originally presented.</p>
		<p>The continued reliance on habitat management (effectively changing the distribution of food resources in the landscape) is ecologically inappropriate and concerning.</p>	<p>[SRK] It is noted that the mitigation measures proposed by Dr Percival have been amended, as is described in Section 2.1 of this Report.</p>
		<p>It should be clear that the</p>	<p>[RNI] It is noted that the ECPTA would</p>

Raised by:	Date	Issue, concern, comment	Response
		<p>possibility for a biodiversity stewardship agreement or any other type of 'Conservation Management Agreement' should not influence the decision-making around the proposed facility. The ECPTA opposes the proposed facility but would be prepared to discuss potential biodiversity stewardship options with the landowner, should they wish to conserve their land and such application would need to follow due process for stewardship, and needs to be assessed on its own merits. Any engagement from ECPTA in this regard should not be construed as support for the proposed facility; indeed stewardship and a development such as this may well be mutually exclusive.</p>	<p>only be prepared to further discuss and conclude such agreement once an environmental authorisation has been issued. Inyanda has no objection to this. (see full response in Appendix J03)</p>
		<p>In response to DEA's request that the EAP must obtain comments from the Directorate: World Heritage management, Biodiversity and Conservation, and Protected Areas Management within the DEA as well as Birdlife South Africa, SRK notes that it is 'assumed that other government conservation bodies would have similar concerns / comments to those raised by the ECPTA and DEDEAT'. SRK should not assume that other government entities would not have concerns beyond those raised by the ECPTA.</p>	<p>[SRK] While it is recognised that other government conservation bodies may have additional concerns to those expressed by ECPTA, it is recorded here that the EAP does not assume ECPTA's comments to be on behalf of all government conservation bodies, but merely that other government bodies are likely to have similar concerns to those of the ECPTA.</p>
		<p>In Appendix D, the proponent's attorneys have composed a compliance notice on behalf of DEDEAT with regard to the illegal road that was constructed. It is highly inappropriate for a proponent to attempt to influence the DEDEAT's decision-making in this regard and it is irregular for them to be drafting the compliance notice on behalf of the DEDEAT.</p>	<p>[RNI] After discussions were held with the Director General of the Department of Environmental Affairs and the HOD of DEDEAT, it was agreed that the matter would be dealt with at a provincial level (essentially separating that issue from the EIA process). The Head of the Enforcement Division of DEDEAT was specifically delegated by the HOD of DEDEAT to deal with the matter. The owner of the land traversed by the road has put a proposal to him regarding the rehabilitation of the roads in question and a process to achieve that. In terms thereof, DEDEAT will issue a compliance notice in an agreed form to the owner of the land in question which will comply with it. (see full response in Appendix J03)</p>

Raised by:	Date	Issue, concern, comment	Response
		As the management authority for the Groendal Wilderness Area, which is part of the Cape Floral Region Protected Areas World Heritage Site, and as implementer of the Eastern Cape Biodiversity Stewardship Programme, ECPTA believes that the project will have a significant negative impact on the environment of the proposed area and that environmental authorisation should not be granted.	[SRK] Noted, and the conclusions recorded in the Environmental Impact Report seek to highlight the views of the ECPTA in this regard.

## 4 The Way Forward

The public participation process conducted as part of the EIA process has given IAPs the opportunity to assist with identification of issues and potential impacts, and to comment on the findings of the specialist studies and the Environmental Impact Report.

The Addendum was made available for comment, as depicted in Figure 1. The draft version of the Addendum (excluding Appendices) was distributed to all registered IAPs. A full version of the Addendum was accessible as an electronic copy on SRK's webpage via the 'Public Documents' link <http://www.srk.co.za/en/page/za-public-documents>

Printed copies of the Addendum were made available for public review at:

- Uitenhage Public Subscription Library (Caledon Street, Uitenhage); and
- Kirkwood Public Library (Jefferson Ave, Kirkwood).

All comments received have been included in the final version of the Addendum (this document), to be submitted to DEA for their consideration.

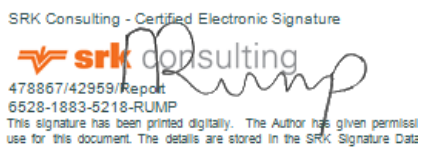
This document will also be distributed using the same methods as described above. The public are encouraged to inspect this Addendum. Written comment on this Addendum should be sent directly to the Competent Authority by **17h00 on 17 September 2017** to:

Ms Milicent Solomons / Muhammad Essop  
 Department of Environmental Affairs  
 Private Bag X447, Pretoria, 0001  
 Environment House, 473 Steve Biko Road, Arcadia  
 Email: [msolomons@environment.gov.za](mailto:msolomons@environment.gov.za) / [messop@environment.gov.za](mailto:messop@environment.gov.za)  
 Reference Number: 14/12/16/3/3/2/464

A copy of the comments must also be sent to:

Wanda Marais  
 SRK Consulting  
 PO Box 21842, Port Elizabeth, 6000  
 Email: [wmarais@srk.co.za](mailto:wmarais@srk.co.za)  
 Fax: (041) 509 4850

**Prepared by:**



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**Reviewed by:**



Rob Gardiner MSc, Pr Sci Nat  
Partner, Principal Environmental Scientist

All data used as source material plus the text, tables, figures, and attachments of this document have been reviewed and prepared in accordance with generally accepted professional engineering and environmental practices.

# Appendices

## **Appendix A: DEA Rejection of FEIR**

## **Appendix B: Amended EIA Application Form**



## **Appendix C: Specialist Correspondence**

## **Appendix C-1: Clarity provided by the Archaeology specialist**

## **Appendix C-2: Clarity provided by the Palaeontology specialist**

## **Appendix C-3: Clarity provided by the Agricultural specialist**

## **Appendix C-4: Clarity provided by the Avi-Faunal specialist**

## **Appendix C-5: Clarity provided by the Bat specialist**

## **Appendix C-6: Clarity provided by the Ecological specialist**

## **Appendix C-7: Clarity provided by the Hydrology specialist**



## **Appendix C-8: Clarity provided by the Noise specialist**

## **Appendix C-9: Clarity provided by the Visual specialist**

## **Appendix C-10: Clarity provided by the Socio-Economic Specialist**

## **Appendix D: Correspondence-Illegal Road**

## **Appendix D1: Correspondence regarding illegal road**

## **Appendix D2: DEA close-out regarding illegal road**

## **Appendix E: Site Map of Illegal Road and Internal Road required for WEF**

## **Appendix F: Water Use License for road crossings**



## **Appendix G: DWS correspondence regarding Water Use Authorisations**

## **Appendix H: Map showing distance to other Wind Energy Facilities**

## **Appendix I: DEIR Covering Letter submitted to DEA**

## **Appendix J: Comments & Responses**

## **Appendix J-1: Comment received from IAPs on FEIR**

## **Appendix J-2: Comments received from IAPs on Draft FEIR Addendum Report**

## **Appendix J-3: Responses from Applicant & relevant specialists to IAP comments**

## **Appendix K: Avifauna update report**



## SRK Report Distribution Record

Report No.

478867/5

Copy No.

Name/Title	Organisation	Copy	Date	Authorised by
M Solomons M Essop N Mkhwanazi	Department of Environmental Affairs (National)	1 & 2 & 3	15 August 2017	R Gardiner
D Govender	Eastern Cape Department of Economic Development Environmental Affairs and Tourism	4	15 August 2017	R Gardiner
B Geach	Eastern Cape Parks and Tourism Agency	5	15 August 2017	R Gardiner
L Ngoqo	Sundays River Municipality	6	15 August 2017	R Gardiner
N Dweni	Department of Water & Sanitation	7	15 August 2017	R Gardiner
SAHRIS	Eastern Cape Provincial Heritage Resources Authority (ECPHRA)	Electronic	15 August 2017	R Gardiner
T Nokoyo	Department of Agriculture, Forestry and Fisheries (DAFF)	8	15 August 2017	R Gardiner
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C Arnold	Rushmere Noach Inc	Electronic	15 August 2017	R Gardiner
H Newcombe	Newcombe Wind Developments	Electronic	15 August 2017	R Gardiner
-	SRK Port Elizabeth Library	11	15 August 2017	R Gardiner

Approval Signature:

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